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ANNEX IV

REGULATIONS FOR THE PREVENTION OF POLLUTION BY SEWAGE FROM SHIPS

Chapter 1 - General

Regulation 1

Definitions

For the purposes of this Annex:

1 "New ship" means a ship:

.1 for which the building contract is placed, or in the absence of a building contract, the keel of which is laid, or which is at a similar stage of construction, on or after the date of entry into force of this Annex^{*}; or

* Annex IV entered into force on 27 September 2003.

.2 the delivery of which is three years or more after the date of entry into force of this Annex.

 Refer to the [IACS UI MPC91](#) Annex IV of MARPOL 73/78

2 "Existing ship" means a ship which is not a new ship.

3 "Sewage" means:

.1 drainage and other wastes from any form of toilets and urinals;

.2 drainage from medical premises (dispensary, sick bay, etc.) via wash basins, wash tubs and scuppers located in such premises;

.3 drainage from spaces containing living animals; or

.4 other waste waters when mixed with the drainages defined above.

4 "Holding tank" means a tank used for the collection and storage of sewage.

5 "Nearest Land". The term "from the nearest land" means from the baseline from which the territorial sea of the territory in question is established in accordance with international law except that, for the purposes of the present Convention "from the nearest land" off the north eastern coast of Australia shall mean from a line drawn from a point on the coast of Australia in:

latitude 11°00' S, longitude 142°08' E

to a point in latitude 10°35' S, longitude 141°55' E

thence to a point latitude 10°00' S, longitude 142°00' E

thence to a point latitude 9°10' S, longitude 143°52' E

thence to a point latitude 9°00' S, longitude 144°30' E

thence to a point latitude 10°41' S, longitude 145°00' E

thence to a point latitude 13°00' S, longitude 145°00' E

thence to a point latitude 15°00' S, longitude 146°00' E

thence to a point latitude 17°30' S, longitude 147°00' E

thence to a point latitude 21°00' S, longitude 152°55' E

thence to a point latitude 24°30' S, longitude 154°00' E

thence to a point on the coast of Australia in latitude 24°42' S, longitude 153°15' E

6 Special area means a sea area where for recognized technical reasons in relation to its oceanographical and ecological condition and to the particular character of its traffic the adoption of special mandatory methods for the prevention of sea pollution by sewage is required.

The special areas are:

.1 the Baltic Sea area as defined in regulation 1.11.2 of Annex I; and

.2 any other sea area designated by the Organization in accordance with criteria and procedures for designation of special areas with respect to prevention of pollution by sewage from ships¹.

¹ Refer to Guidelines for the designation of special areas under MARPOL and guidelines for the identification and designation of particularly sensitive sea areas (resolution [A.927\(22\)](#)).

7 "International voyage" means a voyage from a country to which the present Convention applies to a port outside such country, or conversely.

8 "Person" means member of the crew and passengers.

9 A passenger means every person other than:

Unified Interpretation

1 Definition of "a similar stage of construction"

Reg.1.1.1

"*A similar stage of construction*" means the stage at which:

- .1 construction identifiable with a specific ship begins; and
- .2 assembly of that ship has commenced comprising at least 50 tonnes or one per cent of the estimated mass of all structural material, whichever is less.

2 Building contract date, keel-laying date and delivery date

Reg. 1.1.2

1 Under certain provisions of the SOLAS and MARPOL Conventions, the application of regulations to a ship is governed by the dates:

- .1 for which the building contract is placed on or after dd/mm/yyyy; or
- .2 in the absence of a building contract, the keel of which is laid or which is at a similar stage of construction on or after dd/mm/yyyy; or
- .3 the delivery of which is on or after dd/mm/yyyy.

2 For the application of such provisions, the date on which the building contract is placed for optional ships should be interpreted to be the date on which the original building contract to construct the series of ships is signed between the shipowner and the shipbuilder provided:

- .1 the option for construction of the optional ship(s) is ultimately exercised within the period of one year after the date of the original building contract for the series of ships; and
- .2 the optional ships are of the same design plans and constructed by the same shipbuilder as that for the series of ships.

3 The application of regulations governed as described in paragraph 1, above, is to be applied as follows:

- .1 if a building contract signing date occurs on or after the contract date specified for a particular set of regulation amendments, then, that set of regulation amendments applies;
- .2 only in the absence of a building contract does the keel laying date criteria apply and, if a ship's keel laying date occurs on or after the keel laying date specified for a particular set of regulation amendments, then, that set of regulation amendments applies; and
- .3 regardless of the building contract signing date or keel laying date, if a ship's delivery date occurs on or after the delivery date specified for a particular set of regulation amendments, then, that set of regulation amendments applies except in the case where the Administration has accepted that the delivery of the ships was delayed due to unforeseen circumstances beyond the control of the shipbuilder and the owner*.

* Refer to Unified Interpretation of "Unforeseen delay in the delivery of ships" ([MSC.1/Circ.1247](#) and MARPOL Annex I, Unified Interpretation 6).