

2009 年香港国际安全与环境无害化拆船公约

本公约各缔约国，

注意到对有关拆船业的安全、健康、环境和福利的日益关注，

认识到拆船有助于可持续发展，并因而是对达到报废年限船舶的最佳选择，

忆及国际海事组织大会通过的 A.962(23)决议（《拆船指南》）；A.980(24)决议通过的《拆船指南》修正案；《控制有害废料越境转移及其处置巴塞尔公约》第 6 次缔约国会议的第 VI/24 号决定，该决定通过了《全部和部分拆船的环境无害化管理技术指南》；以及国际劳工局理事会第 289 届会议批准的指南（《拆船安全和健康：亚洲国家和土耳其指南》），

还忆及国际海事组织大会通过的 A.981(24)决议，要求海上环境保护委员会就拆船问题制定一份具有法律约束力的文件，

还注意到国际劳工组织在保护拆船工人职业安全和健康方面所起的作用，

进一步注意到《控制有害废料越境转移及其处置巴塞尔公约》对保护人员健康和环境免受此类废料的不利影响所起的作用，

鉴于本组织海上环境保护委员会于 1995 年 9 月 15 日通过的 MEPC.67(37)决议中引用的里约热内卢环境与发展宣言第 15 条原则所述的预防措施，

还鉴于在不危及船舶安全、海员安全和健康及船舶营运效率的前提下，在船舶建造和维护期间促进采用低有害或最好无害物质替代有害物质的需要，

决定通过一份具有法律约束力的文件以有效解决与拆船有关的环境、职业健康和安全风险，并同时考虑到海上运输的特殊性以及需要保证营运寿命已终止的船舶顺利退役，

考虑到达这些目标的最好方式是制定《国际安全与环境无害化拆船公约》，

兹协议如下：

第 1 条 一般义务

1 为防止、降低、尽可能减少及尽实际可能消除拆船对人员健康和环境造成的事件、伤害和其他不利影响，以及在船舶整个营运寿命期间促进船舶安全、保护人员健康和环境，本公约各缔约国承诺全面充分地实施本公约的规定。

2 本公约中的任何规定都不得被解释为妨碍一缔约国在符合国际法的前提下独自或与其他国家联合，为防止、降低或尽可能减少对人员健康和环境的任何不利影响而采取更为严格的的安全和环境无害化的拆船措施。

3 各缔约国应为有效实施、符合和执行本公约进行通力合作。

4 各缔约国承诺鼓励继续开发有助于安全和环境无害化拆船的技术和操作方案。

5 本公约附则与本公约构成一个整体。除另有明文规定外，引用本公约同时意味着引用其附则。

第 2 条 定义

除另有明文规定外，就本公约而言：

- 1 公约：系指《2009 年香港国际安全与环境无害化拆船公约》。
- 2 主管机关：系指船旗国政府或船舶在其管辖下营运的政府。
- 3 主管当局：系指经一缔约国负责指定的在特定地理区域或知识领域内负责按本公约规定的该缔约国管辖范围内作业的拆船厂相关事宜的一个或多个政府当局。
- 4 组织：系指国际海事组织。
- 5 秘书长：系指本组织秘书长。
- 6 委员会：系指本组织海上环境保护委员会。
- 7 船舶：系指在海洋环境中营运或营运过的任何类型的船舶，包括潜水船、浮动艇筏、浮式平台、自升式平台、浮式储存装置（FSU）和浮式生产储存和卸货装置（FPSO），包括已被拆除了船上设备的船舶或被拖曳的船舶。
- 8 总吨位：系指按《1969 年国际船舶吨位丈量公约》附则 I 或任何后续公约中的吨位丈量规则计算的总吨位（GT）。
- 9 有害物质：系指易于对人类健康和/或环境造成危害的任何材料或物质。
- 10 拆船：系指在拆船厂内进行的旨在回收部件和材料供再加工和再利用，并妥善处理有害物质和其他材料的船舶全部或部分拆除活动，包括与此相关的操作，如现场储存和处理部件和材料，但不包括在其他各拆船厂内进一步加工或处置。
- 11 拆船厂：系指用于拆船的特定区域，包括场地、船厂或设施。
- 12 拆船公司：系指拆船厂的拥有者或从拆船厂拥有者处承担拆船活动经营责任并在承担该责任的同时同意承担本公约规定的所有职责和责任的任何其他组织或个人。

第 3 条 适用范围

- 1 除在本公约中另有明文规定外，本公约应适用于：
 - .1 有权悬挂缔约国国旗的船舶或在其管辖下营运的船舶；
 - .2 在缔约国管辖范围内作业的拆船厂。
- 2 本公约不适用于任何军舰、海军辅助船舶，或一缔约国所拥有或营运的、并暂时只用于政府非商业性服务的其他船舶。然而，各缔约国应通过采取不损害其所拥有或营运此类船舶的操作或操作性能的适当措施，以保证此类船舶在合理和可行的范围内按本公约的规定行事。
- 3 本公约不适用于小于 500 GT 的船舶或在其整个寿命内仅在船旗国主权或管辖范围内水域营运的船舶。然而，各缔约国应采取适当措施，以保证此类船舶在合理和可行的范围内按本公约的规定行事。
- 4 对悬挂非本公约缔约国国旗的船舶，各缔约国在必要时运用本公约的要求，以保证不给予这些船舶较为优惠的待遇。

第 4 条 拆船控制

- 1 各缔约国应要求悬挂其国旗的船舶或在其管辖下营运的船舶符合本公约所规定的要求，并采取有效措施确保其符合性。
- 2 各缔约国应要求其管辖范围内的拆船厂符合本公约所规定的要求，并采取有效措施确

保其符合性。

第 5 条 船舶检验和发证

各缔约国应保证按照公约附则所述规则对悬挂其国旗或在其管辖下营运的、应予以检验和发证的船舶进行检验和发证。

第 6 条 对拆船厂的授权

各缔约国应保证按照公约附则所述规则对在其管辖范围内的、对适用本公约的船舶或按本公约正文第 3.4 条予以类似对待的船舶进行拆除的拆船厂进行授权。

第 7 条 信息交流

对于经一缔约国授权的拆船厂，该缔约国应要求应向本组织提供，或向其他提出请求的缔约国提供其做出授权决定所依据的与本公约相关的信息。该信息应予以迅速和及时地交流。

第 8 条 船舶检查

1 凡适用本公约的船舶，在另一缔约国的任何港口或近海装卸站时，均可能受到该缔约国正式授权的官员的检查，以确定该船是否符合本公约。除本条 2 的规定外，任何此类检查仅限于核实船上携带了《国际有害物质清单证书》或《国际适合拆船证书》，如其有效，则应予以接受。

2 如果船舶未携带有效证书或有明显理由确信：

- .1 船舶或其设备的状况在实质上与证书和/或有害物质清单第 I 部分所载情况不符；或
- .2 船上未实施对有害物质清单第 I 部分的维护程序；

则可结合本组织制定的指南进行详细的检查。

第 9 条 违章调查

1 各缔约国应在调查违章和执行本公约规定方面进行合作。

2 如有充分证据表明某船正在、已经或将要进行的操作违反了本公约的某条规定，则当该船进入另一缔约国管辖范围内的港口或近海装卸站时，持有证据的缔约国可请求另一缔约国对该船进行调查。此类调查的报告应送交请求调查的缔约国、有关的船舶主管机关以及本组织，以便视情况采取措施。

3 如果发现船舶违反了本公约，实施调查的缔约国可以采取对船舶予以警告、滞留、驱逐或阻止船舶挂靠其港口。采取上述措施的缔约国应立即通知该船舶的主管机关和本组织。

4 如果一缔约国收到另一缔约国的调查请求和有关某船厂正在、已经或将要违反本公约任何规定进行操作的充分证据，该缔约国应对在其管辖范围内操作的该拆船厂进行调查，并形成报告。任何此类调查报告，包括已采取或将采取的措施的相关信息(如有时)应送交请求调查的缔约国，并送交本组织以采取适当措施。

第 10 条 违章

1 各国国家法律应禁止任何违反本公约要求的事件，并且：

- .1 如果船舶违反本公约要求，不论违章事件发生在何处，应根据该船主管机关的法律予以制裁。如果主管机关被缔约国告知有违章事件发生，应对事件进行调查，并可要求报告事件的缔约国提供所指认违章的附加证据。如果主管机关确认有充分的证据可对被指认的违章事件予以起诉，则应按照其法律使这种起诉尽快进行。主管机关应将所采取的任何措施立即通知报告指认的违章的缔约国以及本组织。如果主管机关在接到信息后 1 年内仍未采取任何行动，应将未采取行动的原因通知报告指认的违章的缔约国以及本组织。
- .2 如果拆船厂违反本公约要求，应根据管辖拆船厂的缔约国的法律予以制裁。如果该缔约国被另一缔约国告知有违章事件发生，应对事件进行调查，并可要求报告事件的缔约国提供所指认违章的附加证据。如果该缔约国确认有充分的证据可对被指认的违章事件予以起诉，则应按照其法律使这种起诉尽快进行。该缔约国应将所采取的任何措施立即通知报告指认的违章的缔约国以及本组织。如果该缔约国在接到信息后 1 年内仍未采取任何行动，应将未采取行动的原因通知报告指认的违章的缔约国以及本组织。

2 在任一缔约国管辖范围内的任何违反本公约的事件均应予以禁止并根据该缔约国的法律予以制裁。在此类违章事件发生时，该缔约国应：

- .1 根据其法律提起诉讼；或
- .2 将其可能掌握的关于已发生违章事件的情况和证据提供给该船舶的主管机关。

3 缔约国的法律就本条所规定的处罚，其严厉程度应足以遏止对本公约的违反，而无论其发生于何处。

第 11 条 对船舶的不当延误或滞留

1 在执行本公约第 8、9 或 10 条时，应尽力避免使船舶受到不当滞留或延误。

2 如果在执行本公约第 8、9 或 10 条时船舶受到不当滞留或延误，该船有权对其所受到的任何损失或损坏要求赔偿。

第 12 条 资料的送交

各缔约国应向本组织送交并由本组织视情分发下列资料：

- .1 一份按本公约获得授权并在该缔约国管辖范围内作业的拆船厂清单；
- .2 该缔约国主管当局的联系方式，包括单一联络点；
- .3 一份经授权按本公约规定在管理拆船控制有关事宜方面代表该缔约国行事的认可组织和指定验船师的清单，以及认可组织或指定验船师的具体责任和授权条件；
- .4 一份悬挂该缔约国旗帜并获签发《国际适合拆船证书》船舶的年度清单，包括证书上所示的拆船公司名称和拆船厂地点；
- .5 一份在该缔约国管辖范围内被拆船舶的年度清单；
- .6 有关违反本公约的信息；和

.7 在该缔约国管辖范围内对船舶和拆船厂采取的措施。

第 13 条 技术援助和合作

1 各缔约国承诺直接或通过本组织和其他国际机构视情况在安全和环境无害化拆船方面对那些请求技术援助的缔约国提供支持，以：

- .1 培训人员；
- .2 保证相关技术、设备和设施的提供；
- .3 开展合作研发项目；和
- .4 采取其他措施以有效实施本公约和本组织制定的相关指南。

2 各缔约国承诺在其国家法律、规则和政策允许的情况下，就安全和环境无害化拆船有关管理系统和技术转让方面进行积极合作。

第 14 条 争议的解决

各缔约国应以谈判或其达成一致的任何其他和平方式,包括调查、调停、和解、仲裁、司法解决或诉诸区域性机构或安排，解决他们之间对本公约的解释或应用发生的任何争议。

第 15 条 与国际法和其他国际协议的关系

1 本公约的任何规定都不应损害《1982 年联合国海洋法公约》和国际海洋习惯法规定的任何国家的权利和义务。

2 本公约的任何规定都不应损害其他相关和适用的国际协议规定的各缔约国的权利和责任。

第 16 条 签字、批准、接受、认可和加入

1 本公约自 2009 年 9 月 1 日起至 2010 年 8 月 31 日在本组织总部开放供各国签字，以后继续开放供各国加入。

2 各国可按下列方式成为本公约的缔约国：

- .1 签字而无需批准、接受或认可；或
- .2 签字而有待批准、接受或认可，随后再予批准、接受或认可；或
- .3 加入。

3 办理批准、接受、认可或加入，应向秘书长交存一份相应的文件。

4 如果某一国就公约有关事项包含两个或两个以上适用不同法律制度的领土单元，该国可在签字、批准、接受、认可或加入时声明本公约应适用于其所有领土或只适用于一个或多个领土单元，并可在以后任何时间提交另一份声明对前一项声明加以修改。

5 应将 4 所述的声明以书面形式通知秘书长，并应明确指出本公约适用的一个或多个领土单元。

6 某一国在表示同意参加本公约时应声明其是否要求船舶在经其授权的拆船厂拆除前

拆船计划应经明确或默认批准。其后对该声明可进行修改并通知秘书长。修改时应规定修改生效的日期。

第 17 条 生效

1 本公约在下列条件满足之日起 24 个月以后生效：

.1 不少于 15 个国家按本公约正文第 16 条已签署本公约并对批准、接受或认可无保留，或已交存必要的批准、接受、认可或加入文件；

.2 1.1 所述的国家的商船总吨位合计不少于世界商船总吨位的 40%；和

.3 1.1 所述的国家在过去 10 年的最大年度总拆船量合计不少于该国商船总吨位的 3%。

2 凡在本公约生效要求满足之日后，但在生效之日前交存批准、接受、认可或加入本公约的国家，其批准、接受、认可或加入应在本公约生效之日时生效，或在交存文件之日起 3 个月后生效，两者中取其较后的日期。

3 凡在本公约生效之日以后交存的任何批准、接受、认可或加入的文件，应在交存文件之日起 3 个月后生效。

4 凡在本公约的修正案按第 18 条规定被认为通过之日后，交存的任何批准、接受、认可或加入的文件，应适用于经修正的公约。

第 18 条 修正

1 本公约可通过下文所规定的任一程序予以修正。

2 经本组织审议后的修正案：

.1 任一缔约国均可对本公约提出修正。所提议的修正案应提交给秘书长，秘书长则应在审议前至少 6 个月将其发送给各缔约国和本组织成员。

.2 按上述要求建议和散发的修正案应提交委员会审议。各缔约国，无论其是否为本组织的成员，应有权参加委员会审议和通过修正案的会议。

.3 修正案应以到会并投票的缔约国的三分之二多数票通过，条件是投票时至少应有三分之一的缔约国出席。

.4 按.3 通过的修正案应由秘书长将其送交给各缔约国供接受。

.5 在下列情况下，修正案应视为已被接受：

.5.1 对本公约正文某一条款的修正案，在三分之二的缔约国已通知秘书长其接受修正案之日，应视为已被接受。

.5.2 对附则的修正案，在本委员会通过该修正案时所规定的期限(该期限不得少于通过之日起 10 个月)届满时，应视为已被接受。但是，如果在该日期届满时有三分之一以上的缔约国通知秘书长其反对该修正案，则应视为未被接受。

.6 修正案应按下列条件生效：

.6.1 对本公约正文某一条款的修正案在按.5.1 确定的视为已被接受之日起 6 个月后，应对宣布已接受该修正案的缔约国生效。

.6.2 对附则的修正案在其视为已被接受之日起 6 个月后，应对所有缔约国生效，但以下缔约国除外：

.6.2.1 按.5.2 通知其反对该修正案，且仍未撤销该反对；或

.6.2.2 在该修正案生效前通知秘书长，只有在其随后通知接受后，该修正案才能对其生效。

.6.3 按.6.2.1 所述已通知反对该修正案的缔约国可在随后通知秘书长其接受该修正案。该修正案应于该缔约国通知接受之日起 6 个月后对其生效，或于该修正案生效之日对该缔约国生效，两者中取其较后的日期。

.6.4 如果已按.6.2.2 所述发出通知的缔约国通知秘书长其接受修正案，该修正案应于该缔约国通知接受之日起 6 个月后对其生效，或于该修正案生效之日对该缔约国生效，两者中取其较后的日期。

3 会议修正：

- .1 经一缔约国要求，并得到至少三分之一缔约国的同意，本组织应召开一次本公约缔约国会议审议对本公约的修正案。
- .2 经这一会议以到会并投票的缔约国的三分之二多数票通过的修正案，应由秘书长送交所有缔约国，以供接受。
- .3 除会议另有决定外，该修正案应按 2.5 和 2.6 分别所述的程序视为已被接受和生效。
- 4 不接受附则的某项修正案的缔约国，仅就该修正案的适用而言，应视为非缔约国。
- 5 按本条发出的任何通知应以书面形式告知秘书长。
- 6 秘书长应将以下情况通知各缔约国和本组织成员：
 - .1 任何生效的修正案、修正案的总体生效日期和对各缔约国的生效日期；以及
 - .2 任何按本条发出的通知。

第 19 条 退出

- 1 任何缔约国在本公约对其生效满 2 年后可随时退出本公约。
- 2 对公约的退出，应书面通知秘书长，在收到该通知 1 年后或该通知中所指明的较此为长的一段时间后生效。

第 20 条 保管人

- 1 本公约应由秘书长保存，秘书长应将本公约核准无误的副本分送所有已签字或加入本公约的国家。
- 2 除本公约具体规定的其他职能外，秘书长还应：
 - .1 将下列情况通知所有已签字或加入本公约的国家：
 - .1.1 每一新的签字或批准、接受、认可或加入的文件的交存及其日期；
 - .1.2 本公约的生效日期；
 - .1.3 任何退出本公约文件的交存，以及该文件的收到日期和退出的生效日期；和
 - .1.4 收到的关于本公约的其他声明和通知；以及
 - .2 本公约一经生效，即按照《联合国宪章》第 102 条的规定，将其文本送联合国秘

书处登记并公布。

第 21 条 文字

本公约正本一份，由阿拉伯文、中文、英文、法文、俄文和西班牙文写成，每种文本具有同等效力。

本公约于 2009 年 5 月 15 日订于中国香港。

具名于下的经各自政府为此目的正式授权的代表特签署本公约，以昭信守。

附则

安全与环境无害化拆船规则

第 1 章 总则

第 1 条 定义

就本附则而言：

1 适任人员：系指具备适当的资质、培训和足够的知识、经验和技能开展具体工作的人员。具体来说，适任人员可以是受过培训的工人或管理人员，其能够识别和评估拆船厂中的职业危险、风险和员工是否暴露于潜在有害物质或不安全的条件下，并能够制定必要的保护和预防措施以消除或减少这些危险、风险或暴露情况。主管当局可制定指定此类人员的适当标准，并可确定应授予其的职责。

2 雇主：系指雇佣一个或多个工人从事拆船的自然人或法人。

3 现有船：系指非新造船。

4 新船：系指

.1 在本公约生效时或生效后签订建造合同的船舶；或

.2 如无建造合同，在本公约生效时或生效 6 个月后安放龙骨或处于类似建造阶段的船舶；或

.3 在本公约生效时或生效 30 个月后交付的船舶。

5 新装置：系指本公约生效之日后在船上安装的系统、设备、绝缘体或其他材料。

6 进入安全：系指符合下列标准的处所：

.1 空气中的氧气含量和易燃蒸气的浓度在安全限值以内；

.2 空气中的任何有毒物质在允许的浓度以内；和

.3 与适任人员所授权的工作相关的任何残渣或材料在按指示操作时不会导致在现有空气条件下有毒物质不受控制的释放或易燃蒸气的浓度不安全。

7 热工安全：系指符合下列标准的处所：

.1 具备安全、非爆炸的条件，包括除气条件，以便使用电弧或气焊设备、切割或气割设备或其他明火形式，以及进行加热、打磨或产生火花的操作；

.2 符合第 1.6 条的进入安全要求；

.3 热工作业后不会导致现有空气条件的改变；和

.4 为防止产生火焰或火焰扩散，所有相邻处所都已进行清洁或惰化或充分处理。

8 船东：系指登记注册为船舶拥有者的个人或公司，或无注册登记而拥有该船舶的个人或公司，或任何其他组织或个人，诸如管理者或光船租赁人，其已从船舶所有者处承担船舶营运的责任。但如船舶系国家拥有并由在该国注册为船舶经营者的公司营运时，船东就是该公司。该定义也包括船舶出售或交付拆船厂之前的一定时间内船舶的拥有者。

9 现场检查：系指为确认经验证的文件所述的情况而对拆船厂进行的检查。

10 完工声明：系指拆船厂签发的确认拆船已经按本公约完工的声明。

11 液货船：系指 MARPOL 附则 I 中所定义的油船或 MARPOL 附则 II 中所定义的 NLS

液货船。

12 工人：系指任何根据雇佣关系从事定期或临时工作的人，包括合同工。

第 2 条 一般适用范围

除另有明文规定外，船舶的设计、建造、检验、发证、营运和拆除应按本附则的规定进行。

第 3 条 与其他标准、建议案和导则的关系

各缔约国应结合国际劳工组织制定的相关适用标准、建议案和导则，以及依据《控制有害废料越境转移及其处置巴塞尔公约》制定的相关适用技术标准、建议案和导则，采取措施实施本附则各条规则的要求。

第 2 章 对船舶的要求

A 部分 船舶的设计、建造、营运和维护

第 4 条 船上有害物质的控制

按照本公约附录 1 所规定的要求，各缔约国：

- .1 应禁止和/或限制悬挂其国旗的船舶或在其管辖下营运的船舶上安装或使用附录 1 所列的有害物质；和
- .2 应禁止和/或限制在其港口、船厂、修船厂或近海装卸站的船舶上安装或使用此类物质，

并应采取有效措施保证此类船舶符合这些要求。

第 5 条 有害物质清单

1 每艘新船上应存放一份有害物质清单。该清单应经主管机关或其授权的任何个人或组织结合本组织制定的指南，包括指南中包含的任何阈值和免除，予以验证。该有害物质清单应具体到各船并至少应：

- .1 将本公约附录 1 和 2 所述的船舶结构和设备中包含的有害物质及其位置和大约数量作为清单的第 I 部分列出；和
- .2 说明船舶符合第 4 条规定。

2 结合本组织制定的指南和本组织的检验和发证协调系统，现有船舶应尽实际可能在不迟于本公约生效后 5 年或在准备拆除前(如此时间为更早)符合 1 的要求。制定有害物质清单时应至少列出附录 1 所列的有害物质。对现有船舶，应结合本组织制定的指南编写外观/取样检查计划，该计划是制定有害物质清单的依据。

3 应结合本组织制定的指南在船舶整个营运寿命期间对有害物质清单的第 I 部分予以适当维护和更新，以反映出包含附录 2 所列有害物质的新装置和船舶结构和设备的相关变化。

4 在拆船前，有害物质清单除了包含已适当维护和更新的第 I 部分外，还应包含第 II 部分-操作产生的废料和第 III 部分-物料，并应经主管机关或其授权的任何个人或组织结合

本组织制定的指南予以验证。

第6条 对附录1和2提出修正的程序

1 任一缔约国均可按本条对附录1和/或附录2提出修正。所提议的修正案应按本公约正文第18条的2及本条规定在本组织内予以审议。

2 当收到修正提议后，本组织应提请联合国及其专门机构、与本组织有协议的政府间组织以及在本组织中具有咨询地位的非政府组织注意该提议，并应向其分发该提议。

3 本委员会应按第7条成立一个技术组，以对按本条1提交的提议进行评审。

4 技术组应对任何相关利益实体提交的提议及任何附加数据，包括其他国际机构就其各自材料或有害物质清单通过的决定进行评审，并应进行评估并向本委员会报告是否就本公约而言，所评审的有害物质对人员健康或环境可能造成的不利影响重大到足以说明应对附录1和2进行修正。为此：

.1 技术组的评审应包括：

.1.1 基于所提交的数据或引起技术组关注的其他相关数据，对所评审的有害物质与就本公约而言对人员健康或环境造成重大不利影响的可能性之间的关系进行评估；

.1.2 对所建议的控制措施及技术组可能考虑的任何其他控制措施能够减少的潜在风险进行评估；

.1.3 对有关控制措施技术可行性的现有信息进行审议；

.1.4 对有关引入此类控制措施在下列方面造成的其他影响的现有信息进行审议：

- 环境；
- 包括海员和工人在内的人员健康和安全；和
- 国际航运和其他相关行业所付出的代价。

.1.5 对拟控制的有害物质的合适替代措施的可用性进行审议，包括对这些替代措施的潜在风险进行审议；

.1.6 对拆船过程中有害物质所带来的风险进行审议；和

.1.7 对合适的阈值和任何有用或必要的免除进行审议。

.2 如果技术组发现就本公约而言所评审的有害物质可能对人员健康或环境造成重大不利影响，则缺乏充分的科学证据不应作为阻止技术组进一步对提议进行评估的理由。

.3 技术组的报告应为书面形式并结合.1所述的任何评估和审议，但技术组经.1.1所述的评估后确定无需对提议进一步审议，从而决定不进行.1.2至.1.7所述的评估和审议者除外。

.4 技术组的报告中应包括对是否应按本公约对所评审的有害物质采取国际控制措施、对综合提议中所建议的具体控制措施的合适性、或对被视为更合适的其他控制措施的建议案。

5 本委员会应结合技术组的报告视情况决定是否应批准对附录1或附录2的修正提议及对其的任何修改。任何所提议的修正案在其生效前应规定其对按本公约发证的船舶的适用范

围。如报告发现就本公约而言，所评审的有害物质可能对人员健康或环境造成重大不利影响，则缺乏充分的科学证据不应作为阻止决定将某种有害物质列入附录 1 或 2 的理由。对该提议不予批准的决定不应阻碍未来新的信息出现后，对某特定有害物质提交新的提议。

第 7 条 技术组

1 本委员会可根据需要按第 6 条成立一个或多个技术组。技术组可由来自缔约国、本组织成员、联合国及其专门机构、与本组织有协议的政府间组织以及在本组织中具有咨询地位的非政府组织的代表组成，并最好应包括机构和实验室的代表，他们应在物质对环境的归趋和影响、毒理影响、海洋生物学、人类健康、经济分析、风险管理、造船、国际航运、职业健康和安全方面具有专业知识或具有客观评审某提议的技术优点所必需的其他领域的专业知识。

2 本委员会应确定技术组的职权范围、组织、参与和运行方式。该职权范围中应规定对可能提交的任何保密信息予以保护。技术组可应要求召开会议，但应尽量通过书面或电子通信或其他适当的媒介方式开展工作。

3 仅各缔约国代表可按第 6 条规定参与制定对本组织的任何建议案。技术组应尽量在各缔约国代表间达成一致意见。如果无法达成一致，技术组应将任何占少数派代表的意见予以通报。

B 部分 拆船准备

第 8 条 一般要求

拟报废的船舶应：

- .1 只能在符合下列要求的拆船厂拆除；
 - .1 按本公约获得授权；和
 - .2 经完全授权从事拆船计划中所规定的应由指定拆船厂进行的所有拆船活动；
- .2 在进拆船厂前的一段时期内进行操作，以可能减少船上留下的货物残渣量、残余燃油和废料；
- .3 如果为液货船，抵达拆船厂时，按管辖该拆船厂的缔约国法律、规则和政策液货舱和泵舱已符合进入安全或热工安全或两者兼有的发证条件；
- .4 将有关该船的所有现有信息提供给拆船厂，以供制定第 9 条所要求的拆船计划；
- .5 完成第 5 条所要求的清单；和
- .6 在任何拆船活动开始前，已经主管机关或经其认可的组织核准适合拆除。

第 9 条 拆船计划

在任何拆船活动开始前，拆船厂应结合本组织制定的指南制定具体到各船的拆船计划。拆船计划应：

- .1 结合船东所提供的信息制定；
- .2 用授权拆船厂的缔约国所接受的语言制定，如果使用的语言非英文、法文或西班牙文，该拆船计划应译成其中的一种语言，但主管机关确信无此必要时除外；

- .3 包括建立、保持和监控进入安全和热工安全条件及如何对包括有害物质清单所列材料在内的材料的类型和数量进行管理的有关信息；
- .4 根据本公约正文第 16.6 条交存的声明，经对拆船厂进行授权的主管当局明确批准或默认批准。该主管当局应按第 24 条在收到拆船计划的 3 个工作日内将其书面回执发送至拆船厂、船东和主管机关。此后：
 - .1 如缔约国要求对拆船计划的明确批准，主管当局应将其对拆船计划的批准或否决决定以书面通知的形式发送至拆船厂、船东和主管机关；和
 - .2 如缔约国要求对拆船计划的默认批准，回执中应写明 14 天评审期的结束日期。主管当局应在这 14 天评审期间内将其对拆船计划的任何书面反对通知拆船厂、船东和主管机关。如未通知此类书面反对，则拆船计划将视为予以批准。
- .5 一旦按.4 予以批准，应提供给主管机关或任何经其指定的验船师或认可的组织供其检查；和
- .6 如使用一个或多个拆船厂，应列出拟使用的拆船厂并规定每个经授权的拆船厂的具体拆船活动及其开展顺序。

C 部分 检验和发证

第 10 条 检验

1 适用本公约的船舶应接受下列检验：

- .1 在船舶投入营运前或在《国际有害物质清单证书》签发前的初次检验。该检验应验证第 5 条所要求的清单第 I 部分符合本公约的要求；
- .2 主管机关规定的期限且不超过 5 年的换证检验。该检验应验证第 5 条所要求的有害物质清单第 I 部分符合本公约的要求；
- .3 应船东请求，在结构、设备、系统、配件、布置和材料经过改变、更换或重大维修后，可根据情况进行总体或局部附加检验。该检验应能保证船舶经过任何此类改变、更换或重大维修后仍然符合本公约的要求，并且对清单第 I 部分已视必要进行了修正；和
- .4 在船舶退役前和拆船开工前的最终检验。该检验应验证：
 - .1 结合本组织制定的指南，第 5.4 条所要求的有害物质清单符合本组织的要求；
 - .2 第 9 条所要求的拆船计划正确反映了按第 5.4 条要求的有害物质清单所包含的信息，并包含了建立、保持和监控进入安全和热工安全条件的有关信息；和
 - .3 将对船舶进行拆除的拆船厂持有按本公约规定的有效授权。

2 为执行本公约规定而对船舶进行的检验，应由主管机关的官员结合本组织制定的指南执行。但主管机关可将这些检验委托给为此目的而指定的验船师或经其认可的组织。

3 主管机关如指定验船师或认可的组织执行 2 所述的检验时，至少应就下列事项对该指定验船师或认可的组织进行授权：

- .1 要求其检验的船舶符合本公约规定；和
- .2 在受到作为缔约国的港口国有关当局请求时，进行检验和检查。

4 无论采取何种方式办理，相关主管机关都应负责保证检验的全面性和有效性，并应承诺保证作出必要的安排，以完成此项义务。

5 初次检验和换证检验应和本组织其他适用的法定文件所要求的检验协调。

第 11 条 证书的签发和签署

1 在按第 10 条成功完成初次检验或换证检验后，主管机关或其授权的任何个人或组织应结合本组织制定的指南对任何适用第 10 条的船舶签发《国际有害物质清单证书》，但同时进行初次检验和最终检验的现有船舶除外。

2 应船东要求，在按第 10 条成功完成附加检验后，主管机关或其授权的任何个人或组织应对按上述 1 签发的《国际有害物质清单证书》进行签署。

3 尽管有第 14.2 和第 10.1.2 条的要求，如换证检验在现有证书期满日前 3 个月内完成，则新证书应从该换证检验完成之日起至现有证书期满之日起不超过 5 年的日期内有效。

4 如换证检验在现有证书期满后完成，则新证书应从该换证检验完成之日起至现有证书期满之日起不超过 5 年的日期内有效。

5 如换证检验在现有证书期满日前 3 个月前完成，则新证书应从该换证检验完成之日起至换证检验完成之日起不超过 5 年的日期内有效。

6 如果所发证书的有效期限少于 5 年，主管机关可延长证书的有效期限自证书期满日至第 10.1.2 条规定的最长期限。

7 如果换证检验已完成，而新证书在现有证书期满之日前不能签发或不能存放在船上，主管机关授权的人员或组织可在现有证书上签署，签署后的证书自期满之日起不超过 5 个月的期限内应视为有效。

8 如果证书期满时船舶不在应进行检验的港口，主管机关可延长该证书的有效期，但此项展期仅以能使船舶完成其驶抵应进行检验的港口的航次为限，并且仅在正当和合理的情况下才能如此办理。展期不得超过 3 个月，经展期的船舶在抵达应进行检验的港口后，不得因有此展期而在未获得新证书前驶离该港口。换证检验完成后，新证书应自现有证书展期前的期满日起不超过 5 年的日期内有效。

9 发给短程航行船舶的证书未按本条前述之规定展期，主管机关可给予自该证书期满之日起至多 1 个月的宽限期。换证检验完成后，新证书应自现有证书展期前的期满日起不超过 5 年的日期内有效。

10 在特殊情况下（由主管机关确定），新证书无需按本条 4、8 或 9 的要求从现有证书期满日起计算日期。在此特殊情况下，新证书应自换证检验完成之日起不超过 5 年的日期内有效。

11 在按第 10 条规定成功完成最终检验后，主管机关或其授权的任何个人或组织应结合对拆船厂的授权和本组织制定的指南对适用第 10 条的任何船舶签发《国际适合拆船证书》。

12 对一缔约国根据其职权所签发的证书，其他缔约国应予以承认并视其在本公约规定范围内使用时与本国所签发的证书同样有效。各证书均应由主管机关或其正式授权的任何个人或组织签发或签署。但无论由谁签发或签署，主管机关都应对证书完全负责。

第 12 条 另一缔约国签发或签署证书

1 另一缔约国可应主管机关请求对船舶进行检验，如认为该船符合本公约的规定，应按照本附则发给或授权发给该船证书，或如适用，对船上证书进行签署或授权签署。

2 证书副本和检验报告的副本各一份应尽快送交给请求检验的主管机关。

3 如此签发的任何证书必须载明是应主管机关的请求而签发的, 并与该主管机关所发的证书具有同等效力, 并受同样的承认。

4 不得向悬挂非缔约国国旗的船舶签发证书。

第 13 条 证书格式

证书应按附录 3 和 4 所述的格式以发证缔约国的官方语言写成。如果使用的语言非英文、法文或西班牙文, 则文本应包含其中一种语言的译文。但主管机关可将仅用发证缔约国官方语言写成的《国际有害物质清单证书》签发给非驶往本公约其他缔约国管辖范围内的港口或近海装卸站的船舶, 并将仅用发证缔约国官方语言写成的《国际适合拆船证书》签发给在发证缔约国管辖范围内的拆船厂拆除的船舶。

第 14 条 证书有效期限

1 按第 11 或 12 条签发的《国际有害物质清单证书》在下列任一情况下即终止有效:

- .1 如果船舶情况实质上与证书所载情况不符, 包括有害物质清单的第 I 部分未按本组织制定的指南予以适当维护和更新, 从而未能反映出船舶结构和设备的变化;
- .2 船舶变更船旗国时。只有当换发新证书的缔约国确认该船业已满足第 10 条要求时, 才换发新证书。如果变更船旗系在两个缔约国之间进行, 则在变更船旗后的 3 个月内, 前一个船旗国如接到申请, 应尽快将变更船旗前该船所携证书的副本以及有关的检验报告副本(如备有时), 送交该船的新主管机关。
- .3 如换证检验未在按第 10.1 和 11 条规定的期限内完成; 或
- .4 如未按第 11 或 12 条对证书进行签署。

2 签发《国际有害物质清单证书》的有效期限应由主管机关规定, 但不得超过 5 年。

3 签发《国际适合拆船证书》的有效期限应由主管机关规定, 但不得超过 3 个月。

4 如果船舶情况实质上与按第 11 或 12 条签发的《国际适合拆船证书》所载情况不符, 则该证书即终止有效。

5 为使船舶完成驶往拆船厂的单点航程, 主管机关或其授权的任何个人或组织可对《国际适合拆船证书》予以展期。

第 3 章 对拆船厂的要求

第 15 条 对拆船厂的控制

1 各缔约国应建立必要的法律、规则 and 标准以保证拆船厂按本公约的条文以安全和环境无害化的方式设计、建造和营运。

2 各缔约国应建立拆船厂授权机制, 机制中应规定以保证此类拆船厂满足本公约要求的相应条件。

3 各缔约国应建立机制, 以保证拆船厂符合本章要求, 包括建议和有效使用各检查、监控和执行规定, 包括进入权和采样权。该机制可包括审核计划, 由主管当局或缔约国授权的组织结合本组织制定的指南实施, 并应将审核结果送交本组织。

4 各缔约国应就其本国管辖范围内作业的拆船厂相关事宜指定一个或多个主管当局, 并指定单一联络点, 供本组织、本公约缔约国和其他利益实体使用。

第 16 条 对拆船厂的授权

1 缔约国应结合本组织制定的指南，对适用本公约的船舶或按本公约正文第 3.4 条予以类似对待的船舶进行拆除的拆船厂进行授权。

2 授权应由主管当局实施，并应包括对本公约要求的文件进行验证和现场检查。但主管当局可委托其认可的组织对拆船厂进行授权。

3 缔约国应将授权其认可组织的具体责任和授权条件通知本组织，供传达给各缔约国。无论采取何种方式，主管当局都对所签发的授权书完全负责。

4 授权书应按附录 5 所述的格式写成。如果使用的语言非英文、法文或西班牙文，则文本应包含其中一种语言的译文。

5 授权书应在缔约国规定的不超过 5 年的期限内有效。缔约国应确定签发、撤销、中止、修正和换新授权书的期限，并将这些期限告知拆船厂。如果拆船厂拒绝接受主管当局或代表其行事的经认可组织的检查，则授权书应予以中止或撤销。

6 如拆船厂发生的事故或行为导致其不能继续满足授权条件，拆船厂应通知主管当局。主管当局可相应决定中止或撤销授权书，或要求拆船厂采取纠正措施。

第 17 条 一般要求

1 经缔约国授权的拆船厂应结合本组织制定的指南，建立对有关工人或拆船厂附近人员不会带来健康风险、并能防止、降低、尽可能减少及尽实际可能消除拆船对环境造成的不利影响的系统、程序和技术。

2 对适用本公约的船舶或按本公约正文第 3.4 条予以类似对待的船舶，经缔约国授权的拆船厂应：

- .1 只接受：
 - .1 符合本公约的船舶；或
 - .2 满足本公约要求的船舶；
- .2 只接受其授权拆除的船舶；和
- .3 根据考虑在该船厂拆船的船东的请求，向其提供授权文件。

第 18 条 拆船厂计划

经缔约国授权的拆船厂应编写拆船厂计划。该计划应由拆船公司的董事会或相应管理部门通过，并且，结合本组织制定的指南其应包括：

- .1 一个用以保证工人安全和保护人员健康和环境的政策，包括建立一系列目标以尽可能减少及尽实际可能消除拆船对人员健康和环境造成的不利影响；
- .2 一个用以保证实施本公约规定的要求、完成拆船公司政策所规定的目标和持续改进拆船作业中使用的程序和标准的系统；
- .3 对进行拆船作业时雇主和工人任务和责任的确定；
- .4 为拆船厂安全和环境无害化操作提供相应信息和工人培训的程序；

- .5 应急部署和响应计划;
- .6 拆船操作监控系统;
- .7 显示拆船如何进行的记录保持系统;
- .8 对危害或可能危害工人安全、人员健康和环境的排放、事故和事件的报告系统; 和
- .9 对职业疾病、事件、伤害和对工人安全和人员健康的其他不利影响的报告系统。

第 19 条 防止对人员健康和环境的不利影响

经缔约国授权的拆船厂应结合本组织制定的指南, 建立和使用程序, 以:

- .1 通过保证在整个拆船过程中建立、保持和监控热工安全条件和程序防止爆炸、火灾和其他不安全条件;
- .2 通过保证在整个拆船过程中建立、保持和监控进入船舶处所包括狭窄和围蔽处所的安全条件和程序防止危险空气和其他不安全条件带来的危害;
- .3 防止其他事故、职业疾病和伤害或对人员健康和环境的其他不利影响; 和
- .4 防止在整个拆船过程中可能危害人员健康和/或环境的溢出或排放。

第 20 条 对有害物质的安全 and 环境无害化管理

1 经缔约国授权的拆船厂应确保安全和环境无害化拆除按第 11 或 12 条发证的船舶上包含的任何有害物质。在拆除有害物质开始之前和拆除过程中, 负责拆船作业的人员和工人应熟悉与其任务相关的本公约的要求, 特别是应积极使用有害物质清单和拆船计划。

2 经缔约国授权的拆船厂应, 考虑到本组织制定的指南, 确保在经适当培训和装备配备的工人在切割之前对清单中列明的所有有害物质在最大可能的范围内予以识别、标记、包装和拆除, 特别是:

- .1 有害液体、残渣和沉积物;
- .2 含有如铅、汞、镉和六价铬等重金属的物质或物体;
- .3 高度易燃和/或导致毒性物质释放的油漆和涂层;
- .4 石棉和含有石棉的材料;
- .5 PCB 和含有 PCB 的材料, 在此类作业中应确保避免使用能产生热量的设备;
- .6 CFC 和卤素灭火剂; 和
- .7 以上未列出的且非船舶结构组成部分的其他有害物质。

3 经缔约国授权的拆船厂应对从其拆除的船舶上拆下的所有有害物质和废料提供并确保安全和环境无害化管理。应确定废料管理和处置场地, 以提供对材料进一步的安全和环境无害化管理。

4 应将拆船活动中产生的所有废料与可回收材料和设备隔离、标记、在不会对工人、人员健康或环境带来风险的适当条件下储存、并只能转移到经授权以安全和环境无害化方式对其进行处理和处置的废料管理厂。

第 21 条 应急部署和响应

经缔约国授权的拆船厂应建立和保持应急部署和响应计划。该计划的编写应考虑到拆船厂的地点和环境，并应考虑到与每次拆船作业相关的活动的规模和性质。该计划还应：

- .1 保证发生紧急情况时所必需的设备和程序已到位，并保证定期开展演习；
- .2 保证提供必要的信息、内部通信和协调，以在拆船厂出现紧急情况时保护所有人员和环境；
- .3 提供与相关主管当局、邻近地区和应急响应服务机构之间的通信并向其提供信息；
- .4 为拆船厂所有人员提供急救和医疗救助、消防、撤离及防止污染做好准备；和
- .5 向拆船厂各级别的所有工人根据其适任条件提供相关信息和培训，包括对应急预防、部署和响应程序的定期操练。

第 22 条 工人安全和培训

1 经缔约国授权的拆船厂应通过下列措施保证工人安全：

- .1 保证所有拆船作业所需的个人防护设备和服装的提供、维护和使用；
- .2 保证提供培训程序以使工人能安全从事其被分配的所有拆船作业；和
- .3 保证拆船厂的所有工人在进行任何拆船作业前已经过适当培训和熟悉。

2 经缔约国授权的拆船厂应对需要使用个人防护设备的作业提供并保证使用个人防护设备，包括：

- .1 头部防护；
- .2 面部和眼睛防护；
- .3 手足防护；
- .4 呼吸防护设备；
- .5 听力防护；
- .6 放射性污染防护器；
- .7 跌落防护；和
- .8 适当的服装。

3 经缔约国授权的拆船厂可在向工人提供培训方面进行合作。结合本组织制定的指南，本条 1.2 所述的培训程序应：

- .1 覆盖包括合同工和拆船厂雇员在内的所有工人；
- .2 由适任人员开展；
- .3 提供初次培训并间隔适当的时间提供复习培训；
- .4 包括参加人员对自身对培训的理解和掌握的评估；
- .5 接受定期评审和视必要修改；和
- .6 形成文件。

第 23 条 对事故、事件、职业疾病和长期影响的报告

1 经缔约国授权的拆船厂应向主管当局报告对工人安全、人员健康和环境带来或可能带来风险的任何事故、事件、职业疾病或长期影响。

2 报告中应包括对事故、事件、职业疾病或长期影响的描述、其产生原因、已采取的应对措施和结果以及拟采取的纠正措施。

第 4 章 报告要求

第 24 条 初次通知和报告要求

1 船东应在适当的时间以书面形式将其拆船意图通知主管机关，以使主管机关能着手准备本公约所要求的检验和发证。

2 准备接收报废船舶的主管机关应在适当的时间以书面形式将该意图通知主管当局。通知中应至少包括下列船舶资料：

- .1 船旗国名称；
- .2 船舶在该国注册的日期；
- .3 船舶识别号（IMO 号）；
- .4 新造船的船体编号；
- .5 船名和船舶类型；
- .6 船籍港；
- .7 船东名称和地址及 IMO 注册船东识别号；
- .8 公司的名称和地址及 IMO 公司识别号；
- .9 入级船级社的名称；
- .10 船舶主要资料（总长（LOA）、型宽、型深、空舱重量、总吨位和净吨位及发动机类型和额定功率）；
- .11 有害物质清单；和
- .12 有待按第 9 条批准的拆船计划草案。

3 如拟报废的船舶已经取得《国际适合拆船证书》，拆船厂应向其主管当局报告拆船计划开工时间。报告应与附录 6 中的报告格式一致，并应至少包括《国际适合拆船证书》的一份副本。报告提交前不得开工拆船。

第 25 条 完工报告

当船舶的部分或全部拆除活动按本公约要求完工后，拆船厂应签发完工声明并向其主管当局报告。该报告应按附录 7 的规定编写。主管当局应将该声明的一份副本送交向船舶签发《国际适合拆船证书》的主管机关。该声明应于按拆船计划所述的部分或全部拆船之日起 14 天内签发，并应包括对危害人员健康和/或环境的事故和事件（如有时）的报告。

附录 1
有害物质的控制

有害物质	定义	控制措施
石棉	含有石棉的材料	对于所有船舶，应禁止新装含有石棉的材料。
消耗臭氧物质	<p>消耗臭氧物质系指在应用或解释本附则时有效的 1987 年消耗臭氧层物质蒙特利尔议定书第 1 条第 4 款中定义的并在该议定书附件 A、B、C 或 E 中所列的受控制物质。</p> <p>在船上可能有的消耗臭氧物质包括但不限于下列各项：</p> <p>Halon1211 溴氯二氟甲烷</p> <p>Halon1301 溴三氟甲烷</p> <p>Halon2402 1,2-二溴化物-1,1,2,2-四氟乙烷 （亦称作 Halon114B2）</p> <p>CFC-11 三氯氟甲烷</p> <p>CFC-12 二氯二氟甲烷</p> <p>CFC-113 1,1,2-三氯-1,2,2-三氟乙烷</p> <p>CFC-114 1,2-二氯-1,1,2,2-四氟乙烷</p> <p>CFC-115 氯五氟乙烷</p>	除 2020 年 1 月 1 日前允许含有氢化氯氟烃（HCFC）的新装置以外，所有船上应禁止使用含有消耗臭氧物质的新装置。
多氯联苯（PCB）	“多氯联苯”系指联苯分子（两个苯环被一个碳-碳键连在一起）上的氢原子被可多至 10 个氯原子取代而形成的芳香族化合物。	对于所有船舶，应禁止新装含有多氯联苯的材料。
防污底化合物和系统	在应用或解释本公约附则时现行的《2001 年国际控制船舶有害防污底系统公约》（AFS 公约）附则 I 中所规定的防污底化合物和系统。	<p>1. 所有船舶不得施涂含有机锡化合物作为杀生物剂的防污底系统或任何其他 AFS 公约禁止施涂或使用的防污底系统。</p> <p>2. 所有新船或船上的新装置不得施涂或采用不符合 AFS 公约规定的防污底化合物或系统。</p>

附录 2
有害物质清单最少应列项目

附录 1 所列的任何有害物质
镉和镉化合物
六价铬和六价铬化合物
铅和铅化合物
汞和汞化合物
多溴化联(二)苯 (PBB)
多溴二苯醚 (PBDE)
多氯化联苯 (超过 3 个氯原子)
放射性物质
某些短链氯化石蜡 (烷类、C10-C13、氯基)

附录 3

国际有害物质清单证书格式

国际有害物质清单证书

(注: 本证书应附有有害物质清单第 I 部分)

(官方印鉴)

(国家)

经.....政府授权,
(国家全名)

由.....
(按本公约规定授权的人员或组织全名)

根据《2009 年香港国际安全与环境无害化拆船公约》(以下简称“本公约”)的规定签发。

船舶概况

船名	
船舶编号或呼号	
船籍港	
总吨位	
IMO 编号	
船东名称和地址	
IMO 注册船东识别号	
IMO 公司识别号	
建造日期	

有害物质清单第 I 部分所载情况

有害物质清单第 I 部分识别号/验证号:

注: 按本公约附则第 5 条要求的有害物质清单第 I 部分是《国际有害物质清单证书》至关重要的一部分, 必须一直附于《国际有害物质清单证书》之后。有害物质清单第 I 部分应基于本组织制定的指南中所示的标准格式编写。

兹证明:

1. 该船已按本公约附则第 10 条的规定进行了检验; 和
2. 检验表明, 有害物质清单第 I 部分完全符合本公约的适用要求。

本证书基于的检验完成日期: (年/月/日)

本证书有效期至.....止 (年/月/日)

签发于.....
(发证地点)

(年/月/日)
(发证日期) (经正式授权的发证官员签字)

(主管当局盖章或钢印)

在适用第 11.6 条情况下，有效期限少于 5 年的证书展期签署^①

该船符合本公约的有关规定，且本证书按本公约附则第 11.6 条规定应视为有效，有效期限至（年/月/日）.....止。

签字.....
（经正式授权官员签字）

地点.....

日期（年/月/日）.....

（主管当局盖章或钢印）

在已完成换证检验且适用第 11.7 条情况下的签署^①

该船符合本公约的有关规定，且本证书按本公约附则第 11.7 条规定应视为有效，有效期限至（年/月/日）.....止。

签字.....,
（经正式授权官员签字）

地点.....

日期（年/月/日）.....

（主管当局盖章或钢印）

^①本页的检验签署由主管机关视需要复制后附于本证书后。

在适用第 11.8 或 11.9 条情况下，

将证书有效期展期至驶抵进行检验的港口或给予宽限期的签署^①

本证书按本公约附则第 11.8 或 11.9 条^②规定应视为有效，有效期限至（年/月/日）.....止。

签字.....
（经正式授权官员签字）

地点.....

日期（年/月/日）.....

（主管当局盖章或钢印）

附加检验的签署^①

按本公约附则第 10 条规定已进行了附加检验，查明该船符合本公约的有关规定。

签字.....
（经正式授权官员签字）

地点.....

日期（年/月/日）.....

（主管当局盖章或钢印）

^①本页的检验签署由主管机关视需要复制后附于本证书后。

^② 不适用者划去。

附录 4

国际适合拆船证书格式

国际适合拆船证书

（注：本证书应附有有害物质清单及拆船计划）

（官方印鉴）

（国家）

经.....政府授权，
（国家全名）

由.....
（按本公约规定授权的人员或组织全名）

根据《2009 年香港国际安全与环境无害化拆船公约》（以下简称“本公约”）的规定签发。

船舶概况

船名	
船舶编号或呼号	
船籍港	
总吨位	
IMO 编号	
船东名称和地址	
IMO 注册船东识别号 ^①	
IMO 公司识别号 ^②	
建造日期	

拆船厂概况

拆船厂名称	
特定拆船公司识别号*	
详细地址	
DASR 期满日	

*该识别号基于《授权进行拆船证明》（DASR）确定。

有害物质清单所载情况

有害物质清单识别号/验证号：

注：按本公约附则第 5 条要求的有害物质清单是《国际适合拆船证书》至关重要的一部分，必须一直附于《国际适合拆船证书》之后。有害物质清单应基于本组织制定的指南中所示的标准格式编写。

拆船计划所载情况

拆船计划识别号/验证号：

注：按本公约附则第 9 条要求的拆船计划是《国际适合拆船证书》至关重要的一部分，必须一直附于《国际适合拆船证书》之后。

^① 经 MSC.194(80)决议通过。

^② 经 MSC.194(80)决议通过。

兹证明：

- 1 该船已按本公约附则第 10 条的规定进行了检验；
- 2 该船按本公约附则第 5 条的规定具备有效的有害物质清单；
- 3 第 9 条所要求的拆船计划正确反映了按第 5.4 条要求的有害物质清单所包含的信息，并包含了建立、保持和监控进入安全和热工安全条件的有关信息；和
- 4 拟对该船进行拆除的拆船厂按本公约的规定持有有效的授权书。

本证书有效期至（年/月/日）止
（日期）

签发于
（发证地点）

（年/月/日）
（发证日期） （经正式授权的发证官员签字）

（主管当局盖章或钢印）

在适用第 14.5 条情况下，

将证书有效期展期至驶抵拆船厂所在港口而给予宽限期的签署^①

本证书按本公约附则第 14.5 条规定应视为有效，有效期限从.....港口至.....
港口的单点航程止。

签字.....

(经正式授权官员签字)

地点.....

日期(年/月/日)

(主管当局盖章或钢印)

^①本页签署由主管机关视需要复制后附于本证书后。

附录 5

拆船厂授权书格式

按《2009 年香港国际安全与环境无害化拆船公约》的要求授权进行拆船证明（DASR）

经.....政府授权，
（国家全名）

由.....
（按本公约规定的主管当局全名）

根据《2009 年香港国际安全与环境无害化拆船公约》（以下简称“本公约”）的规定签发。

拆船厂名称	
特定拆船公司识别号	
拆船厂详细地址	
主要联系人	
电话号码	
电子邮件地址	
所属公司的名称、地址和联系信息	
工作语言	

兹证明该拆船厂已按本公约附则第 3 和 4 章执行了管理系统、程序和技术。

本授权书有效期至.....止并受所附附件规定的限制条件约束。

本授权书应按本公约附则第 16 条予以修正、中止、撤销或定期换新。

签发于.....
（授权书签发地点）

（年/月/日）.....
（签发日期）（经正式授权的授权书签发官员签字）

.....
（打印经正式授权的授权书签发官员姓名和职务）

（主管当局盖章或钢印）

按《2009 年香港国际安全与环境无害化拆船公约》授权进行拆船证明（DASR）

附件

注：

- 1 本记录应永久附于 DASR 证明之后。DASR 证明应随时保存在拆船厂。
- 2 拆船厂所制定的并为签发 DASR 证明所要求的所有程序、计划和其他文件应有拆船厂工作语言的版本并有英文、法文或西班牙文版本。
- 3 本授权书受本附件规定的限制条件约束。

1 一般规定

1.1 本公约要求

该拆船厂符合应按本公约规定以安全和环境无害化方式设计、建造和作业这一要求，并符合下列有关要求：

第 16 条—对拆船厂的授权

第 17 条—一般要求

第 18 条—拆船厂计划

第 19 条—防止对人员健康和环境的不利影响

第 20 条—对有害物质的安全和环境无害化管理

第 21 条—应急部署和响应

第 22 条—工人安全和培训

第 23 条—对事故、事件、职业疾病和长期影响的报告

第 24 条—初次通知和报告要求

第 25 条—完工报告

通过.....

（标明许可证、执照、授权书、法律标准或其他适用机制）

向该拆船厂强制执行这些要求。

拆船厂计划识别号/验证号：

1.2 对船舶的接受

对适用本公约的船舶和按本公约正文第 3.4 条予以类似对待的船舶，该拆船厂只能按本公约附则第 17 条接受报废船舶。

1.3 热工安全和进入安全条件

该拆船厂在整个拆船过程中能够建立、保持和监控热工安全和进入安全条件。

1.4 管理有害物质

该拆船厂的设计、建造和作业应要求应保证按照本公约和所有相关当地或国家规则/要求对所有有害物质进行安全 and 环境无害化管理。

1.5 拆船作业的地图和地点

附上标有该拆船厂边界和厂中拆船作业地点的地图。

2 拆船厂能力

2.1 船舶尺度

该拆船厂经授权接受满足下列尺度限制的报废船舶。

最大尺度		其他限制
船长		
船宽		
空舱重量		

2.2 对有害物质的安全 and 环境无害化管理

该拆船厂经授权接受含有下表所列有害物质并满足下注条件的报废船舶：

有害物质 (*4)	管理有害物质			授权/限制
	拆除 是/否 (*2)	储存 是/否	加工 (*1) 是/否 (*3)	
石棉				
消耗臭氧物质				
多氯联苯 (PCB)				
防污底化合物和系统				
镉和镉化合物				
六元铬和六元铬化合物				
铅和铅化合物				
汞和汞化合物				
多溴化联(二)苯 (PBB)				
多溴二苯醚 (PBDE)				
多氯化联苯 (超过 3 个 氯原子)				
放射性物质				
某些短链氯化石蜡 (烷 类、C10-C13、氯基)				
有害液体、残渣和沉积 物				
高度易燃并/或导致毒性 物质释放的油漆和涂层				
以上未列出的且非船舶 结构组成部分的其他有 害物质 (列明)				

注：*1 加工系指在拆船厂加工有害物质，例如：

- a. 焚烧有害物质；

- b. 再利用有害物质；和
- c. 处理残油。

*2 如果“是”，在拆船厂计划中注明经授权负责进行拆除的人员及证书号或其他有关信息。

*3 如果“否”，在拆船计划中说明将在何处加工/处置有害物质。

*4 这些有害物质见本公约附录 1 和 2 及第 20 条的规定。

附录 6
拆船计划开工报告格式

.....
(拆船厂名称)

位于.....
(拆船厂详细地址)

如签发于.....的授权进行拆船证明所示，
(授权地点)

经.....政府授权，
(国家全名)

由.....
(按本公约的主管当局全名)

于(年/月/日)
(签发日期)

按照《2009 年香港国际安全与环境无害化拆船公约》(以下简称“本公约”)的要求授权其进行拆船。

该拆船厂在各方面都适合开工拆除.....船，特此报告。
(IMO 编号)

后附经.....政府授权，
(国家全名)

由.....
(按本公约规定授权的人员或组织全名)

于(年/月/日)
(签发日期)

根据本公约规定签发的《国际适合拆船证书》。

签字.....

附录 7

拆船完工声明格式

拆船完工声明

本文件为.....的拆船完工声明。

(报废船舶被接收/被注销时的船名)

报废船舶被接收时的概况

船舶编号或呼号	
船籍港	
总吨位	
IMO 编号	
船东名称和地址	
IMO 注册船东识别号	
IMO 公司识别号	
建造日期	

兹确认:

该船已按照作为《2009 年香港国际安全与环境无害化拆船公约》(以下简称本公约)组成部分的拆船计划在.....处

(经授权拆船厂的名称和地点)

进行了拆除,且按本公约要求的拆船于(年/月/日).....完工。

(完工日期)

签发于.....

(完工声明签发地点)

(年/月/日).....

(签发日期)

(拆船厂拥有者或代表其行事的代表人签字)



INTERNATIONAL CONFERENCE ON THE
SAFE AND ENVIRONMENTALLY SOUND
RECYCLING OF SHIPS
Agenda item 8

SR/CONF/45
19 May 2009
Original: ENGLISH

**ADOPTION OF THE FINAL ACT AND ANY INSTRUMENTS, RECOMMENDATIONS
AND RESOLUTIONS RESULTING FROM THE WORK OF THE CONFERENCE**

**HONG KONG INTERNATIONAL CONVENTION FOR THE SAFE AND
ENVIRONMENTALLY SOUND RECYCLING OF SHIPS, 2009**

Text adopted by the Conference

1 As a result of its deliberations, as recorded in the Record of Decisions of the Plenary (SR/CONF/RD/2) and the Final Act of the Conference (SR/CONF/46), the Conference adopted the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009.

2 The above-mentioned Convention, as adopted by the Conference, is annexed hereto.

For reasons of economy, this document is printed in a limited number. Delegates are kindly asked to bring their copies to meetings and not to request additional copies.



ANNEX**HONG KONG INTERNATIONAL CONVENTION FOR THE SAFE AND ENVIRONMENTALLY SOUND RECYCLING OF SHIPS, 2009****THE PARTIES TO THIS CONVENTION,**

NOTING the growing concerns about safety, health, the environment and welfare matters in the ship recycling industry,

RECOGNIZING that recycling of ships contributes to sustainable development and, as such, is the best option for ships that have reached the end of their operating life,

RECALLING resolution A.962(23), adopted by the Assembly of the International Maritime Organization (Guidelines on Ship Recycling); amendments to the Guidelines adopted by resolution A.980(24); Decision VI/24 of the Sixth Meeting of the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, which adopted Technical Guidelines for the Environmentally Sound Management of the Full and Partial Dismantling of Ships; and the Guidelines approved by the 289th session of the Governing Body of the International Labour Office (Safety and Health in Shipbreaking: Guidelines for Asian countries and Turkey),

RECALLING ALSO resolution A.981(24), by which the Assembly of the International Maritime Organization requested the Organization's Marine Environment Protection Committee to develop a legally-binding instrument on ship recycling,

NOTING ALSO the role of the International Labour Organization in protecting the occupational safety and health of workers involved in ship recycling,

NOTING FURTHER the role of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal in protecting human health and the environment against the adverse effects which may result from such wastes,

MINDFUL of the precautionary approach set out in Principle 15 of the Rio Declaration on Environment and Development and referred to in resolution MEPC.67(37), adopted by the Organization's Marine Environment Protection Committee on 15 September 1995,

MINDFUL ALSO of the need to promote the substitution of hazardous materials in the construction and maintenance of ships by less hazardous, or preferably, non-hazardous materials, without compromising the ships' safety, the safety and health of seafarers and the ships' operational efficiency,

RESOLVED to effectively address, in a legally-binding instrument, the environmental, occupational health and safety risks related to ship recycling, taking into account the particular characteristics of maritime transport and the need to secure the smooth withdrawal of ships that have reached the end of their operating lives,

CONSIDERING that these objectives may best be achieved by the conclusion of an International Convention for the Safe and Environmentally Sound Recycling of Ships,

HAVE AGREED as follows:

ARTICLE 1

General obligations

1 Each Party to this Convention undertakes to give full and complete effect to its provisions in order to prevent, reduce, minimize and, to the extent practicable, eliminate accidents, injuries and other adverse effects on human health and the environment caused by Ship Recycling, and enhance ship safety, protection of human health and the environment throughout a ship's operating life.

2 No provision of this Convention shall be interpreted as preventing a Party from taking, individually or jointly, more stringent measures consistent with international law, with respect to the safe and environmentally sound recycling of ships, in order to prevent, reduce or minimize any adverse effects on human health and the environment.

3 Parties shall endeavour to co-operate for the purpose of effective implementation of, compliance with and enforcement of this Convention.

4 The Parties undertake to encourage the continued development of technologies and practices which contribute to safe and environmentally sound Ship Recycling.

5 The Annex to this Convention forms an integral part of it. Unless expressly provided for otherwise, a reference to this Convention constitutes at the same time a reference to its Annex.

ARTICLE 2

Definitions

For the purposes of this Convention, unless expressly provided otherwise:

1 "Convention" means the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009.

2 "Administration" means the Government of the State whose flag the ship is entitled to fly, or under whose authority it is operating.

3 "Competent Authority(ies)" means a governmental authority or authorities designated by a Party as responsible, within specified geographical area(s) or area(s) of expertise, for duties related to Ship Recycling Facilities operating within the jurisdiction of that Party as specified in this Convention.

4 "Organization" means the International Maritime Organization.

5 "Secretary-General" means the Secretary-General of the Organization.

6 "Committee" means the Marine Environment Protection Committee of the Organization.

7 “Ship” means a vessel of any type whatsoever operating or having operated in the marine environment and includes submersibles, floating craft, floating platforms, self elevating platforms, Floating Storage Units (FSUs), and Floating Production Storage and Offloading Units (FPSOs), including a vessel stripped of equipment or being towed.

8 “Gross tonnage” means the gross tonnage (GT) calculated in accordance with the tonnage measurement regulations contained in Annex I to the International Convention on Tonnage Measurement of Ships, 1969, or any successor convention.

9 “Hazardous Material” means any material or substance which is liable to create hazards to human health and/or the environment.

10 “Ship Recycling” means the activity of complete or partial dismantling of a ship at a Ship Recycling Facility in order to recover components and materials for reprocessing and re-use, whilst taking care of hazardous and other materials, and includes associated operations such as storage and treatment of components and materials on site, but not their further processing or disposal in separate facilities.

11 “Ship Recycling Facility” means a defined area that is a site, yard or facility used for the recycling of ships.

12 “Recycling Company” means the owner of the Ship Recycling Facility or any other organization or person who has assumed the responsibility for operation of the Ship Recycling activity from the owner of the Ship Recycling Facility and who on assuming such responsibility has agreed to take over all duties and responsibilities imposed by this Convention.

ARTICLE 3

Application

1 Unless expressly provided otherwise in this Convention, this Convention shall apply to:

- .1 ships entitled to fly the flag of a Party or operating under its authority;
- .2 Ship Recycling Facilities operating under the jurisdiction of a Party.

2 This Convention shall not apply to any warships, naval auxiliary, or other ships owned or operated by a Party and used, for the time being, only on government non-commercial service. However, each Party shall ensure, by the adoption of appropriate measures not impairing operations or operational capabilities of such ships owned or operated by it, that such ships act in a manner consistent with this Convention, so far as is reasonable and practicable.

3 This Convention shall not apply to ships of less than 500 GT or to ships operating throughout their life only in waters subject to the sovereignty or jurisdiction of the State whose flag the ship is entitled to fly. However, each Party shall ensure, by the adoption of appropriate measures, that such ships act in a manner consistent with this Convention, so far as is reasonable and practicable.

4 With respect to ships entitled to fly the flag of non-Parties to this Convention, Parties shall apply the requirements of this Convention as may be necessary to ensure that no more favourable treatment is given to such ships.

ARTICLE 4

Controls related to Ship Recycling

1 Each Party shall require that ships entitled to fly its flag or operating under its authority comply with the requirements set forth in this Convention and shall take effective measures to ensure such compliance.

2 Each Party shall require that Ship Recycling Facilities under its jurisdiction comply with the requirements set forth in this Convention and shall take effective measures to ensure such compliance.

ARTICLE 5

Survey and certification of ships

Each Party shall ensure that ships flying its flag or operating under its authority and subject to survey and certification are surveyed and certified in accordance with the regulations in the Annex.

ARTICLE 6

Authorization of Ship Recycling Facilities

Each Party shall ensure that Ship Recycling Facilities that operate under its jurisdiction and that recycle ships to which this Convention applies, or ships treated similarly pursuant to Article 3.4 of this Convention, are authorized in accordance with the regulations in the Annex.

ARTICLE 7

Exchange of information

For the Ship Recycling Facilities authorized by a Party, such Party shall provide to the Organization, if requested, and to those Parties which request it, relevant information, in regard to this Convention, on which its decision for authorization was based. The information shall be exchanged in a swift and timely manner.

ARTICLE 8

Inspection of ships

1 A ship to which this Convention applies may, in any port or offshore terminal of another Party, be subject to inspection by officers duly authorized by that Party for the purpose of determining whether the ship is in compliance with this Convention. Except as provided in paragraph 2, any such inspection is limited to verifying that there is on board either an International Certificate on Inventory of Hazardous Materials or an International Ready for Recycling Certificate, which, if valid, shall be accepted.

2 Where a ship does not carry a valid certificate or there are clear grounds for believing that:

- .1 the condition of the ship or its equipment does not correspond substantially with the particulars of the certificate, and/or Part I of the Inventory of Hazardous Materials; or
- .2 there is no procedure implemented on board the ship for the maintenance of Part I of the Inventory of Hazardous Materials;

a detailed inspection may be carried out taking into account guidelines developed by the Organization.

ARTICLE 9

Detection of violations

1 Parties shall co-operate in the detection of violations and the enforcement of the provisions of this Convention.

2 When there is sufficient evidence that a ship is operating, has operated or is about to operate in violation of any provision in this Convention, a Party holding the evidence may request an investigation of this ship when it enters the ports or offshore terminals under the jurisdiction of another Party. The report of such an investigation shall be sent to the Party requesting it, to the Administration of the ship concerned and to the Organization, so that action may be taken as appropriate.

3 If the ship is detected to be in violation of this Convention, the Party carrying out the inspection may take steps to warn, detain, dismiss, or exclude the ship from its ports. A Party taking such action shall immediately inform the Administration of the ship concerned and the Organization.

4 If a request for an investigation is received from any Party, together with sufficient evidence that a Ship Recycling Facility is operating, has operated or is about to operate in violation of any provision of this Convention, a Party should investigate this Ship Recycling Facility operating under its jurisdiction and make a report. The report of any such investigation shall be sent to the Party requesting it, including information on action taken or to be taken, if any, and to the Organization for appropriate action.

ARTICLE 10

Violations

1 Any violation of the requirements of this Convention shall be prohibited by national laws and:

- .1 in the case of a ship, sanctions shall be established under the law of the Administration, wherever the violation occurs. If the Administration is informed of such a violation by a Party, it shall investigate the matter and may request the reporting Party to furnish additional evidence of the alleged violation. If the

Administration is satisfied that sufficient evidence is available to enable proceedings to be brought in respect of the alleged violation, it shall cause such proceedings to be taken as soon as possible, in accordance with its law. The Administration shall promptly inform the Party that reported the alleged violation, as well as the Organization, of any action taken. If the Administration has not taken any action within one year after receiving the information, it shall inform the Party which reported the alleged violation, and the Organization, of the reasons why no action has been taken;

- .2 in the case of a Ship Recycling Facility, sanctions shall be established under the law of the Party having jurisdiction over the Ship Recycling Facility. If the Party is informed of such a violation by another Party, it shall investigate the matter and may request the reporting Party to furnish additional evidence of the alleged violation. If the Party is satisfied that sufficient evidence is available to enable proceedings to be brought in respect of the alleged violation, it shall cause such proceedings to be taken as soon as possible, in accordance with its law. The Party shall promptly inform the Party that reported the alleged violation, as well as the Organization, of any action taken. If the Party has not taken any action within one year after receiving the information, it shall inform the Party which reported the alleged violation, and the Organization, of the reasons why no action has been taken.

2 Any violation of the requirements of this Convention within the jurisdiction of any Party shall be prohibited and sanctions shall be established under the law of that Party. Whenever such a violation occurs, that Party shall either:

- .1 cause proceedings to be taken in accordance with its law; or
- .2 furnish to the Administration of the ship such information and evidence as may be in its possession that a violation has occurred.

3 The sanctions provided for by the laws of a Party pursuant to this Article shall be adequate in severity to discourage violations of this Convention wherever they occur.

ARTICLE 11

Undue delay or detention of ships

1 All possible efforts shall be made to avoid a ship being unduly detained or delayed under Article 8, 9 or 10 of this Convention.

2 When a ship is unduly detained or delayed under Article 8, 9 or 10 of this Convention, it shall be entitled to compensation for any loss or damage suffered.

ARTICLE 12

Communication of information

Each Party shall report to the Organization and the Organization shall disseminate, as appropriate, the following information:

- .1 a list of Ship Recycling Facilities authorized in accordance with this Convention and operating under the jurisdiction of that Party;
- .2 contact details for the Competent Authority(ies), including a single contact point, for that Party;
- .3 a list of the recognized organizations and nominated surveyors which are authorized to act on behalf of that Party in the administration of matters relating to the control of Ship Recycling in accordance with this Convention, and the specific responsibilities and conditions of the authority delegated to the recognized organizations or nominated surveyors;
- .4 an annual list of ships flying the flag of that Party to which an International Ready for Recycling Certificate has been issued, including the name of the Recycling Company and location of the Ship Recycling Facility as shown on the certificate;
- .5 an annual list of ships recycled within the jurisdiction of that Party;
- .6 information concerning violations of this Convention; and
- .7 actions taken towards ships and Ship Recycling Facilities under the jurisdiction of that Party.

ARTICLE 13

Technical assistance and co-operation

1 Parties undertake, directly or through the Organization and other international bodies, as appropriate, in respect of the safe and environmentally sound recycling of ships, to provide support for those Parties which request technical assistance:

- .1 to train personnel;
- .2 to ensure the availability of relevant technology, equipment and facilities;
- .3 to initiate joint research and development programmes; and
- .4 to undertake other actions aimed at the effective implementation of this Convention and of guidelines developed by the Organization related thereto.

2 Parties undertake to co-operate actively, subject to their national laws, regulations and policies, in the transfer of management systems and technology in respect of the safe and environmentally sound recycling of ships.

ARTICLE 14

Dispute settlement

Parties shall settle any dispute between them concerning the interpretation or application of this Convention by negotiation or any other peaceful means agreed upon by them, which may include enquiry, mediation, conciliation, arbitration, judicial settlement, or resort to regional agencies or arrangements.

ARTICLE 15

Relationship with international law and other international agreements

1 Nothing in this Convention shall prejudice the rights and obligations of any State under the United Nations Convention on the Law of the Sea, 1982, and under the customary international law of the sea.

2 Nothing in this Convention shall prejudice the rights and obligations of Parties under other relevant and applicable international agreements.

ARTICLE 16

Signature, ratification, acceptance, approval and accession

1 This Convention shall be open for signature by any State at the Headquarters of the Organization from 1 September 2009 to 31 August 2010 and shall thereafter remain open for accession by any State.

2 States may become Parties to this Convention by:

- .1 signature not subject to ratification, acceptance, or approval; or
- .2 signature subject to ratification, acceptance, or approval, followed by ratification, acceptance or approval; or
- .3 accession.

3 Ratification, acceptance, approval or accession shall be effected by the deposit of an instrument to that effect with the Secretary-General.

4 If a State comprises two or more territorial units in which different systems of law are applicable in relation to matters dealt with in this Convention, it may at the time of signature, ratification, acceptance, approval, or accession declare that this Convention shall extend to all its territorial units or only to one or more of them and may modify this declaration by submitting another declaration at any time.

5 A declaration under paragraph 4 shall be notified to the Secretary-General in writing and shall state expressly the territorial unit or units to which this Convention applies.

6 A State at the time it expresses its consent to be bound by this Convention shall declare whether it requires explicit or tacit approval of the Ship Recycling Plan before a ship may be recycled in its authorized Ship Recycling Facility(ies). This declaration may be revised thereafter by notification to the Secretary-General. Such revision shall specify the effective date of the revision.

ARTICLE 17

Entry into force

1 This Convention shall enter into force 24 months after the date on which the following conditions are met:

- .1 not less than 15 States have either signed it without reservation as to ratification, acceptance or approval, or have deposited the requisite instrument of ratification, acceptance, approval or accession in accordance with Article 16;
- .2 the combined merchant fleets of the States mentioned in paragraph 1.1 constitute not less than 40 per cent of the gross tonnage of the world's merchant shipping; and
- .3 the combined maximum annual ship recycling volume of the States mentioned in paragraph 1.1 during the preceding 10 years constitutes not less than 3 per cent of the gross tonnage of the combined merchant shipping of the same States.

2 For States which have deposited an instrument of ratification, acceptance, approval or accession in respect of this Convention after the requirements for entry into force thereof have been met, but prior to the date of entry into force, the ratification, acceptance, approval or accession shall take effect on the date of entry into force of this Convention, or three months after the date of deposit of the instrument, whichever is the later date.

3 Any instrument of ratification, acceptance, approval or accession deposited after the date on which this Convention enters into force shall take effect three months after the date of deposit.

4 After the date on which an amendment to this Convention is deemed to have been accepted under Article 18, any instrument of ratification, acceptance, approval or accession deposited shall apply to the Convention, as amended.

ARTICLE 18

Amendments

1 This Convention may be amended by either of the procedures specified in the following paragraphs.

2 Amendments after consideration within the Organization:

- .1 Any Party may propose an amendment to this Convention. A proposed amendment shall be submitted to the Secretary-General, who shall then circulate it

to the Parties and Members of the Organization at least six months prior to its consideration.

- .2 An amendment proposed and circulated as above shall be referred to the Committee for consideration. Parties, whether or not Members of the Organization, shall be entitled to participate in the proceedings of the Committee for consideration and adoption of the amendment.
- .3 Amendments shall be adopted by a two-thirds majority of the Parties present and voting in the Committee, on condition that at least one-third of the Parties shall be present at the time of voting.
- .4 Amendments adopted in accordance with subparagraph 3 shall be communicated by the Secretary-General to the Parties for acceptance.
- .5 An amendment shall be deemed to have been accepted in the following circumstances:
 - .5.1 An amendment to an article of this Convention shall be deemed to have been accepted on the date on which two-thirds of the Parties have notified the Secretary-General of their acceptance of it.
 - .5.2 An amendment to the Annex shall be deemed to have been accepted at the end of a period to be determined by the Committee at the time of its adoption, which period shall not be less than ten months after the date of adoption. However, if by that date more than one-third of the Parties notify the Secretary-General that they object to the amendment, it shall be deemed not to have been accepted.
- .6 An amendment shall enter into force under the following conditions:
 - .6.1 An amendment to an article of this Convention shall enter into force, for those Parties that have declared that they have accepted it, six months after the date on which it is deemed to have been accepted in accordance with subparagraph .5.1.
 - .6.2 An amendment to the Annex shall enter into force with respect to all Parties six months after the date on which it is deemed to have been accepted, except for any Party that has:
 - .6.2.1 notified its objection to the amendment in accordance with subparagraph .5.2 and that has not withdrawn such objection; or
 - .6.2.2 notified the Secretary-General, prior to the entry into force of such amendment, that the amendment shall enter into force for it only after a subsequent notification of its acceptance.
 - .6.3 A Party that has notified an objection under subparagraph .6.2.1 may subsequently notify the Secretary-General that it accepts the amendment. Such amendment shall enter into force for such Party six months after the

date of its notification of acceptance, or the date on which the amendment enters into force, whichever is the later date.

- .6.4 If a Party that has made a notification referred to in subparagraph .6.2.2 notifies the Secretary-General of its acceptance with respect to an amendment, such amendment shall enter into force for such Party six months after the date of its notification of acceptance, or the date on which the amendment enters into force, whichever is the later date.

3 Amendment by a Conference:

- .1 Upon the request of a Party concurred in by at least one-third of the Parties, the Organization shall convene a Conference of Parties to consider amendments to this Convention.
- .2 An amendment adopted by such a Conference by a two-thirds majority of the Parties present and voting shall be communicated by the Secretary-General to all Parties for acceptance.
- .3 Unless the Conference decides otherwise, the amendment shall be deemed to have been accepted and shall enter into force in accordance with the procedures specified in paragraphs 2.5 and 2.6 respectively.

4 Any Party that has declined to accept an amendment to the Annex shall be treated as a non-Party only for the purpose of application of that amendment.

5 Any notification under this Article shall be made in writing to the Secretary-General.

6 The Secretary-General shall inform the Parties and Members of the Organization of:

- .1 any amendment that enters into force and the date of its entry into force generally and for each Party; and
- .2 any notification made under this Article.

ARTICLE 19
Denunciation

1 This Convention may be denounced by any Party at any time after the expiry of two years from the date on which this Convention enters into force for that Party.

2 Denunciation shall be effected by written notification to the Secretary-General, to take effect one year after receipt or such longer period as may be specified in that notification.

ARTICLE 20

Depositary

1 This Convention shall be deposited with the Secretary-General, who shall transmit certified copies of this Convention to all States which have signed this Convention or acceded thereto.

2 In addition to the functions specified elsewhere in this Convention, the Secretary-General shall:

- .1 inform all States that have signed this Convention, or acceded thereto, of:
 - .1.1 each new signature or deposit of an instrument of ratification, acceptance, approval or accession, together with the date thereof;
 - .1.2 the date of entry into force of this Convention;
 - .1.3 the deposit of any instrument of denunciation from this Convention, together with the date on which it was received and the date on which the denunciation takes effect; and
 - .1.4 other declarations and notifications received pursuant to this Convention; and
- .2 as soon as this Convention enters into force, transmit the text thereof to the Secretariat of the United Nations, for registration and publication in accordance with Article 102 of the Charter of the United Nations.

ARTICLE 21

Languages

This Convention is established in a single original in the Arabic, Chinese, English, French, Russian and Spanish languages, each text being equally authentic.

DONE AT HONG KONG, CHINA, this fifteenth day of May, two thousand and nine.

IN WITNESS WHEREOF the undersigned, being duly authorized by their respective Governments for that purpose, have signed this Convention.

* * *

ANNEX

**REGULATIONS FOR SAFE AND ENVIRONMENTALLY SOUND
RECYCLING OF SHIPS**

CHAPTER 1 – GENERAL PROVISIONS

Regulation 1 – Definitions

For the purposes of this Annex:

1 “Competent person” means a person with suitable qualifications, training, and sufficient knowledge, experience and skill, for the performance of the specific work. Specifically, a Competent person may be a trained worker or a managerial employee capable of recognizing and evaluating occupational hazards, risks, and employee exposure to potentially Hazardous Materials or unsafe conditions in a Ship Recycling Facility, and who is capable of specifying the necessary protection and precautions to be taken to eliminate or reduce those hazards, risks, or exposures. The Competent Authority may define appropriate criteria for the designation of such persons and may determine the duties to be assigned to them.

2 “Employer” means a natural or legal person that employs one or more workers engaged in Ship Recycling.

3 “Existing ship” means a ship which is not a new ship.

4 “New ship” means a ship:

- .1 for which the building contract is placed on or after the entry into force of this Convention; 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 six months after the entry into force of this Convention; or
- .3 the delivery of which is on or after 30 months after the entry into force of this Convention.

5 “New installation” means the installation of systems, equipment, insulation, or other material on a ship after the date on which this Convention enters into force.

6 “Safe-for-entry” means a space that meets the following criteria:

- .1 the oxygen content of the atmosphere and the concentration of flammable vapours are within safe limits;
- .2 any toxic materials in the atmosphere are within permissible concentrations; and

- .3 any residues or materials associated with the work authorized by the Competent person will not produce uncontrolled release of toxic materials or an unsafe concentration of flammable vapours under existing atmospheric conditions while maintained as directed.

7 Safe-for-hot work means a space that meets the following criteria:

- .1 a safe, non-explosive condition, including gas-free status, exists for the use of electric arc or gas welding equipment, cutting or burning equipment or other forms of naked flame, as well as heating, grinding, or spark generating operations;
- .2 Safe-for-entry requirements of regulation 1.6 are met;
- .3 existing atmospheric conditions will not change as a result of the hot work; and
- .4 all adjacent spaces have been cleaned, or inerted, or treated sufficiently to prevent the start or spread of fire.

8 “Shipowner” means the person or persons or company registered as the owner of the ship or, in the absence of registration, the person or persons or company owning the ship or any other organization or person such as the manager, or the bareboat charterer, who has assumed the responsibility for operation of the ship from the owner of the ship. However, in the case of a ship owned by a State and operated by a company which in that State is registered as the ship’s operator, “owner” shall mean such company. This term also includes those who have ownership of the ship for a limited period pending its sale or handing over to a Ship Recycling Facility.

9 “Site inspection” means an inspection of the Ship Recycling Facility confirming the condition described by the verified documentation.

10 “Statement of Completion” means a confirmatory statement issued by the Ship Recycling Facility that the Ship Recycling has been completed in accordance with this Convention.

11 “Tanker” means an oil tanker as defined in MARPOL Annex I or an NLS tanker as defined in MARPOL Annex II.

12 “Worker” means any person who performs work, either regularly or temporarily, in the context of an employment relationship including contractor personnel.

Regulation 2 – General applicability

Unless expressly provided otherwise, the design, construction, survey, certification, operation and recycling of ships shall be conducted in accordance with the provisions of this Annex.

Regulation 3 – Relationship with other standards, recommendations and guidance

Parties shall take measures to implement the requirements of the regulations of this Annex, taking into account relevant and applicable standards, recommendations and guidance developed by the International Labour Organization and the relevant and applicable technical standards, recommendations and guidance developed under the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal.

CHAPTER 2 – REQUIREMENTS FOR SHIPS

Part A – Design, construction, operation and maintenance of ships

Regulation 4 – Controls of ships' Hazardous Materials

In accordance with the requirements specified in Appendix 1 to this Convention each Party:

- .1 shall prohibit and/or restrict the installation or use of Hazardous Materials listed in Appendix 1 on ships entitled to fly its flag or operating under its authority; and
- .2 shall prohibit and/or restrict the installation or use of such materials on ships, whilst in its ports, shipyards, ship repair yards, or offshore terminals,

and shall take effective measures to ensure that such ships comply with those requirements.

Regulation 5 – Inventory of Hazardous Materials

1 Each new ship shall have on board an Inventory of Hazardous Materials. The Inventory shall be verified either by the Administration or by any person or organization authorized by it taking into account guidelines, including any threshold values and exemptions contained in those guidelines, developed by the Organization. The Inventory of Hazardous Materials shall be specific to each ship and shall at least:

- .1 identify as Part I, Hazardous Materials listed in Appendices 1 and 2 to this Convention and contained in ship's structure or equipment, their location and approximate quantities; and
- .2 clarify that the ship complies with regulation 4.

2 Existing ships shall comply as far as practicable with paragraph 1 not later than 5 years after the entry into force of this Convention, or before going for recycling if this is earlier, taking into account the guidelines developed by the Organization and the Organization's Harmonized System of Survey and Certification. The Hazardous Materials listed in Appendix 1, at least, shall be identified when the Inventory is developed. For existing ships a plan shall be prepared describing the visual/sampling check by which the Inventory of Hazardous Materials is developed, taking into account the guidelines developed by the Organization.

3 Part I of the Inventory of Hazardous Materials shall be properly maintained and updated throughout the operational life of the ship, reflecting new installations containing Hazardous Materials listed in Appendix 2 and relevant changes in ship structure and equipment, taking into account the guidelines developed by the Organization.

4 Prior to recycling the Inventory shall, in addition to the properly maintained and updated Part I, incorporate Part II for operationally generated wastes and Part III for stores, and be verified either by the Administration or by any person or organization authorized by it, taking into account the guidelines developed by the Organization.

Regulation 6 – Procedure for proposing amendments to Appendices 1 and 2

1 Any Party may propose an amendment to Appendix 1 and/or Appendix 2 in accordance with this regulation. The proposed amendment shall be considered within the Organization under Article 18 paragraph 2 and this regulation.

2 When the Organization receives a proposal, it shall also bring the proposal to the attention of the United Nations and its Specialized Agencies, intergovernmental organizations having agreements with the Organization and non-governmental organizations in consultative status with the Organization and shall make it available to them.

3 The Committee shall establish a technical group in accordance with regulation 7 to review proposals submitted in accordance with paragraph 1 of this regulation.

4 The technical group shall review the proposal along with any additional data, including decisions adopted by other international bodies regarding their lists of materials or hazardous substances, submitted by any interested entity, and shall evaluate and report to the Committee whether the Hazardous Material in question is likely, in the context of this Convention, to lead to significant adverse effects on human health or the environment such that the amendment of Appendix 1 or Appendix 2 is warranted. In this regard:

- .1 The technical group's review shall include:
 - .1.1 an evaluation of the association between the Hazardous Material in question and the likelihood, in the context of this Convention, that it will lead to significant adverse effects on human health or the environment based on the submitted data or other relevant data brought to the attention of the group;
 - .1.2 an evaluation of the potential risk reduction attributable to the proposed control measures and any other control measures that may be considered by the technical group;
 - .1.3 consideration of available information on the technical feasibility of control measures;
 - .1.4 consideration of available information on other effects arising from the introduction of such control measures relating to:
 - the environment;
 - human health and safety including that of seafarers and workers; and
 - the cost to international shipping and other relevant sectors.
 - .1.5 consideration of the availability of suitable alternatives to the Hazardous Material to be controlled, including a consideration of the potential risks of alternatives;

- .1.6 consideration of the risks posed by the Hazardous Material during the recycling process; and
- .1.7 consideration of suitable threshold values and any useful or necessary exemptions.
- .2 If the technical group finds that the Hazardous Material in question is likely, in the context of this Convention, to lead to significant adverse effects on human health or the environment, lack of full scientific certainty shall not be used as a reason to prevent the group from proceeding with an evaluation of the proposal.
- .3 The technical group's report shall be in writing and shall take into account each of the evaluations and considerations referred to in subparagraph .1, except that the technical group may decide not to proceed with the evaluations and considerations described in subparagraphs .1.2 to .1.7 if it determines after the evaluation in subparagraph .1.1 that the proposal does not warrant further consideration.
- .4 The technical group's report shall include, *inter alia*, a recommendation on whether international controls pursuant to this Convention are warranted on the Hazardous Material in question, on the suitability of the specific control measures suggested in the comprehensive proposal, or on other control measures which it believes to be more suitable.

5 The Committee shall decide whether to approve any proposal to amend Appendix 1 or Appendix 2, and any modifications thereto, if appropriate, taking into account the technical group's report. Any proposed amendment shall specify the application of the amendment for ships certified in accordance with this Convention before the entry into force of the amendment. If the report finds that the Hazardous Material in question is likely, in the context of this Convention, to lead to significant adverse effects on human health or the environment, lack of full scientific certainty shall not be used as a reason to prevent a decision from being taken to list a Hazardous Material in Appendix 1 or Appendix 2. A decision not to approve the proposal shall not preclude future submission of a new proposal with respect to a particular Hazardous Material if new information comes to light.

Regulation 7 – Technical Groups

1 The Committee may establish one or more technical groups pursuant to regulation 6 as needed. The technical group may comprise representatives of the Parties, Members of the Organization, the United Nations and its Specialized Agencies, intergovernmental organizations having agreements with the Organization, and non-governmental organizations in consultative status with the Organization, which should preferably include representatives of institutions and laboratories with expertise in environmental fate and effects of substances, toxicological effects, marine biology, human health, economic analysis, risk management, shipbuilding, international shipping, occupational health and safety or other fields of expertise necessary to objectively review the technical merits of a proposal.

2 The Committee shall decide on the terms of reference, organization, participation and operation of the technical groups. Such terms shall provide for protection of any confidential information that may be submitted. Technical groups may hold such meetings as required, but shall endeavour to conduct their work through written or electronic correspondence or other media as appropriate.

3 Only the representatives of Parties may participate in formulating any recommendation to the Committee pursuant to regulation 6. A technical group shall endeavour to achieve unanimity among the representatives of the Parties. If unanimity is not possible, the technical group shall communicate any minority views of such representatives.

Part B – Preparation for Ship Recycling

Regulation 8 – General requirements

Ships destined to be recycled shall:

- .1 only be recycled at Ship Recycling Facilities that are:
 - .1 authorized in accordance with this Convention; and
 - .2 fully authorized to undertake all the ship recycling which the Ship Recycling Plan specifies to be conducted by the identified Ship Recycling Facility(ies);
- .2 conduct operations in the period prior to entering the Ship Recycling Facility in order to minimize the amount of cargo residues, remaining fuel oil, and wastes remaining on board;
- .3 in the case of a tanker, arrive at the Ship Recycling Facility with cargo tanks and pump room(s) in a condition that is ready for certification as Safe-for-entry, or Safe-for-hot work, or both, according to national laws, regulations and policies of the Party under whose jurisdiction the Ship Recycling Facility operates;
- .4 provide to the Ship Recycling Facility all available information relating to the ship for the development of the Ship Recycling Plan required by regulation 9;
- .5 complete the Inventory required by regulation 5; and
- .6 be certified as ready for recycling by the Administration or organization recognized by it, prior to any recycling activity taking place.

Regulation 9 – Ship Recycling Plan

A ship-specific Ship Recycling Plan shall be developed by the Ship Recycling Facility(ies) prior to any recycling of a ship, taking into account the guidelines developed by the Organization. The Ship Recycling Plan shall:

- .1 be developed taking into account information provided by the shipowner;
- .2 be developed in the language accepted by the Party authorizing the Ship Recycling Facility, and if the language used is not English, French or Spanish, the Ship Recycling Plan shall be translated into one of these languages, except where the Administration is satisfied that this is not necessary;

- .3 include information concerning *inter alia*, the establishment, maintenance, and monitoring of Safe-for-entry and Safe-for-hot work conditions and how the type and amount of materials including those identified in the Inventory of Hazardous Materials will be managed;
- .4 in accordance with the declaration deposited pursuant to Article 16.6, be either explicitly or tacitly approved by the Competent Authority authorizing the Ship Recycling Facility. The Competent Authority shall send written acknowledgement of receipt of the Ship Recycling Plan to the Ship Recycling Facility, Ship Owner and Administration within three (3) working days of its receipt in accordance with regulation 24. Thereafter:
 - .1 where a Party requires explicit approval of the Ship Recycling Plan, the Competent Authority shall send written notification of its decision to approve or deny the Ship Recycling Plan to the Ship Recycling Facility, Ship Owner and Administration; and
 - .2 where a Party requires tacit approval of the Ship Recycling Plan, the acknowledgment of receipt shall specify the end date of a 14-day review period. The Competent Authority shall notify any written objection to the Ship Recycling Plan to the Ship Recycling Facility, Ship Owner and Administration within this 14-day review period. Where no such written objection has been notified, the Ship Recycling Plan shall be deemed to be approved.
- .5 once approved in accordance with paragraph .4, be made available for inspection by the Administration, or any nominated surveyors or organization recognized by it; and
- .6 where more than one Ship Recycling Facility is used, identify the Ship Recycling Facilities to be used and specify the recycling activities and the order in which they occur at each authorized Ship Recycling Facility.

Part C – Surveys and certification

Regulation 10 – Surveys

- 1 Ships to which this Convention applies shall be subject to the surveys specified below:
 - .1 an initial survey before the ship is put in service, or before the International Certificate on Inventory of Hazardous Materials is issued. This survey shall verify that Part I of the Inventory required by regulation 5 is in accordance with the requirements of this Convention;
 - .2 a renewal survey at intervals specified by the Administration, but not exceeding five years. This survey shall verify that Part I of the Inventory of Hazardous Materials required by regulation 5 complies with the requirements of this Convention;

- .3 an additional survey, either general or partial, according to the circumstances, may be made at the request of the shipowner after a change, replacement, or significant repair of the structure, equipment, systems, fittings, arrangements and material. The survey shall be such as to ensure that any such change, replacement, or significant repair has been made in the way that the ship continues to comply with the requirements of this Convention, and that Part I of the Inventory is amended as necessary; and
- .4 a final survey prior to the ship being taken out of service and before the recycling of the ship has started. This survey shall verify:
 - .1 that the Inventory of Hazardous Materials as required by regulation 5.4 is in accordance with the requirements of this Convention taking into account the guidelines developed by the Organization;
 - .2 that the Ship Recycling Plan, as required by regulation 9, properly reflects the information contained in the Inventory of Hazardous Materials as required by regulation 5.4 and contains information concerning the establishment, maintenance and monitoring of Safe-for-entry and Safe-for-hot work conditions; and
 - .3 that the Ship Recycling Facility(ies) where the ship is to be recycled holds a valid authorization in accordance with this Convention.

2 Surveys of ships for the purpose of enforcement of the provisions of this Convention shall be carried out by officers of the Administration, taking into account the guidelines developed by the Organization. The Administration may, however, entrust the surveys either to surveyors nominated for the purpose or to organizations recognized by it.

3 An Administration nominating surveyors or recognizing organizations to conduct surveys, as described in paragraph 2 shall, as a minimum, empower such nominated surveyors or recognized organizations to:

- .1 require a ship that they survey to comply with the provisions of this Convention; and
- .2 carry out surveys and inspections if requested by the appropriate authorities of a port State that is a Party.

4 In every case, the Administration concerned shall be responsible to ensure the completeness and efficiency of the survey and shall undertake to ensure the necessary arrangements to satisfy this obligation.

5 The initial and renewal surveys should be harmonized with the surveys required by other applicable statutory instruments of the Organization.

Regulation 11 – Issuance and endorsement of certificates

1 An International Certificate on Inventory of Hazardous Materials shall be issued either by the Administration or by any person or organization authorized by it after successful completion of an initial or renewal survey conducted in accordance with regulation 10, to any ships to which regulation 10 applies, except for existing ships for which both an initial survey and a final survey are conducted at the same time, taking into account the guidelines developed by the Organization.

2 The International Certificate on Inventory of Hazardous Materials issued under paragraph 1, at the request of the shipowner, shall be endorsed either by the Administration or by any person or organization authorized by it after successful completion of an additional survey conducted in accordance with regulation 10.

3 Notwithstanding regulation 14.2 and the requirements of regulation 10.1.2, when the renewal survey is completed within three months before the expiry date of the existing certificate, the new certificate shall be valid from the date of completion of the renewal survey to a date not exceeding five years from the date of expiry of the existing certificate.

4 When the renewal survey is completed after the expiry date of the existing certificate, the new certificate shall be valid from the date of completion of the renewal survey to a date not exceeding five years from the date of expiry of the existing certificate.

5 When the renewal survey is completed more than three months before the expiry date of the existing certificate, the new certificate shall be valid from the date of completion of the renewal survey to a date not exceeding five years from the date of completion of the renewal survey.

6 If a certificate is issued for a period of less than five years, the Administration may extend the validity of the certificate beyond the expiry date to the maximum period specified in regulation 10.1.2.

7 If a renewal survey has been completed and a new certificate cannot be issued or placed on board the ship before the expiry date of the existing certificate, the person or organization authorized by the Administration may endorse the existing certificate and such a certificate shall be accepted as valid for a further period which shall not exceed five months from the expiry date.

8 If a ship at the time when a certificate expires is not in a port in which it is to be surveyed, the Administration may extend the period of validity of the certificate but this extension shall be granted only for the purpose of allowing the ship to complete its voyage to the port in which it is to be surveyed and then only in cases where it appears proper and reasonable to do so. No certificate shall be extended for a period longer than three months, and a ship to which an extension is granted shall not, on its arrival in the port in which it is to be surveyed, be entitled by virtue of such extension to leave that port without having a new certificate. When the renewal survey is completed, the new certificate shall be valid to a date not exceeding five years from the date of expiry of the existing certificate before the extension was granted.

9 A certificate issued to a ship engaged on short voyages which has not been extended under the foregoing provisions of this regulation may be extended by the Administration for a period of grace of up to one month from the date of expiry stated on it. When the renewal survey

is completed, the new certificate shall be valid to a date not exceeding five years from the date of expiry of the existing certificate before the extension was granted.

10 In special circumstances, as determined by the Administration, a new certificate need not be dated from the date of expiry of the existing certificate as required by paragraph 4, 8 or 9 of this regulation. In these special circumstances, the new certificate shall be valid to a date not exceeding five years from the date of completion of the renewal survey.

11 An International Ready for Recycling Certificate shall be issued either by the Administration or by any person or organization authorized by it, after successful completion of a final survey in accordance with the provisions of regulation 10, to any ships to which regulation 10 applies, taking into account the authorization of the Ship Recycling Facility and the guidelines developed by the Organization.

12 A certificate issued under the authority of a Party shall be accepted by the other Parties and regarded for all purposes covered by this Convention as having the same validity as a certificate issued by them. Certificates shall be issued or endorsed either by the Administration or by any person or organization duly authorized by it. In every case, the Administration assumes full responsibility for the certificate.

Regulation 12 – Issuance or endorsement of a certificate by another Party

1 At the request of the Administration, another Party may cause a ship to be surveyed and, if satisfied that the provisions of this Convention are complied with, shall issue or authorize the issuance of a certificate to the ship, and where appropriate, endorse or authorize the endorsement of that certificate on the ship, in accordance with this Annex.

2 A copy of the certificate and a copy of the survey report shall be transmitted as soon as possible to the requesting Administration.

3 A certificate so issued shall contain a statement to the effect that it has been issued at the request of the Administration and it shall have the same force and receive the same recognition as a certificate issued by the Administration.

4 No certificate shall be issued to a ship entitled to fly the flag of a State which is not a Party.

Regulation 13 – Form of the certificates

The certificates shall be drawn up in an official language of the issuing Party, in the form set forth in Appendices 3 and 4. If the language used is not English, French or Spanish, the text shall include a translation into one of these languages. The Administration may, however, issue the International Certificate on Inventory of Hazardous Materials drawn up only in an official language of the issuing Party to ships not engaged in voyages to ports or offshore terminals under the jurisdiction of other Parties to this Convention and the International Ready for Recycling Certificate drawn up only in an official language of the issuing Party to ships recycled in Ship Recycling Facilities under the jurisdiction of the issuing Party.

Regulation 14 – Duration and validity of the certificates

1 An International Certificate on Inventory of Hazardous Materials issued under regulation 11 or 12 shall cease to be valid in any of the following cases:

- .1 if the condition of the ship does not correspond substantially with the particulars of the certificate, including where Part I of the Inventory of Hazardous Materials is not properly maintained and updated, reflecting changes in ship structure and equipment, in accordance with the guidelines developed by the Organization;
- .2 upon transfer of the ship to the flag of another State. A new certificate shall only be issued when the Party issuing the new certificate is fully satisfied that the ship is in compliance with the requirements of regulation 10. In the case of a transfer between Parties, if requested within three months after the transfer has taken place, the Party whose flag the ship was formerly entitled to fly shall, as soon as possible, transmit to the Administration copies of the certificates carried by the ship before the transfer and, if available, copies of the relevant survey reports;
- .3 if the renewal survey is not completed within the periods specified under regulations 10.1 and 11; or
- .4 if the certificate is not endorsed in accordance with regulation 11 or 12.

2 An International Certificate on Inventory of Hazardous Materials shall be issued for a period specified by the Administration, which shall not exceed five years.

3 An International Ready for Recycling Certificate shall be issued for a period specified by the Administration that shall not exceed three months.

4 An International Ready for Recycling Certificate issued under regulation 11 or 12 shall cease to be valid if the condition of the ship does not correspond substantially with the particulars of the certificate.

5 The International Ready for Recycling Certificate may be extended by the Administration or by any person or organization authorized by it for a single point to point voyage to the Ship Recycling Facility.

CHAPTER 3 – REQUIREMENTS FOR SHIP RECYCLING FACILITIES

Regulation 15 – Controls on Ship Recycling Facilities

1 Each Party shall establish legislation, regulations, and standards that are necessary to ensure that Ship Recycling Facilities are designed, constructed, and operated in a safe and environmentally sound manner in accordance with the regulations of this Convention.

2 Each Party shall establish a mechanism for authorizing Ship Recycling Facilities with appropriate conditions to ensure that such Ship Recycling Facilities meet the requirements of this Convention.

3 Each Party shall establish a mechanism for ensuring that Ship Recycling Facilities comply with the requirements of this chapter including the establishment and effective use of inspection, monitoring and enforcement provisions, including powers of entry and sampling. Such a mechanism may include an audit scheme to be carried out by the Competent Authority(ies) or an organization recognized by the Party, taking into account guidelines developed by the Organization, and the results of these audits should be communicated to the Organization.

4 Each Party shall designate one or more Competent Authorities and the single contact point to be used by the Organization, Parties to this Convention and other interested entities, for matters related to Ship Recycling Facilities operating within the jurisdiction of that Party.

Regulation 16 – Authorization of Ship Recycling Facilities

1 Ship Recycling Facilities which recycle ships to which this Convention applies, or ships treated similarly pursuant to Article 3.4, shall be authorized by a Party taking into account the guidelines developed by the Organization.

2 The authorization shall be carried out by the Competent Authority(ies) and shall include verification of documentation required by this Convention and a site inspection. The Competent Authority(ies) may however entrust the authorization of Ship Recycling Facilities to organizations recognized by it.

3 The Party shall notify the Organization of the specific responsibilities and conditions of the authority delegated to the recognized organizations, for circulation to Parties. In every case, the Competent Authority(ies) retains full responsibility for the authorization issued.

4 The authorization shall be drawn up in the form set forth in Appendix 5. If the language used is not English, French or Spanish, the text shall include a translation into one of these languages.

5 The authorization shall be valid for a period specified by the Party but not exceeding five years. The Party shall identify the terms for which the authorization will be issued, withdrawn, suspended, amended and renewed, and communicate these terms to the Ship Recycling Facilities. If a Ship Recycling Facility refuses inspection by the Competent Authority(ies) or the recognized organization operating on its/their behalf, the authorization shall be suspended or withdrawn.

6 If incidents or actions taken at the Ship Recycling Facility have the effect that the conditions for the authorization are no longer fulfilled, the Ship Recycling Facility shall inform the Competent Authority(ies). The Competent Authority(ies) may accordingly decide to suspend or withdraw the authorization, or require corrective actions by the Ship Recycling Facility.

Regulation 17 – General requirements

1 Ship Recycling Facilities authorized by a Party shall establish management systems, procedures and techniques which do not pose health risks to the workers concerned or to the population in the vicinity of the Ship Recycling Facility and which will prevent, reduce, minimize and to the extent practicable eliminate adverse effects on the environment caused by Ship Recycling, taking into account guidelines developed by the Organization.

2 Ship Recycling Facilities authorized by a Party shall, for ships to which this Convention applies, or ships treated similarly pursuant to Article 3.4:

- .1 only accept ships that:
 - .1 comply with this Convention; or
 - .2 meet the requirements of this Convention;
- .2 only accept ships which they are authorized to recycle; and
- .3 have the documentation of its authorization available if such documentation is requested by a shipowner that is considering recycling a ship at that Ship Recycling Facility.

Regulation 18 – Ship Recycling Facility Plan

Ship Recycling Facilities authorized by a Party shall prepare a Ship Recycling Facility Plan. The Plan shall be adopted by the board or the appropriate governing body of the Recycling Company, and shall include:

- .1 a policy ensuring workers' safety and the protection of human health and the environment, including the establishment of objectives that lead to the minimization and elimination to the extent practicable of the adverse effects on human health and the environment caused by Ship Recycling;
- .2 a system for ensuring implementation of the requirements set out in this Convention, the achievement of the goals set out in the policy of the Recycling Company, and the continuous improvement of the procedures and standards used in the Ship Recycling operations;
- .3 identification of roles and responsibilities for employers and workers when conducting Ship Recycling operations;
- .4 a programme for providing appropriate information and training of workers for the safe and environmentally sound operation of the Ship Recycling Facility;
- .5 an emergency preparedness and response plan;
- .6 a system for monitoring the performance of Ship Recycling;
- .7 a record-keeping system showing how Ship Recycling is carried out;
- .8 a system for reporting discharges, emissions, incidents and accidents causing damage, or with the potential of causing damage, to workers' safety, human health and the environment; and
- .9 a system for reporting occupational diseases, accidents, injuries and other adverse effects on workers' safety and human health,

taking into account guidelines developed by the Organization.

Regulation 19 – Prevention of adverse effects to human health and the environment

Ship Recycling Facilities authorized by a Party shall establish and utilize procedures to:

- .1 prevent explosions, fires, and other unsafe conditions by ensuring that Safe-for-hot work conditions and procedures are established, maintained and monitored throughout Ship Recycling;
- .2 prevent harm from dangerous atmospheres and other unsafe conditions by ensuring that Safe-for-entry conditions and procedures are established, maintained, and monitored in ship spaces, including confined spaces and enclosed spaces, throughout Ship Recycling;
- .3 prevent other accidents, occupational diseases and injuries or other adverse effects on human health and the environment; and
- .4 prevent spills or emissions throughout Ship Recycling which may cause harm to human health and/or the environment,

taking into account guidelines developed by the Organization.

Regulation 20 – Safe and environmentally sound management of Hazardous Materials

1 Ship Recycling Facilities authorized by a Party shall ensure safe and environmentally sound removal of any Hazardous Material contained in a ship certified in accordance with regulation 11 or 12. The person(s) in charge of the recycling operations and the workers shall be familiar with the requirements of this Convention relevant to their tasks and, in particular, actively use the Inventory of Hazardous Materials and the Ship Recycling Plan, prior to and during the removal of Hazardous Materials.

2 Ship Recycling Facilities authorized by a Party shall ensure that all Hazardous Materials detailed in the Inventory are identified, labelled, packaged and removed to the maximum extent possible prior to cutting by properly trained and equipped workers, taking into account the guidelines developed by the Organization, in particular:

- .1 hazardous liquids, residues and sediments;
- .2 substances or objects containing heavy metals such as lead, mercury, cadmium and hexavalent chromium;
- .3 paints and coatings that are highly flammable and/or lead to toxic releases;
- .4 asbestos and materials containing asbestos;
- .5 PCB and materials containing PCBs, ensuring that heat inducing equipment is avoided during such operations;
- .6 CFCs and halons; and
- .7 other Hazardous Materials not listed above and that are not a part of the ship structure.

3 Ship Recycling Facilities authorized by a Party shall provide for and ensure safe and environmentally sound management of all Hazardous Materials and wastes removed from the ship recycled at that Ship Recycling Facility. Waste management and disposal sites shall be identified to provide for the further safe and environmentally sound management of materials.

4 All wastes generated from the recycling activity shall be kept separate from recyclable materials and equipment, labelled, stored in appropriate conditions that do not pose a risk to the workers, human health or the environment and only transferred to a waste management facility authorized to deal with their treatment and disposal in a safe and environmentally sound manner.

Regulation 21 – Emergency preparedness and response

Ship Recycling Facilities authorized by a Party shall establish and maintain an emergency preparedness and response plan. The plan shall be made having regard to the location and environment of the Ship Recycling Facility, and shall take into account the size and nature of activities associated with each Ship Recycling operation. The plan shall furthermore:

- .1 ensure that the necessary equipment and procedures to be followed in the case of an emergency are in place, and that drills are conducted on a regular basis;
- .2 ensure that the necessary information, internal communication and coordination are provided to protect all people and the environment in the event of an emergency at the Ship Recycling Facility;
- .3 provide for communication with, and information to, the relevant Competent Authority(ies), the neighbourhood and emergency response services;
- .4 provide for first-aid and medical assistance, fire-fighting and evacuation of all people at the Ship Recycling Facility, pollution prevention; and
- .5 provide for relevant information and training to all workers of the Ship Recycling Facility, at all levels and according to their competence, including regular exercises in emergency prevention, preparedness and response procedures.

Regulation 22 – Worker safety and training

1 Ship Recycling Facilities authorized by a Party shall provide for worker safety by measures including:

- .1 ensuring the availability, maintenance and use of personal protective equipment and clothing needed for all Ship Recycling operations;
- .2 ensuring that training programmes are provided to enable workers to safely undertake all Ship Recycling operations they are tasked to do; and
- .3 ensuring that all workers at the Ship Recycling Facility have been provided with appropriate training and familiarization prior to performing any Ship Recycling operation.

2 Ship Recycling Facilities authorized by a Party shall provide and ensure the use of personal protective equipment for operations requiring such use, including:

- .1 head protection;
- .2 face and eye protection;
- .3 hand and foot protection;
- .4 respiratory protective equipment;
- .5 hearing protection;
- .6 protectors against radioactive contamination;
- .7 protection from falls; and
- .8 appropriate clothing.

3 Ship Recycling Facilities authorized by a Party may co-operate in providing for training of workers. Taking into account the guidelines developed by the Organization, the training programmes set forth in paragraph 1.2 of this regulation shall:

- .1 cover all workers including contractor personnel and employees in the Ship Recycling Facility;
- .2 be conducted by Competent persons;
- .3 provide for initial and refresher training at appropriate intervals;
- .4 include participants' evaluation of their comprehension and retention of the training;
- .5 be reviewed periodically and modified as necessary; and
- .6 be documented.

Regulation 23 – Reporting on incidents, accidents, occupational diseases and chronic effects

1 Ship Recycling Facilities authorized by a Party shall report to the Competent Authority(ies) any incident, accident, occupational diseases, or chronic effects causing, or with the potential of causing, risks to workers safety, human health and the environment.

2 Reports shall contain a description of the incident, accident, occupational disease, or chronic effect, its cause, the response action taken and the consequences and corrective actions to be taken.

CHAPTER 4 – REPORTING REQUIREMENTS

Regulation 24 – Initial notification and reporting requirements

1 A shipowner shall notify the Administration in due time and in writing of the intention to recycle a ship in order to enable the Administration to prepare for the survey and certification required by this Convention.

2 A Ship Recycling Facility when preparing to receive a ship for recycling shall notify in due time and in writing its Competent Authority(ies) of the intent. The notification shall include at least the following ship details:

- .1 name of the State whose flag the ship is entitled to fly;
- .2 date on which the ship was registered with that State;
- .3 ship's identification number (IMO number);
- .4 hull number on new-building delivery;
- .5 name and type of the ship;
- .6 port at which the ship is registered;
- .7 name and address of the Shipowner as well as the IMO registered owner identification number;
- .8 name and address of the company as well as the IMO company identification number;
- .9 name of all classification society(ies) with which the ship is classed;
- .10 ship's main particulars (Length overall (LOA), Breadth (Moulded), Depth (Moulded), Lightweight, Gross and Net tonnage, and engine type and rating);
- .11 Inventory of Hazardous Materials; and
- .12 draft ship recycling plan for approval pursuant to regulation 9.

3 When the ship destined to be recycled has acquired the International Ready for Recycling Certificate, the Ship Recycling Facility shall report to its Competent Authority(ies) the planned start of the Ship Recycling. The report shall be in accordance with the reporting format in Appendix 6, and shall at least include a copy of the International Ready for Recycling Certificate. Recycling of the ship shall not start prior to the submission of the report.

Regulation 25 – Reporting upon completion

When the partial or complete recycling of a ship is completed in accordance with the requirements of this Convention, a Statement of Completion shall be issued by the Ship Recycling Facility and reported to its Competent Authority(ies). This report must be compiled as

shown in appendix 7. The Competent Authority(ies) shall send a copy of the Statement to the Administration which issued the International Ready for Recycling Certificate for the ship. The Statement shall be issued within 14 days of the date of partial or completed Ship Recycling in accordance with the Ship Recycling Plan and shall include a report on incidents and accidents damaging human health and/or the environment, if any.

APPENDIX 1

CONTROLS OF HAZARDOUS MATERIALS

Hazardous Material	Definitions	Control measures
Asbestos	Materials containing asbestos	For all ships, new installation of materials which contain asbestos shall be prohibited.
Ozone-depleting substances	<p>Ozone-depleting substances means controlled substances defined in paragraph 4 of article 1 of the Montreal Protocol on Substances that Deplete the Ozone Layer, 1987, listed in Annexes A,B,C or E to the said Protocol in force at the time of application or interpretation of this Annex.</p> <p>Ozone-depleting substances that may be found on board ship include, but are not limited to:</p> <p>Halon 1211 Bromochlorodifluoromethane Halon 1301 Bromotrifluoromethane Halon 2402 1,2-Dibromo-1,1,2,2-tetrafluoroethane (also known as Halon 114B2) CFC-11 Trichlorofluoromethane CFC-12 Dichlorodifluoromethane CFC-113 1,1,2-Trichloro-1,2,2-trifluoroethane CFC-114 1,2-Dichloro-1,1,2,2-tetrafluoroethane CFC-115 Chloropentafluoroethane</p>	New installations which contain ozone-depleting substances shall be prohibited on all ships, except that new installations containing hydrochlorofluorocarbons (HCFCs) are permitted until 1 January 2020.
Polychlorinated biphenyls (PCB)	“Polychlorinated biphenyls” means aromatic compounds formed in such a manner that the hydrogen atoms on the biphenyl molecule (two benzene rings bonded together by a single carbon-carbon bond) may be replaced by up to ten chlorine atoms	For all ships, new installation of materials which contain Polychlorinated biphenyls shall be prohibited.
Anti-fouling compounds and systems	Anti-fouling compounds and systems regulated under Annex I to the International Convention on the Control of Harmful Anti-fouling Systems on Ships, 2001 (AFS Convention) in force at the time of application or interpretation of this Annex.	<ol style="list-style-type: none"> 1. No ship may apply anti-fouling systems containing organotin compounds as a biocide or any other anti-fouling system whose application or use is prohibited by the AFS Convention. 2. No new ships or new installations on ships shall apply or employ anti-fouling compounds or systems in a manner inconsistent with the AFS Convention.

APPENDIX 2

MINIMUM LIST OF ITEMS FOR THE INVENTORY OF HAZARDOUS MATERIALS

Any Hazardous Materials listed in Appendix 1
Cadmium and Cadmium Compounds
Hexavalent Chromium and Hexavalent Chromium Compounds
Lead and Lead Compounds
Mercury and Mercury Compounds
Polybrominated Biphenyl (PBBs)
Polybrominated Diphenyl Ethers (PBDEs)
Polychlorinated Naphthalenes (more than 3 chlorine atoms)
Radioactive Substances
Certain Shortchain Chlorinated Paraffins (Alkanes, C10-C13, chloro)

APPENDIX 3

FORM OF THE INTERNATIONAL CERTIFICATE ON INVENTORY OF HAZARDOUS MATERIALS

INTERNATIONAL CERTIFICATE ON INVENTORY OF HAZARDOUS MATERIALS

(Note: This certificate shall be supplemented by Part I of the Inventory of Hazardous Materials)

(Official seal)

(State)

Issued under the provisions of the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009 (hereinafter referred to as “the Convention”) under the authority of the Government of

.....
(Full designation of the country)

by
*(Full designation of the person or organization authorized
under the provisions of the Convention)*

Particulars of the Ship

Name of Ship	
Distinctive number or letters	
Port of Registry	
Gross tonnage	
IMO number	
Name and address of shipowner	
IMO registered owner identification number	
IMO company identification number	
Date of Construction	

Particulars of Part I of the Inventory of Hazardous Materials

Part I of the Inventory of Hazardous Materials identification/verification number:

Note: Part I of the Inventory of Hazardous Materials, as required by regulation 5 of the Annex to the Convention, is an essential part of the International Certificate on Inventory of Hazardous Materials and must always accompany the International Certificate on Inventory of Hazardous Materials. Part I of the Inventory of Hazardous Materials should be compiled on the basis of the standard format shown in the guidelines developed by the Organization.

THIS IS TO CERTIFY:

1. that the ship has been surveyed in accordance with regulation 10 of the Annex to the Convention; and
2. that the survey shows that Part I of the Inventory of Hazardous Materials fully complies with the applicable requirements of the Convention.

Completion date of survey on which this certificate is based: (dd/mm/yyyy)

This certificate is valid until (dd/mm/yyyy)

Issued at
(Place of issue of certificate)

(dd/mm/yyyy)
(Date of issue) (Signature of duly authorized official issuing the certificate)

(Seal or stamp of the authority, as appropriate)

**ENDORSEMENT TO EXTEND THE CERTIFICATE IF VALID FOR
LESS THAN FIVE YEARS WHERE REGULATION 11.6 APPLIES***

The ship complies with the relevant provisions of the Convention, and this certificate shall, in accordance with regulation 11.6 of the Annex to the Convention, be accepted as valid until (dd/mm/yyyy):

Signed:

(Signature of duly authorized official)

Place:

Date: (dd/mm/yyyy)

(Seal or stamp of the authority, as appropriate)

**ENDORSEMENT WHERE THE RENEWAL SURVEY HAS BEEN COMPLETED AND
REGULATION 11.7 APPLIES***

The ship complies with the relevant provisions of the Convention, and this certificate shall, in accordance with regulation 11.7 of the Annex to the Convention, be accepted as valid until (dd/mm/yyyy):

Signed:

(Signature of duly authorized official)

Place:

Date: (dd/mm/yyyy)

(Seal or stamp of the authority, as appropriate)

* This page of the endorsement at survey shall be reproduced and added to the certificate as considered necessary by the Administration.

**ENDORSEMENT TO EXTEND THE VALIDITY OF THE CERTIFICATE UNTIL
REACHING THE PORT OF SURVEY OR FOR A PERIOD OF GRACE WHERE
REGULATION 11.8 OR 11.9 APPLIES***

This certificate shall, in accordance with regulation 11.8 or 11.9** of the Annex to the Convention, be accepted as valid until (dd/mm/yyyy):

Signed:

(Signature of duly authorized official)

Place:

Date: (dd/mm/yyyy)

(Seal or stamp of the authority, as appropriate)

ENDORSEMENT FOR ADDITIONAL SURVEY*

At an additional survey in accordance with regulation 10 of the Annex to the Convention, the ship was found to comply with the relevant provisions of the Convention.

Signed:

(Signature of duly authorized official)

Place:

Date: (dd/mm/yyyy)

(Seal or stamp of the authority, as appropriate)

* This page of the endorsement at survey shall be reproduced and added to the certificate as considered necessary by the Administration.

** Delete as appropriate.

APPENDIX 4

FORM OF THE INTERNATIONAL READY FOR RECYCLING CERTIFICATE

INTERNATIONAL READY FOR RECYCLING CERTIFICATE

(Note: This certificate shall be supplemented by the Inventory of Hazardous Materials and the Ship Recycling Plan)

(Official seal)

(State)

Issued under the provisions of the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009 (hereinafter referred to as “the Convention”) under the authority of the Government of

.....
(Full designation of the country)

by
(Full designation of the person or organization authorized under the provisions of the Convention)

Particulars of the Ship

Name of Ship	
Distinctive number or letters	
Port of Registry	
Gross tonnage	
IMO number	
Name and address of shipowner	
IMO registered owner identification number	
IMO company identification number	
Date of Construction	

Particulars of the Ship Recycling Facility(ies)

Name of Ship Recycling Facility	
Distinctive Recycling Company identity number*	
Full address	
Date of expiry of DASR	

* This number is based on the Document of Authorization to conduct Ship Recycling (DASR).

Particulars of the Inventory of Hazardous Materials

Inventory of Hazardous Materials identification/verification number:

Note: The Inventory of Hazardous Materials, as required by regulation 5 of the Annex to the Convention, is an essential part of the International Ready for Recycling Certificate and must always accompany the International Ready for Recycling Certificate. The Inventory of Hazardous Materials should be compiled on the basis of the standard format shown in the guidelines developed by the Organization.

Particulars of the Ship Recycling Plan

Ship Recycling Plan identification/verification number:

Note: The Ship Recycling Plan, as required by regulation 9 of the Annex to the Convention, is an essential part of the International Ready for Recycling Certificate and must always accompany the International Ready for Recycling Certificate.

THIS IS TO CERTIFY:

- 1 that the ship has been surveyed in accordance with regulation 10 of the Annex to the Convention;
- 2 that the ship has a valid Inventory of Hazardous Materials in accordance with regulation 5 of the Annex to the Convention;
- 3 that the Ship Recycling Plan, as required by regulation 9, properly reflects the information contained in the Inventory of Hazardous Materials as required by regulation 5.4 and contains information concerning the establishment, maintenance and monitoring of Safe-for-entry and Safe-for-hot work conditions; and
- 4 that the Ship Recycling Facility(ies) where this ship is to be recycled holds a valid authorization in accordance with the Convention.

This certificate is valid until (dd/mm/yyyy)
(Date)

Issued at
(Place of issue of certificate)

(dd/mm/yyyy)
(Date of issue) (Signature of duly authorized official issuing the certificate)

(Seal or stamp of the authority, as appropriate)

**ENDORSEMENT TO EXTEND THE VALIDITY OF THE CERTIFICATE UNTIL
REACHING THE PORT OF THE SHIP RECYCLING FACILITY FOR A PERIOD OF
GRACE WHERE REGULATION 14.5 APPLIES***

This certificate shall, in accordance with regulation 14.5 of the Annex to the Convention, be accepted as valid for a single point to point voyage

from the port of:

to the port of:

Signed:

(Signature of duly authorized official)

Place:

Date: (dd/mm/yyyy)

(Seal or stamp of the authority, as appropriate)

* This page of the endorsement shall be reproduced and added to the certificate as considered necessary by the Administration.

APPENDIX 5

FORM OF THE AUTHORIZATION OF SHIP RECYCLING FACILITIES

Document of Authorization to conduct Ship Recycling (DASR) in accordance with the requirements of the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009

Issued under the provision of the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009 (hereinafter referred to as “the Convention”) under the authority of the Government of:

.....
(Full designation of the country)

by.....
(Full designation of the Competent Authority under the Convention)

Name of Ship Recycling Facility	
Distinctive Recycling Company identity No.	
Full address of Ship Recycling Facility	
Primary contact person	
Phone number	
E-mail address	
Name, address, and contact information of ownership company	
Working language(s)	

This is to verify that the Ship Recycling Facility has implemented management systems, procedures and techniques in accordance with Chapters 3 and 4 to the Annex to the Convention.

This authorization is valid until and is subject to the limitations identified in the attached supplement.

This authorization is subject to amendment, suspension, withdrawal, or periodic renewal in accordance with regulation 16 of the Annex to the Convention.

Issued at
(Place of issue of the authorization)

(dd/mm/yyyy)
(Date of issue) (Signature of duly authorized official issuing the authorization)

.....
(Typed name and title of duly authorized official issuing the authorization)

(Seal or stamp of the authority, as appropriate)

SUPPLEMENT TO:

Document of Authorization to undertake Ship Recycling (DASR) in accordance with the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009

Notes:

- 1 This record shall be permanently attached to the DASR. The DASR shall be available at the Ship Recycling Facility at all times.
- 2 All procedures, plans and other documents produced by the Ship Recycling Facility and required under the terms to which the DASR has been issued shall be available in the working language of the Ship Recycling Facility and in either English, French or Spanish.
- 3 The authorization is subject to the limitations defined by this supplement.

1 GENERAL TERMS

1.1 Requirements of the Convention

The Ship Recycling Facility meets the requirements that it be designed, constructed, and operated in a safe and environmentally sound manner in accordance with the Convention, including meeting the relevant requirements of:

- Regulation 16 – Authorization of Ship Recycling Facilities
- Regulation 17 – General requirements
- Regulation 18 – Ship Recycling Facility Plan
- Regulation 19 – Prevention of adverse effects to human health and the environment
- Regulation 20 – Safe and environmentally sound management of Hazardous Materials
- Regulation 21 – Emergency preparedness and response
- Regulation 22 – Worker safety and training
- Regulation 23 – Reporting on incidents, accidents, occupational diseases and chronic effects
- Regulation 24 – Initial notification and reporting requirements
- Regulation 25 – Reporting upon completion

These requirements are imposed on the Ship Recycling Facility by way of

.....
(Identify the permit, licence, authorization, legal standards, or other mechanism that applies)

Ship Recycling Facility Plan identification/verification number:

1.2 Acceptance of ships

For ships to which the Convention applies and ships treated similarly pursuant to Article 3.4 of the Convention, the Ship Recycling Facility can only accept a ship for recycling in accordance with regulation 17 of the Annex to the Convention.

1.3 Safe-for-hot work and Safe-for-entry conditions

The Ship Recycling Facility is capable of establishing, maintaining and monitoring Safe-for-hot work and Safe-for-entry conditions throughout the Ship Recycling process.

1.4 Management of Hazardous Materials

The Ship Recycling Facility is designed, constructed, operated, and required to ensure that all Hazardous Materials' management shall be safe and environmentally sound in compliance with the Convention and with all relevant local or national regulations/requirements.

1.5 Map and location of Ship Recycling operations

A map of the boundary of the Ship Recycling Facility and the location of Ship Recycling operations within it, is attached.

2 CAPABILITY OF SHIP RECYCLING FACILITY

2.1 Size of ships

The Ship Recycling Facility is authorized to accept a ship for recycling subject to the following size limitations:

Maximum Size		Other Limitations
Length		
Breadth		
Lightweight		

2.2 Safe and Environmentally Sound Management of Hazardous Materials

The Ship Recycling Facility is authorized to accept a ship for recycling that contains Hazardous Materials as specified in the following table subject to the conditions noted below:

Hazardous Material(*4)	Management of Hazardous Materials			Authorization/Limitations
	Removal Y/N (* 2)	Storage Y/N	Process (* 1) Y/N (* 3)	
Asbestos				
Ozone-depleting substances				
Polychlorinated biphenyls (PCB)				
Anti-fouling compounds and systems				
Cadmium and Cadmium Compounds				
Hexavalent Chromium and Hexavalent Chromium Compounds				
Lead and Lead Compounds				
Mercury and Mercury Compounds				
Polybrominated Biphenyl (PBBs)				
Polybrominated Diphenyl Ethers (PBDEs)				
Polychlorinated Naphthalenes (more than 3 chlorine atoms)				
Radioactive substances				
Certain Shortchain Chlorinated Paraffins (Alkanes, C10-C13, chloro)				
Hazardous liquids, residues and sediments				
Paints and coatings that are highly flammable and/or lead to toxic release				
Other Hazardous Materials not listed above and that are not a part of the ship structure (specify)				

- Notes: *1 Process means the processing of Hazardous Materials in the Ship Recycling Facility, such as:
- a. incineration of Hazardous Materials;
 - b. reclamation of Hazardous Materials; and
 - c. treatment of oily residues.
- *2 If Yes (Y), indicate in the Ship Recycling Facility Plan the responsible personnel authorized to carry out the removal, with the certificate number or other relevant information.
- *3 If No (N), describe in the Ship Recycling Plan where the Hazardous Materials are to be processed/disposed.
- *4 These Hazardous Materials are specified in Appendices 1 and 2 and regulation 20 of the Convention.

APPENDIX 6

FORM OF REPORT OF PLANNED START OF SHIP RECYCLING

The
(Name of Ship Recycling Facility)

located at
(Full Ship Recycling Facility address)

Authorized in accordance with the requirements of the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009 (hereinafter referred to as “the Convention”) to conduct Ship Recycling under the authority of the Government of:

.....
(Full designation of country)

as indicated in the Document of Authorization to conduct Ship Recycling issued at

.....
(Place of authorization)

by
(Full designation of the Competent Authority under the Convention)

on (dd/mm/yyyy)
(Date of issue)

Hereby reports that the Ship Recycling Facility is ready in every respect to start the recycling of the vessel
(IMO number)

The International Ready for Recycling Certificate issued under the provisions of the Convention under the authority of the Government of

.....
(Full designation of country)

by
(Full designation of the person or organization authorized under the provisions of the Convention)

on (dd/mm/yyyy)
(Date of issue)

is enclosed.

Signed

APPENDIX 7

FORM OF THE STATEMENT OF COMPLETION OF SHIP RECYCLING

STATEMENT OF COMPLETION OF SHIP RECYCLING

This document is a statement of completion of Ship Recycling for

.....
(Name of the ship when it was received for recycling/at the point of deregistration)

Particulars of the Ship as received for recycling

Distinctive number or letters	
Port of Registry	
Gross tonnage	
IMO number	
Name and address of shipowner	
IMO registered owner identification number	
IMO company identification number	
Date of Construction	

THIS CONFIRMS THAT:

The ship has been recycled in accordance with the Ship Recycling Plan as part of the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009 (hereinafter referred to as “the Convention”) at

.....
(Name and location of the authorized Ship Recycling Facility)

and the recycling of the ship as required by the Convention was completed on:

(dd/mm/yyyy)
(Date of completion)

Issued at
(Place of issue of the Statement of Completion)

(dd/mm/yyyy)
(Date of issue) (Signature of the owner of the Ship Recycling Facility or
a representative acting on behalf of the owner)