

JUL 12 2001

PHILIPPINE PORTS AUTHORITY
T. 9:30
D. 7/13
By: _____
ALONSO G. CUSI

PPA MEMORANDUM CIRCULAR
NUMBER 35 - 2001

TO : PORT DISTRICT MANAGERS
PORT MANAGERS
SHIPPING COMPANIES/AGENTS/LINES
SHIPPING ASSOCIATIONS
CARGO HANDLING CONTRACTORS
AND ALL OTHERS CONCERNED.

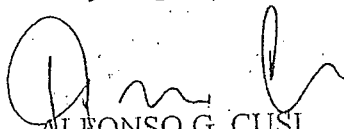
SUBJECT : Ratification of MARPOL 73/78 by the Philippine Government

The International Maritime Organization (IMO), an international body concerned with the safety of life at sea and the protection of marine environment, has promulgated regulations that would prevent the intentional discharge of ship-generated wastes into the sea thereby controlling pollution from shipping activities. These regulations are spelled out in the International Convention for the Prevention of Pollution from Ships, 1973 as modified in 1978, MARPOL 73/78 for brevity.

The Philippine government has ratified MARPOL 73/78 including its succeeding Protocols and Annexes I to V, which prohibit the discharge of oil (Annex I), noxious liquid substances (Annex II), dangerous goods in packaged form (Annex III), sewage (Annex IV) and garbage (Annex V). With that, the government including its implementing agencies is bound to comply with the provisions of the Convention. The Philippine Ports Authority, on its part, shall provide reception facilities to receive wastes from ships calling at the ports under PPA jurisdiction. It is in this regard that the Committee on Safety, Health and Environment (CSHE) is instructed to expedite the implementation of the provision of the Convention related to shore reception facilities.

Information campaign and education of personnel of PPA and shipping companies/lines/agents, in particular, regarding this Convention is essential in the effective implementation of the same. The PPA Training Center, in coordination with the CSHE, PDOs and PMOs, is therefore tasked to handle the orientation of these personnel with emphasis on the importance of MARPOL 73/78 in the preservation of our marine environment.

For your guidance.


ALFONSO G. CUSI
General Manager

200106W049 (Ca)



OFFICE OF UNITED NATIONS AND INTERNATIONAL ORGANIZATIONS

Our ref. no. : NJB/mma- 2050 -2000
Date : 31 May 2001
Subject : Ratification of the International Convention on the Prevention on pollution from Ships (MARPOL 73/78), including its Succeeding protocols and its Annexes I to V

16056

66052001

Sir:

I am pleased to inform you of the ratification of the International Convention on the Prevention on pollution from Ships (MARPOL 73/78), including its Succeeding protocols and its Annexes I to V. Enclosed are certified true copies of the Instrument of Accession, and Senate Resolution no. 88 adopted by the Philippine Senate on March 19 2001. The same have been sent to the Philippine Embassy in London for deposit with the IMO Secretary General.

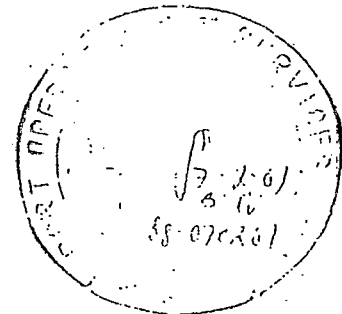
For your information and reference.

Very truly yours,

For the Secretary of Foreign Affairs:

R.V. Tirona
ROSALINDA V. TIRONA
Assistant Secretary

Mr. Alfonso G. Cusi
General Manager
Philippine Ports Authority
No. 22 Muelle de San Francisco St.
Gate 1, South Harbor, Manila





MALACAÑAN PALACE
MANILA

INSTRUMENT OF ACCESSION

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

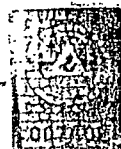
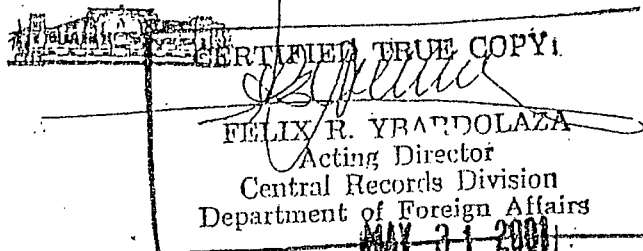
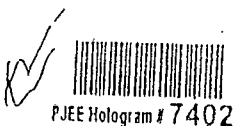
KNOW YE, that whereas, the International Convention on the Prevention of Pollution from Ships was adopted in London on 02 November 1973 by the International Conference on Marine Pollution, 1973;

WHEREAS, the Protocol of 1978 relating to the International Convention for the Prevention of Pollution from Ships, 1973, (MARPOL '78) was adopted in London on 17 February 1978 by the International Conference on Tanker Safety and Pollution Prevention, 1978;

WHEREAS, MARPOL 73/78 is the most important international instrument for controlling pollution of the marine environment from shipping activities. It aims to preserve the seas and coastal environment from pollution by ensuring the complete elimination of intentional pollution and minimization of accidental discharges from ships;

WHEREAS, MARPOL 73/78 is now in force and governments intending to ratify it shall be bound to accept and comply with the provisions of the Convention and to implement its requirements on the country's flag vessels;

WHEREAS, the Convention deals not only with oil, but with all forms of marine pollution except the disposal of land-generated waste into the sea by dumping. Most of the technical measures are included in five annexes to the Convention which deal respectively with the following: Annex I prohibits discharge of oil by oil tankers or any ship carrying oil as cargo and by all ships with respect to oily waste coming from machinery spaces; Annex II prohibits the discharge of noxious liquid substances by chemical tankers or any ship that carries noxious liquid substances in bulk; Annex III prohibits the carriage of harmful substances by ships carrying harmful substances in package form except in accordance with the requirements on packaging, marking, labeling, documentation, stowage, quantity limitations, exceptions and notification for preventing or minimizing pollution of the marine environment by harmful substances in accordance with the International Maritime Dangerous Goods Code (IMDG Code); Annex IV prohibits the discharge of sewage by all ships except those under 200 grt carrying 10 persons or fewer; and Annex V prohibits the discharge of garbage (or rubbish or trash) by all ships;



WHEREAS, marine environmental protection is one of the principal concerns of the Philippine government at present. It is the intention of the Government to monitor and control ship-generated pollution and thereby minimize the indiscriminate discharge of waste at sea by ships;

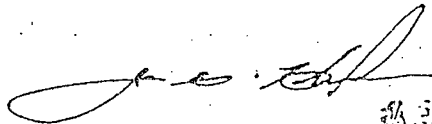
WHEREAS, compliance with MARPOL 73/78 requirements, particularly provision of waste collection systems and/or reception facilities in ports, will benefit not only foreign vessels but also domestic vessels in particular;

WHEREAS, Article 15 of the Convention provides that the Convention shall enter into force, with respect to the Philippines, three months after the date of deposit of the Instrument of Accession with the Secretary-General of the Inter-Governmental Maritime Consultative Organization;

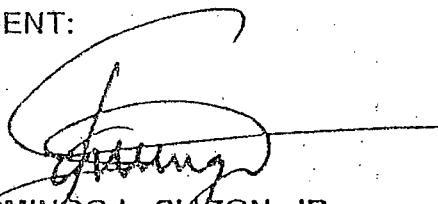
NOW, THEREFORE, be it known that I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, after having seen and considered the aforementioned Convention on the Prevention of Pollution from Ships as modified by the Protocol of 1978 (MARPOL 73/78), including its succeeding Protocols and its Annexes I to V, do hereby accede to and confirm the same and each and every Article and Clause thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

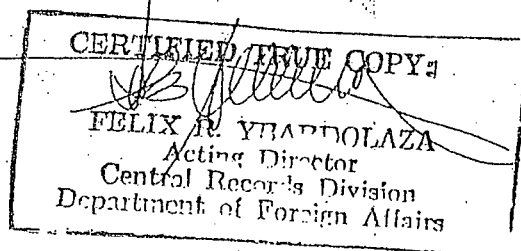
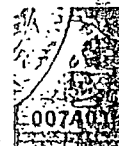
GIVEN under my hand at the City of Manila, this 9th day of September in the year of Our Lord one thousand nine hundred and ninety-nine.



BY THE PRESIDENT:



DOMINGO L. SIAZON, JR.
Secretary of Foreign Affairs



MAY 31 2001



RECORDS DIVISION
RECEIVED

MAY 17 2001

REPUBLIC OF THE PHILIPPINES

Senate
Pasay

No. 1960
Time:
Received By RICHARD J. / [Signature]
Tel. No. [Number] Loc. 31

Office of the Secretary

11 May 2001

The Honorable
Secretary TEOFISTO T. GUINGONA JR.
Department of Foreign Affairs
2330 Roxas Boulevard
Pasay City

Dear Secretary Guingona Jr:

I have been directed to transmit herewith a printed copy of the International Convention on the Prevention of Pollution from Ships (MARPOL 73/78), including its Succeeding Protocols and its Annexes I to V, and a signed copy of Resolution No. 88 (P. S. Res. No. 727), entitled:

RESOLUTION
CONCURRING IN THE RATIFICATION OF THE INTERNATIONAL
CONVENTION ON THE PREVENTION OF POLLUTION FROM SHIPS
(MARPOL 73/78), INCLUDING ITS SUCCEEDING PROTOCOLS
AND ITS ANNEXES I TO V

which was adopted by the Senate on 19 March 2001.

I am returning herewith the original copy of the Instrument of Accession of the International Convention on the Prevention of Pollution from Ships (MARPOL 73/78), signed by President Joseph Ejercito Estrada on 9 September 1999.

Very truly yours,

CERTIFIED TRUE COPY
FELIX B. YRABDOLAZA
Acting Director
Central Records Division
Department of Foreign Affairs

[Signature]
ATTY. EMMALIRIO REYES
Acting Secretary

encl.: a/s

MAY 31 2001

MAY 21 2001

Republic of the Philippines
Congress of the Philippines

Senate

Manila City

Eleventh Congress

Fifth Special Session

RESOLUTION No. 88

RESOLUTION CONCURRENCE IN THE RATIFICATION OF THE INTERNATIONAL CONVENTION ON THE PREVENTION OF POLLUTION FROM SHIPS (MARPOL 73/78), INCLUDING ITS SUCCEEDING PROTOCOLS AND ITS ANNEXES I TO V

WHEREAS, the International Convention on the Prevention of Pollution from Ships was adopted in London on 02 November 1973 by the International Conference on Marine Pollution, 1973;

WHEREAS, the Protocol of 1978 relating to the International Convention for the Prevention of Pollution from Ships, (MARPOL 73/78) was adopted in London on 17 February 1978 by the International Conference on Tanker Safety and Pollution Prevention, 1978;

WHEREAS, MARPOL 73/78 is the most important international instrument for controlling pollution of the marine environment from shipping activities. It aims to preserve the seas and coastal environment from pollution by ensuring the complete elimination of intentional pollution and minimization of accidental discharges from ships;

CERTIFIED TRUE COPY:
EMLIX M. YNAPNOLOAZA
Acting Director
Central Records Division
Department of Foreign Affairs
MAY 31 2011

WHEREAS, MARPOL, 73/78 is now in force and governments intending to ratify it shall be bound to accept and comply with the provisions of the convention and to implement its requirements on the country's flag vessels;

WHEREAS, the Convention deals not only with oil, but with all forms of marine pollution except the disposal of land-generated waste into the sea by dumping. Most of the technical measures are included in five annexes to the Convention which deal respectively with the following: Annex I prohibits discharge of oil tankers or any ship carrying oil as cargo and by all ships with respect to oily waste coming from machinery spaces; Annex II prohibits the discharge of noxious liquid substances by chemical tankers or any ship that carries noxious liquid substances in bulk; Annex III prohibits the carriage of harmful substances by ships carrying harmful substances in package form except in accordance with the requirements on packaging, marking, labeling, documentation, stowage, quantity limitations, exceptions and notifications for preventing or minimizing pollution of the marine environment by harmful substances in accordance with the International Maritime Dangerous Goods Code (IMDG Code); Annex IV prohibits the discharge of sewage by all ships except those under 200 grt carrying 10 persons or fewer; and Annex V prohibits the discharge of garbage (or rubbish or trash) by all ships;

WHEREAS, marine environmental protection is one of the principal concerns of the Philippine government at present. It is the intention of the government to monitor and control ship generated pollution and thereby minimize the indiscriminate discharge of waste at sea by ships;

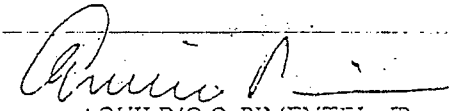
WHEREAS, compliance with MARPOL 73/78 requirements, particularly provision of waste collection systems and/or reception facilities in ports, will benefit not only foreign vessels but also domestic vessels in particular;

WHEREAS, Article 15 of the Convention provides that the Convention shall enter into force, with respect to the Philippines, three months after the date of deposit of the Instrument of Accession with the Secretary-General of the Inter-Governmental Marine Consultative Organization;


WHEREAS, pursuant to Section 21, Article VII of the 1987 Philippine Constitution, "No treaty or International Agreement shall be valid and effective unless concurred in by at least two-thirds of all the Members of the Senate": Now, therefore be it

Resolved, That the Senate of the Philippines concur, and hereby concurs, in the ratification of the International Convention on the Prevention of Pollution from Ships (Marpol 73/78), including its Succeeding Protocols and its Annexes I to V.

Adopted,


AQUILINO Q. PIMENTEL, JR.
President of the Senate

This Resolution was adopted by the Senate on March 19, 2001


LUTGARDO B. BARBO
Secretary of the Senate

CERTIFIED TRUE COPY:
MELIXA V. YRAMPOLAZA
Acting Director
Central Records Division
Department of Foreign Affairs

MAY 31 2001