



AN BILLE UM OLA-THRUAILLIU NA FARRAIGE, 1956.
OIL POLLUTION OF THE SEA BILL, 1956.

EXPLANATORY MEMORANDUM.

1. The purpose of the Bill is to enable effect to be given to the International Convention for the Prevention of Pollution of the Sea by Oil, 1954; the Bill also repeals and re-enacts in amended form the Oil in Navigable Waters Act, 1926, which deals with oil pollution in Irish territorial waters.

2. The pollution of the sea by persistent oils has been a growing problem and the subject of much public concern. It has caused damage to coasts and beaches to the disadvantage of holidaymakers and tourists; it has had serious effects on bird life and may have adverse effects on fish. The principal cause of oil pollution is the cleaning out of the tanks of oil tankers and the disposal of their oily ballast water. The discharge of oily ballast water from dry cargo ships is also a cause of oil pollution. The problem has been engaging international attention for a considerable number of years but it was only in 1954 when the International Convention for the Prevention of Pollution of the Sea by Oil was drawn up in London at a Conference attended by representatives of 42 countries, including Ireland, that the first measure of international agreement on the subject was reached. The Convention will not come into operation internationally until 12 months after 10 countries have accepted it, of whom 5 must be countries with not less than 500,000 tons of tanker tonnage.

3. The International Conference which drew up the Convention recognised that the only entirely effective method of preventing pollution is the complete avoidance of the discharge of persistent oils into the sea and by resolution urged all Governments and other bodies concerned to endeavour to create the conditions in which a complete prohibition of such discharge could be brought about. Agreement on such complete prohibition could not be reached at the Conference and the measures embodied in the Convention fall short of this ideal.

4. The principal measures to prevent or restrict oil pollution contained in the Convention are :—

- (a) the establishment of prohibited zones in which certain persistent oils may not be discharged from ships. These prohibited zones broadly comprise sea areas up to 50 miles from any coast with larger zones in certain cases. The prohibited zone with which Ireland is most concerned is the Atlantic zone which extends about 700 miles westward from this country for tankers and 100 miles westward for dry cargo vessels.
- (b) The fitting of equipment to ships for the prevention or reduction of oil discharges.
- (c) The keeping of records relating to oil operations on board ship.
- (d) The provision in main ports of facilities for the reception of oil residues.

5. The Convention applies only to vessels of 500 gross tons or over but the Conference adopted a resolution urging Governments to apply its provisions to all sea going vessels so far as may be reasonable and practicable. It has been considered advisable therefore to make the Bill applicable to all vessels but there is provision for exemption of any vessel or class of vessels; the extent to which the provisions of the Bill may be applied to vessels under 500 tons gross will be determined in consultation with the interests concerned. Power is also being taken in the Bill to enable effect to be given by regulations made thereunder to the provisions of any future Convention on the subject which may be accepted by the Government.

6. The provisions of the Bill are designed to come into operation on such day or days as the Minister for Industry and Commerce may appoint. Different days may be appointed for different provisions of the Bill. The prohibited zones set out in the Schedule to the Bill are divided into initial zones and additional zones. The initial zones are those which protect the Irish coast and will be brought into operation when the Bill becomes law. Irish ships may not be called upon to observe the additional zones which affect other countries either until the Convention comes into operation internationally or until the countries affected by these zones have accepted the Convention and in return observe the prohibited zones affecting Ireland.

7. The equipment to be fitted to Irish ships for the purpose of preventing or reducing discharges of oil into the sea will be prescribed by regulations. Most of the Irish registered vessels likely to be affected are already fitted with apparatus for this purpose and it is not expected that Irish shipowners who have already been consulted in the matter will experience any serious difficulty in complying with Convention requirements. Irish vessels will also be required by regulations to keep the records relating to oil operations laid down in the Convention. The Bill empowers Harbour Authorities to provide facilities for the reception of oily residues from ships and to charge therefor and authorises the Minister to direct Harbour Authorities to provide such facilities where they are necessary or where existing facilities are inadequate. The Convention requires such facilities to be provided at main ports and facilities are already available at Dublin.

8. The provisions of the Bill relating to the prevention of pollution in the prohibited zones are applicable only to Irish registered vessels but those provisions of the Bill which relate to the prevention of pollution in Irish territorial waters apply to vessels of all nationalities. Moreover, the Bill enables the Government to apply by order the provisions of the Convention relating to the keeping of records and the fitting of equipment for the prevention of the discharge of oil to vessels of all nationalities while they are within Irish waters.

9. The provisions of the Bill will not place any undue burden on Irish shipowners and the cost of administration will be negligible. While this country has suffered seriously from oil pollution, Irish vessels have been responsible for little, if any, of such pollution. The coming into force of the Convention and any further extension of its provisions by a further international agreement should be to the signal advantage of this country.

An Roinn Tionscail agus Tráchtála.

Aibreán, 1956.