

Marine Protection Rules

Part 124 - Offshore Installations - Oil

Effective 20 August 1998

Marine Protection Rules

ISBN 0-478-21623-8

Published by
Maritime New Zealand, PO Box 27006, Wellington 6141, New Zealand

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History of Part 124

This part first came into force on 20 May 1998 and was superseded by Part 200 on 14 December 2006

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Part objective

The objective of Part 124 is to incorporate into New Zealand law the technical standards that are required for New Zealand to be party to the International Convention for the Prevention of Pollution from Ships 1973/78 (MARPOL).

Specifically, Part 124 applies the platform oil discharge prohibition, oil monitoring and control equipment, certification and survey requirements of regulation 21 of Annex I of MARPOL to offshore installations operating within New Zealand continental waters.

The basis for Part 124 is found in sections 226, 227, 228, 386(1)(b), 388(i)(i), 388(i)(iv), 388(j)(i), 388(j)(ii), 388(j)(iv), 388(j)(v), and 390(1)(a)(i) of the Maritime Transport Act 1994.

Extent of consultation

The Maritime Safety Authority published a notice inviting comments on the proposed Part 124 in each of the daily newspapers in the four main centres of New Zealand. The notice was published on 21 February 1996 in the *Evening Post* Wellington, and on 17 February 1996 for the other newspapers. A notice was also published in the *New Zealand Gazette* on 22 February 1996. The Authority then made its Invitation to Comment paper, draft Part 124 and draft Advisory Circular available to the public with 125 copies being sent automatically to interested parties. Comments on the Part were requested to be made by 19 April 1996.

Three submissions were received on Part 124. All submissions and any verbal comments were considered, and where appropriate, the proposed rules were amended to take account of the comments made.

Commencement

Part 124 as amended was referred to and signed by the Minister of Transport.

Part 124 comes into force 28 days after the date of its notification in the *New Zealand Gazette*. However, there is a six month phase in period before compliance with certain rules in Part 124 is mandatory.

General

124.1 Entry into force

Part 124 shall come into force on the 28th day after the date of its notification in the *Gazette*.

124.2 Definitions

In Part 124 –

“**Act**” means the Maritime Transport Act 1994:

“**Administration**” means the Government of the state under whose authority an offshore installation is operating or the Government of the state whose flag the offshore installation is entitled to fly:

“**Approved substance**” means –

- (a) any substance –
 - (i) approved under Part 132 as suitable for discharging into the sea to contain or clean up an oil spill; and
 - (ii) gazetted under rule 132.4(c); and
 - (iii) not gazetted under rule 132.7(2)(a); and
- (b) any dispersant named in Appendix 1 of Part 132:

“**Authorised organisation**” means an organisation which has entered into a memorandum of agreement with the Director in compliance with the International Maritime Organisation Assembly Resolution A.739(18) and the Annexes thereto entitled *Guidelines for the Authorisation of Organisations Acting on Behalf of the Administration*, governing the undertaking of particular survey and certification functions by that organisation’s employees under the Maritime Transport Act 1994 and the rules:

“**Authorised person**” means a person employed by an authorised organisation who has delegated powers from the Director to issue and suspend or to issue or to suspend certain marine protection documents under Part XXII of the Maritime Transport Act 1994, pursuant to an instrument of delegation made under section 444 of the Maritime Transport Act 1994:

“**Director**” means the person who is for the time being the Director of Maritime Safety under section 439 of the Maritime Transport Act 1994:

“Discharge” includes any release, disposal, spilling, leaking, pumping, emitting or emptying; but does not include –

- (a) dumping in accordance with a permit issued by the Director under section 262 of the Maritime Transport Act 1994; or
- (b) release of harmful substances for the purposes of legitimate scientific research into pollution abatement and control; –

and **“to discharge”** and **“discharged”** have corresponding meanings:

“Dispersant” means any substance used or intended to be used for the dispersal or emulsification of an oil spill in the sea:

“International Oil Pollution Prevention Certificate” means –

- (a) the marine protection document shown in the Appendix to Part 124 that is referred to in rule 124.12(1)(a) and issued or renewed pursuant to section 270 of the Maritime Transport Act 1994 and rule 124.13; or
- (b) the International Oil Pollution Prevention Certificate referred to in rule 124.12(1)(b), issued by or on behalf of a state party to MARPOL other than New Zealand, and recognised as a marine protection document under section 270 of the Maritime Transport Act 1994:

“MARPOL” means the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto; and includes any subsequent protocol or amendment to, or revision of, that convention accepted or ratified by New Zealand:

“New Zealand continental waters” means –

- (a) New Zealand marine waters; and
- (b) the waters beyond the outer limits of the exclusive economic zone of New Zealand but over the continental shelf of New Zealand:

“New Zealand marine waters” means –

- (a) the territorial sea of New Zealand; and
- (b) the waters of the exclusive economic zone of New Zealand:

“New Zealand offshore installation site marine oil spill contingency plan” or **“plan”** means a site marine oil spill contingency plan as defined by section 281 of the Maritime Transport Act 1994, and includes any aspect of a plan prepared

under Part 124 which provide for measures to be taken in respect of oil spills outside New Zealand marine waters but over the continental shelf of New Zealand:

“Offshore installation” or **“installation”** includes any artificial structure (including a floating structure other than a ship) used or intended to be used in or on, or anchored or attached to, the seabed for the purpose of the exploration for, or the exploitation or associated processing of, any mineral; but does not include a pipeline:

“Oil” for the purposes of the marine protection rules and section 222 of the Maritime Transport Act 1994 means petroleum in any form including crude oil, oil fuel, sludge, oil refuse and refined products (other than petrochemicals that are subject to the provisions of Part 140). Without limiting the generality of the foregoing, “oil” includes any of the substances declared to be oil in the appendix to Part 120, and any oily mixture. “Oil” as defined here is a “harmful substance” for the purposes of section 225 of the Maritime Transport Act 1994:

“Oily mixture” means a mixture with any oil content:

“Operated” in relation to an offshore installation means used in or on, or anchored or attached to, the seabed for the purpose of the exploration for, or the exploitation or associated processing of, any mineral:

“Owner” in relation to an offshore installation, includes –

- (a) the person having any right, privilege, or licence to explore for or exploit minerals in connection with which the installation is being, has been, or is to be used; and
- (b) the manager, lessee, licensee, or operator of the installation; and
- (c) any agent or employee of the owner, manager, lessee, or licensee, or operator of the installation, or the person in charge of any operations connected with the installation:

“Part” means a group of rules made under the Maritime Transport Act 1994:

“Pollution incident” means an event involving the probable discharge or escape into the sea or seabed of a harmful substance in contravention of the Maritime Transport Act 1994 or the Resource Management Act 1991:

“Production water, displacement water, and offshore processing drainage” means water emanating from the well product that is separated from oil and gas for subsequent discharge:

“**Region**” has the same meaning as in the Local Government Act 1974:

“**Regional Council**” or “**council**” has the meaning given to the term “regional council” in the Local Government Act 1974; and includes –

- (a) any territorial authority that has the functions, powers, and duties of a regional council; and
- (b) the Chatham Islands County Council:

“**Rules**” includes maritime rules and marine protection rules:

“**Ship**” means every description of boat or craft used in navigation, whether or not it has any means of propulsion; and includes –

- (a) a barge, lighter, or other like vessel:
- (b) a hovercraft or other thing deriving full or partial support in the atmosphere from the reaction of air against the surface of the water over which it operates;
- (c) a submarine or other submersible:

“**Surveyor**” means a surveyor employed by an authorised organisation.

124.3 Application and compliance date

- (1) Rules 124.4 to 124.28 inclusive apply only to oil or any oily mixture that drains from the machinery spaces, oil tanks and other parts of the offshore installation’s platform.
- (2) Nothing in rules 124.4 and 124.5 apply to the discharge into the sea of an approved substance to contain or clean up an oil spill, as provided for in Part 132.
- (3) Rules 124.7 to 124.28 inclusive apply to every offshore installation operated within –
 - (a) the internal waters of New Zealand; or
 - (b) New Zealand continental waters.
- (4) Nothing in Part 124 affects any defence which a person may have to proceedings for an offence against section 237 of the Maritime Transport Act 1994 on the grounds contained in section 243 of that Act.

- (5) The owner of an offshore installation to which this Part applies is required to comply with the requirements of rules 124.11, 124.13 and 124.14 within 6 months of this Part coming into force.

Discharges resulting from machinery and storage of oil

124.4 Permitted discharges of oil and oily mixtures (harmful substances) from offshore installations

Oil and oily mixtures may be discharged from –

- (a) any offshore installation:
- (i) into the sea within the exclusive economic zone of New Zealand; or
 - (ii) onto or into the seabed below that sea; or
- (b) any offshore installation:
- (i) into the sea beyond the outer limits of the exclusive economic zone of New Zealand but over the continental shelf of New Zealand; or
 - (ii) onto or into the seabed below that sea;

in accordance with rule 124.5.¹

124.5 Discharge from offshore installations

- (1) The discharge of oil or oily mixtures into the sea is permitted provided that –
- (a) the oil content of the discharge without dilution does not exceed 15 parts per million; and
 - (b) the offshore installation has in operation the equipment required by rule 124.6.
- (2) The owner of any offshore installation must ensure that any oil residues which cannot be discharged into the sea in compliance with rule 124.5(1) are –
- (a) retained on board the installation; or
 - (b) discharged to reception facilities.

¹ Section 15B of the Resource Management Act 1991 regulates the discharge of harmful substances from offshore installations into the coastal marine area of New Zealand. The coastal marine area is the sea area out to 12 nautical miles, and bounds the exclusive economic zone of New Zealand.

- (3) The owner of any offshore installation must ensure that no discharge into the sea made from the installation as permitted under rule 124.5 contains –
 - (a) chemicals or other substances in quantities or concentrations which are hazardous to the marine environment; or
 - (b) chemicals or other substances introduced for the purpose of circumventing the conditions of discharge specified in rule 124.5.

Equipment

124.6 Oil filtering equipment

- (1) The owner of any offshore installation must ensure that it is fitted with oil filtering equipment of a design approved by the Director, or approved by the Administration of another state party to MARPOL, to ensure that any oily mixture discharged into the sea after passing through the system has an oil content not exceeding 15 parts per million. If the offshore installation is of 10,000 tons gross tonnage or more, the system must be provided with an alarm to indicate when this level cannot be maintained, and must also be provided with arrangements to ensure that any discharge of oily mixtures is automatically stopped when the oil content of the effluent exceeds 15 parts per million.
- (2) The requirement of paragraph (1) of this rule shall not apply if the Director is satisfied that oily mixtures can be adequately stored on board the offshore installation and subsequently discharged to reception facilities ashore or otherwise satisfactorily disposed of without being discharged into the sea.

124.7 Oil residue (sludge) tanks

- (1) The owner of every offshore installation must ensure that it is fitted with a tank or tanks large enough to hold all oily residues (sludge) which cannot be dealt with in accordance with the requirements of this Part.
- (2) The owner of every offshore installation must ensure that the tanks required by paragraph (1) of this rule are designed and constructed to allow them to be cleaned and emptied at a reception facility.

124.8 Surveys and inspections prior to the issue, renewal or endorsement of an International Oil Pollution Prevention Certificate

- (1) The owner of any offshore installation to which this rule applies for which there is no current International Oil Pollution Prevention Certificate recognised under section 270 of the Act, must ensure that the installation undergoes the following surveys carried out by a surveyor -
 - (a) an initial survey before the International Oil Pollution Prevention Certificate required under rule 124.11 is issued for the first time; and
 - (b) periodical surveys at five yearly intervals, or any lesser period specified by the Director; and
 - (c) an annual survey carried out within three months before or after each anniversary date of the International Oil Pollution Prevention Certificate.

- (2) The surveys referred to in rule 124.8(1) must be carried out by the surveyor in the following manner -
 - (a) the initial survey before the International Oil Pollution Prevention Certificate required under rule 124.11 is issued for the first time must ensure that the oil filtering systems, oil residue tanks, and any holding tanks, their piping, fittings, discharge provisions, record books and oil spill response plans comply with the requirements of Part 124; and
 - (b) the periodical surveys must ensure that the oil filtering systems, oil residue tanks, and any holding tanks, their piping, fittings, discharge provisions, record books and oil spill response plans comply with the requirements of Part 124; and
 - (c) the annual surveys must ensure that the oil filtering systems, oil residue tanks, and any holding tanks, their piping, fittings and discharge provisions, comply with the requirements of Part 124 and are in good working order.

- (3) When upon completion of an initial survey as referred to in rule 124.8(2)(a), the surveyor who undertook the survey is satisfied that the offshore installation meets the requirements of that rule, an International Oil Pollution Prevention Certificate must be issued to that installation in accordance with rule 124.12.

- (4) When upon completion of a periodical survey as referred to in rule 124.8(2)(b), the surveyor who undertook the survey is satisfied that the offshore installation meets the requirements of that rule, the offshore installation's International Oil Pollution Prevention Certificate shall be renewed in accordance with rule 124.12.

- (5) When upon completion of an annual survey as referred to in rule 124.8(2)(c), the surveyor who undertook the survey is satisfied that the offshore installation meets the requirements of that rule, the surveyor must endorse the installation's International Oil Pollution Prevention Certificate to this effect.

124.9 Failure to meet standards required

- (1) When a surveyor who has carried out a survey on an offshore installation to which this rule applies determines that –
 - (a) the condition of the offshore installation's equipment does not correspond substantially with the particulars of the installation's International Oil Pollution Prevention Certificate; or
 - (b) the condition of the offshore installation's equipment presents an unreasonable threat of harm to the marine environment;

the surveyor must:

- (i) immediately instruct the owner of the offshore installation to take corrective action; and
 - (ii) notify the Director of the corrective action required under rule 124.9(1)(i); and
 - (iii) not endorse the installation's International Oil Pollution Prevention Certificate.
- (2) If the corrective action required under rule 124.9(1)(i) is not taken, the installation's International Oil Pollution Prevention Certificate may be suspended or made subject to conditions in accordance with section 272 of the Maritime Transport Act 1994.

124.10 Condition after survey

- (1) The owner of any offshore installation to which this rule applies must ensure that the offshore installation's equipment is maintained –
 - (a) in a condition conforming with the provisions of Part 124; and
 - (b) in such a manner as to ensure that the equipment does not present an unreasonable threat of harm to the marine environment.
- (2) After any survey of an offshore installation under rule 124.8 has been completed, the owner of that installation must ensure that no change is made to the installation's equipment, systems, fittings, arrangements or material covered by

the survey, without the approval of a surveyor, except the direct replacement of such equipment and fittings.

- (3) The surveyor's approval required under rule 124.10(2) may be given by the surveyor unconditionally or subject to such conditions as the surveyor sees fit in the interests of maritime safety and marine environment protection.
- (4) The owner of any offshore installation to which this rule applies must report any accident or defect which occurs to the offshore installation or any defect that is discovered which substantially affects the integrity of the installation or the efficiency or completeness of its equipment covered by Part 124, where this presents an unreasonable threat of harm to the marine environment.
- (5) The owner of any offshore installation to which this rule applies must ensure that every report required under rule 124.10(4) is made as soon as possible to the Director, and to the authorised organisation whose employee issued the installation's International Oil Pollution Prevention Certificate where the certificate was not issued by the Director.
- (6) After a report has been made as required by rule 124.10(5) the Director or, where applicable, the authorised organisation whose employee issued the installation's International Oil Pollution Prevention Certificate, may require the owner of the installation to have the installation surveyed to ensure compliance with the relevant prescribed requirements in respect of that installation's International Oil Pollution Prevention Certificate.

124.11 Requirement for an offshore installation to have an International Oil Pollution Prevention Certificate

- (1) The owner of any offshore installation to which this rule applies must ensure that either –
 - (a) a valid International Oil Pollution Prevention Certificate issued or renewed in accordance with rule 124.12; or
 - (b) a valid International Oil Pollution Prevention Certificate issued by or on behalf of a state party to MARPOL other than New Zealand, and recognised as a marine protection document under section 270 of the Maritime Transport Act 1994;is held in respect of the installation.
- (2) The owner of any offshore installation to which this rule applies must ensure that the International Oil Pollution Prevention Certificate held in respect of the installation is –

- (a) carried on board the installation at all times; and
- (b) made readily available for inspection by the Director.

124.12 Issue, duration and renewal of an International Oil Pollution Prevention Certificate for an offshore installation

- (1) If the owner of an offshore installation to which this rule applies makes an application under section 269 of the Act for the issue or renewal of an International Oil Pollution Prevention Certificate in respect of the installation, and the Director (if the application is made to the Director) or an authorised person (if application is made to that person) is satisfied that –

- (a) the offshore installation has undergone an initial or periodical survey in accordance with rule 124.8 to the satisfaction of the surveyor; and
- (b) the offshore installation meets the requirements of Part 124;

the Director (if application is made to the Director) or the authorised person (if application is made to that person) must issue or renew for that installation an International Oil Pollution Prevention Certificate in accordance with section 270 of the Act.

- (2) An International Oil Pollution Prevention Certificate, including a supplement, issued or renewed for an offshore installation under rule 124.12(1) –

- (a) must be in the form shown in the Appendix; and
- (b) is valid for a period specified by the Director where the certificate is issued by the Director, or valid for a period specified by an authorised person where the certificate is issued by that person, up to, in either case, a maximum period of five years from the date of issue; and
- (c) is subject to the following conditions –

- (i) no significant alterations may be made in the installation's oil filtering systems, oil residue tanks, and any holding tanks, their piping, fittings and discharge provisions, without the approval of a surveyor in accordance with rule 124.10(2), except the direct replacement of such equipment and fittings; and
- (ii) satisfactory completion of annual and intermediate surveys required under rule 124.8 takes place; and
- (iii) the installation has on board the oil record books required to be kept by rule 124.13; and

- (iv) the installation has on board a site marine oil spill contingency plan in compliance with the requirements of rule 124.14.

124.13 Oil record book

- (1) The owner of any offshore installation to which this rule applies must ensure that the installation is provided with an oil record book either –
 - (a) in a form approved by the Director; or
 - (b) in a form approved by another state party to MARPOL.

- (2) The owner of any offshore installation to which this rule applies must ensure that the Oil Record Book is completed in accordance with rule 124.13(4) on each occasion whenever one of the following operations take place on the installation –
 - (a) ballasting or cleaning of oil fuel tanks; or
 - (b) discharge of dirty ballast or cleaning water from tanks referred to in rule 124.13(2)(a); or
 - (c) discharge overboard or disposal otherwise of oily water which has accumulated in machinery spaces or other parts of the installation's platform; or
 - (d) loading oil; or
 - (e) internal transfer of oil; or
 - (f) unloading of oil; or
 - (g) ballasting of oil storage tanks; or
 - (h) cleaning of oil storage tanks; or
 - (i) discharge of dirty ballast or cleaning water from oil storage tanks; or
 - (j) disposal of oily residues (sludge).

- (3) The owner of any offshore installation to which this rule applies must ensure that a statement is made in the oil record book of the circumstances of, and the reasons for –
 - (a) any discharge into the sea of oil or oily mixture for the purpose of securing the safety of the offshore installation or saving life at sea; or
 - (b) any escape into the sea of oil or oily mixture resulting from damage to the offshore installation or its equipment or resulting from any accidental or other exceptional occurrence; or

- (c) any discharge of substances containing oil into the sea when being used for the purpose of combating specific pollution incidents; or
 - (d) any other accidental or exceptional discharge.
- (4) Each operation described in rule 124.13(2) must be fully recorded without delay in the oil record book so that all entries in the book appropriate to that operation are completed. Each completed operation must be signed by the person or persons in charge of the operations concerned and each completed page must be signed by the person on board the offshore installation who has overall responsibility for its operations. The entries in the oil record book are to be in the English language.
- (5) The owner of any offshore installation to which this rule applies must ensure that the oil record book is –
- (a) kept in such a place as to be readily available for inspection at all reasonable times; and
 - (b) except in the case of unmanned offshore installations under tow, kept on board the installation.
- (6) The oil record book required by rule 124.13 must be preserved by the owner of the installation for a period of three years after the last entry is made.

Response to oil pollution

124.14 New Zealand offshore installation site marine oil spill contingency plan requirements

- (1) The owner of any offshore installation to which this rule applies must ensure that there is a New Zealand offshore installation site marine oil spill contingency plan for that installation which is –
- (a) approved in accordance with rule 124.23; and
 - (b) reviewed in accordance with rules 124.24 and 124.25; and
 - (c) carried on the installation at all times.
- (2) The owner of any offshore installation to which this rule applies must hold an up-to-date copy of the installation's approved New Zealand offshore installation site marine oil spill contingency plan.

124.15 Plan preparation – language

The New Zealand offshore installation site marine oil spill contingency plan must be in English.

124.16 Elements of the New Zealand offshore installation site marine oil spill contingency plan

The New Zealand offshore installation site marine oil spill contingency plan must contain –

- (a) the procedure to be followed to report a discharge or escape, or probable discharge or escape, of oil into the sea; and
- (b) the list of authorities or persons, as set out in rule 124.18, to be contacted in the event of a discharge or escape, or probable discharge or escape, of oil into the sea; and
- (c) a detailed description of the action to be taken immediately by persons on board to reduce or control any discharge or escape of oil; and
- (d) the procedure and point of contact on the offshore installation for coordinating the installation response activities with national and local authority responses to a discharge or escape, or probable discharge or escape, of oil into the sea.

124.17 Reporting a discharge or escape, or probable discharge or escape, of oil from an offshore installation

- (1) The New Zealand offshore installation site marine oil spill contingency plan must require that in the event of a discharge or escape, or probable discharge or escape, of oil into the sea which is required to be reported under rule 124.28 or rule 124.29, a report is made –
 - (a) in accordance with rules 124.28 to 124.30, as applicable; and
 - (b) by the fastest telecommunications channels available; and
 - (c) with the highest possible priority.
- (2) The New Zealand offshore installation site marine oil spill contingency plan must, in accordance with section 299(2) of the Maritime Transport Act 1994, specify the criteria and procedure for notifying –
 - (a) the regional council within whose region the marine oil spill is located; or
 - (b) if the spill is not located within the region of a regional council, the Director;

of any marine oil spill which the person responsible for implementing the plan considers can not be contained and cleaned up using the resources available to that person for that purpose.

124.18 Contact information

- (1) A contact list for reporting and responding to a discharge or escape, or probable discharge or escape, of oil must be included or appended to the New Zealand offshore installation site marine oil spill contingency plan. The contact list must provide 24 hour contact information for –
 - (a) the Director; and
 - (b) the regional council, if the installation is located within a council's region; and
 - (c) the Chief Petroleum Inspector; and
 - (d) any organisation contracted by the owner of the installation to provide response capability in respect of the installation; and
 - (e) off-duty personnel with responsibilities for dealing with oil spills; and
 - (f) other parties whose interests in or around the installation are, in the opinion of the owner of the installation or the Director, likely to be affected by any oil spill from the installation.
- (2) The currency of contact information must be checked in accordance with rule 124.24(2)(a) and any necessary amendments made.

124.19 Action to mitigate damage and control discharges or escapes

The New Zealand offshore installation site marine oil spill contingency plan must contain a separate section –

- (a) dealing with the types of occurrence which can lead to an oil spill, including guidance to the person responsible for implementing the plan on the appropriate action to mitigate or control the particular oil spills; and
- (b) providing guidance to ensure that the person responsible for implementing the plan considers all relevant factors when deciding what action to take in response to a spill of a particular type.

124.20 Personnel responsibilities

- (1) The New Zealand offshore installation site marine oil spill contingency plan must designate the person or persons responsible for implementing the plan.
- (2) The New Zealand offshore installation site marine oil spill contingency plan must define the responsibilities of personnel in dealing with oil spills.

124.21 Priority actions

- (1) The New Zealand offshore installation site marine oil spill contingency plan must provide site-specific guidance for determining priority actions to –
 - (a) ensure the safety of personnel and the installation; and
 - (b) prevent the escalation of the discharge or escape, or probable discharge or escape; and
 - (c) stop the discharge or escape at its source, where possible.
- (2) The New Zealand offshore installation site marine oil spill contingency plan must provide the owner of the installation, or other person(s) responsible for implementing the plan, with site-specific guidance and information for –
 - (a) assessing the damage sustained by the offshore installation; and
 - (b) determining whether or not the oil spill can be contained or cleaned up by the resources available to the owner, or other person(s) responsible for implementing the plan, for that purpose; and
 - (c) deciding what remedial action to take; and
 - (d) making any damage stability and damaged strength assessments and identifying any stability and stress consequences of remedial actions. Where these cannot be determined by the person implementing the plan, details of contact for assistance must be included in the plan; and
 - (e) undertaking the transfer of oil to a ship.

124.22 Installation information to be appended to the New Zealand offshore installation site marine oil spill contingency plan

- (1) The New Zealand offshore installation site marine oil spill contingency plan must have appended to it, plans and drawings showing the general arrangement of the installation and the location of tanks.

- (2) The New Zealand offshore installation site marine oil spill contingency plan must show where current information on the quantity and specification of tank contents is available.

124.23 New Zealand offshore installation site marine oil spill contingency plan approval and re-submission for new approval

- (1) The owner of an offshore installation to which this rule applies must make application to the Director for approval of the installation's New Zealand offshore installation site marine oil spill contingency plan.
- (2) Every New Zealand offshore installation site marine oil spill contingency plan submitted to the Director for approval must be provided to the Director –
 - (a) on a diskette in a commonly used word processing format; and
 - (b) in the form of a hard copy.
- (3) The Director may approve in writing a plan which meets the requirements of rules 124.15 to 124.22 inclusive.
- (4) If the Director is satisfied that a plan submitted for approval does not meet the requirements of rules 124.15 to 124.22 inclusive, the Director may require the owner to include or omit from that plan such provisions as the Director may reasonably specify.
- (5) A plan must be re-submitted to the Director by the owner for a new approval whenever –
 - (a) the use of the installation is altered in a way which could increase the risk of a discharge or escape of oil; or
 - (b) the use of the installation is altered in a way which could render the installation's current plan less effective; or
 - (c) there is a change in the response procedures or equipment for the installation, other than the direct replacement of equipment; or
 - (d) a change notified to the Director is, in the Director's opinion, cause for a new approval.
- (6) Whenever a plan is re-submitted to the Director under rule 124.23(5), the provisions of rules 124.23(2) to 124.23(4) inclusive shall apply.
- (7) The issue of a new New Zealand offshore installation site marine oil spill contingency plan approval by the Director automatically replaces the

installation's former New Zealand offshore installation site marine oil spill contingency plan approval or approvals.

- (8) The owner must without delay supply a hard copy of the installation's approved New Zealand offshore installation marine site oil spill contingency plan to any regional on-scene commander within whose region the installation is located.

124.24 Periodic review of New Zealand offshore installation site marine oil spill contingency plan

- (1) An installation's New Zealand offshore installation site marine oil spill contingency plan must be reviewed by the owner not less than once every 12 months to check the currency and completeness of the information contained in it.
- (2) After any review of a New Zealand offshore installation site marine oil spill contingency plan under rule 124.24(1), the owner of the installation must ensure that –
 - (a) any information in the plan which is not current is updated; and
 - (b) any new information relevant to the plan is incorporated.
- (3) The owner must maintain a record of every review under rule 124.24(1).

124.25 Post-use review of New Zealand offshore installation site marine oil spill contingency plan

- (1) The effectiveness of an installation's New Zealand offshore installation site marine oil spill contingency plan must be evaluated by the owner of the installation as soon as possible after its use in response to any discharge or escape, or probable discharge or escape, of oil into the sea.
- (2) After any review under rule 124.25(1), the owner of the installation must ensure that any modifications that would increase the effectiveness of the installation's plan are made.

124.26 Periodic testing of offshore installation site marine oil spill contingency plan

The owner of an offshore installation to which this rule applies must ensure that –

- (a) the installation's New Zealand offshore installation site marine oil spill contingency plan is tested not less than once every 12 months; and

- (b) accurate details of every such exercise and its results are kept; and
- (c) any modifications that would increase the effectiveness of the installation's plan are made.

124.27 Notification of modifications to offshore installation site marine oil spill contingency plan

The owner of an offshore installation to which this rule applies must –

- (a) notify the Director as soon as possible of any modifications made to the installation's New Zealand offshore installation marine oil spill contingency plan, whether arising from a periodic or post-use review, periodic testing or any other cause; and
- (b) notify every other person holding a copy of that installation's plan as soon as possible of any modifications made to the plan, whether arising from a periodic or post-use review, periodic testing or any other cause; and
- (c) have a documented procedure for complying with the owner's obligations under rule 124.27(a) and (b), and for recording the actions taken to meet those obligations.

Reporting a discharge or escape of oil or a probable discharge or escape of oil

124.28 Duty to report a discharge or escape of oil

Any discharge or escape of oil –

- (a) from any offshore installation –
 - (i) into the waters of the coastal marine area or onto or into the seabed below those waters; or
 - (ii) into the sea within the exclusive economic zone of New Zealand or onto or into the seabed below that sea; or
- (b) from any offshore installation –
 - (i) into the sea beyond the outer limits of the exclusive economic zone of New Zealand but over the continental shelf of New Zealand; or
 - (ii) onto or into the seabed below that sea;

that is in breach of Part 124, or section 15B of the Resource Management Act 1991, must be reported by the owner of that offshore installation in accordance with section 227 of the Maritime Transport Act 1994 and rule 124.30.

124.29 Duty to report a probable discharge or escape of oil

Any probable discharge or escape of oil involving an offshore installation within New Zealand continental waters must be reported by the owner of the installation in accordance with section 228 of the Maritime Transport Act 1994 and rule 124.30.

124.30 Reporting procedures

Every report required by rule 124.28 or rule 124.29 must –

- (a) be made by the fastest telecommunications channels available and with the highest possible priority; and
- (b) be made according to the procedures contained in the installation’s site oil spill contingency plan required under rule 124.14.

Discharges resulting from oil and gas processing activities

124.31 Permitted discharges of production water, displacement water and offshore processing drainage

Production water, displacement water, and offshore processing drainage resulting from oil and gas processing activities may be discharged from –

- (a) any offshore installation:
 - (i) into the sea within the exclusive economic zone of New Zealand; or
 - (ii) onto or into the seabed below that sea; or
- (b) any offshore installation:
 - (i) into the sea beyond the outer limits of the exclusive economic zone of New Zealand but over the continental shelf of New Zealand; or
 - (ii) onto or into the seabed below that sea.

Appendix

**FORM OF IOPP CERTIFICATE
INTERNATIONAL OIL POLLUTION PREVENTION
CERTIFICATE**

(Note: This certificate must be supplemented by a Record of Construction and Equipment)

Issued under the provisions of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (hereinafter referred to as "the Convention")¹ under the authority of the Government of

.....

by

(full designation of the competent person or organisation authorised under the provisions of the Convention)

Name of ship	Distinctive number or letters	Port of registry	Gross tonnage

Type of ship:

Oil tanker*

Ship other than an oil tanker with cargo tanks coming under regulation 2(2) of Annex I of the Convention*

Ship other than any of the above*

¹ and in accordance with Assembly resolution A.718(17) relating to the early implementation of the harmonized system of survey and certification.

* Delete as appropriate

THIS IS TO CERTIFY:

1. That the ship has been surveyed in accordance with regulation 4 of Annex I of the Convention; and
2. That the survey shows that the structure, equipment, systems, fittings, arrangement and material of the ship and the condition thereof are in all respects satisfactory and that the ship complies with the applicable requirements of Annex I of the Convention.

This certificate is valid until subject to surveys in accordance with regulation 4 of Annex I of the Convention.

Issued at

(Place of issue of certificate)

.....19.....

(Date of issue)

.....

(Signature of duly authorised official issuing the certificate)

(Seal or stamp of the authority, as appropriate)

ENDORSEMENT FOR ANNUAL AND INTERMEDIATE SURVEYS

THIS IS TO CERTIFY that at a survey required by regulation 4 of Annex I of the Convention the ship was found to comply with the relevant provisions of the Convention:

Annual survey: Signed.....
(Signature of duly authorised official)
Place.....
Date.....

(Seal or stamp of the authority, as appropriate)

Annual* /Intermediate* survey: Signed.....
(Signature of duly authorised official)
Place.....
Date.....

(Seal or stamp of the authority, as appropriate)

Annual*/Intermediate* survey: Signed.....
(Signature of duly authorised official)
Place.....
Date.....

(Seal or stamp of the authority, as appropriate)

Annual survey: Signed.....
(Signature of duly authorised official)
Place.....
Date.....

(Seal or stamp of the authority, as appropriate)

* Delete as appropriate

(FORM A)

**SUPPLEMENT TO THE INTERNATIONAL OIL POLLUTION
PREVENTION CERTIFICATE**

(IOPP CERTIFICATE)¹

**RECORD OF CONSTRUCTION AND EQUIPMENT FOR
SHIPS OTHER THAN OIL TANKERS**

in respect of the provisions of Annex I of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (hereinafter referred to as "the Convention").

Notes:

- 1 This form is to be used for the third type of ship categorised in the IOPP certificate, i.e. "ships other than any of the above". For oil tankers and ships other than oil tankers with cargo tanks coming under regulation 2(2) of Annex I of the Convention, Form B shall be used.
- 2 This Record shall be permanently attached to the IOPP Certificate. The IOPP Certificate shall be available on board the ship at all times.
- 3 If the language of the original Record is neither English nor French, the text shall include a translation into one of these languages.
- 4 Entries in boxes shall be made by inserting either a cross (x) for the answers "yes" and "applicable" or a dash (-) for the answers "no" and "not applicable".
- 5 Regulations mentioned in this Record refer to regulations of Annex I of the Convention and resolutions refer to those adopted by the International Maritime Organisation.

¹ Both Form A (revised) and Form B (revised) of the Supplement to the IOPP Certificate were adopted at the MEPC as its thirty-first session and entered into force on 4 April 1993.

1. Particulars of ship

- 1.1 Name of ship.....
- 1.2 Distinctive number or letters.....
- 1.3 Port of registry.....
- 1.4 Gross tonnage
- 1.5 Date of build:
 - 1.5.1 Date of building contract
 - 1.5.2 Date on which keel was laid or ship was at a similar stage of construction
 - 1.5.3 Date of delivery
- 1.6 Major conversion (if applicable):
 - 1.6.1 Date of conversion contract
 - 1.6.2 Date on which conversion was commenced
 - 1.6.3 Date of completion of conversion
- 1.7 Status of ship:
 - 1.7.1 New ship in accordance with regulation 1(6)
 - 1.7.2 Existing ship in accordance with regulation 1(7)
 - 1.7.3 The ship has been accepted by the Administration as an “existing ship” under regulation 1(7) due to unforeseen delay in delivery

2. Equipment for the control of oil discharge from machinery space bilges and oil fuel tanks (regulations 10 and 16)

- 2.1 Carriage of ballast water in oil fuel tanks:
 - 2.1.1 The ship may under normal conditions carry ballast water in oil fuel tanks
- 2.2 Type of oil filtering equipment fitted:
 - 2.2.1 Oil filtering (15 ppm) equipment (regulation 16(4))
 - 2.2.2 Oil filtering (15 ppm) equipment with alarm and automatic stopping device (regulation 16 (5))
- 2.3 The ship is allowed to operate with the existing equipment until 6 July 1998 (regulation 16(6)) and fitted with:
 - 2.3.1 Oily-water separating (100 ppm) equipment
 - 2.3.2 Oil filtering (15 ppm) equipment without alarm
 - 2.3.3 Oil filtering (15 ppm) equipment with alarm and manual stopping device
 - 2.3.4 Oil content meter (resolution A.444(XI)):
 - .1 with recording device
 - .2 without recording device
- 2.4 Approval standards:
 - 2.4.1 The separating/filtering equipment:
 - .1 has been approved in accordance with resolution A.393(X)
 - .2 has been approved in accordance with resolution A.233(VII)
 - .3 has been approved in accordance with national standards not based upon resolution A.393(X) or A.233(VII)
 - .4 has not been approved

- 2.4.2 The process unit has been approved in accordance with resolution A.444(XI)
- 2.4.3 The oil content meter has been approved in accordance with resolution A.393(X)
- 2.5 Maximum throughput of the system is m³/h
- 2.6 Waiver of regulation 16:
 - 2.6.1 The requirements of regulation 16(1) or (2) are waived in respect of the ship in accordance with regulation 16(3)(a). The ship is engaged exclusively on:
 - .1 voyages within special area(s)
.....
.....
 - .2 voyages within 12 miles of the nearest land outside special area(s) restricted to.....
.....
.....
 - 2.6.2 The ship is fitted with holding tank(s) having a volume of m³ for the total retention on board of all oily bilge water

3. Means for retention and disposal of oil residues (sludge) (regulation 17)

3.1 The ship is provided with oil residue (sludge) tanks as follows:

Tank identification	Tank Location		Volume (m ³)
	Frames (from)-(to)	Lateral Position	
Total volume.....m ³			

3.2 Means for the disposal of residues in addition to the provision of sludge tanks:

3.2.1 Incinerator for oil residues, capacity.....l/h

3.2.2 Auxiliary boiler suitable for burning oil residues

3.2.3 Tank for mixing oil residues with fuel oil, capacity m³

3.2.4 Other acceptable means:
.....

4. Standard discharge connection (regulation 19)

4.1 The ship is provided with a pipeline for the discharge of residues from machinery bilges to reception facilities, fitted with a standard discharge connection in accordance with regulation 19

5. Shipboard oil pollution contingency plan (regulation 26)

5.1 The ship is provided with a shipboard oil pollution contingency plan in compliance with regulation 26

6. Exemption

6.1 Exemptions have been granted by the Administration from the requirements of chapter II of Annex I of the Convention in accordance with regulation 2(4)(a) on those items listed under paragraph(s) of this Record

7. Equivalents (regulation 3)

7.1 Equivalents have been approved by the Administration for certain requirements of Annex I on those items listed under paragraph(s) of this Record

THIS IS TO CERTIFY that this Record is correct in all respects.

Issued at
(Place of issue of the Record)

..... 19....
(Signature of duly authorised officer issuing the Record)

(Seal or stamp of the issuing authority, as appropriate)