

# **LAW NO. 9**

## **FOR THE YEAR 2006**

### **REGARDING THE PROTECTION OF THE MARINE ENVIRONMENT**

#### **AND ITS**

### **EXECUTIVE INSTRUCTIONS**

**- RESOLUTION 1409**

#### **LAW NO. 9**

**THE PRESIDENT OF THE REPUBLIC –**  
BY VIRTUE OF THE RULES OF THE CONSTITUTION,  
AND BY VIRTUE OF WHAT HAS BEEN APPROVED ON BY THE COUNCIL OF PEOPLE ON  
20/01/1427 A. HIJRI / 19/02/2006 A.D. –  
ISSUES THE FOLLOWING :

#### **PART I**

#### **DEFINITIONS**

ARTICLE NO. 1 – THE FOLLOWING EXPRESSIONS, USED IN APPLICATION OF THIS LAW,  
HAS THE MEANING SHOWN BY EACH EXPRESSION :

1. THE MINISTRY : THE MINISTRY OF TRANSPORT.
2. THE MINISTER : THE MINISTER OF TRANSPORT.
3. THE DIRECTORATE : THE GENERAL DIRECTORATE OF PORTS.
4. THE DIRECTOR : THE GENERAL DIRECTOR OF PORTS.
5. THE MARINE ENVIRONMENT: THE MARINE WATERS AND WHAT MIGHT BE IN THEM; I.E. NATURAL WEALTH, PLANTS, FISH, MARINE LIVING CREATURES, THE AIR OVER THEM, ALL MOBILE AND IMMOBILE CONSTRUCTIONS ON THEM WITHIN THE ECONOMICAL BORDERS OF THE COUNTRY SITUATED BEYOND THE TERRITORIAL SEA INCLUDING THE NEIGHBOURING AREA EXTENDING TOWARDS THE INTERNATIONAL SEA OF 200 MILES, CALLED THE HIGH SEA, BECAUSE THE STATE ENJOYS FULL CONTROL ON THEIR AREA AND TO AVAIL OF ITS WEALTH IN ACCORDANCE WITH THE INTERNATIONAL CONVENTIONS.
6. AGREEMENT : THE REGIONAL AND INTERNATIONAL AGREEMENTS CONCERNED WITH THE PREVENTION OF MARINE POLLUTION, ESPECIALLY

THE INTERNATIONAL AGREEMENT OF PREVENTING POLLUTION CAUSED BY SHIPS ( MARIOPLE 73/78), BARCELONA AGREEMENT ITS PROTOCOLS AND APPENDICES ISSUED IN 1976 AS AMENDED.

7. THE MEMORANDUM : THE INTERNATIONAL MEMORANDUM OF DANGEROUS CARGO CODE ( IMDG CODE ).
8. MARINE POLLUTION : DIRECT OR INDIRECT INTRODUCING OF ANY MATERIAL OR POWER INTO THE MARINE ENVIRONMENT BY MAN WHICH MAY CAUSE DAMAGES OR HARMS TO HUMAN HEALTH OR MARINE CREATURES, COASTS AND LEGAL USE OF THE SEA.
9. OIL POLLUTION ACCIDENT : THE ACCIDENT OR GROUPS OF ACCIDENTS CAUSED BY ONE SOURCE THAT CAUSE OIL AND OIL PRODUCTS' POLLUTION, AND THEIR RESIDUES, TO THE SYRIAN TERRITORIAL OR INTERNATIONAL WATERS NEIGHBOURING SYRIAN ONES, IN ALL CASES OF THE LEAKAGE OF ANY OF THESE MATERIALS AND THEIR RESIDUES, WITH THE EXCEPTION OF THE OIL MIXTURE OF 15 P.P.M. ( 15 PARTICLES PER MILLION ).
10. NATURAL MARINE DISASTER : THE UNCONTROLLABLE ACCIDENT CAUSED BY NATURAL OR UNNATURAL FACTORS WHICH RESULT IN DAMAGES TO THE ENVIRONMENT, CONSTRUCTIONS OR PROPERTIES .
11. HARMFUL MATERIALS : ANY MATERIALS WHICH DIRECTLY OR INDIRECTLY CAUSE HARM TO HUMAN HEALTH OR THE MARINE ENVIRONMENT WHETHER THESE MATERIALS ARE CHIMICAL, BIOLOGICAL OR RADIOACTIVE ONES.
12. OIL : ALL FORMS OF OIL AND ITS PRODUCT MATERIALS ( OIL PRODUCTS ) INCLUDING ALL KINDS OF LIQUID HYDRAUCARBONS, LUBRICANTS, FUEL, REFINED OILS AND ALL OTHER OIL PRODUCTS AND THEIR RESIDUES.
13. CARBAGE : ANY MATERIALS THRPWN INTO THE SEA FROM SHIPS, OR FLOATING CONSTRUCTIONS NEAR THE SHORE, INCLUDING THE REMAININGS OF FOOD AND PLASTIC MATERIALS ( INDUSTRIAL STRINGS, FISHING EQUIPMENTS , BAGS, AND PLASTIC CONTAINERS ) CANS, GLASS BOTTLES, CERAMICS, CLOTHES, WRAPPING MATERIALS, SEALING MATERIALS, RESIDUES RESULTING FROM DREDGING WORKS, SEARCHING FOR METALS, MATERIALS RESULTING FROM HUMAN ACTIVITIES ( TOURISM AND RECREATION ACTIVITIES ), ASH, COALS RESULTING FROM SHIPS' BOILERS IN ADDITION TO PAPER PRODUCTS, INDUSTRIAL RESIDUES, CARBAGE OF ALL KINDS AND ALL RESIDUES OF MAINTENANCE WORKS, CLEANING WORKS AND SHIPS' REPAIRS.
14. MARINE CONSTRUCTIONS AND MARINE PLATFORMS , EVERY MOBILE OR IMMOBILE FLOATING CONSTRUCTION USED FOR ANY MARINE ACTIVITY.
15. DRAINAGE : ANY KIND OF LEAKAGE, SPILLAGE OR RADIATING ANY KIND OF POLLUTING MATERIALS, OR DISPENSING THEM INTO THE MARINE ENVIRONMENT.
16. DANGEROUS CARGOES : THE FOLLOWING MATERIALS ARE LISTED UNDER THE DEFINITION OF DANGEROUS CARGOES WHICH ARE CLASSIFIED IN THE INTERNATIONAL MEMORANDUM. THOSE MATERIALS COULD BE SHIPPED ON VESSELS, HANLED, STORED OR TRANSPORTED BY TRUCKS, TRAILERS OR BY TRAINS FROM/ TO THE SYRIAN PORTS:
  1. EXPLOSIVES.
  2. COMPRESSED GASES ( LIQUID GASES, OR LIQUIDISED GASES UNDER PRESSURE ).
  3. FLAMMABLE LIQUIDS.

4. FLAMMABLE MATERIALS.
5. OXIDISING MATERIALS ( ORGANIC BIROXIDATES ).
6. POISONOUS MATERIALS.
7. RADIO ACTIVE MATERIALS.
8. CORROSIVE MATERIALS; CORROSIVE TO METALS AND IRRITATING TO SKIN AND EYES).
9. ANY OTHER DANGEROUS MATERIALS.
17. THE SHIP : MEANS ANY FLOATING MARINE OBJECT WHICH MOVES BY ITSELF OR TOWED WHATEVER THE NATURE OF HER WORK IS IN THE MARINE ENVIRONMENT FOR MERCHANDISE OR OTHER PURPOSES, INCLUDING BOATS MOVING ON SLIDES AND HOVER CRAFTS.
18. OIL TANKER : A MARINE SHIP DESIGNED TO CARRY OIL AND OIL PRODUCTS IN BULK INSIDE HER HOLDS. HER TONNAGE SHOULD EXCEED 150 TONS AS MENTIONED IN MARIOPLE AGREEMENT 1973, AS AMENDED IN PROTOCOL ISSUED IN 1978, KNOWN FOR ITS ABBREVIATED FORM (MARIOPLE 73/78 ).
19. PORT'S FACILITIES : ALL EQUIPMENTS AND BERTHING AREAS PREPARED FOR RECEIVING WATER, OIL RESIDUES FROM SHIPS AND TANKERS FOR THE PURPOSE OF TREATING THEM. OTHER EQUIPMENTS SECURED BY PORTS' COMPANIES AND OIL TERMINALS TO PURIFY INDUSTRIAL AND OIL WATER FROM HARMFUL MATERIALS BEFORE DRAINING THEM INTO SEA.
20. DROWNING : ANY DELIBERATE GARBAGE THROWING, OR ANY OTHER MATERIALS, FROM SHIPS, PLANES, MARINE PLATFORMS OR USED MARINE CONSTRUCTIONS. ANY DELIBERATE DROWNING OF PLANES, SHIPS, MARINE PLATFORMS OR USED MARINE CONSTRUCTIONS.
21. BURNING : DELIBERATE BURNING OF GARBAGE OR OTHER MATERIALS IN FURNACES ON BOARD THE SHIP FOR THE PURPOSE OF GETTING RID OF THEM THROUGH BURNING, WITH THE EXCEPTION OF THE ROUTINE OPERATING WORKS ON BOARD SHIPS WHICH ARE SET BY THE INTERNATIONAL AGREEMENTS.

## CHAPTER II

### RULES OF REPORTING AND INFORMING ABOUT POLLUTION

#### ARTICLE NO. 2

ALL SHIPS AND OIL TANKERS WHETHER REGISTERED IN THE SYRIAN ARAB REPUBLIC OR ABROAD, OR EVEN ANY OTHER NATURAL OR LEGAL ONE TO DRAIN OIL OR ANY OTHER LIQUID OR SOLID HARMFUL MATERIALS ALONGSIDE THE SYRIAN COAST AND WITHIN THE SYRIAN TERRITORIAL WATERS, OR WITHIN THE ECONOMICAL AREA. THESE MATERIALS SHOULD BE DISPENSED IN ACCORDANCE WITH THE RECOGNISED STANDARDS AND SPECIFICATIONS APPROVED TO BE DELIVERED TO THE CONCERNED PORT AUTHORITIES.

#### ARTICLE NO. 3

THE SHIP MASTER, OIL TANKER MASTER AND ALL PARTIES RESPONSIBLE FOR OIL STORING, OIL TRANSPORT AND OIL CARRIERS ARE ALL REQUESTED TO IMMEDIATELY INFORM NEAREST PORT AUTHORITY OF ANY MARINE POLLUTION ACCIDENT WHETHER BY OIL OR ANY OTHER HARMFUL MATERIAL.

## CHAPTER III

### MARINE OIL POLLUTION

#### FIRST SECTION

#### STATING LIABILITY OF POLLUTION, FINES AND COMPENSATIONS DUE

#### ARTICLE NO. 5

THE PARTIES RESPONSIBLE FOR THE POLLUTION IN APPLYING THE RULES OF THIS LAW:

1. THE SHIP OWNER, THE OIL TANKER OWNER, THE MASTER, THE AGENT OR THE CHARTERER IN CASE THE POLLUTIONS IS CAUSED BY HER.
2. THE OWNER OF THE EQUIPMENTS, THEIR INVESTOR OR CHARTERER IN ANY WAY, IN CASE THE POLLUTION WAS DONE BY THE OIL STORING DEVICES, OIL TRANSPORT DEVICES OR OIL PUMPING DEVICES INTO THE SEA.
3. THE OWNER OF THE MARINE CONSTRUCTION UNITS, MARINE PLATFORMS ESTABLISHED IN THE MARINE ENVIRONMENT AND THE MANAGER IN CASE POLLUTION WAS CAUSED BY THEM.

ARTICLE NO. 6 THE PARTY CAUSING POLLUTION WILL BE LIABLE TO A PENALTY RANGING BETWEEN 150 000.00 ONE HUNDRED AND FIFTY THOUSAND SYRIAN POUNDS, AND 2000000.00 TWO MILLION SYRIAN POUNDS, OR AN EQUIVALENT AMMOUNT IN A FOREIGN CURRENCY. THIS FINE WILL BE DOUBLED IN CASE OF REPEATING THE ACT OF POLLUTION WITHIN ONE YEAR FROM THE DATE OF FIRST IRREGULARITY.

ARTICLE NO. 7

- A. THE DIRECTOR HAS THE RIGHT TO SUSPEND THE WORK AT THE CONSTRUCTION REPEATEDLY CAUSING POLLUTION, OR IT HAS BEEN CONFIRMED THAT THEY ARE NOT FIT FOR THE WORK, TILL CARRYING OUT REPAIRS AND MAINTENANCE WORKS NECESSRY TO WORK ACCORDING TO THE NATIONAL AND INTERNATIONAL STANDARDS AND AFTER GETTING THE APPROVAL OF THE DIRECTOR.
- B. THE DIRECTOR HAS THE RIGHT TO ARREST THE VESSEL OR THE OIL TANKER IN CASE SHE REFUSED TO PAY THE FINE AMOUNT, OR SUBMITTING A BANK GUARANTEE.
- C. IF IT HAS BEEN CONFIRMED, BY CARRYING OUT THE NECESSARY TECHNICAL INSPECTION ON THE VESSEL/OIL TANKER, THAT SHE IS IN A BAD TECHNICAL STATE, AND AN ENVIRONMENTAL MARINE POLLUTION CAN BE CAUSED BY HER SAILING, THE DIRECTOR HAS THE RIGHT TO PREVENT HER FROM SAILING UNTIL NECESSARY MAINTENANCE AND REPAIR WORKS ARE CARRIED OUT TO HER.

ARTICLE NO. 8

THE PARTY CAUSING POLLUTION IS LIABLE TO ELIMINATE THE EFFECTS OF POLLUTION THROUGH SUITABLE TECHNICAL METHODS, AND THROUGH HIS OWN MEANS WITHIN THE TIME LIMITS SET, BUT ACCORDING TO THE CONDITIONS SET BY THE DIRECTORATE, AND UNDER THE DIRECTORATE SUPERVISION. IN CASE OF NEGLIGENCE ON HIS PART, THE DIRECTORATE HAS THE RIGHT TO TAKE ALL NEEDED PROCEDURES TO ELIMINATE THESE EFFECTS ON HIS EXPENSE, BUT AFTER NOTIFYING HIM THROUGH LEGAL CHANNELS.

ARTICLE NO. 9

THE EFFECTS OF POLLUTION AND THE COSTS OF ELIMINATING THEM WILL BE ESTIMATED BY A PRIMARY COMMITTEE FORMED BY A RESOLUTION ISSUED BY THE MINISTRY, THROUGH A SUGGESTION OF THE DIRECTORATE. THIS COMMITTEE WILL FIND OUT THE PARTY CAUSING THIS POLLUTION, AND WHETHER THIS POLLUTION HAS CAUSED DAMAGES TO PRIVATE PROPERTIES AND MARINE LIFE, AND ESTIMATING THESE DAMAGES, IF ANY. THIS COMMITTEE HAS THE RIGHT TO GET ASSISTANCE FROM EXPERTS IN THIS FIELD.

ARTICLE NO. 10

THE PARTY CAUSING POLLUTION HAS THE RIGHT TO APPEAL AGAINST THE DECISION OF THE PRIMARY COMMITTEE WITHIN TWENTY-FOUR HOURS OF DEFINING THE PARTY CAUSING THE POLLUTION AND THE AMOUNT OF DAMAGES, IN CASE THE DECISION WAS FINAL, AND DURING THE FOLLOWING DAY IF IT WAS NOT SO. THE POLLUTION COMMITTEE IS FORMED FROM:

1. A JUDGE IN THE RANK OF A CONSULTANT.
2. THE DIRECTOR OF HIS REPRESENTATIVE.
3. A REPRESENTATIVE OF THE MINISTRY OF OIL AND MINERAL WEALTH.
4. A REPRESENTATIVE OF THE MINISTRY OF AGRICULTURE AND AGRICULTURAL REFORMING.
5. A REPRESENTATIVE OF THE MINISTRY OF ENVIRONMENT AND LOCAL ADMINISTRATION.
6. A REPRESENTATIVE OF THE MINISTRY OF INDUSTRY.
7. THE MANAGER OF THE DIRECTORATE'S AFFAIRS.

THE COMMITTEE WILL HOLD ITS MEETINGS AT THE DIRECTORATE, AND HER DECISIONS ARE FINAL.

#### ARTICLE NO. 11

THE PARTY CAUSING POLLUTION WILL BE EXEMPTED FROM PENALTY STATED IN ARTICLE NO. 6 OF THIS LAW IN THE FOLLOWING CASES:

1. IF THE POLLUTION WAS TO DEFEND AGAINST A DANGER THREATENING THE SAFETY OF THE SHIP, THE OIL TANKER, THE ESTABLISHMENT, THE FACTORY, THE EQUIPMENTS AND THE SAFETY OF LIVES.
2. IF POLLUTION WAS A RESULT OF TAKING A DECISION BY THE CREW OF THE VESSEL TO PREVENT THE CARGO OF THE SHIP/OIL TANKER FROM SEVERE DAMAGES.
3. IF OIL LEAKAGE WAS A RESULT OF A NATURAL MARINE DISASTER, OR A FORCE MAJEUR THAT HITS THE SHIP/OIL TANKER, THE ESTABLISHMENT, THE FACTORY OR THE EQUIPMENTS, IF IT HAS BEEN PROVED THAT IT WAS AN UNCONTROLLABLE ACT.
4. IF IT HAS BEEN FOUND THAT OIL LEAKAGE WAS A RESULT OF A SUDDEN BREAK DOWN IN THE SHIP/OIL TANKER, AND WAS NOT AN ACT OF THE MASTER, OR THOSE RESPONSIBLE FOR THE SHIP.

TO TAKE ALL PREVIOUS POINTS INTO CONSIDERATION, THE PARTY CAUSING POLLUTION SHOULD HAVE NOTIFIED THE CONCERNED PORT AUTHORITIES ABOUT THE ACCIDENT IMMEDIATELY UPON TAKING PLACE, STATING THE CAUSES, AND THE PROCEDURES TAKEN, PROVIDED THAT THE SHIP IS OBLIGED TO HOLD OIL RECORD BOOK, AND THAT THIS ACT HAS BEEN RECORDED DOWN IN THE RECORD BOOK AT THE TIME OF HAPPENING. IN ALL CASES THE MASTER IS ALWAYS HELD RESPONSIBLE FOR ALL DAMAGES RESULTING FROM THIS POLLUTION AND THE COSTS OF ELIMINATING THEM.

#### **SECOND SECTION**

THE DUTIES THAT SHOULD BE OBSERVED BY THE ESTABLISHMENTS AND THE INDUSTRIAL COMPANIES LOCATED ON THE SEA SHORE.

#### ARTICLE NO. 12.

- A. ALL ORGANISATIONS, COMPANIES OR ESTABLISHMENTS RESPONSIBLE FOR THE MANAGEMENT OF A REFINERY STATION OR OIL PUMPING STATION SHOULD HAVE A SPECIAL UNIT TO CONTAIN THE OIL RESIDUES RESULTING FROM THE PRODUCTION UNITS OF THESE COMPANIES, TO BE TREATED AND

THEN DISPOSED INTO THE MARINE ENVIRONMENT IN ACCORDANCE WITH LAW NO. 50 OF 2002 FOR PROTECTING THE ENVIRONMENT.

- B. THE DIRECTORATE RESERVES IT RIGHT TO PAY FIELD VISITS , IN COOPERATION WITH THE MINISTRY OF ENVIRONMENT AND LOCAL ADMINISTRATION TO VERIFY THE APPLICATION OF ARTICLE NO. A OF THIS ARTICLE.

**ARTICLE NO. 13**

- A. ALL COMMERCIAL PORT AUTHORITIES AND OIL TERMINALS SHOULD MAINTAIN PORT FACILITIES TO RECEIVE WATER AND THE RESIDUES RESULTING FROM THE WORK OF THE ENGINES AND SHIPS' OR OIL TANKERS' EQUIPMENTS IN ORDER TO TRANSPORT THEM TO THE TREATING UNITS AT THE CONCERNED ESTABLISHMENTS.
- B. THE MINISTER WILL ISSUE A RESOLUTION TO EXECUTE ITEM A OF THIS ARTICLE IN CO-ORDINATION WITH THE MINISTRIES OF OIL AND ENVIRONMENT & LOCAL ADMINISTRATION.

**THIRD SECTION**

**RULES AND CONDITIONS TO BE AVAILABLE IN SHIPS/OIL TANKERS IN THE SYRIAN REGIONAL WATERS:**

**FIRST. CERTIFICATES AND RECORD BOOKS:**

ARTICLE NO. 14 – ALL VESSELS OF OVER 400 TONS, AND ALL OIL TANKERS SHOULD HOLD A VALID CERTIFICATE OF PREVENTING OIL POLLUTION WITH THE TECHNICAL APPENDIX, IN ACCORDANCE WITH THE FORM PREPARED ACCORDING TO MARIOPLE AGREEMENT 73/78 ISSUED BY THE FLAG STATE OF THE OIL TANKER, OR THE CLASSIFYING ORGANISATION AUTHORISED BY THE FLAG STATE.

ARTICLE NO. 15 – THE SHIP OWNER, OIL TANKER OR THEIR REPRESENTATIVE WILL BE FINED BY FIFTY THOUSAND SYRIAN POUNDS, OR AN EQUIVALENT AMOUNT IN A TRANSFERABLE FOREIGN CURRENCY, IF IT TURNS TO BE THAT THE CERTIFICATE OF PREVENTING OIL POLLUTION IS EXPIRED. THE FINE WILL BE DOUBLED IN THE FOLLOWING CASES:

1. NOT HAVING THIS CERTIFICATE.
2. IF IT HAS BEEN FOUND, AS A RESULT OF THE TECHNICAL INSPECTION ON THE EQUIPMENTS OF PREVENTING OIL POLLUTION FROM SHIPS/OIL TANKERS, THERE IS A CONTRADICTION IN THE INFORMATION MENTIONED IN TECHNICAL APPENDIX OF THE CERTIFICATE AND THE RESULTS OF THE INSPECTION. IN THIS CASE THE FINE, MENTIONED IN THIS ARTICLE, WILL BE APPLICABLE, THE CERTIFICATE WILL BE DRAWN , THE FLAG STATE WILL BE INFORMED ACCORDINGLY AND THE SHIP/OIL TANKER WILL BE PREVENTED FROM SAILING UNTIL A CERTIFICATE, CONFORMING WITH THE ACTUAL STATUS OF THESE EQUIPMENTS AND DEVICES.

ARTICLE NO. 16 – ALL VESSELS OF OVER 400 REGISTERED TONS, AND ALL OIL TANKERS SHOULD HOLD A RECORD BOOK IN ACCORDANCE WITH THE FORM PREPARED ACCORDING TO MARIOPLE AGREEMENT 73/78 TO RECORD DOWN ALL ACTIONS TAKEN IN THE ENGINE ROOM, HENCE THE SHIP/ OIL TANKER WILL BE FINED WITH ONE HUNDRED THOUSAND SYRIAN POUNDS, OR AN EQUIVALENT AMOUNT IN A TRANSFERABLE FOREIGN CURRENCY IN THE FOLLOWING CASES :

1. NOT HOLDING THE OIL RECORD BOOK.
2. NOT RECORDING DOWN ALL WORKS REGULARLY.
3. DENYING THE PORT'S AUTHORITIES TO CHECK OIL RECORD BOOK.

ALL VESSELS/ OIL TANKERS SHOULD KEEP THE OIL RECORD BOOK FOR THE PERIOD OF TWO YEARS FROM THE DATE OF LAST ENTRIES.

ARTICLE NO. 17 – ALL OIL TANKERS SHOULD HOLD A SPECIAL RECORD BOOK OF THE CARGO AND THE BALLAST WATER IN ACCORDANCE WITH MARIOPLE AGREEMENT 73/78. THE VIOLATING OIL TANKER WILL BE FINED FOR ONE HUNDRED THOUSAND SYRIAN POUNDS; OR AN EQUIVALENT AMOUNT IN A TRANSFERABLE FOREIGN CURRENCY. THE SAME FINE WILL BE APPLIED ON OIL TANKERS NOT REGULARLY RECORDING DOWN ACTIONS IN THE CARGO AND BALLAST WATER RECORD BOOK, OR UPON MASTER'S DENIAL OF PORT'S AUTHORITIES TO CHECK THE RECORD BOOK.

ARTICLE NO. 18 – ALL VESSELS OF OVER 400 REGISTERED TONS, AND ALL OIL TANKERS SHOULD HAVE A PLAN FOR FIGHTING EMERGENCY OIL POLLUTION DULY CERTIFIED BY THE FLAG STATE IN ACCORDANCE WITH RULE NO. 26 OF MARIOPLE AGREEMENT 73/78, ALONG WITH THE MATERIALS AND EQUIPMENTS FOR APPLYING THIS PLAN.

THE VIOLATING SHIP/OIL TANKER WILL BE FINED FOR THE SUM OF TWO HUNDRED THOUSAND SYRIAN POUNDS; OR AN EQUIVALENT AMOUNT IN A TRANSFERABLE MOUNT IN A FOREIGN CURRENCY. THE DIRECTOR HAS THE RIGHT OF ARRESTING THIS VIOLATING SHIP/OIL TANKER, UNTIL SHE HAS BEEN SUPPLIED WITH THIS PLAN, THE MATERIALS AND EQUIPMENTS NECESSARY FOR THE APPLICATION OF THIS PLAN.

SECOND – EQUIPMENTS AND SUPPLIES :

ARTICLE NO. 19 – ALL VESSELS OF 400 GROSS REGISTERED TONS TO 10 000 REGISTERED TONS SHOULD BE EQUIPPED WITH TANKS OF SUITABLE CAPACITIES:

ARTICLE NO. 19 – ALL VESSELS WITH TONNAGE FROM 400 TONS TO 10000 TONS MUST BE EQUIPPED WITH TANKS OF SUITABLE CAPACITIES TO CONTAIN OILY WATER, IRREGULARITIES AND RESIDUES, AND SHOULD ALSO BE EQUIPPED WITH A NET OF PIPES ENDING WITH AN INTERNATIONAL STANDARD SHORE CONNECTING JOINT TO EMPTY THEIR CONTENTS IN PORT'S FACILITIES ACCORDING TO RULES 17 – 19 OF THE APPENDIX OF THE MARIOPLE AGREEMENT 73/78.

ANY VIOLATING VESSEL WILL BE FINED FOR ONE HUNDRED THOUSAND SYRIAN POUNDS; OR AN EQUIVALENT AMOUNT OF A TRANSFERABLE FOREIGN CURRENCY.

ARTICLE NO. 20

A. ALL VESSELS WITH A TONNAGE OF OVER 10000 TONS, AND ALL OIL TANKERS SHOULD BE EQUIPPED WITH OILY WATER SEPARATING AND FILTERING DEVICES WITH THE NECESSARY EQUIPMENTS TO TUNE THE WORK OF THESE EQUIPMENTS; PROVIDED THAT THE RESULTING WATER CONTENTS FROM THE DEVICES' WORK SHOULD NOT EXCEED 15 P.P.M. IN ACCORDANCE WITH RULE NO. 16 OF THE FIRST APPENDIX OF MARIOPLE AGREEMENT 73/78. THE VIOLATING SHIP/OIL TANKER WILL BE FINED FOR THE SUM OF TWO HUNDRED THOUSAND SYRIAN POUNDS; OR AN EQUIVALENT AMOUNT OF A TRANSFERABLE FOREIGN CURRENCY. THIS SHIP/OIL TANKER WILL BE DENIED SAILING PERMISSION UNTIL THE STATE FLAG SUBMITS A LETTER OF UNDERTAKING TO SUPPLY THIS SHIP/OIL TANKER WITH THESE EQUIPMENTS FOR THEIR NEXT CALL TO SYRIAN PORTS AND OIL TERMINALS.

B. SHIPS WITH A TONNAGE OF LESS THAN 10000 TONS, CAN BE EXEMPTED, BY THE DIRECTOR, FROM BEING EQUIPPED WITH THESE DEVICES AS STATED IN THE RELATIVE RULE OF THE FIRST APPENDIX OF MARIOPLE APPENDIX 73/78.

ARTICLE NO. 21 – ALL MASTERS OF SHIPS/OIL TANKERS, BERTHING IN THE SYRIAN TERRITORIAL WATERS, MUST SUBMIT A DETAILED REPORT OF THE CONTENTS OF THEIR TANKS ; WATER AND OIL RESIDUES, AND WILL NOT BE ALLOWED TO SAIL

BEFORE THE DELIVERY OF THE WATER AND OIL RESIDUES TO PORT'S FACILITIES, IN SUCH A WAY AS TO CAUSE ANY UNNECESSARY DELAY TO THE SHIP/OIL TANKER, AFTER GETTING SURE THAT THE SHIP'S/OIL TANKER'S TANKS CAN HOLD THE RESULTING MATERIALS OF THE WORK OF THE ENGINES, EQUIPMENTS AND DEVICES DURING HER VOYAGE TO THE NEXT PORT OF CALL.

ARTICLE NO. 22 – ALL OIL TANKERS SHOULD MAINTAIN A GUARANTEE CERTIFICATE, ISSUED BY A RECOGNISED OFFICIAL ORGANISATION, IN ACCORDANCE WITH THE FORM STATED IN THE INTERNATIONAL AGREEMENT ABOUT THE CIVIL RESPONSIBILITIES OF THE DAMAGES CAUSED BY OIL POLLUTION OF 1992.

#### **CHAPTER IV**

##### **FIRST SECTION**

THE RULES OF PREVENTING SEA POLLUTION BY THE GARBAGE RESULTING FROM THE SEA-SHORE ESTABLISHMENTS.

ARTICLE NO. 23:

- A. TOURIST ESTABLISHMENTS, THEIR INVESTORS AND USERS; HOTELS, RESTAURANTS, SWIMMING CLUBS, BUNGALOWS AND ALL OTHER TOURISTIC ESTABLISHMENTS, ARE STRICTLY FORBIDDEN TO THROW THE GARBAGE INTO THE SEA OR ON THE SHORE. INSTEAD, THEY SHOULD KEEP THEM WITHIN SUITABLE GARBAGE CONTAINERS TO BE DISPENSED IN ACCORDANCE WITH THE EFFECTIVE RULES AND EXECUTIVE INSTRUCTIONS ISSUED BY THE MINISTERS OF TRANSPORT AND ENVIRONMENT & LOCAL ADMINISTRATION ACCORDING TO LAW NO. 50 OF 2002.
- B. ALL PARTIES VIOLATING ITEM A OF ARTICLE NO. 23 SHOULD APPLY ARTICLE NO. 24 OF LAW NO. 50 ISSUED BY THE MINISTER OF ENVIRONMENT AND LOCAL ADMINISTRATIVE CONCERNING PROTECTING THE ENVIRONMENT.

##### **SECOND SECTION**

THE RULES OF PREVENTING SEA POLLUTION BY GARBAGE FROM THE SHIPS/OIL TANKERS

ARTICLE NO. 24 – ALL SHIPS/ OIL TANKERS WITH OVERALL LENGTH OF MORE THAN 12 METERS SHOULD DISPENSE THEIR GARBAGE THROUGH DELIVERY TO PORT'S FACILITIES FOR THIS PURPOSE IN ACCORDANCE WITH THE INSTRUCTIONS ISSUED BY THE MINISTER IN CO-ORDINATION WITH THE MINISTER OF ENVIRONMENT AND LOCAL ADMINISTRATION.

ARTICLE NO. 25 – IT IS STRICTLY FORBIDDEN TO THROW GARBAGE FROM ANY SHIP/OIL TANKER INTO THE SYRIAN TERRITORIAL WATERS, OR INTO THE PURE COMMERCIAL AREA. IN CASE OF ANY VIOLATION TO THIS ARTICLE, A FINE OF TWO HUNDRED THOUSAND SYRIAN POUNDS WILL BE APPLIED. THIS FINE WILL BE DOUBLED IN CASE OF REPEATING THIS IRREGULARITY WITHIN ONE YEAR FROM THE DATE OF THE FIRST IRREGULARITY.

ARTICLE NO. 26 - THE SHIP/OIL TANKER WILL BE EXEMPTED FROM THE FINE STATED IN ARTICLE NO. 25 OF THIS LAW, IF SHE CAUSED POLLUTION BY GARBAGE, IN THE FOLLOWING CASES:

1. IF THROWING GARBAGE FROM THE SHIP/OIL TANKER TO SAFEGUARD HER SAFETY OR HER CARGOES.
2. IF THROWING THE GARBAGE WAS BECAUSE OF A DAMAGE DONE TO THE SHIP/OIL TANKER OR HER EQUIPMENTS.

TO TAKE THESE POINTS INTO CONSIDERATION, ALL PRECAUTIONS SHOULD HAVE BEEN TAKEN TO LESSEN THE QUANTITIES OF THIS GARBAGE, AND THE HARMS DONE BY THEM. THE MASTER OF THE SHIP/OIL TANKER SHOULD IMMEDIATELY INFORM PORT AUTHORITIES ABOUT THE ACCIDENT. A DETAILED REPORT SHOULD BE SUBMITTED TO PORT AUTHORITIES ABOUT THE CIRCUMSTANCES OF THIS ACCIDENT



AND ITS REASONS ALONG WITH THE PRECAUTIONS TAKEN. NEVERTHELESS, THE MASTER WILL BE HELD RESPONSIBLE, IN ALL CASES, ABOUT ALL DAMAGES AND THE COSTS OF ELIMINATING THEM.

ARTICLE NO. 27 –IT IS ALLOWED TO THROW THE REMAININGS OF FOOD STUFF ACCORDING TO THE DEFINITION OF GARBAGE STATED IN THIS LAW; IN AREAS NOT LESS THAN 12 MILES FROM NEAREST LAND, PROVIDED THAT THESE REMAININGS SHOULD BE FREE FROM ANY CONTAMINATING SUBSTANCE AND SHOULD NOT BE HARMFUL TO THE PUBLIC HEALTH OR MARINE ENVIRONMENT. THESE REMAININGS SHOULD BE GROUND SO AS TO PASS THROUGH THE HOLES OF THE SIEVE OF DIAMETERS NOT LESS THAN 25MM AFTER GETTING THE PERMISSION OF THE DIRECTORATE AND IN ACCORDANCE WITH THE RULES OF THIS AGREEMENT.

ARTICLE NO. 28 – EVERY SHIP/OIL TANKER WITH A CREW OF MORE THAN FIFTEEN MEMBERS SHOULD HOLD A RECORD BOOK FOR COLLECTING THE GARBAGE AND DISPENSING THEM IN ACCORDANCE WITH THE FORM PREPARED IN THIS AGREEMENT, WITH A SPECIAL PLAN SHOWING THE ROLE OF EVERY CREW MEMBER IN THE MANAGEMENT OF COLLECTING AND DISPENSING THE GARBAGE ACCORDING RULE NO. 9 OF THE APPENDIX OF THE AGREEMENT.

ARTICLE NO. 29 – THE SHIP/OIL TANKER WILL BE FINED FOR THE SUM OF TWO HUNDRED THOUSAND SYRIAN POUNDS, OR AN EQUIVALENT AMOUNT IN A TRANSFERABLE FOREIGN CURRENCY IN THE FOLLOWING CASES:

1. NOT HOLDING GARBAGE RECORD BOOK AND THE WORKING PLAN.
2. NOT RECORDING ACTIONS REGULARLY IN GARBAGE RECORD BOOK.
3. DENYING THE CONCERNED PORT AUTHORITIES FROM GETTING ACCESS TO RECORD BOOKS FOR THE PURPOSE OF CHECKING THEM.

ALL VIOLATING SHIPS/OIL TANKERS TO ARTICLES NO. 25 AND 29 OF THIS LAW, WILL BE ARRESTED BY THE DIRECTORATE TILL PAYING THE FINE, THE COMPENSATIONS OR SUBMITTING A BANK GUARANTEE.

#### **PART V**

PREVENTING SEA POLLUTION IN STAGNANT WATERS ( DRAINAGE ) FROM SHIPS AND OIL TANKERS.

ARTICLE NO. 30 – DRAINAGE OF STAGNANT WATER FROM ANY SHIP/OIL TANKER INTO SYRIAN TERRITORIAL WATERS, OR THE FREE COMMERCIAL AREA IS STRICTLY FORBIDDEN. ANY VIOLATING SHIP/OIL TANKER WILL BE FINED BY ONE HUNDRED AND FIFTY THOUSAND SYRIAN POUNDS; OR AN EQUIVALENT AMOUNT IN TRANSFERABLE FOREIGN CURRENCY. THIS FINE WILL BE DOUBLED IF THIS SHIP/OIL TANKER REPEATED THE IRREGULARITY WITHIN ONE YEAR.

ARTICLE NO. 31 – EVERY SHIP WITH TONNAGE OF OVER TWO HUNDRED TONS, AND EVERY TANKER WITH MORE THAN 12 CREW MEMBERS SHOULD BE EQUIPPED WITH A TANK, WHICH SUITS THE NUMBER OF THE CREW MEMBERS, TO HOLD THE STAGNANT WATER. AND SHOULD HAVE A NET OF PIPES ENDING IN A COMPASS ( INTERNATIONAL STANDARD ) IN ORDER TO DISPENSE THIS WATER INTO PORT'S FACILITIES PREPARED FOR THIS PURPOSE, OR INTO A TREATMENT UNIT BEFORE DRAINING IT INTO THE SEA.

EVERY VIOLATING SHIP/OIL TANKER WILL BE FINED BY THE SUM OF TWO HUNDRED THOUSAND SYRIAN POUNDS; OR AN EQUIVALENT AMOUNT IN A TRANSFERABLE FOREIGN CURRENCY.

- A. SHOULD HOLD AN INTERNATIONAL CERTIFICATE OF PREVENTING SEA POLLUTION WITH STAGNANT WATER ISSUED BY THE FLAG STATE, OR BY A CLASSIFYING ORGANISATION DULY AUTHORISED BY THE FLAG STATE.

ALL VIOLATING SHIPS/OIL TANKERS WILL BE FINED BY THE SUM OF TWO HUNDRED THOUSAND SYRIAN POUNDS; OR AN EQUIVALENT AMOUNT IN A TRANSFERABLE FOREIGN CURRENCY.

ARTICLE NO. 32- THE DIRECTOR HAS THE RIGHT TO ARREST THE VOLATING SHIP/OIL TANKER BY VIRTUE OF THE TWO ARTICLES NO. 30 AND 31 OF THIS LAW UNTIL SETTLING THE AMOUNT OF FINE, OR SUBMITTING A BANK GUARANTEE, OR PAYING IN CASH THROUGH THE SHIP OWNER/ OIL TANKER OR THEIR LEGAL REPRESENTATIVE.

## **PART VI**

### **RULES AND CONDITIONS OF LOADING AND DISCHARGING OF DANGEROUS CARGOES**

#### **FIRST CHAPTER**

##### **LIABILITIES OF THE SHIP LOADING DANGEROUS CARGOES**

ARTICLE NO. 33 – THE TRANSPORTING COMPANY OF DANGEROUS CARGOES, OR ITS LEGAL REPRESENTATIVE, SHOULD GET THE APPROVAL OF THE DIRECTORATE BY SENDING DETAILED PARTICULARS OF THE CARGO AND THE NUMBER OF THE UNITED NATIONS, TO STUDY THEM AND GIVE THE DECISION TO ACCEPT THIS CARGO OR REFUSE IT BEFORE THE ARRIVAL OF THE SHIP WITH DANGEROUS CARGOES INTO, PORT, 48 HOURS BEFORE THE ARRIVAL OF THE SHIP.

ARTICLE NO. 34 – ALL VESSELS CARRYING DANGEROUS CARGOES SHOULD USE DISTINCTIVE LABELS STATING THE NATURE OF THE DANGEROUS CARGOS, AND THE NUMBER OF THE UNITED NATIONS, ON ALL PACKAGES OR CONTAINERS. THESE LABELS SHOULD SUIT THE SIZE OF THESE PACKAGES OR CONTAINERS, IN SUCH A WAY TO BE LEGIBLE.

ARTICLE NO. 35 – ALL SHIPS CARRYING DANGEROUS CARGOES SHOULD HAVE A LIST OF THIS CARGO( MANIFEST ) WHICH SHOULD BE IN CONFORMITY WITH WHAT IS REGISTERED ON BOARD, THE WEIGHT, VOLUME AND THE NATURE OF THE PACKAGES OF THESE CARGOES, IN ADDITION TO THE STOWAGE PLAN OF THE SHIP.

ARTICLE NO. 36 – THE MASTER OF THE SHIP CARRYING DANGEROUS CARGOES SHOULD SUBMIT A DETAILED REPORT OF ANY ACCIDENT THE SHIP MIGHT HAVE FACED CAUSING FALLING OF ANY PACKAGE OR CONTAINER DURING THE VOYAGE, TO THE NEAREST PORT'S AUTHORITIES.

ARTICLE NO. 37 – EVERY SHIP CARRYING DANGEROUS CARGOES FROM ANY SYRIAN PORT SHOULD BE SUBJECT TO TECHNICAL INSPECTION ON HER HULL, EQUIPMENTS AND DEVICES, TO BE SURE THAT THE SHIP COMPLIES WITH THE TECHNICAL RULES AND REGULATIONS WHICH GUARANTEE THE SAFETY OF THE SHIP, THE CREW MEMBERS AND PROTECTING THE MARINE ENVIRONMENT.

ARTICLE NO. 38 – THE DIRECTOR ISSUES AN ORDER TO FORM A TECHNICAL COMMITTEE TO SUPERVISE THE LOADING AND DISCHARGING OF THESE DANGEROUS CARGOES, GIVING THE NECESSARY DIRECTIVES OF STOWING

THEM INTO THE WAREHOUSES OF THE PORT COMPANY, OR TO CLEAR THEM DIRECTLY OUTSIDE THE CUSTOMS' AREA, IN ACCORDANCE WITH THE CHEMICAL AND PHYSICAL SPECIFICATIONS STATED IN THE MEMORANDUM.

## **SECOND CHAPTER**

THE RESPONSIBILITIES AND DUTIES OF THE PORT COMPANY RECEIVING DANGEROUS CARGOES

ARTICLE NO. 39 – PORT COMPANIES SHOULD SECURE SPECIAL WAREHOUSES FOR STORING DANGEROUS CARGOES TILL THEY ARE CLEARED FROM PORT, THESE WAREHOUSES SHOULD MEET THE TECHNICAL CONDITIONS THAT GUARANTEE THE SAFETY OF MAN, ENVIRONMENT AND PORT'S CONSTRUCTIONS.

ARTICLE NO. 40 – PORT COMPANIES SHOULD NOMINATE SOME YARDS SPECIALLY PREPARED FOR STORING THESE DANGEROUS CARGOES. THESE YARDS SHOULD BE SEPARATED ACCORDING TO THE NATURE OF THE DANGEROUS CARGOS IN THE CONTAINERS.

ARTICLE NO. 41 – ALL PORTS' AUTHORITIES SHOULD ADOPT THE NECESSARY PRECAUTION PROCEDURES TO MINIMISE THE DANGERS OF ANY ACCIDENT THAT MIGHT HAPPEN UPON THE LEAKAGE OF POISONOUS MATERIALS, IN CASE OF EXPLOSION OR IF A FIRE HAPPENS.

ARTICLE NO. 42 – ALL PORTS' COMPANIES SHOULD SUPPLY WORKERS OF LOADING AND DISCHARGING THESE DANGEROUS CARGOES, WITH PROTECTIVE CLOTHES AND EQUIPMENTS FROM THE DANGERS OF DEALING WITH THESE CARGOES.

## **THIRD CHAPTER**

IRREGULARITIES AND PENALTIES

ARTICLE NO. 43 – THE SHIP WILL BE ARRESTED, AND PREVENTED FROM DISCHARGING HER LOAD, IF THE CARGO MANIFEST DOES NOT MENTION THE PRESENCE OF DANGEROUS CARGOES ON BOARD, AND IF IT HAS BEEN DISCOVERED LATER THAT SHIP IS CARRYING SUCH CARGO. A REPORT IS PREPARED BY THE COMMITTEE MENTIONED IN THIS LAW. IN THIS CASE THE FINE OF TWO HUNDRED AND FIFTY THOUSAND SYRIAN POUNDS; OR AN EQUIVALENT AMOUNT IN A TRANSFERABLE FOREIGN CURRENCY, WILL BE COLLECTED FROM THE SHIP. THE FLAG STATE WILL BE NOTIFIED ACCORDINGLY. THE SHIP WILL NOT BE ALLOWED TO SAIL BEFORE SUBMITTING A LETTER OF COMMITMENT BY THE OWNING COMPANY NOT TO REPEAT THIS IRREGULARITY.

ARTICLE NO. 44 – IF IT HAS BEEN FOUND THAT THE SHIP CARRYING DANGEROUS CARGOES DOES NOT COMPLY WITH THE RULES AND

CONDITIONS OF THE MEMORANDUM REGARDING THE STOWAGE OF THESE CARGOES, THIS SHIP WILL BE FINED BY 50000 FIFTY THOUSAND SYRIAN POUNDS; OR AN EQUIVALENT AMOUNT IN A TRANSFERABLE FOREIGN CURRENCY.

ARTICLE NO. 45 – THE SHIP CARRYING NON-DECLARED DANGEROUS CARGOES OR RADIO ACTIVE MATERIALS OR THEIR RESIDUES BY THE MASTER, SHIPPING AGENT OR THE CARRIER, WILL BE PREVENTED FROM ENTERING PORT. A REPORT SHOULD BE PREPARED. THE SHIP WILL BE SUBJECT TO ARTICLE NO. 30 OF LAW NO. 50 OF 2002.

ARTICLE NO. 46 – IN CASE OF FALLING ANY CONTAINER/PACKAGE, CONTAINING DANGEROUS CARGO, DURING LOADING OR DISCHARGING OPERATIONS, THE SHIP OWNER WILL COVER ALL COSTS OF TAKING OUT THIS CONTAINER/PACKAGE OUT OF SEA, IN ADDITION TO PAYING FOR THE DAMAGES THAT MIGHT HAVE BEEN DONE TO MAN AND ENVIRONMENT. THESE DAMAGES WILL BE EVALUATED BY THE CONCERNED COMMITTEE.

ARTICLE NO. 47 – THE DIRECTOR HAS THE RIGHT TO ARREST THE VIOLATING SHIP, UNTIL SETTLING DOWN THE FINE AMOUNT, OR SUBMITTING A BANK GUARANTEE COVERING THE FINE VALUE.

## **PART VII**

### **MICELLANEOUS PROCEDURES**

ARTICLE NO. 48

1. FINES AND COMPENSATIONS COLLECTED IN ACCORDANCE WITH THE RULES AND CONDITIONS OF THIS LAW ARE CONSIDERED AS INCOME TO THE STATE TREASURY, THEY WILL BE COLLECTED ACCORDING TO PUBLIC MONEY COLLECTION BASIS. THE FINES WILL NOT BE EXCHANGED INTO IMPRISONMENT IN CAS OF NON-PAYMENT; WITH THE EXCEPTION OF THE CASES RELATING TO THE STATE SECURITY.
2. THE COMPENSATION FEES OF ELIMINATING OIL POLLUTION AND GARBAGE POLLUTION, IN CASE OF CASH COLLECTION, WILL BE DEPOSITED IN THE ACCOUNT OF DEPOSITS IN ACCORDANCE WITH A SYSTEM ISSUED BY THE MINISTER, THROUGH AGREEMENT WITH THE FINANCE MINISTER. THIS FINE WILL BE USED FOR PURCHASING THE NECESSARY EQUIPEMNTS TO FIGHT AGAINST SEA POLLUTION.
3. THE MINISTER WILL ISSUE AN ORDER TO FORM SPECIALISED TECHNICAL COMMITTEES TO APPLY THIS LAW THROUGH THE SUGGESTION OF THE DIRECTORATE, IN CO-ORDINATION WITH THE CONCERNED AUTHORITIES ESPECIALLY ARTICLES NO. 15,20,28 AND 31.
4. THE DIRECTOR AND ALL THOSE WORKING ON APPLYING THIS LAW, ENJOYS POLICE POWER TO ARRANGE REPORTS OF IRREGULARITIES TO THIS LAW. THOSE PERSONS WILL MAKE THE OATH TO CARRY OUT THEIR

DUTIES IN FAITH AND TRUTH BEFORE THE COURT OF FIRST INSTANCE IN THEIR REGION.

5. THE MINISTER WILL ISSUE A DECISION STATING THE FEES AND ALLOWANCES OF THE MEMBERS OF THE COMMITTEES OF APPLYING THIS LAW IN CO-ORDINATION WITH THE FINANCE AND JUSTICE MINISTERS.

ARTICLE NO. 49 – LAW NO. 10 OF 1972 REGARDING OIL POLLUTION PREVENTION ISSUED IN THE OTTOMAN NO. 2639 /SH OF 1927 REGARDING GARBAGE POLLUTION, IS DEEMED AS NULL.

ARTICLE NO. 50 – THE MINISTER WILL ISSUE THE EXECUTIVE INSTRUCTIONS NECESSARY FOR THE APPLICATION OF THIS LAW IN CO-ORDINATION WITH THE CONCERNED MINISTERS.

ARTICLE NO. 51 – THIS LAW IS TO BE PUBLISHED IN THE OFFICIAL NEWSPAPER.

DAMASCUS 24/01/1427 A. HIJRI / 23/02/2006 A.D.

**BASHAR AL-ASSAD**  
**PRESIDENT OF THE REPUBLIC**  
( SIGNATURE )