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**Presidential Decree No. 141/12
of 21 June 2012**

**Regulation on National Waters
Pollution Prevention and Control**

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PRESIDENT OF THE REPUBLIC

Presidential Decree No. 141/12 of 21 June

In its Article 39 the Constitution of the Republic of Angola consecrates the protection of the environment and declares the right and obligation of all citizens to live in a clean and unpolluted environment. This Decree further determines the obligation of the State to adopt pertinent measures for environmental protection and ecological balance, rational exploration of natural resources within a framework of sustainable development, and the sanctioning of acts that pose a risk or are harmful to environment preservation;

Recognizing the fact that environmental pollution is one of the most serious problems caused by the action of humans in their quest to promote economic development, and hence the need for the application of rigorous measures to eliminate or minimize its impact;

Whereas the Angolan State ratified the MARPOL 73/78 Convention, which established the Regimes for combating Marine Pollution;

Pursuant to the provisions of paragraph 2 of Article 19 of Law No. 5/98 of 19 June - Basic Environmental Law,

The President of the Republic hereby decrees the following, pursuant to subparagraph I) of Article 120 and paragraph 3 of Article 125, both of the Constitution of the Republic of Angola:

ARTICLE 1 (Approval)

The Regulation on National Waters Pollution Prevention and Control is hereby approved and annexed to this Presidential Decree of which it forms an integral part.

ARTICLE 2 (Doubts and Omissions)

Any doubts and omissions arising out of the interpretation and application of this decree shall be resolved by the President of the Republic.

ARTICLE 3 (Revocation)

All legislation standing against the provisions of this Decree is hereby revoked.

ARTICLE 4 (Entry into Force)

This Presidential decree enters into force on the date of its publication.

Appreciated in Ministerial Council in Luanda, on 25 April 2012;

Let it be published.

Luanda, 15 June 2012.

The President of the Republic, José Eduardo dos Santos.

REGULATION ON NATIONAL WATERS POLLUTION PREVENTION AND CONTROL

CHAPTER I General Provisions

ARTICLE 1 (Object)

This Regulation aims to establish the regime governing pollution prevention, surveillance and control of national waters by pollutants derived particularly from ships, vessels, platforms and industrial installations.

ARTICLE 2 (Scope of Application)

1. The Rules contained in this Regulation are applicable to:
 - a) Angolan-flagged ships and vessels, and platforms in waters under national jurisdiction;
 - b) Foreign-flagged ships and vessels found in waters under national jurisdiction;
 - c) National and foreign Industrial installations, ships or vessels subject to supervision by the Environmental Authority.
2. This Regulation shall not be applicable to ships of war belonging to the Navy.

ARTICLE 3 (Definitions)

For purposes of this Regulation, the following shall mean:

- a) "Environmental Authority", Ministerial Department responsible for environmental policy;
- b) "Ship", petroleum platform, vessel, floating device equipped with an internal combustion engine which uses fuel and/or the floating devices to transports products likely to pollute the environment;
- c) "Ships' sanitary sewer", system of sewage waters from which residual waters may pollute the environment;
- d) "Bilge Waters (Hull)", oily or contaminated mixtures which accumulate with the normal operation of a ship or vessel and which are stored in tanks designed for this purpose;
- e) "Ship Owner", a person or enterprise which owns a commercial ship;
- f) "Shipping Agent", an agent representing the ship owner;
- g) "Shipper", the company or person who operates a ship on behalf of the ship owner;
- h) "Waste", all types of industrial waste, food or garbage resulting from the normal activity of a ship, vessel, or petroleum platform, and industrial installations in normal conditions of service;

- i) “Gas Tanker”, a ship built or adapted mainly to transport liquefied gas or other products listed in the IGC International Gas Code;
- j) “Chemical Tanker”, a ship built or adapted mainly to transport hazardous chemical products in bulk;
- k) “Oil Tanker”, any ship constructed or adapted to transport mainly bulk petroleum in its cargo space. This category of ships includes those which combine the transportation of petroleum and chemical products;
- l) “Combined Cargo Ship”, a combined tanker ship for transporting oil or solid cargo in bulk;
- m) “Certificate”, document issued by the competent authority of a State-Party to the MARPOL 73/78 Convention;
- n) “International Gas Code (IGC)”, International Code for the construction and equipping of ships which transport bulk liquefied gas and applicable to ships constructed after 1 July 1986;
- o) “Bulk Chemical Code (BCH)”, International Code for the construction and equipping of ships which transport dangerous chemicals in bulk, and applicable to ships constructed before 1 July 1986;
- p) “International Bulk Chemical Code (IBC)”, International Code for the construction and equipping of ships which transport dangerous chemicals in bulk and applicable to ships constructed after 1 July 1986;
- q) “Combustible Liquids”, all hydrocarbons used as fuel for main and auxiliary machinery of ships, vessels or oil platforms;
- r) “Water Pollution”, the direct or indirect introduction into waters under the national jurisdiction of any type of substances, materials or fuel into the water, which produce or are likely to produce harmful effects such as destruction or damage to living aquatic resources, risk to human health, damage to economic activities including fishing and other legitimate uses of water, deterioration of water quality, and damage to leisure and coastal areas in general;
- s) “Pollutant”, any substance which, due to its nature and/or concentration is likely to cause environmental degradation;
- t) “MARPOL 73/78”, International Convention for Prevention of Pollution from Ships, 1973, its 1978 Protocol, and subsequent amendments;
- u) “Pollution Damage”, damage caused by the effects and consequences stipulated in paragraph 18 of this Article, which includes the cost of preventive measures and any loss or damage caused;
- v) “Discharge”, means the release or discharge of any products, spills made by a ship or platform, and includes any disposal, release, leak, pumping, emission or emptying;
- w) “State-Party”, all States which are party to MARPOL 73/78 Convention and for which this Convention is enforceable;
- x) “Non-Party State”, any State which is not a Party to the MARPOL 73/78 Convention;

- y) "Hydrocarbons", petroleum in all its forms, including crude, fuel, mud, residues and refined products, except for petrochemicals;
- z) "Inspection", technical work carried out by the inspector or employee of the Environmental Authority, to verify compliance with the provisions of the MARPOL 73/78 Convention, this Regulation, and Angolan legislation;
- aa) "Installations for reception of pollutant products", are those intended to receive hydrocarbons, oily mixtures, harmful waste waters in bulk, run-off, and waste from ships and vessels;
- bb) "Ballast", water transported by ships and vessels to ensure stability thereof and which is stored in tanks for this purpose;
- cc) "Clean ballast", water to be discharged from a ship into calm and clean waters on a clear day and which does not leave visible traces of oil or other contaminants in the waters or nearby margins. The amount of contamination by hydrocarbons permitted in the water shall not exceed 15 parts per million beyond 12 miles from the coast and in modalities defined by the MARPOL 73/78 Convention;
- dd) "Separated or segregated ballast", ballast water which inters into a tank completely separate from other areas such as cargo or fuel;
- ee) "Dirty ballast", ballast water contaminated with hydrocarbons and/or noxious substances transported in bulk;
- ff) "Oil Record Book", document aboard a ship, vessel or oil platform which records all transactions involving the movement of dangerous substances transported in bulk or the mixtures which they contain;
- gg) "Oily mixture", any mixture, generally with water containing hydrocarbons;
- hh) "Event", any act which causes or is likely to cause a discharge into the aquatic environments of a pollutant or noxious substance, or effluents containing such substance;
- ii) "Noxious", any substance whose introduction into the aquatic environment may pose a risk to human health, and damage flora, fauna and living aquatic resources;
- jj) "Waste Water Discharge Standards" set of precepts to be observed in the discharge of residual waters into the waters and soil and aimed at their protection against pollution;
- kk) "Protected Area or Special Protected Zone", protected area under national jurisdiction, where special environmental protection measures are applicable;
- ll) "Oil filtering equipment", equipment designed to filter a liquid oil product so as to obtain an oil content not exceeding 15 parts per million;
- mm) "Tank", any enclosed space formed by a permanent structure of a ship and intended to transport liquids in bulk;
- nn) "Segregated Ballast Tank", tank reserved exclusively for transporting ballast water;

- oo) “Decanting Tank”, tank into which water containing hydrocarbon mixtures is deposited;
- pp) “Oil Residue (sludge) Tank”, tanks into which oils and other contaminants derived from cargo holds of machine rooms are deposited and held;
- qq) “Transshipment”, transfer of cargo from a ship or vessel to another ship;
- rr) “Dumping”, all intentional and voluntary discharge into a waterbed, as well as the discharge of any waste, debris, vessels, ships, platforms, aircraft, vehicles, other constructions or other materials;
- ss) “Hydrocarbon”, crude oil, fuel, diesel, lubricating and other oils;
- tt) “Ocean Terminal”, docking for ships, with appropriate installations and consisting of loading and unloading tubes for fuels, hydrocarbon mixtures or chemical products;
- uu) “Pipe”, section of a tube that passes along sea, lake or river floors, and used for transporting liquid fuels, with one extremity located on land and the other ending in a flexible element or hose;
- vv) “I.M.O”, International Maritime Organization;
- ww) “MARPOL 73/78”, International Convention for Prevention of Pollution from Ships, drawn up in London on 2 November 1973, amended by the 1978 Protocol, and ratified by Angola through National Assembly Resolution No. 41/01 of 21 December.

ARTICLE 4
(Environmental Authority)

The Environment Ministry is the body responsible for ensuring compliance with the norms contained in this Regulation on waters under national jurisdiction.

ARTICLE 5
(Competence of the Environmental Authority)

1. The Environmental Authority has competence to:
 - a) Oversee, apply and ensure compliance with and to punish the violation of all legislative, regulatory and administrative provisions in force in the Country for the prevention of pollution of the national waters caused by ships, vessels, platforms and industrial installations;
 - b) Ensure compliance with International Conventions in force in Angola regarding the prevention and combating of marine pollution caused by ships in areas designated by the States-Party, and to promote the adoption of technical measures leading to a better application of such agreement for environmental preservation;
 - c) Implement the measures necessary for combating pollution, as well as coordinate the cleaning up of waters under national jurisdiction;
 - d) Establish and accompany the control programs for pollution caused by activities carried out in aquatic areas;

- e) Adopt and develop procedures which assist in the determination of responsibility and compensation for damage resulting from cases of pollution;
 - f) Act, as Coordinator of the National Executive Technical Commission for Combating Oil Spills, in the control of pollution by petroleum and other pollutants;
 - g) Carry out inspections of ships, vessels, oil platform and industrial installations regarding environmental pollution;
 - h) Analyze the rules and resolutions of procedures and other provisions approved by the Meeting of the Committee for Protection of the Sea of the International Maritime Organization regarding the prevention of marine pollution and propose actions to be taken, as well as draft appropriate laws and administrative norms;
 - i) Investigate any spill or discharge of contaminating products and take legal action or open up the administrative process in accordance with the legislative provisions in defense of the interests of the State;
 - j) Inform, in coordination with other entities, the foreign authorities through established official channels of any violations and contraventions by any ship, vessel or oil platform, of national or international laws adopted by the Republic of Angola including the respective Registration Authorities, Classification Societies, Insurance Firms and Maritime Authorities of the last port of call or intended port on departure from Angola;
 - k) Establish and keep updated a database with all the characteristics of ships, vessels, platforms and industrial installation, particularly those that had been inspected and found to have irregularities;
 - l) Carry out all action necessary to enhance compliance with the provisions of the MARPOL 73/78 Convention and this Regulation.
2. Port administrators or operators shall be responsible for action in response to any incident of pollution occurring in an area of their jurisdiction, as well as compliance with legislation in force and preparation of Environmental Emergency Plans subject to approval of the Environment Minister.
 3. The Environmental Emergency Plan cited in the preceding paragraph must include the acquisition of appropriate equipment as well as personnel training.
 4. In the event of an oil spill or other form of pollution in waters outside the ports' jurisdiction, the a Environmental Authority as Coordinator of the National Executive Technical Committee for Combating Oil Spills must coordinate jointly with the National Incidents Unit and other specialized units, in the response action and cleaning up of affected areas.

ARTICLE 6
(Collaboration between Authorities)

1. For purposes of exercising the functions established in the preceding Article, the Environmental Authority must be supported in their functions by all authorities involved in the supervision of waters under national jurisdiction and for port and coastal surveillance, namely, the Brigade for Prevention and Control of Waters under National Jurisdiction.

2. The abovementioned Brigade has the task of supporting the Environmental Authority in the prevention, surveillance and control of pollution of national waters by pollutants resulting from ships, vessels, platforms and industrial installations, in particular.
3. The composition of the Brigade, as well as the regime governing it shall be approved by Joint Executive Decree of the Ministers of the Environment, Transport, Interior, National Defense, Petroleum, Agriculture, and Rural Development and Fishing, respectively.

ARTICLE 7
(Denial of Entry into National Waters)

The tutelary body of environmental policy, in coordination with other Ministerial Departments, may deny entry into waters under national jurisdiction and into ports or ocean terminals, of any ships which show clear deficiencies in their pollution control systems likely to cause environmental damage or which have a prior record of environmental violation.

ARTICLE 8
(Contamination Prevention Certificates)

Ships, vessels and oil platforms must keep updated all Contamination Prevention Certificates issued by the Maritime Authorities of the country of registration or by authorized Classification Societies.

ARTICLE 9
(Emergency Plan)

Each national-flag ship, vessel, or oil platform must keep on board an emergency Plan to combat pollution of waters, in accordance with the rules of the MARPOL Convention and legislation in force, which shall be inspected and supervised by the Environmental Authority and other national entities.

ARTICLE 10
(Suspension of Operations)

The Environmental Authority, in coordination with other entities, may, in certain cases and through administrative decision, suspend the operation of a national or foreign ship, vessel, oil platform found causing pollution in waters under national jurisdiction until the causes thereof have been determined and settled.

ARTICLE 11
(Notification to the Environmental Authority)

1. Without prejudice to compliance with existing legislation, the captain of each national or foreign-flag ship or vessel and those in-charge of oil platforms must inform the Environmental Authority, in collaboration with the Maritime Authority, of any discharge or spills not governed by the regime approved by the MARPOL 73/78 Convention and this Regulation.
2. The Notice must be immediate and contain the following information:
 - a) Full details of the ship, vessel, or oil platform involved in the pollution;
 - b) Name of the ship, IMO, Flag, TRB, and Classification Society/RO;

- c) Quantity of pollutants discharged or lost;
 - d) Characteristics and exact location where the accident occurred;
3. Where the captain or person in-charge of the platform had made prior notification shall not constitute a violation in the following cases:
- a) Discharges or spills made by a ship, vessel, oil platform or industrial installation to save human lives or to ensure its own safety;
 - b) Discharges or spills due to break-down beyond the control of the crew and provided that all precaution had been taken to prevent or reduce to the minimum such discharge or loss of pollutants.

ARTICLE 12
(Obligations and Responsibilities)

Even if not deemed to be a violation under the terms of the preceding Article, owners or operators of ships or vessels, oil platforms or industrial installations shall always be held liable for dumping and shall bear the cost of pollution and all damages resulting there from.

ARTICLE 13
(Investigation)

The Environmental Authority, jointly with the Harbor Masters, Police, Navy, and Inspectors from the Ministry of Petroleum must investigate any incidents or occurrences of accident caused by any ship, vessel, platform or industrial installation in waters under national jurisdiction, so as to enable the necessary measures to be taken to prevent or minimize pollution of the waters and the impact thereof.

ARTICLE 14
(Actions)

In the event of an accident or other act occur leading to contamination of water due to oil spill or other noxious or dangerous substances, the Environmental Authority in coordination with the competent authorities must take measure to prevent and control the consequences and avoid destruction of flora, fauna, or damage to the national coastline.

ARTICLE 15
(Fines and Penalties)

- 1. Whenever damage to the environment occurs as a result of violation of a legal norm or requirement contained in the Environmental License, the polluter shall be subject to payment of a fine whose value in Kwanzas ranges from USD 1,000.00 (One thousand United States of American Dollars) to USD 100,000.00 (One hundred thousand United States of American Dollars).
- 2. The ship owner or operator must bear all costs for cleaning as well as for all damage direct or indirectly caused to public or private economic operators.

ARTICLE 16
(Control and Prevention Equipment)

Every ship, vessel, oil platform, port, ocean terminal and industrial installation likely to cause pollution to waters under national jurisdiction must have the equipment and

components necessary for the prevention of accidents, water pollution, or minimization of the effects thereof.

ARTICLE 17
(Liability)

The owner or operator of a ship, vessel, oil platform or industrial installation must be held responsible for all damage caused, except where the damage had been caused solely by:

- a) An act of war;
- b) Hostilities;
- c) Civil War or Insurrection;
- d) A natural disaster of exceptional, inevitable and irresistible character.

ARTICLE 18
(Insurance Certificate)

1. Without prejudice to the application of the rules contained in other legal instruments, all ships, vessels, oil platforms or industrial installations must have an insurance to cover eventual damage caused by environmental pollution.
2. In case of pollution caused by ships, vessels or oil platforms, the equipment must be confiscated or the activities suspended until the respective insurance has been subscribed and paid for.

CHAPTER II
Prevention of Pollution by Hydrocarbons

SECTION I
Inspections and Visits

ARTICLE 19
(Periodic Inspections)

1. All national and foreign ships must be subjected to periodic inspections by the Environmental Authority, without prejudice to inspections being carried out by other entities within the scope of their duties, to verify compliance with the norms stipulated in this Regulation and the MARPOL 73/78 Convention.
2. Where irregularities are found in ships, vessels or platforms or industrial installations, the Environmental Authority must inform the Maritime Authority for Registration, the Classification Society, and the Port Administration, Harbor Master and the Shipping Agency, Ship Management Company of the irregularities found and the measures taken.

ARTICLE 20
(Inspection and Visits Modality)

1. Inspections and visits must be carried out in conformity with existing technical norms and those issued by the Environmental Authority and in conformity with the recommendations adopted by the International Maritime Organization.
2. The norms cited in the preceding paragraph must contain specific instructions on the following points:

- a) The list of documents and certificates of the ship, vessel, platform or installations regarding the MARPOL 73/78 Convention and auxiliary documents required by the Environmental Authority for greater environmental protection;
 - b) Inspection procedures for revision of the documents cited in the preceding paragraph, calculation of the quantity of residues permitted to be kept on board, as well as verification operations of the functioning of equipment, installations and systems as required under the MARPOL 73/78 Convention.
3. In cases of environmental pollution, the Environmental Authority may, among others, collect samples of both contaminated items and the likely causes of contamination thereof in order to define the resulting liability and measures to be taken.
 4. The measures taken as a result of the inspection as well as the conditions imposed on the ship, vessel, platform or industrial installations to correct discrepancies.

ARTICLE 21
(Approval of Equipment)

Pollution prevention equipment and systems in national and foreign ships, vessels, platforms or industrial installations must be conformant with the prescriptions of the MARPOL 73/78 Convention, and must meet the requirements contained in International Maritime Organization Resolutions and national legislation in force.

SECTION II
Certificates

ARTICLE 22
(Classes of Certificate)

1. All petroleum tankers with a gross tonnage exceeding 150 tons and non-petroleum ships and vessels of a tonnage exceeding 400 tons and navigating in Angolan rivers or seas must have an International Oil Pollution Prevention Certificate, in conformity with the stipulations of the MARPOL 73/78 Convention.
2. All petroleum tankers carrying the national or foreign flag and with a gross tonnage of less than 150 tons and all national and foreign-flag non-petroleum vessels and ships of a gross tonnage of 400 tons and operating in Angola must have an Oil Pollution Prevention Certificate duly issued by the competent Angola authorities.

SECTION III
Dumping

ARTICLE 23
(Prohibition of Dumping)

1. The dumping of hydrocarbons or hydrocarbon mixtures in waters under national jurisdiction is prohibited, except in cases stipulated in this Regulation and in Executive Decree No. 12/05 of 12 January, which approve the Regulation of Procedures on Waste Management Operations, and in Conventions to which Angola is a party.

2. Similarly, any operational dumping resulting from activities on land, in the soil and interior waters is prohibited, except when duly justified for safety reasons or when the concentration of contaminants had been reduced to environmentally acceptable levels.
3. Production water resulting from oil activities may only be dumped into the sea if the oil content in discharge flow is less than 40 ppm (40 mg/l) monthly average.
4. The discharge limit described in the preceding paragraph may be changed when technological conditions of processing production water below this limit so permit.

ARTICLE 24
(Hydrocarbon Discharge Control)

1. Petroleum tankers of a gross tonnage exceeding 150 tons may carry out controlled and regulated dumping of hydrocarbons only and solely in conformity with the provisions of Rule No. 34 of Annex I of the MARPOL 73/78 Convention, particularly those:
 - a) Without a special environmental area determined by the Government of Angola;
 - b) Found at more than 50 nautical miles of the nearest coastline;
 - c) Found on a navigation route;
 - d) Governed by an instantaneous rate of discharge of less than 30 litres per nautical mile;
 - e) Provided with a functioning hydrocarbon monitoring control device in accordance with Rule 31 of Annex 31 of the MARPOL 73/78 Convention.
2. Ships, vessels and platforms with a gross tonnage exceeding 400 tones may only dump waters contained in the machine room sewer whenever they meet the following conditions and are found:
 - a) Outside a special area determined by the Government of Angola;
 - b) At more than 12 nautical miles away from the nearest coastline;
 - c) On a navigation route; and
 - d) When the hydrocarbon content of effluents is less than 15 parts per million;
 - e) In possession of a functioning device for monitoring and control of hydrocarbon discharge (OWS - Oil Water Separator), as specified in Article 15 of Annex 15 of the MARPOL 73/78 Convention.
3. No discharge shall contain chemical or other substances in quantities or concentrations likely to pollute.
4. Petroleum tankers of less than 150 tons and ships, vessels, and platforms of less than 400 tons gross tonnage are strictly prohibited from discharging hydrocarbon or hydrocarbon mixtures in waters under national jurisdiction.
5. Those in-charge, captains, ship owners or operators who fail to comply with this Regulation shall be subject to fines or penalties which may lead to civil and penal procedure, and they shall also bear all costs arising from the pollution and clean-

up operations for restoring the environment to its previous position or baseline condition existing before the contamination.

ARTICLE 25
(Retention on Board of Hydrocarbon Waste)

Waste from hydrocarbons or mixtures thereof which cannot be discharged in accordance with the preceding Article must be kept on board the ship, vessel, or platform and must be obligatorily discharged in a special receiving installation approved for the purpose.

ARTICLE 26
(Retention of Waste On Board Ships Transporting Asphalt or Bituminous Products)

Ships or vessels transporting asphalt or bituminous products must keep all waste, waste water, and eventually contaminated ballast waste on board, subsequently discharging it into a special receiving installation approved for the purpose.

ARTICLE 27
(Protected Areas or Special Protection Zones)

The dumping of any quantity of hydrocarbon or oily mixtures in protected areas or special protection zones is strictly prohibited.

SECTION IV
Dumping during Navigation in Inland Waters and Transshipment Operations

ARTICLE 28
(Dumping Regime)

As stipulated in Article 23, dumping of hydrocarbons or oily mixtures from ships, vessels, platforms or industrial installations into inland water and rivers is prohibited, with the exception of:

- a) Waste water from machine rooms, provided they are not contaminated with hydrocarbons;
- b) Uncontaminated waters with hydrocarbons transported as cargo.

ARTICLE 29
(Retention of Waste on Board)

Ships which are unable comply with the requirements stipulated in the preceding Article must keep their waste on board and deliver it to a receiving installation approved for the purpose.

ARTICLE 30
(Preventive Measures, Systems and Equipment in Port Terminals)

1. All loading, dumping, and processing operations for hydrocarbons and mixtures thereof in ports or terminals must be carried out with all environmental safety and pollution prevention precautions.
2. The Port Administration as well as Port Operators must submit a Terminal Environmental Management Plan to the Environmental Authority

ARTICLE 31
(Transshipment Operations)

Transshipment operations for hydrocarbons and mixtures thereof must comply with the following criteria:

- a) Be carried out in areas approved by the Harbor Master;
- b) Be implemented through a safe system to prevent and combat water pollution.

SECTION V
Oil Record Book

ARTICLE 32
(Oil Record Book)

1. Petroleum ships of a gross tonnage exceeding 150 tons and ships, vessels and platforms with a gross tonnage exceeding 400 tons must keep an Oil Record Book, Part I, "Machine Room Operations".
2. Petroleum ships exceeding 150 tons gross tonnage must also keep an Oil Record Book, Part II "Cargo and Ballast Operations".
3. The pages of the Books cited in the preceding paragraphs must be numbered, stamped and supplied by the Maritime Authority of the Country of Registration of the petroleum tankers.
4. The model of the books must be conformant with the provisions of Appendix III of Annex I of the MARPOL 73/78 Convention.
5. All annotations in the Oil Record Book must be signed by the Captain of the ship or vessel or the person in-charge of the platform. Annotations must be made in the official language of the flag-country registration. For ships holding an International Oil Pollution Prevention Certificate, the annotations must be in English, Spanish or French.
6. The Oil Record Book must be kept in a location that is easily accessible for inspection at any time by the entities competent for this purpose.
7. All ships not in possession of an Oil Record Book must make the due annotations on operations carried out with hydrocarbon and oil mixtures in the Ship's Daily Log Book or Machinery Log Book.

ARTICLE 33
(Annotations in the Oil Record Book)

The Oil Record Book must contain a record of all operations carried out with fuel or oil mixtures.

ARTICLE 34
(Engine Room Operations Log Book)

All ships, vessels and platforms must keep and annotate in the Oil Record Book, all operations carried out with fuel and oil mixtures in the engine room, namely:

- a) Ballast or cleaning operations of fuel tanks;
- b) Discharge of contaminated ballast or cleaning waters from fuel tanks;

- c) Elimination of oil residue or mud;
- d) Automatic discharge or other methods of eliminating waste water from the machine room;
- e) Failures recorded in the “Oil Water Separator” (OWS);
- f) Discharge or accidental loss of hydrocarbons;
- g) Loads of fuel and lubricants.

ARTICLE 35
(Record of Operations in Cargo Tanks and Ballast Tanks)

In addition to the stipulations of the preceding Article, all petroleum ships must register the following operations in the Oil Record Book:

- a) Loading, unloading, transshipment in ports, ocean terminals or between ships;
- b) Cleaning with crude;
- c) Ballasting of cargo tanks and tanks intended for clean ballast;
- d) Cleaning of cargo and ballast tanks;
- e) Discharge of contaminated ballast;
- f) Dumping into the sea of water from slop tanks;
- g) Closing of valves or similar devices after slop tank discharge;
- h) Closing of valves necessary for isolating clean ballast tanks;
- i) Disposal of residues and oily mixtures not treated in any other way;
- j) Discharge of clean ballast;
- k) Deficiencies in surveillance and control devices for crude oil loading and unloading;
- l) Accidents or other discharges or loss of crude oil;
- m) Discharge of ballast water into reception installations.

ARTICLE 36
(Description of Operations)

All operations described in Articles 34 and 35 of this Regulation must include a detailed description of the date, time, and place in which the tanks had undergone the operation, and the speed of the ship or vessel, equipment or systems used, quantity discharged or disposed of, method used for discharging or disposal, or other information.

ARTICLE 37
(Presentation of Oil Record Book)

The Oil Record Book must be presented by the captain of the ship, vessel or person in-charge of the platform, whenever requested by an Inspector from the Environmental Authority, and it must be kept with daily annotations.

ARTICLE 38
(Waste Declaration)

1. The captains of ships, vessels, or those in-charge of platforms must notify the respective delegation of the Environmental Authority, without prejudice to other entities, of the quantity and type of waste transported on board.
2. Based on the Declaration presented and holding capacity of the ship or vessel, the delegation shall determine the need or not of discharging the waste at an approved installation

ARTICLE 39
(Notice of Discharge)

The captains of ships, vessels, or those in charge of platforms found in national waters must inform the nearest Environmental Authority delegation of any oil discharge, spill or loss which is non-compliant with the requirements of the MARPOL 73/78 Convention and this Regulation, and any fault or damage suffered and likely to cause pollution of the waters, including spills or oil stains encountered during navigation.

SECTION VI
Pollution Control and Combating by Persons In-Charge

ARTICLE 40
(Action in Case of Spill)

In all cases showing evidence of hydrocarbons and mixtures spills, in violation of the requirements of the MARPOL 73/78 Convention or this Regulation, those persons in-charge of ships, vessels or platforms must immediately use all resources available to contain or reduce any impact of the damage caused.

ARTICLE 41
(Coastal and Environment Protection)

Without prejudice to the provisions of the preceding Article, in cases of spill, the Environmental Authority, Maritime Authority and other competent entities must intervene to take the necessary measures to prevent destruction of marine and coastal fauna and flora.

ARTICLE 42
(Chemical Products for Pollution Mitigation)

All means used to combat pollution must not cause damage or loss to Angolan waters, flora, fauna and the coast. All chemical products and means used to combat pollution must meet the following conditions, namely, they must not:

- a) Pose risk to human health;
- b) Damage flora, fauna and living aquatic resources;
- c) Harm natural and leisure areas;
- d) Harm the legitimate uses of water and exploration thereof; and
- e) The damage resulting from the clean-up operation must not be greater than that caused by the spill.

ARTICLE 43
(Approval of Chemical Products to Combat Pollution)

Chemical products intended to combat pollution in waters with a depth exceeding 20 meters must be previously approved by the National Commission to Combat Oil Spills, through its Executive Technical Committee.

SECTION VII
Receiving Installations for Oil Mixtures

ARTICLE 44
(Receiving Installation)

For purposes of this Regulation, the installations for receiving oil mixtures must have a reception capacity for treatment of the following mixtures:

- a) Contaminated ballast waters;
- b) Waters contaminated by slop tank cleaning;
- c) Water contaminated by sewer;
- d) Oil and mud waste;
- e) Liquids or solids;
- f) Similar products derived from ships, vessels, platforms or industrial installations.

ARTICLE 45
(Obligation to have Oil Mixtures Reception Installations)

The following establishments must have oil mixtures reception installations onshore;

- a) Ports or ocean terminals where loading and unloading of petroleum ships take place;
- b) Commercial ocean terminals and ports;
- c) Shipyards for ship maintenance and repairs or cleaning services of slop tanks of ships, vessels and platforms.

ARTICLE 46
(Operations Approval)

All singular or collective persons wishing to erect or operate onshore installations for reception of oil mixtures in ports and ocean terminals or in support bases located in the Country must have the prior approval of the Environmental Authority, which shall determine respective compliance the requirements.

ARTICLE 47
(Requirements for Approval of Oil Mixtures Reception Installations)

The Environmental Authority, in coordination with the Maritime Authority, shall approve the design and construction of oil mixtures reception installations, provided these are compliant, among others, with the requirements and characteristics of the MARPOL 73/78 Convention standards, such as:

- a) Total capacity required for the receiving tank or reservoir;
- b) Processing technology and time necessary for disposal of the waste;

- c) The characteristics of the pipe connections of the ships and ocean terminals, to permit the discharge of waste in due time;
- d) Pollution Prevention Safety Plan;
- e) Appropriate characteristics of the universal connections with the following sizes:
 - i) OD: 215 millimeters;
 - ii) Inside diameter: according to outside diameter of pipes;
 - iii) Size of diameter of bolt circle: 183 mm;
 - iv) Flange slots of 6 holes of 22 mm diameter equidistantly placed on the bolt diameter;
 - v) Flange width: 20 mm;
 - vi) Bolts and nuts: 6 of 20 mm diameter and length;
 - vii) The flange must be designed for pipes with a maximum inside diameter of 125 mm and must be in flat stainless steel or other equivalent material. The flange and ring must be of oil-proof material, and calculated to withstand a pressure of 6 kg/cm².

**ARTICLE 48
(Classification)**

The oil mixtures to be received by the receiving installations in accordance with the type of waste must have the following different classifications:

- a) Category A: Mixtures contaminated with crude petroleum;
 - b) Category B: Mixtures contaminated with petroleum derivatives;
 - c) Category C: Mixtures contaminated with sewer water from the engine room and liquids from treatment and separation of fuels and lubricants.
2. The products received are classified into three categories, namely, those destined for:
- a) Temporary reception;
 - b) Pre-treatment installations;
 - c) Full treatment installations.
3. The Environmental Authorities shall define the due environmental technical and safety requirements for these three categories.

**ARTICLE 49
(Capacity of Receiving Installation)**

- 1. Receiving installations for oil mixture must have the minimum storage capacity determined by the Environmental Authority in collaboration with the Maritime Authority, to permit the ship or vessel to avoid unnecessary delays.
- 2. The receiving installation for oil residue and mixtures contaminated with hydrocarbons must have the following minimum storage capacity:
 - a) For Category A and B installations, the capacity must be adequate for the ocean traffic which the installations serve;

- b) For Category C installations, the storage capacity must be assessed in relation to the traffic of ships and in no case whatsoever, must they be less than five cubic meters for each ship likely to receive the mixture over a period of twenty four hours.

ARTICLE 50
(Waste Waters Control)

After conclusion of the processing of hydrocarbon mixture, the produced water must comply with the prevailing laws on quality of residual waters and oil content thereof.

ARTICLE 51
(Receipt for Reception of Oil Mixtures)

Receiving installations must provide ships, vessels or platforms with a receipt containing the quantity and type of mixture received.

ARTICLE 52
(Records of Receiving Installations)

1. Receiving installations for hydrocarbon mixtures must keep an Oil Record Book with all information on the service provided, indicating the name of the ship and respective data such as, IMO, flag, date of operation, type and quantity of waste removed.
2. The Oil Record Book shall be approved by the Environmental Authority in collaboration with the Maritime Authority.

ARTICLE 53
(Activities Report of Receiving Installations)

Those persons in-charge of Receiving Installations must submit to the Environmental Authority in collaboration with the Maritime Authority, quarterly reports on all services provided to ships, vessels, as well as a list containing the operations records on the data cited in Article 57 of this Regulation.

ARTICLE 54
(Inspections on Receiving Installations)

Hydrocarbon/oil receiving installations must be inspected by the Environmental Authority jointly with other recommended authorities, to ensure a proper and safe working environment and strict compliance with technical requirements.

ARTICLE 55
(Waste contaminated on board and delivered to Unauthorized Entities)

In ports where there are no receiving installations for hydrocarbons or services to attend to the operational needs of ships or vessels, waste must be kept aboard for subsequent delivery at the next port of call having the capacity, and any dumping into the sea or delivery to unauthorized agents shall be strictly prohibited, in which case such act shall be equivalent to illegal dumping into the ocean and shall be treated similar manner.

CHAPTER III
Prevention of Water Pollution by Liquid Noxious Substances transported in Bulk

ARTICLE 56
(Scope of Application)

1. The matters regulated in this Chapter are applicable to:
 - a) Chemical tanker-ships and gas carriers bearing the national flag;
 - b) Chemical tanker-ships and gas carriers bearing a foreign flag;
 - c) Any ship or vessel carrying liquid noxious substances contained in Appendix 2 or 3 of Annex II of the MARPOL 73/78 Convention.
2. Where a chemical tanker-ship or vessel carries a load subject to the provisions of Annex I of the MARPOL 73/78 Convention it shall also be subject to the prescriptions of the Convention and Part 2 of this Regulation.

ARTICLE 57
(Inspections)

In case of doubt and in order to avoid water contamination, the Environmental Authority and other competent entities must carry out inspections to verify the functioning state of equipment installed in ships or vessels.

ARTICLE 58
(Certification of Chemical Tanker-Ships)

1. All chemical tanker-ships must have Pollution Prevention and Safety Certificate required within the scope of the IMO International Regulation, regulation of the Country of registration, and the requirements of the Classification Society.
2. The Environmental Authority, in collaboration with the Maritime Authority, must verify that all documents and certificates are in order and up-to-date.

ARTICLE 59
(Certification of Gas Tanker/Carriers)

1. All gas tanker/carriers must have the Pollution Prevention and Safety Certificate required within the scope of the IMO International Regulation, regulation of the Country of registration, and the requirements of the Classification Society.
2. The Environmental Authority, in collaboration with the Maritime Authority, must verify that all documents and certificates are in order and up-to-date.

ARTICLE 60
(Duration and Validity of Certificates)

The international certificated stipulated in this Regulation shall have a validity period of five years subject to annual renewal, and shall become null and void for the following reasons:

- a) When a ship or vessel becomes damaged and, due to the characteristics and consequences thereof, shall involve the loss of the conditions which had led to the extension of the certificate;

- b) When a ship or vessel fails to undergo, within the established period, the annual inspections for validation and renewal of the respective certificates.
- c) When a ship or vessel undergoes alterations and modifications which affect the construction, equipment, systems, parts and structural arrangements without prior authorization of the respective Maritime Authority.

**ARTICLE 61
(Discharge Regime)**

Without prejudice to the provisions of Rule No. 6 of Annex II of the MARPOL 73/78 Convention, and upon failure to comply with the requirements established in Rule 5, of Annex II of the MARPOL 73/78 Convention, the discharge of any contaminating product is prohibited in waters under national jurisdiction.

**ARTICLE 62
(Garbage Record Book)**

1. Each ship carrying noxious liquid substances in bulk must keep a Garbage Record Book as stipulated in Appendix 4 of Annex II of the MARPOL73 and 78 Convention.
2. The Garbage Record Book must contain a description of all operations carried out with the harmful liquid substances, tank-by-tank, regarding:
 - a) Garbage carried;
 - b) Internal transfer of garbage;
 - c) Discharge of garbage;
 - d) Cleaning of garbage tank;
 - e) Ballasting of garbage tank;
 - f) De-ballasting of garbage tank;
 - g) Delivery of waste to receiving installations;
 - h) Dumping of waste into the sea, under the terms of Article 5 of Annex II of the MARPOL 73/78 Convention.
3. The annotations in the Garbage Record Book must be signed by the officer or officers-in-charge of the operation and signed by the ship's captain.

**ARTICLE 63
(Recording of Discharge)**

In the event of intentional or accidental discharge of any noxious liquid substance or mixture thereof, a record must be made in the Garbage Record Book, explaining the circumstances and causes of the occurrence.

**ARTICLE 64
(Receiving Installations)**

Terminal operators and consignees of chemical cargo for which Annex II of the 73/78 MARPOL Convention requires the cleaning of chemical-tanker ships carrying Category A, B, and C chemical products must have a cleaning waste receiving installation approved by the Environmental Authority in collaboration with the Maritime Authority.

ARTICLE 65
(Procedures and Arrangements Manual)

Ships and vessels carrying noxious liquid substances in bulk must have a Procedures and Arrangements Manual aimed at specifying detailed procedures to be followed in all operations relating to garbage handling, cleaning of tanks, treatment of waste and ballasting, in conformity with the Regulation in Annex II of the MARPOL 73/78 Convention.

CHAPTER IV
Pollution Prevention through Sanitary Sewers in Ships, Vessels and Platforms

ARTICLE 66
(Scope of Application)

The matters regulated in this Chapter are applicable to:

- a) Ships, vessels and platforms with a gross tonnage exceeding 200 tons;
- b) New ships, vessels and platforms of less than 200 tons and certified to transport more than 10 persons;
- c) New ships, vessels and platforms without a calculated gross tonnage and certified to carry more than 10 persons.

ARTICLE 67
(Duration and Validity of Certificate)

1. Any ship, vessel or platform which is conformant with the requirements established in Annex IV of the MARPOL 73/78 Convention must hold an International Certificate for Pollution Prevention through Sanitary Sewer, in accordance with the Model contained in Annex IV of the MARPOL 73/78 Convention. The Certificate must be presented to the Environmental Authority in collaboration with the Maritime Authority and other entities upon request by the inspectors.
2. The International Certificate for Pollution Prevention through Sanitary Sewer ceases to be valid upon the occurrence of damage or unapproved modification to the equipment used for treating water from sanitary sewers and which affects the conditions that led to the issuance of the Certificate.

ARTICLE 68
(Discharge Regime)

1. Ships, vessels and platforms are prohibited from discharging waste water from sewers, with the exception of:
 - a) Discharges carried out at a distance of over 4 nautical miles from the nearest coastline, if the wastewater had been previously triturated and disinfected;
 - b)) Discharges carried out at a distance of over 12 nautical miles from the nearest coastline, if the wastewater had not been previously triturated and disinfected
 - c) Ships, vessels or platforms having a wastewater treatment system in conformity with the provisions of Rule No.3 of Annex IV of the MARPOL 73/78 Convention.

2. All discharge valves for untreated wastewater for discharge into the ocean must be kept closed and locked in all ships, vessels, and platforms found in areas where discharge operations are prohibited.

ARTICLE 69
(Storage of Wastewater in Tanks)

1. All ships, vessels and platforms must have a tank for the storage of sewage waters.
2. During their stay in port, ships vessels and platforms which do not have such reservoirs must use installations provided by the Port, except for the provisions of subparagraph c) of Article 68.
3. Sewage water stored in tanks must not be discharged instantaneously but discharged at a moderate rate by proceeding on route at a minimum speed of not less than 4 knots and at a distance exceeding 4 nautical miles from the coast.

ARTICLE 70
(Discharge into Inland Waters)

All ships, vessels and platforms are prohibited from discharging sewage water into inland waters. The wastewater must be kept aboard and transferred to receiving installations appropriate for this purpose.

ARTICLE 71
(Receiving Installations for Sewage Water)

The discharge of sewage water from tanks in ports and ocean terminals must be carried out by duly authorized operators and under treatment conditions approved by the Environmental Authority.

ARTICLE 72
(Universal Connections for Discharge of Sewage Water)

Each ship, vessel and platform must have a universal connection for the discharge of sewage water into the receiving installations, the characteristics of which are stipulated in Article 11 of Annex IV of the MARPOL 73/78 Convention.

CHAPTER V
Prevention of Pollution by Garbage

ARTICLE 73
(Scope of Application)

The matters regulated in this Chapter are applicable to all ships, vessels and platforms bearing the national or foreign flag, irrespective of their area of navigation, services provided or operations to be carried out.

ARTICLE 74
(Equipment for Collection, Storage and Disposal of Garbage)

Ships, vessels and platforms with a gross tonnage of 400 tons or more, or those authorized to carry 15 or more persons, must be equipped with the necessary means for the collection, storage and disposal of garbage.

ARTICLE 75
(Discharge Regime)

1. Discharge of any type of garbage and plastic materials, synthetic fibre fishing nets, plastic garbage bags and, generally, all plastic materials is prohibited into inland waters and waters under the jurisdiction of the Republic of Angola.
2. The discharge of any type of garbage in coastal waters is strictly prohibited, particularly in ports and ocean terminals, in conformity with the provisions of Regulation 9 of Annex 5 of the MARPOL 73/78 Convention.

ARTICLE 76
(Retention of Garbage Aboard)

Ships, vessels and platforms which are not compliant with the provisions of the preceding Article must keep aboard all garbage in tanks suitable for the purpose, so that it can be discharged into receiving installations in ports and subsequently incinerated.

ARTICLE 77
(Declaration of Garbage)

1. Captains of ships and vessels must, upon arrival at Angolan ports or ocean terminals, present to the Port Authorities, a Declaration of Garbage containing the quantity and type of garbage stored aboard.
2. The Environmental Authority may, taking into account the provisions of the preceding paragraph, order the ship, vessel or platform to discharge garbage stored aboard into a receiving installation for the purpose.

ARTICLE 78
(Record of Operations)

All ships, vessels and platforms with a gross tonnage exceeding 400 tons and found in Angolan territorial waters must have a Garbage Management Plan approved by the Maritime Authority of the country of registration of the vessel. This Plan must include a Garbage Record Book containing all garbage discharge and incineration operations, as stipulated in the Appendix of Annex 5 of the MARPOL 73/78 Convention, and which must be presented upon request of the Environmental Authority Inspectors.

ARTICLE 79
(Receiving Installations)

1. The discharge of garbage in national ports and ocean terminals must be made in receiving installations compliant with the norms issued by the competent entity.
2. The delivery of any type of garbage originating from ships, vessels or platforms to unauthorized operators constitutes a violation equivalent to the voluntary dumping of garbage into port waters.

ARTICLE 80
(Garbage Disposal)

In cases where garbage is permitted to be released into the sea it must be compacted and packaged with a weight that enables it to sink to the bottom of the

sea without emerging to the surface. The discharge of packaged garbage into the sea must be carried out in deep waters of 50 meters or more.

CHAPTER VI
Prevention of Intentional Discharge of any type of Garbage, Waste and other Materials into the Sea

ARTICLE 81
(Scope of Application)

1. The matters regulated in this Chapter are applicable to:
National or foreign ships, vessels and aircraft carrying garbage, waste and other materials to be dumped into waters under the national jurisdiction or on the high seas.
2. The following are exempt from the provisions of the preceding paragraph:
Fixed or floating petroleum platforms, drilling rigs, drilling ships or other structured petroleum installations located in waters under national jurisdiction, which shall be governed by Executive Decree No. 12/05 of 12 January.

ARTICLE 82
(Prohibition of Discharge)

1. The discharge of all and any type of waste or other substances in any form or condition listed below is prohibited:
 - a) Organic compounds likely to create various substances in the marine environment, with the exception of the non-toxic ones or those capable of being rapidly transformed into biologically inoffensive substances;
 - b) Silicon organic compounds which can form substances in the marine environment, except non-toxic ones or those capable of being rapidly transformed into biologically inoffensive substances;
 - c) Substances defined by international standards as being carcinogenic;
 - d) Mercury and compounds thereof;
 - e) Cadmium and compounds thereof;
 - f) Persistent plastics and other persistent synthetic materials such as tyres, nets and cords likely to float or remain suspended in the ocean and create serious obstacles to fishing, navigation, recreational areas and other legitimate uses of the sea;
 - g) Crude oil, fuel oil, heavy diesel oil and lubricating oils, hydraulic fluids and mixtures containing these hydrocarbons;
 - h) Waste and other radioactive materials;
 - i) Any form of materials (e.g., solids, liquids, pastes, gases or living organisms) produced for experimentation or used as a chemical or biological weapon.
2. The content of this provision shall not apply to substances that rapidly transform themselves in the seas into inoffensive substances through physical, chemical or biological agents, provided that they:
 - a) Do not affect the flavor of edible marine organisms;

- b) Are not harmful to the life of humans and domestic animals.

ARTICLE 83
(Other Prohibited Discharges)

1. Unless otherwise authorized by the Environmental Authority in collaboration with the other involved bodies, the discharge of the following substances into waters under jurisdiction of the Republic of Angola is prohibited:
 - a) Waste containing significant quantities of the following components:
 - b) Arsenic and compounds thereof;
 - c) Lead and compounds thereof;
 - d) Copper and its compounds;
 - e) Zinc and its compounds;
 - f) Cyanide and its compounds;
 - g) Fluorine and compounds thereof;
 - h) Pesticides and by-products thereof not covered under the preceding Article.
2. Containers, scrap, bituminous substances, boats, and other voluminous waste likely to seriously harm fishing activity or navigation.
3. In the event of loss of waste containing significant quantities or acid and alkaline substances, the Environmental Authority, must take into account the possible presence of all waste of the substances cited in paragraph 1 of this Article and the following additional substances:
 - a) Beryl and its compounds;
 - b) Chromium and its compounds;
 - c) Nickel and its compounds;
 - d) Vanadium and compounds thereof.

ARTICLE 84
(License for Discharge of Waste and Other Materials)

The commencement of activities to discharge waste or materials not included in Article 83 of this Regulation shall require prior licensing from the Environmental Authority in collaboration with other bodies involved.

ARTICLE 85
(Discharge Conditions)

Discharge duly authorized by the Environmental Authority in collaboration with other bodies involved may be carried out under the following conditions:

- a) At a depth of not less than 2000 meters;
- b) At a distance from the nearest coast of not less than 100 nautical miles.

ARTICLE 86
(Criteria for Discharge of Waste and Other Materials)

The Environmental Authority in collaboration with the Maritime Authority must adopt, case-by-case, and in conformity with international standards, particularly

environmental norms, the technical criteria for granting approvals to immerse waste and other materials in waters under jurisdiction of the Republic of Angola.

ARTICLE 87
(Conformity with License)

All ships, vessels and other structures authorized to discharge waste must comply strictly with the content of the Waste Discharge Approval and License, namely regarding the place and conditions of action. Non-compliance with the norms of approval shall be subject to civil and criminal liability.

CHAPTER VII
**Aquatic Pollution Prevention and Combat Measures when Loading, Unloading,
and Moving Hydrocarbons**

ARTICLE 88
(Scope of Application)

The provisions of this Chapter are applicable to singular and collective persons, including those dedicated to the supply of fuel to ships in ports or in waters found in areas under jurisdiction of the Republic of Angola, and carried out in operations both through fixed and mobile or floating means.

ARTICLE 89
(Approval of the Environmental Authority)

1. The modalities for operating ocean terminal installations and their piping and tubing systems for substances likely to pollute waters must be approved by the Environmental Authority in coordination with the Maritime Authority, who shall determine the requirements and procedures for execution thereof.
2. The Environmental Authority and Maritime Authority must inspect and test ocean terminals before they are put into operation.
3. Subsequent to satisfactory inspections and testing of the installations, the Environmental Authority approves and issues an "Ocean Terminal Safety Operating Certificate".

ARTICLE 90
(Frequency of Inspections)

1. Inspections on ocean terminals shall be carried out every 12 months to determine the safety of their operations.
2. Underwater inspections of submersed pipes shall be performed at least every 24 months.

ARTICLE 91
(Expiry of Safety Certificate)

The Ocean Terminal Safety Operating Certificate shall be revoked for the following reasons:

- a) If, by virtue of an inspection performed under the preceding Article, the ocean terminal is found to be nonconforming with the safety standards established by the Environmental Authority;

- b) In the event of an accident which affects the ocean terminal installations or its operations.

ARTICLE 92
(Pollution Control and Prevention Resources)

All installations cited in Article 9 must have sufficient tools, their own or hired, to prevent and combat pollution, in conformity with the provisions of this Decree.

ARTICLE 93
(Emergency Plan for Accidental Marine Pollution)

All singular or collective persons cited in Article 9 must prepare an Accidental Marine Pollution Emergency Plan. This Plan must describe the pollution control and prevention methods and tools available throughout the terminal and the loading and unloading points, to be approved by the Environmental Authority in collaboration with the Maritime Authority.

ARTICLE 94
(Pollution Combat and Prevention Means in Port Installations, Docks and Pontoons)

1. Marine Pollution Emergency Plans must include pollution control and prevention means, equipment and systems under the terms of the following subparagraph:
 - a) Contention barriers with the appropriate characteristics and length available for use in the shortest possible time.
 - b) Appropriate systems for mechanical collection of hydrocarbons, located in a manner that permits rapid availability in case of spills so as to avoid their spreading to other others;
 - c) Appropriate auxiliary service vessels available at the barriers and to support the mechanical recovery of the spilt product. The vessels must be ready for use within a reasonable time, in case of spill.
 - d) An efficient communication system must be put in place between the ship or vessel and the ocean terminal, to permit immediate stoppage of operations in case of emergency;
 - e) Hoses and all connections must be in good condition and must have a fast-coupling system for emergency situations.
2. The number of support boats, equipment and emergency means must be determined in accordance the characteristics of the ocean terminal, quantity of products loaded or unloaded, number of simultaneous operations and other factors.

ARTICLE 95
(Pollution Control and Prevention Means for Buoy Fields)

1. Marine Pollution Emergency Plans for buoy fields must include the means, materials and systems to prevent and control pollution under the terms of the following subparagraphs:
 - a) Contention barriers for use in unprotected maritime areas should not in any way be less double the length of the largest ship likely to operate in the terminal. This system must be immediately available and ready for use in a

- location close to the tow or support boat used to rapidly place barriers for containment of the spill;
- b) Adequate systems for mechanical collection of hydrocarbons must be located in a manner that permits their rapid availability in case of spill, to avoid spreading to other areas;
 - c) Tow boats and auxiliary service boats for placing the barriers and supporting mechanical recovery of the spilt product.

The boats must be ready for use within the shortest possible time, in case of spill; and

- d) There must be an efficient communication system between the ship or vessel and the ocean terminal, to permit immediate stoppage of operations in case of emergency;
- e) Hoses and all connections must be in good condition and must have a fast-coupling system for emergency situations.

2. The number of support boats, equipment and emergency means must be determined in accordance with the characteristics of the ocean terminal, quantity of products loaded or unloaded, number of simultaneous operations and other factors.

ARTICLE 96
(Supervisory Measures in Operations)

Whenever the management of an ocean terminal or buoy field has doubts regarding the operativeness of a ship, or when the technical capacity of its crew so require, the Environmental Authority in coordination with the Maritime Authority may inspect the ship in question to verify deficiencies of a technical or human nature.

CHAPTER VIII
Pollution Control and Prevention Measures in Fuel Supply of Ships

ARTICLE 97
(Pollution Control Means in Fuel Refueling Operations)

In supply operations for fuel and lubricants in bulk to ships or vessels, whether along quay or in rings, on wheels, bays, or other locations under the jurisdiction of the Republic of Angola, fuel supplier companies must provide appropriate equipment for the contention and collection of eventual spills.

ARTICLE 98
(Presentation of the Marine Pollution Combat and Prevention Emergency Plan)

Fuel and lubricants supplier companies must present a Marine Pollution Combat and Prevention Emergency Plan to the Environmental Authority for its approval,

ARTICLE 99
(Pollution Control Means when supplying Diesel)

When supplying diesel, supplier companies must make available adequate means such as absorbent materials in the form of barriers, and other absorbent materials in the quantities necessary for intervention in case of spills, to minimize and remedy eventual environmental damage.

CHAPTER IX
Regulation on Air Pollution Prevention by Ships, Vessels and Platforms

ARTICLE 100
(Scope of Application)

The matter regulated in this Chapter shall not be applicable to the following cases:

- a) Any emission from a ship, vessel or platform required to guarantee the safety thereof or to save human lives at sea;
- b) Any emission resulting from accidental breakdown of a ship, vessel and platform provided all reasonable precautionary measures had been taken after the occurrence of the breakdown or emission and in an attempt to minimize the impact.

ARTICLE 101
(Certificates)

1. All ships, vessels and platforms of gross tonnage exceeding 400 tons and operating or navigating in the waters of the Republic of Angola must be in possession of an Air Pollution Prevention Certificate.
2. Ships and vessels with a gross tonnage of less than 400 tons must similarly take special measures aimed at guaranteeing minimum compliance with international rules established in conventions of the International Maritime Organization.
3. The Certificate has a validity period of five years and is renewable annually. The Certificates must be kept on board and must be presented upon request to the inspectors of the Environmental Authority.
4. The Certificates shall expire for any of the following reasons:
 - a) Failure to carry out inspections within the established periods;
 - b) Where unapproved significant alterations had been made to equipment, systems and components, in accordance with the provisions on the Certificate (IAPP Certificate).

ARTICLE 102
(Inspections)

Environmental Authority Inspectors must certify that the Air Pollution Prevention Certificate and its annexes are in order, as well as verify whether the crew is familiar with the procedures for equipment, so as to avoid air pollution in accordance with Annex VI of the MARPOL 73/78 Convention.

ARTICLE 103
(Substances Harmful to the Ozone Layer)

Any deliberate emission of substances which harm the ozone layer is strictly prohibited. During the course of maintenance or repair works to refrigeration equipment and systems and air-conditioners, all precaution must be taken to avoid leaks and emission of substances which contribute to reduction of the ozone layer.

Installations for refrigeration systems, air-conditions or other equipment which use substances that damage the ozone layer shall be prohibited.

**ARTICLE 104
(Nitrogen Oxide)**

1. This Regulation is applicable to:
 - a) All diesel engines with a power exceeding 130 Kw, installed in a ship, vessel or platform constructed on or after 1 January 2000;
 - b) All diesel engines with a power exceeding 130 Kw, installed in a ship, vessel or platform subjected to reconstruction on or after 1 January 2000.
2. This Regulation is not applicable to: Emergency diesel engines, engines installed in lifeboats and any device used in emergency equipment.
3. The limits of nitrogen oxide of diesel engines must be compliant with the provisions of Regulation No. 13.3 of Annex VI of the MARPOL 73/78 Convention.
4. Diesel engines operated on board ships must be installed with a gas exhaust system regulated and approved by the O.M.I. to reduce and minimize the emissions cited in paragraph 2 of Regulation No. 13.3 of Annex VI of the MARPOL 73/78 Convention.

**ARTICLE 105
(Sulfur Oxide)**

1. The Environmental Authority must control the sulfur content of fuel used on board ships so that it does not exceed 4.5% m/m, and within ports and inland waters the sulfur content aboard ships must not exceed 1.5% m/m, contrary to which the ship must be fitted with a gas exhaust system regulated and approved according to the criteria and specifications of the international certificates, to avoid atmospheric pollution.
2. The sulfur content of fuel used in the ships described in the preceding paragraph must be indicated by the fuel supplier on the Delivery Note. These fuel Delivery Notes must be kept on board and presented upon request to the Environmental Authority Inspectors in coordination with the competent Maritime Authority.
3. The Fuel Delivery Notes must be kept on board during a period of three years following delivery of the fuel on board. The Environmental Authority in coordination with the Maritime Authority must also verify the authenticity of Fuel Delivery Notes.
4. Fuel Delivery Notes must be accompanied by a sample representative of the fuel supplied. The sample must be sealed and signed by the supplier company. The samples must remain on board until the fuel is totally consumed but, in any case, the period shall not be less than 12 months starting from the date the fuel had been supplied.
5. The Environmental Authority in coordination with other competent entities must control fuel supplier companies operating in Angola to ensure they regularly supply Delivery Notes and the sealed sample of fuel supplied on board in accordance with the Regulations of Annex VI of the MARPOL 73/78 Convention.
6. All ships or vessels must display in the main engine rooms, the process of fuel change from 4.5% m/m to 1.5% m/m of sulfur which must be used in ports and inland waters. This procedure must be the responsibility of the crew operating in the engine rooms.

7. Fuel change operations in ports and inland waters must be recorded in the Daily Fuels Logbook.

ARTICLE 106
(Incinerators on board Ships, Vessels and Platforms)

1. Incinerators installed on board ships, vessels and platforms after 1 January 2000 must meet the requirements of Appendix IV of Annex IV of the MARPOL 73/78 Convention;
2. Incineration of the following substances shall be prohibited:
 - a) Cargo residues in conformity with Annexes I, II and III of the MARPOL 73/78 Convention and packages contaminated with these residues;
 - b) Polychlorinated Biphenyls;
 - c) Waste defined in Annex V of the MARPOL 73/78 Convention and containing traces of heavy metals;
 - d) Refined petroleum products containing halogenated compounds.
3. Incineration in main or ancillary boilers of any waste is strictly prohibited in bays, ports and ocean terminals.
4. The incineration on board of compound products of polyvinyl chloride (PVC) is prohibited, except when carried out in incinerators approved by the Regulation of the International Maritime Organization. The operational certification of the incinerator and the Manual must be kept on board.
5. Personnel operating the incinerators must be trained for the purpose in accordance with the Manufacturer's Instruction and Pollution Prevention and Safety Standards.

The President of the Republic, José Eduardo dos Santos