

Regulation 2

1. The appropriate national authority referred to in Paragraph 2 of Article 9 of the present Convention shall:

- a) issue special permits provided for in Regulation 1 of this Annex;
- b) keep records of the nature and quantities of matter permitted to be dumped and the location, time and method of dumping;
- c) collect available information concerning the nature and quantities of matter that has been dumped in the Baltic Sea Area recently and up to the coming into force of the present Convention, provided that the dumped matter in question could be liable to contaminate water or organisms in the Baltic Sea Area, to be caught by fishing equipment, or otherwise to give rise to harm, and the location, time and method of such dumping.

2. The appropriate national authority shall issue special permits in accordance with Regulation 1 of this Annex in respect of matter intended for dumping in the Baltic Sea Area:

- a) loaded in its territory;
- b) loaded by a vessel or aircraft registered in its territory or flying its flag, when the loading occurs in the territory of a State not Party to the present Convention.

3. When issuing permits under Sub-Paragraph 1 a) above, the appropriate national authority shall comply with Regulation 3 of this Annex, together with such additional criteria, measures and requirements as they may consider relevant.

4. Each Contracting Party shall report to the Commission, and where appropriate to other Contracting Parties, the information specified in Sub-Paragraph 1 c) of Regulation 2 of this Annex. The procedure to be followed and the nature of such reports shall be determined by the Commission.

Regulation 3

When issuing special permits according to Regulation 1 of this Annex the appropriate national authority shall take into account:

1. Quantity of dredged spoils to be dumped.
2. The content of the matter referred to in Annexes I and II of the present Convention.
3. Location (e. g. co-ordinates of the dumping area, depth and distance from coast) and its relation to areas of special interest (e.g. amenity areas, spawning, nursery and fishing areas, etc.).

4. Water characteristics, if dumping is carried out outside the territorial sea, consisting of:

- a) hydrographic properties (e. g. temperature, salinity, density, profile);
- b) chemical properties (e. g. pH, dissolved oxygen, nutrients);
- c) biological properties (e. g. primary production and benthic animals).

The data should include sufficient information on the annual mean levels and the seasonal variation of the properties mentioned in this Paragraph.

5. The existence and effects of other dumping which may have been carried out in the dumping area.

Regulation 4

Reports made in accordance with Paragraph 5 of Article 9 of the present Convention shall include the following information:

1. Location of dumping, characteristics of dumped material, and counter measures taken:

- a) location (e. g. co-ordinates of the accidental dumping site, depth and distance from the coast);

b) method of deposit;

c) quantity and composition of dumped matter as well as its physical (a. g. solubility and density), chemical and biochemical (e. g. oxygen demand, nutrients), and biological properties (e. g. presence of viruses, bacteria, yeasts, parasites);

d) toxicity;

e) content of the substances referred to in Annexes I and II of the present Convention;

f) dispersal characteristics (e. g. effects of currents and wind, and horizontal transport and vertical mixing);

g) water characteristics (e. g. temperature, pH, redox conditions, salinity and stratification);

h) bottom characteristics (e.g. topography, geological characteristics and redox conditions);

i) counter measures taken and follow-up operations carried out or planned.

2. General considerations and conditions:

a) possible effects on amenities (e. g. floating or stranded material, turbidity, objectionable odour, discolouration and foaming);

b) possible effect on marine life, fish and shellfish culture, fish stocks and fisheries, seaweed harvesting and cultures; and

c) possible effects on other uses of the sea (e. g. impairment of water quality for industrial use, underwater corrosion of structures, interference with ship operations from floating materials, interference with fishing or navigation and protection of areas of special importance for scientific or conservation purposes).

ANNEX VI

CO-OPERATION IN COMBATTING MARINE POLLUTION

Regulation 1

For the purposes of this Annex:

1. "Ship" means a vessel of any type whatsoever operating in the marine environment and includes hydrofoil boats, air-cushion vehicles, submersibles, floating craft and fixed or floating platforms.

2. "Administration" means the Government of the State under whose authority the ship is operating. With respect to a ship entitled to fly a flag of any State, the Administration is the Government of that State. With respect to fixed or floating platforms engaged in exploration and exploitation of the sea-bed and subsoil thereof adjacent to the coast over which the coastal State exercises sovereign rights for the purposes of exploration and exploitation of their natural resources, the Administration is the Government of the coastal State concerned.

3. a) "Discharge", in relation to harmful substances or effluents containing such substances, means any release whatsoever caused from a ship and includes any escape, disposal, spilling, leaking, pumping, emitting or emptying.

b) "Discharge" does not include:

(i) dumping within the meaning of the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter done at London on 29 December 1972; or

(ii) release of harmful substances directly arising from the exploration, exploitation and associated off-shore processing of sea-bed mineral resources; or

(iii) release of harmful substances for purposes of legitimate scientific research into pollution abatement or control.