

Decree of the Minister of the Merchant Marine, 26 February 1993

In view of article 2 of the Navigation Code,

In view of article 256 of the regulation for the safety of navigation and human life at sea, approved by DPR No. 438 of 8 November 1991,

In view of regulation V/8 of the International Convention for the Safety of Life at Sea, approved at London on 1 September 1974, made executory in Italy by Act No. 313 of 23 May 1980, as amended,

In view of the Protocol relating to the International Convention for the Prevention of Pollution from Ships and to intervention on the high seas in cases of pollution by substances other than oil, done at London on 17 February 1978 and ratified by Act No. 438 of 4 June 1982,

In view of resolution MEPC 49(31), adopted at London on 4 July 1991,

In view of resolution A 670(16), adopted at London on 19 October 1989,

Considering that the zone of the Bouches de Bonifacio has a high density of merchant, fishing and pleasure traffic, with consequent difficulties in manoeuvring in narrow waters,

Taking account of the need to adopt, as part of the cooperation between Italy and France, urgent measures capable of avoiding the risk of maritime accidents in the Bouches de Bonifacio which involve ships carrying oil, gas, chemical products or other substances capable of polluting the sea or the coast,

Considering the need to protect the archipelago of La Maddalena, set aside as a marine reserve by article 36 of Act No. 394 of 6 December 1991,

Considering that in order to regulate the movement of foreign ships in the Bouches de Bonifacio, it is necessary to make use of the procedures provided for by chapter V of the SOLAS Convention 74(83),

In view of the exchange of notes between the Italian and French Governments,

Considering the need to regulate, with immediate effect, the transit of ships flying the Italian flag in the Bouches de Bonifacio,
DECREES:

Article 1

Navigation in the Bouches de Bonifacio is prohibited to ships flying the Italian flag which are tankers, gas transporters or chemical transporters and which have on board a cargo of oil, chemical products or other polluting substances dangerous and harmful to the marine environment, as they are defined by the international conventions in force in Italy.

Article 2

Violators shall be subject to the sanctions provided for by article 124 of the Navigation Code.

Article 3

1. The execution of this decree shall be entrusted to the maritime authority competent for the territory.
2. This decree shall take effect on the thirtieth day following the date of its publication in the Official Gazette.