**MINISTRY OF TRANSPORT,
INFORMATION TECHNOLOGY AND COMMUNICATIONS
 EXECUTIVE AGENCY “MARITIME ADMINISTRATION”**

**ORDER № 117**

Sofia, 01 December 2015

Implementing the amendments to Annex V to the International Convention for the Protection of the Sea against Pollution from Ships (MARPOL 73/78) adopted by Resolution MEPC.201(62) and Resolution MEPC.246(66) and in particular changing the categorization of waste, the conditions for discharge of waste at sea, the supply to ships of the new form of Garbage Record Book and the drawing up of a Garbage Management Plan, as well as determining the duties of ship crews, shipowners and employees of the Executive Agency Maritime Administration on the basis of Article 362 of the Merchant Shipping Code, as amended and supplemented, in application of Article 10(1)(5) of the Rules of Procedure of the Executive Agency Maritime Administration;

**ORDER:**

1. Area of application
	1. This order concerns:
* all ships flying the Bulgarian flag, fixed or mobile drilling, extraction and processing platforms;
* all shipowners of ships flying the Bulgarian flag;
* all crew members of ships flying the Bulgarian flag;
* all employees in the “Survey, Certification and Registration of Ships and Shipowners” Department at the Maritime Administration Directorates — Burgas and Varna;
* all officers carrying out port state control and state environmental control at the Maritime Administration Directorates — Burgas and Varna;
* all ships flying a foreign flag when located in the sea spaces and ports of the Republic of Bulgaria.
	1. This Order does not apply to military and border police vessels.

*2. General obligations:*

* 1. The discharge from ships of any waste into the world’s oceans shall be prohibited.

An exemption from the discard ban may be made subject to the provisions of Regulations 4, 5, 6 and 7 of Annex 1 (Annex V of MARPOL 73/78).

* 1. The dumping of plastics from ships into the world’s ocean, including but not limited to synthetic ropes, synthetic fishing nets, plastic waste bags and incinerators from plastic products, as well as cooking oils, shall be prohibited,

An exception to the discard ban may be made in the cases provided for in Regulation 7 of Annex 1 (Annex V of MARPOL 73/78). .

* 1. It shall be prohibited to dispose of waste as defined in Annex 1 (Annex V of MARPOL 73/78) into the maritime areas of the Republic of Bulgaria.

An exception to the discard ban may be made in the cases provided for in Regulation 7 of Annex 1 (Annex V L MARPOL, 73/78).

* 1. In case of accidental discharge or entry into the marine environment of Annex V waste in the maritime areas of the Republic of Bulgaria, the master of the ship shall immediately notify the duty officer at the Maritime Rescue and Coordination Centre — Varna.
	2. In order to make it easier for ship crews, shipowners and stakeholders to determine whether a type of waste may be disposed of in a particular area of the sea and under what conditions, they may promptly refer to Annex 2. It should be borne in mind that Annex 2 has only a reference nature.
1. *Obligations of Bulgarian shipowners:*
	1. each shipowner of a vessel covered by Annex 1 (MARPOL Annex V, 73/78) shall supply it with:
* for a vessel of 12 m or more and fixed/movable drilling and extraction platforms with posters with the inscriptions and symbols required by Regulation 10, points 1.1 and 1.2 of Annex 1 and content as recommended in Resolution MEPC.219(53), informing the crew and passengers of the prohibitions and rules on the collection, treatment and disposal of waste. The posters shall be in Bulgarian or in the declared and documented working language of the ship and shall have an English translation.
* for all ships of 100 GT and above and for ships certified to carry more than 15 persons and fixed/mobile drilling, extraction and processing platforms — with a Garbage Management Plan. The waste management plan is prepared in Bulgarian (for ships on local voyages) or in the declared and documented working language of the ship with English translation. The plan shall contain at least the information, measures and persons responsible for its implementation and the structure shall be consistent with that set out in resolutions of the Marine Environment Protection Committee of the International Maritime Organization (IMO) 202(63).
* for all ships of 400 GT and above and for ships certified to carry 15 or more persons, by means of a Garbage Record book (logbook) in the format of Annex 5. The logbook shall be drawn up in Bulgarian or in the declared and documented working language of the ship and in English. The entries shall be made in English for ships from abroad, and for ships not on foreign voyages, in Bulgarian.
	1. no later than 31 January 2013, each shipowner shall:
* verify the waste management plans and, if necessary, adjust existing ones in accordance with Annex 4,
* supply its ships with a Garbage Record Book in the format provided for in Annex No 5,
* supply its ships with posters and symbols containing the information provided for in Resolution MEPC.219 (63) as referred to in Annex 3.
* supply its ships with the new Annex V of MARPOL 73/78 or MARPOL 73/78 Edition 2015 or by Resolution MEPC.201(62) and MEPC.246 (66) and the Bulgarian translation referred to in Annex No 1.
	1. conduct and document training/instruction of ship crew members departing on a trip after 01.01.2013 on the changes and implementation of the new Annex V of MARPOL 73/78.
1. *Obligation of the crews of ships flying the Bulgarian flag*
	1. The master of each Bulgarian ship shall organise and control the collection, treatment, disposal and documentation of all waste operations under Annex V of MARPOL 73/78 in accordance with this Order and the requirements of Annex V of MARPOL 73/78.
	2. Each member of the crew of a Bulgarian ship shall, with regard to the treatment of waste generated on board the ship, apply the measures provided for in the ship’s Garbage Management Plan corresponding to his/her duties.
	3. In case of unintentional/accidental or deliberate (for the protection of human life) dumping of waste into the sea, the master shall immediately notify the shipowner and the Maritime Rescue Coordination Center — Varna.
2. *Obligations of officers in the ‘Survey, certification and registration of ships and shipowners’ department*

When carrying out an annual, intermediate or renewal survey for certification of ship documents or when carrying out an inspection in accordance with the procedure of the Administration of the flag of Bulgarian ships, officers shall check:

* the existence of a ship’s waste management plan, compliance with its content of Annex 4 and compliance with the conditions of the particular ship,
* the presence of posters and symbols affixed in the appropriate positions of the vessel, but not less than: — 1 piece around disembarkation/boarding traps, stern, in each cabin /socket, waste collection and treatment sites,
* the existence of the new form of the Garbage Record Book, its proper keeping and the documents certifying the delivery of the waste,
* the knowledge of the responsible persons of the crew’s machinery and deck crew for the collection, treatment and disposal of the waste and knowledge of the Garbage Management Plan of the particular ship.
1. *Obligations of inspectors carrying out port state control and state environmental control at the Maritime Administration Directorate — Burgas it Varna*

When carrying out inspections of ships in accordance with State environmental and port control, inspect the ships for the presence of posters and symbols, a ship’s waste management plan drawn up in accordance with Annex 4 (Management in Resolution MERC.220(63)), the Garbage Record Book in accordance with the Annex to Resolution MEPC.201(62) or Annex 5 for Bulgarian ships, as well as its keeping.

In the event of non-compliances with the requirements of Annex V of MARPOL 73/78 and this Order shall apply the provisions of Chapter 18 of the Merchant Shipping Code and Chapter Five of the Law on Maritime Spaces, Inland Waterways and Ports of the Republic of Bulgaria.

1. *Entry into force*

This Order enters into force on 7 December 2015 and replaces Order No 117 of 08.11.2013. The Directors of the Maritime Administration Directorates Burgas and Varna to bring it to the attention of the shipowners of ships flying the Bulgarian flag, the recognized organizations in accordance with Ordinance  No  4, the ship agents and the maritime educational establishments, and the officers in the departments ‘Survey, certification and registration of ships and shipowners — against signature. The order to be published on the website of the EAMA.

1. *Enforcement control*

I entrust the control of the order to the Secretary General of the Executive Agency Maritime Administration.

**KDP ZHIVKO PETROV,**

*Executive Director*

*Executive Agency “Maritime Administration”*

*Appendix 1*

**Annex V to MARPOL** 73/78 (including amendments)

*Rules for the prevention of pollution by ship-source waste*

*Annex No 2*

SUMMARY

of the restrictions on discharges of waste into the sea
Rules 4, 5 and 6 of MARPOL Annex V

|  |  |  |  |
| --- | --- | --- | --- |
| № | *Type of waste1* | *All vessels except platforms4* | *Fixed or mobile drilling, extraction and handling platforms located more than 12 nautical miles from the nearest coast or ships standing on their side or 500 m away from them* |
| *Outside Special Areas — Rule 4 (Distances are from the nearest coast)* | *In Special Areas — Rule 6 (Distances are from the nearest coast or from the nearest glacial shelf)* |
| 1. | Crushed or crushed food waste. | It may be discarded at a distance of more than 3 nautical miles and as far as possible3 and the ship is underway. | They may be discarded at a distance of more than 12 miles and as far as possible3 and the ship is underway. | Disposal is allowed |
| 2. | Undigested or unbroken food waste | They may be thrown at a distance of more than 12 miles and as far as possible and the ship is underway. | Disposal is prohibited | Disposal is prohibited |
| 3. | Residues of cargo3(b) not contained in washing water | They may be thrown at a distance of more than 12 miles and as far as possible and the ship is underway. | Disposal is prohibited | Disposal is prohibited |
| 4. | Residuesofloads 5'b.contained in washing water | May be discarded at a distance of more than 12 miles and as far as possible and the ship is underway (subject to the provisions of Regulation 6.1.2). |
| 5. | Cleaning agents and additives6, contained in the water from the washing of cargo holds | Disposal is allowed | May be discarded at a distance of more than 12 miles and as far as possible and the ship is underway (subject to the provisions of Regulation 5.1.2). | Disposal is prohibited |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 6. | Detergents and additives6, contained in the washing water of the deck and external surfaces | Discharge is permitted when the vessel is underway | Discharge is permitted when the vessel is underway | Disposal is prohibited |
| 7. | Animal carcases (must be dismembered or otherwise treated to ensure that they sink immediately) | It can be discarded if the ship is underway and as far away from the nearest coast as possible. It must be more than 100 nautical miles and maximum water depth. | Disposal is prohibited | Disposal is prohibited. |
| 8. | All other ship waste, including plastics, the syntheticthe ropes, fishingaccessories, plastic garbage bags, incinerator ash, cooking fat, floating auxiliary and bedding materials, linings and packaging materials, the paper,rags, glass, metal, bottles, clay containers and similar waste | Disposal is prohibited | Disposal is prohibited | Disposal is prohibited |

/1— where the waste is mixed with or contaminated by other harmful substances which are prohibited from disposal or have different requirements for

discharge, stricter discharge rules apply

/2— crushed or ground food waste must be able to pass through a sieve with a mesh size of no more than

It’s 25 mm.

/3 — It is prohibited to dispose of imported poultry products into the Antarctic region unless they are burned, treated in an autoclave or

. otherwise processed to be sterile.

/4- The term platforms located at a distance of 12 nautical miles from the nearest coast and serving ships include all attached

or mobile platforms engaged in the exploration or extraction or associated treatment of mineral resources from the seabed and all

ships standing on their side or at a distance of 500 metres from the platforms.

/5 — the term cargo residues means only those cargo residues that cannot be extracted/unloaded when using

 the widespread and available landing methods.

/6- These substances shall not be harmful to the marine environment.

*Annex No 4*

**INSTRUCTIONS FOR
GARBAGE MANAGEMENT** PLAN

When drawing up a Garbage Management Plan (GMP), it shall contain at least the sections given in the instructions below. When preparing the GMP, take into account the recommendations set out in Resolutions MEPC.219(63) and MEPC.220(63) of 2 March 2012 of the Marine Environment Protection Committee of the International Maritime Organisation (IMO), taking into account the conditions of the particular ship and these guidelines.

Each GMP for a specific ship shall take into account at least the following factors: the ship’s area of navigation, the number of crew, the type and volume of waste generated on board, the on-board waste storage facilities and its volume, the presence of an incinerator and the type of waste that can be incinerated in it, the frequency of port calls and the availability of reception facilities for the waste generated on board, and regulate the ship’s processes/activities to protect the sea against pollution by waste under Annex V of the International Convention on the Protection of the Sea against Pollution 73/78 (MARPOL).

1. **INTRODUCTION:**

Summary of the requirements of Annex V of MARPOL Definitions of types of ship waste. Conditions under which certain types of waste may be disposed of in different areas of the sea. Determination of the volumes of estimated quantities of waste per type to be generated in normal operation of the ship.

1. **PREVENTION OF POLLUTION FROM SHIP WASTE:**
	1. To achieve an environmental and cost-effective outcome, planning shall use a combination of complementary waste management techniques such as:

.1. reduce their generation on board;

.2. reuse or recycling;

.3. handling on board;

*4.* discharge into the sea in limited cases, in which case this is permissible;

.5. handover to a port reception facility.

* 1. When requesting goods and supplies on board, shipping companies should encourage their suppliers to remove and/or reduce all packaging, at an early stage before delivery, in order to limit the generation of waste on board ships.
	2. The GMP should set out the procedures for sorting the waste generated by the crew, taking into account the possibility of re-use on board or handing over to appropriate port reception facilities.
	3. Ship waste consists of various components, some of which are regulated in MARPOL Annex V, while others may be regulated at local, national or regional level. Each component of the waste must be assessed separately in order to determine the best way of handling it.
1. **TOTAL CONTENT OF THE WASTE MANAGEMENT PLAN:**
	1. **An appointed person responsible for implementing the plan;**
		1. In accordance with Rule 10.2 of the revised Annex V of MARPOL, the GMP must designate an official responsible for the implementation of the plan and who must ensure the implementation of the GMP by all persons on board.
		2. The ship’s safety management system and the GMP shall require the ship’s crew to assist the designated person in order to ensure that the minimisation, collection, separation and handling of waste is appropriate and effective in all commands of the ship.
	2. **. Waste collection procedures:**
		1. Identification of suitable separate collection vessels — barrels, boxes, bags;
		2. Determination of the location of the vessels and places(s) for collection and separation/sorting of waste.
		3. Description of the process of transporting the waste from the source to the locations(s) for its collection and separation/sorting.
		4. A description of the handling of the waste between its primary collection and sorting sites/stations and its separate storage, as well as other methods of managing the waste relating to the following:
* the need for reception facilities, taking into account possible ways of recycling;
* the treatment and re-use of the waste on board the ship;
* storage;
* discharges into the sea in the limited cases in which this is permitted.
	+ 1. A training programme or knowledge of waste treatment methods to facilitate waste collection and sorting of those that can be reused or recycled.
	1. **. Waste treatment procedures:**
		1. Designation of personnel responsible for operating processing equipment.
		2. Description of the processing equipment available and the types of waste and their capabilities/capacity.
		3. Identification/description of the location of waste treatment equipment and locations/stations;
		4. Identification/description of the categories of waste handled by each of the available equipment;
		5. A description of the intermediate management — between primary treatment plants and those for storage or transhipment/delivery, of waste that can be recycled or reused.
		6. A description of the waste treatment procedures, taking into account the following:
* the need for reception facilities, taking into account available recycling techniques;
* storage;
* discharge at sea in the limited cases in which it is permitted.
	+ 1. Description of training/preparation programmes aimed at facilitating the treatment of waste and material for reuse or recycling.
		2. Preparation of standard procedures for the operation and maintenance of equipment used for waste management. Preparation and availability of instructions at the relevant locations. They may also be part of the ship’s safety management system, but the GMP must have a reference.
	1. **Procedures for storing waste or materials suitable for reuse or recycling.**
		1. The GMP shall specify locations, destination as well as the capacity of available storage volumes/stations of each category of waste or material suitable for re-use or recycling.
		2. Describe the conditions under which waste must be stored, depending on its category, such as: “food — frozen boxes — compacted and stacked”, “paper — compacted and should remain dry”, etc.;
		3. The GMP shall describe how waste is treated, including reusable and recyclable materials, between stations/storage sites and disposal/transmission in terms of the following:
* transfer to reception facilities
* discharge at sea in the limited cases in which it is permitted.
	+ 1. Description of training/preparation programmes aimed at awareness of how waste is stored and options for reuse and recycling of parts of the waste stream.
	1. **Waste disposal procedures.**

The GMP shall describe the ship’s implementation procedures to ensure and can demonstrate compliance of the activity with the requirements of the revised Annex V of Marpol for the disposal of ship’s waste.

1. **PREPARATION, IMPLEMENTATION AND UPDATE:**

The ship’s waste management plan shall be drawn up by the shipowners of the ship concerned, checked and validated by the relevant Maritime Administration Directorate.

The plan shall be implemented through the safety management system and the protection of the marine environment against pollution (part of SMS) or by a specific order of the shipowner/company’s head.

It is the responsibility of the shipowner/company to keep the GMP up to date when the circumstances/data on the basis of which it has been prepared change.

*Annex 5*

***THE REPUBLIC OF BULGARIA
MINISTRY OF TRANSPORT, INFORMATION
TECHNOLOGY AND COMMUNICATIONS***

***GARBAGE RECORD BOOK***

***THE REPUBLIC OF B ULGARIA***

***MINISTRY OF TRANSPORT, INFORMATION TECHNOLOGY AND COMMUNICA TIONS***

*Ship’s name*

*Distinctive number or letters*

*IMO number*

***GARBAGE*** ***RECORD BOOK***

*Period from …….. to…………*

*Note: Garbage Record Book shall be provided to every ship of 400 gross tonnage and above,*

 *every ship which is certified to carry 15 or more persons and every fixed or floating, platform.*

1. **Introduction**

*In accordance with regulation 10 of Annex V of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 (MARPOL), a record is to be kept of each discharge operation or completed incineration. This includes discharges into the sea, to reception facilities, or to other ships, as well as the accidental loss of garbage.*

1. Garbage and garbage **management**

*Garbage means all kinds of food wastes, domestic wastes and operational wastes, all plastics, cargo residues, cooking oil, fishing gear, and animal carcasses generated during the normal operation of the ship and liable to be disposed of continuously or periodically except (hose substances which are defined or listed in other Annexes to the present Convention. Garbage does not include fresh fish and parts thereof generated as a result of fishing activities undertaken during the voyage, or as a result of aquaculture activities which involve the transport of fish including shellfish for placement in the aquaculture facility and the transport of harvested fish including shellfish from such facilities to shore for processing.*

*The Guidelines for the Implementation of Annex V of MARPOL3 should also be referred to for relevant information.*

1. **Description of** garbage

*Garbage is to be grouped into categories for the purposes of the Garbage Record Book (or ship’s official log-book) as follows:*

A Plastics

B Food Waste

C Domestic waste

D Cooking Oil

E Incinerator ashes

F Operational waste

G Cargo residues

H Animal Carcass(es)

I Fishing Gear

1. ***Entries in the Garbage Record Book***

*4.1.Entries in the Garbage Record Book shall be made on each of the following occasions:*

* + 1. When garbage is discharged to a reception facility ashore or to other ships:.

1 Date and time of discharge

.2 Port or facility, or name of ship

.3 Categories of garbage discharged

.4 Amount estimated discharged for each category in cubic meters

.5 Signature of officer in charge of the operation.

* + 1. When garbage is incinerated:

.1 Date and lime of start and stop of incineration

.2 Position of the ship (latitude and longitude) at the start and stop of incineration

.3 Categories of garbage incinerate

.4 *Estimated amount incinerated in cubic meters*

.5 Signature of the officer in charge of the operation

* + 1. When garbage is discharged into the sea in accordance with regulations 4, 5 or 6 of Annex I' of MARPOL:

.1 Date and time of discharge

*2* Position of the ship (latitude and longitude). The note: for cargo residue discharges, including discharge start and slop positions

.3 Category of garbage discharged

.4 *Estimated amount dischargedfor each category in cubic meters*

.5 Signature of officer in charge of the operation.

4.1.4. Acidental or other exceptional discharges or loss of garbage into the sea, including in accordance with regulation 7 of Annex V of MARPOL:

. 1 *Date and* *time of occurrence*

.2 Port or position of the ship at time of occurrence (latitude, longitude and water depth if known)

.3 Categories of garbage discharged or lost

.4 Amount estimated for each category in cubic metres

.5 The reason for the discharge or loss and general remarks

4.2. *Amount of garbage*

*The amount of garbage on board should be estimated in cubic metres, ifpossible separately according to category. The Garbage Record Book contains many references to estimated amount of garbage. It is recognised that the accuracy of estimating amounts of garbage is left to interpretation. Volume estimates will differ before and after processing. Some processing procedures may not allow for a usable estimate of volume, e.g., the continuous processing of food waste. Such factors should be taken into consideration when making and interpreting entries made in a record.*

RECORDS OF WASTE OPERATIONS

Distinguishing number or call sign:

*Ship’s Name*

*IMO No.*

*Garbage categories*

A Plastics

B Food Waste

C Domestic waste (e.g., paper products, Rags, glass, metal, bottles, crockery, etc.)

D Cooking Oil

E Incinerator ashes

F Operational waste

G Cargo residues

H Animal Carcass(es)

I Fishing Gear

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| --- | --- | --- | --- | --- | --- | --- |
| Date/Time | Vessel coordinates/Remarks (accidental discharge or loss) | Category | Approximate amount of surrendered or burned | In the sea | Reception facilities | Burning (incineration) |

Position/Signature of the Responsible Person

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*Signature of Master*

*Date:*

RULES

FOR KEEPING GARBAGE RECORD BOOK ON SHIPS

FLYING THE FLAG OF THE REPUBLIC OF BULGARIA

I. Waste operations log shall be kept on all ships with a gross capacity of 400 tonnes or more and on any other ship certified to carry 15 persons or more on board.

 2. The Garbage record book (logbook) shall be printed in A4 format in the specified form. The logbook is printed according to the established

shape and dimensions by the shipping company concerned. At the beginning of the logbook, the present Rules, Introduction, List for familiarisation with the rules for the completion of the logbook by the persons authorised to do so and fifty pages for making entries must be set out. A book must be rehearsed and pronomerated.

1. The logbook is registered in a special registration book maintained by the company. He shall be assigned a control number corresponding to the IMO vessel number (or the vessel registration number in the register of Bulgarian vessels) and a consecutive numbering of the logbook after the IMO number for each vessel.
2. The treatment of solid waste on board the ship shall be carried out in accordance with the ship’s waste management plan.
3. The logbook is completed in the chronological order of the respective operations. Time records of operations shall be made on the ship’s watch.

 6. All waste operations listed in item 4 of the Introduction shall be recorded in the logbook.

1. Log entries must be in English for ships in international navigation and in Bulgarian for ships on local voyages.
2. The book is written accurately and concisely with only a blue chemical. The records should be displayed in a very clear form, without the possibility of erroneous interpretations or doubts. Deletions in the text are strictly prohibited. Corrections are made after crossing one trait of the wrong text, recording the new text and signature of the person who made the correction.
3. A person who enters or orders to enter in the book false data about operations carried out shall be liable under the Criminal Code of the Republic of Bulgaria.
4. An immediate entry in the logbook is made in case of accidental or other extraordinary discharge or loss of litter at sea. Record the place, circumstances and causes of discharge or loss, details of the waste — category and quantity and reasonable precautions taken to prevent or minimise such discharge or accidental loss.
5. The document handed over to shore reception facilities or other ship solid waste shall be kept for two years together with the waste operations log.
6. After filling, the logbook is kept on the ship for 2 years, after which it is handed over to the archive fund of the shipping company.
7. The log of solid waste operations shall be subject to inspection by duly authorised inspectors of the relevant administration of the State.
8. Inspectors may ask the master of the vessel to make a copy of the logbook to be certified by the master. The master may not refuse to comply with this request.
9. A copy of the logbook of solid waste operations certified by the master may be used in legal proceedings as evidence of the facts.

I certify that I have learned the rules of keeping the recoed book and that I will follow them most accurately.

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| The date | Position | Name, Last Name | The signature |
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I certify that I have learned the rules of operation of the ship incinerator and follow them the most accurately.

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