

INTLREG

Regulatory Bulletin

December 2019

A semi-annual aide-memoire of upcoming regulatory changes
in the international shipping industry



Our Mission

The mission of International Register of Shipping is to provide our clients and the public with the services needed by ensuring the safety of life and property at sea, and the prevention of pollution of the marine environment through the development and verification of standards for the design, construction and operational maintenance of marine-related facilities.

Quality Policy

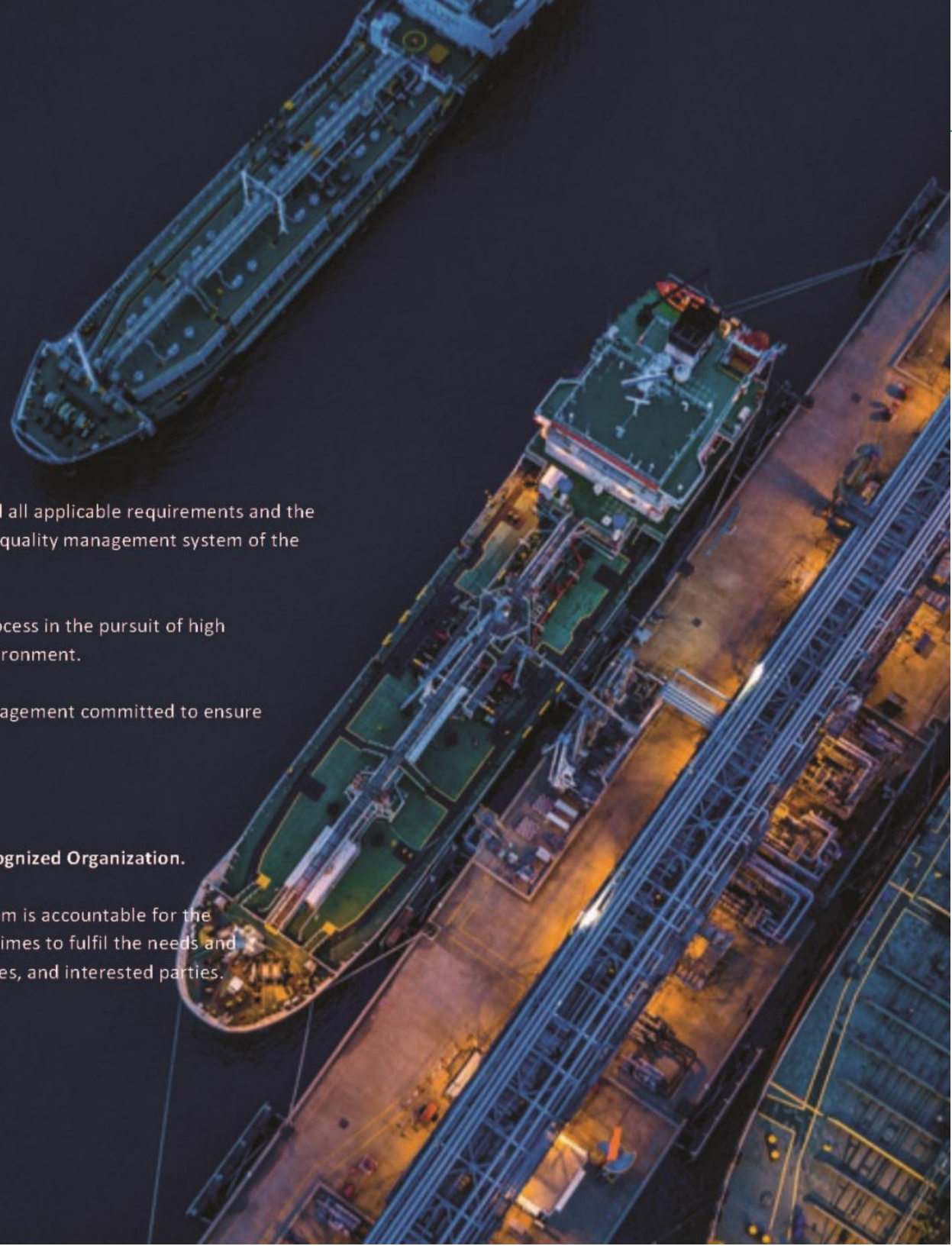
Provide services that meet or exceed the customer expectations and all applicable requirements and the quality of which is continuously perfected through the documented quality management system of the organization and establishment of measurable quality objectives.

We promote continual improvement of our quality management process in the pursuit of high levels of safety of life, property, and protection of the maritime environment.

We believe that our Quality Management System supported by management committed to ensure the continual delivery of:

- **High levels of technical expertise and competence;**
- **Integrity, impartiality and ethical practices; and**
- **Excellence of services as a Classification Society and a Recognized Organization.**

Our entire line management, supported by our internal quality system is accountable for the implementation of our quality policy, and shall be committed at all times to fulfil the needs and meet the requirements of our customer, our suppliers, our employees, and interested parties.



This bulletin is published to serve as an aide-memoire of recent regulatory changes in the international shipping industry. This bulletin provides information of regulatory changes adopted by the International Maritime Organization with entry into force (or action dates) nearly from 1 Jan 2020 to 1 Jan 2021.

Further information on these regulations can be obtained from the resolution of the appropriate IMO body adopting the new requirements. These resolutions are available at [IMO website](https://www.imo.org).



Convention / Regulation	Amendments to MARPOL Annex VI to prohibit the carriage of non-compliant fuel and other issues relating to MARPOL Annex VI regulation 14
Entry into Force / Applicable From	1 MARCH 2020
Application	All ships to which MARPOL Annex VI applies
Reference	Res.MEPC.305(73)

Summary:

The use of 0.50% (or below) Sulphur fuel oil outside of emission control areas (ECAs) from 1 January 2020 was introduced in the 2008 amendments to the MARPOL Convention contained in MEPC.176(58). This further amendment supplements the 2008 amendments by also prohibiting the carriage of fuel oil with a Sulphur content higher than 0.50% unless the ship has a scrubber.

MEPC 72 approved amendments to MARPOL Annex VI Regulation 14 to prohibit ships from carrying fuel oil with a Sulphur content above 0.50% if its purpose is for combustion for propulsion or operations on board, unless the ship has an approved equivalent arrangement in place, such as an exhaust gas treatment system. Corresponding amendments were also made to the supplement to the International Air Pollution Prevention Certificate.

These amendments are adopted at MEPC 73 scheduled for October 2018 and then enter into force on 1 March 2020

Implications:

To Ship Owners / Ship Managers:	Ship-owners & managers need to consider de-bunkering of any high Sulphur fuel that is not used up before 1 January 2020. This carriage prohibition is expected to enter into force on 1 March 2020, following adoption by MEPC 73 (October 2018)
To Flags & RO	
To Shipbuilders / Manufacturers	

Convention / Regulation	Amendments to the 2011 Enhanced Survey Program Code for bulk carriers and oil tankers
Entry into Force / Applicable From	1 July 2020
Application	ESP Code
Reference	Resolution A.1049(27)

Summary:

The Enhanced Survey Program (ESP) Code is a mandatory survey requirement for Oil Tanker and Bulk Carriers as required by SOLAS Regulation XI-1/2. The Code was adopted as A.1049 (27) which superseded the previous ESP program (A.744 (18)). The ESP Code is amended to reflect changes in the IACS UR Z10 series.

Extensive changes have been made to the text:

- To ensure the text used is mandatory,
- To update the figures,
- To introduce consistency between the different parts of the Code, in particular including definitions and figures for edge corrosion, grooving corrosion and pitting corrosion intensity
- To clarify requirements concerning updates to the Ship Construction File
- To include new sections on the number and locations of thickness measurements for ships constructed to IACS CSR
- To include new sections on the acceptance criteria for corrosion

Implications:

To Ship Owners / Ship Managers:	These amendments will help ensure harmonization between the IMO and IACS requirements. There is no significant impact on LR classed vessels. Survey requirements for bulk carriers and oil tankers.
To Flags & RO	
To Shipbuilders / Manufacturers	

Convention / Regulation	Amendments to MARPOL Annexes I, II, V and VI - Use of electronic record books
Entry into Force / Applicable From	1 October 2020
Application	All new and existing ships where MARPOL is applicable
Reference	MARPOL Annex I, II, V and VI, and the NOx Technical Code MEPC.312(74), MEPC.314(74), MEPC.316(74), MEPC.317(74)

Summary:

IMO periodically reviews the administrative provisions of mandatory requirements and considers ways to make these more efficient.

The use of electronic record books as an alternative to the current paper versions required under MARPOL Annexes I, II, V and VI has been agreed. Amendments to the relevant Annexes of MARPOL addressing the issue of electronic record-keeping are in progress. Further documentation will be created and existing procedures will be revised to support the amendments (see Related Instruments below). The exact MARPOL format should be used to facilitate the transition to electronic record-keeping and any possible flexibility in the format can be considered again in the future.

Implications:

To Ship Owners / Ship Managers:	<p>Ship-owners and Ship Managers can select to switch to electronic record books to reduce administrative burden and the amount of paper waste on board. Any electronic system used for this purpose will need to meet the specified criteria and be provided with written confirmation by the Administration which is to be carried on board the ship for the purpose of regulatory surveys or inspections.</p> <p>To ships subject to record-keeping requirements under MARPOL Annexes I, II, V and VI.</p> <p><u>Related Instruments</u> Draft Unified Interpretation to MARPOL Annexes I, II, V and VI Draft Guidance for the use of electronic record books under MARPOL Draft amendments to Procedures for port State control, 2011 (resolution A.1052(27))</p>
To Flags & RO	
To Shipbuilders / Manufacturers	

Convention / Regulation	Amendments to MARPOL Annexes I, IV and VI concerning the exemption of UNSP barges from survey and certification requirements
Entry into Force / Applicable From	1 October 2020
Application	All unmanned non-self-propelled (UNSP) barge
Reference	

Summary:

The issue raised at the IMO was whether an unmanned non-self-propelled (UNSP) barge which does not constitute a source of pollution has to be certified under the MARPOL Convention and hold certificates with all blank entries in their supplement. A proposal to exempt UNSP barges from the survey and certification requirements of MARPOL is under discussion.

The exemption will be granted after an initial survey to ensure there is no source of pollution on board the barge and the exemption certificates for UNSP barges should be part of the individual MARPOL Annexes I, IV and VI. It is considered that the period of exemption is not lifetime but 5 years.

The text of the amendments was expected to be finalized at the fourth session of the III Sub-Committee (III 4) for approval and adoption at subsequent MEPC sessions, but this was postponed to III 5 so it cannot enter into force until at least 2021. Guidelines which are intended to assist ship-owners and operators in applying for exemptions are being prepared and will be issued as an MEPC circular.

Implications:

To Ship Owners / Ship Managers:	<p>Upon entry into force, the amendments are expected to reduce the administrative burden for Ship-owners / Ship Managers and Flag Administrations.</p> <p>A UNSP barge is defined as a barge that:</p> <ul style="list-style-type: none"> - Is not propelled by mechanical means; - Has neither crew nor passengers or other persons on board during navigation; - Carries no oil (as defined in MARPOL Annex I, regulation 1.1) in bulk; and - Carries no noxious liquid substances (as defined in MARPOL Annex II, regulation 1.10) in bulk.
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To Shipbuilders / Manufacturers	

Convention / Regulation	Amendments to the NOx Technical Code 2008 (Certification Requirements for SCR Systems) Amendments to the 2017 Guidelines Addressing Additional Aspects of the NOx Technical Code 2008 with regard to Particular Requirements Related to Marine Diesel Engines Fitted with Selective Catalytic Reduction (SCR) Systems
Entry into Force / Applicable From	1 October 2020
Application	All ships where MARPOL Annex VI applicable
Reference	Resolution MEPC.291 (71)

Summary:

The NOx Technical Code provides two certification schemes: scheme A, where an engine and SCR are tested together; and scheme B where it is certified separately before putting onboard and final (simplified) testing is undertaken. Currently, the NOx Technical Code stipulates scheme B can be used only when the scheme cannot be undertaken due to “practical and technical” reasons.

This amendment will remove the above restriction and make scheme A and scheme B equally applicable. The details of the scheme are given in the amendments to the 2017 Guidelines Addressing Additional Aspects of the NOx Technical Code 2008 with regard to Particular Requirements Related to Marine Diesel Engines Fitted with Selective Catalytic Reduction (SCR) Systems (Resolution MEPC.291 (71))

Implications:

To Ship Owners / Ship Managers:	This will help if a main engine and SCR are manufactured in different locations and pre-certified separately then finally joined on board. Expected to be marine diesel engines to be installed onboard a ship constructed on or after 1 October 2020, subject to confirmation at MEPC 73 and MEPC 74.
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Convention / Regulation	Amendments to the IMSBC Code (Amendment 05-19)
Entry into Force / Applicable From	1 January 2021
Application	Ships carrying IMSBC Cargo (IMSBC Code)
Reference	MSC.462(101)

Summary:

The IMSBC Code is regularly reviewed to take into account new requirements for existing substances or new substances. The latest version of the IMSBC Code is Amendment 04-17 (see item 307) and IMO is now finalizing the next set of amendments 05-19 which are expected to be approved in 2019

The draft amendments include:

On bauxite cargoes:

- Draft new test procedure for determining the transportable moisture limit (TML) for bauxite cargoes (Modified Proctor/Fagerberg test procedure for bauxite) included in Appendix 2
- Draft individual schedule for bauxite as a group A cargo (liable to liquefy)
- Draft amendments to the existing individual schedule of bauxite as Group C cargo

On seed cake cargoes:

- New draft individual schedules for seed cakes as Group C and Group B (MHB (SH)) addressing oxygen depletion issues.
- Draft amendments to the individual schedules for seed cake UN 1386 (a), seed cake UN 1386 (b) and seed cake UN 2217

On metal sulphide concentrates:

- New draft individual schedule for metal sulphide concentrates, self-heating UN 3190 as a group A and B cargo.
- Ammonium nitrate based fertilizer (non-hazardous) remains classified as Group C with a footnote reference to the information contained in CCC.1/Circ.4 on Carriage of Ammonium Nitrate Based Fertilizer (non-hazardous). Discussions on the hazards of ammonium nitrate based fertilizer are continuing.

Implications:

To Ship Owners / Ship Managers:	When agreed the amendments will include new and amended schedules which will provide specific requirements for solid bulk cargoes intended to be carried under the IMSBC Code. Ship-owners and operators should be aware of the changes and advise their masters accordingly. It is expected that all ships carrying solid bulk cargoes, other than grain, will be required to apply the amendments from 1 January 2021, and that governments may apply the requirements voluntarily from 01 January 2020.
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Convention / Regulation	Revision of the IBC Code Chapters 17, 18 and 21 - Assigning carriage requirements for products
Entry into Force / Applicable From	1 January 2021
Application	Chemical tanker (IBC Code)
Reference	MSC.460(101)/MEPC.318(74)

Summary:

The criteria for assigning carriage requirements to chemicals (Chapter 21) with regards to safety hazards are currently under review. Among other amendments, the toxicity categorization of products will be revised. The lists of requirements for specific cargoes (Chapters 17 and 18) will also be amended accordingly. Consequential changes to the BCH Code are expected. Upon finalization of the draft text at the PPR Sub-Committee, both the MSC and MEPC Committees will need to approve and adopt the changes.

Implications:

To Ship Owners / Ship Managers:	Ship-owners and Ship Managers need to monitor the developments for any required changes to operational requirements or minor modifications on Board. Especially, attention must be paid to a high number of products that are not currently classified as toxic but are expected to be classified as such after the revision. A new Certificate of Fitness including a new List of Products will be issued to applicable ships, based on the revised requirements. New and existing ships to which the IBC Code applies, i.e. all chemical tankers regardless of tonnage and nature of voyage (international and non-international voyages).
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Convention / Regulation	Amendment to MARPOL Annex II and the associated draft amendments to the IBC Code related to the discharge of cargo residues and tank washings of high-viscosity, solidifying and persistent floating products
Entry into Force / Applicable From	1 January 2021
Application	
Reference	

Summary:

This is the follow up to a recent amendment which covered tank washings of high viscosity (but not harmful) oils which were washed ashore in the English Channel.

The new draft amendment to MARPOL Annex II requires a pre-wash for cargoes of persistent floating substances with a high viscosity, and includes cargoes such as vegetable oils and paraffin’s when the vessel is in one of the defined special areas. In this regard a new special area "North Western European Water" has been included.

Consequential amendments to the IBC Code and the BCH Code as follows:

IBC Code:

Draft new paragraph 16.2.7, referring to the new prewash requirements in MARPOL Annex II;

The addition of 16.2.7 in column O of the entries in the draft revised chapter 17 corresponding to priority substances to which the draft new MARPOL Annex II prewash requirements should be applied as a first step; and

Draft new paragraph 21.6.5, specifying the criteria that trigger the inclusion of 16.2.7 in column O of chapter 17.

BCH Code:

Corresponding to a draft new paragraph 16.2.7 of the IBC Code.

Implications:

To Ship Owners / Ship Managers:	The impact is in general limited as the pre-wash requirements apply only to the North Sea (new special area). However, it should be noted that short sea trade vessels solely operating in this area could be significantly impacted. Being an operational requirement, this applies to all new and existing ships upon entry into force. The amendment is expected to enter into force on 1 January 2021 following approval and subsequent adoption by IMO.
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Convention / Regulation	Amendments to MARPOL Annex VI, Regulation 13 - Emission Control Area (ECA) (NOx) (including Baltic Sea and North Sea)
Entry into Force / Applicable From	1 January 2021
Application	Ships constructed on or after 1 January 2021 and is operating in the Baltic Sea Emission Control Area or the North Sea Emission Control Area including English Channel
Reference	MEPC.286(71)

Summary:

Further to the existing SOx emission control in the Baltic and North Seas (under MARPOL Annex VI Regulation 14), NOx emission control is also established under Regulation 13.

New ships (see Application) will be required to have Tier III engines if they visit these sea areas. There are exemption provisions to allow ships fitted with dual fuel engines to navigate without compliant fuel (e.g. LNG), or ships with only Tier II engines, to navigate in a NOx Tier III ECA if the ship is departing from a shipyard where the ship is newly built, or visiting a shipyard for conversion, repair or maintenance. It should be noted that these exemption provisions apply to all NOx ECAs not just the Baltic and North Sea.

MARPOL Annex VI is amended by IMO Resolution MEPC.271(69) to include a new paragraph, 13.5.3, which has the following explanatory text: “5.3 The tier and on/off status of marine diesel engines installed onboard a ship to which paragraph 5.1 of this regulation applies which are certified to both Tier II and Tier III or which are certified to Tier II only shall be recorded in such log books as prescribed by the Administration at entry into and exit from an emission control area designated under paragraph 6 of this regulation, or when the on/off status changes within such an area, together with the date, time and position of the ship”.

Implications:

To Ship Owners / Ship Managers:	New ships which visit this area will be required to have Tier III engines. This requires the future trading areas of a ship to be assessed at the contract stage.
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