

20 January 2020

## PROHIBITION ON THE CARRIAGE OF NON-COMPLIANT FUEL

The Tokyo and Paris Memoranda of Understanding (MoUs) on port State control (PSC) have been working collaboratively to ensure that vessel owners and operators are aware that under the Authorities belonging to these MoUs, inspections will be undertaken to ensure compliance with the new sulphur limit requirements on marine fuel oil, from 1 January 2020.

These new requirements prohibit the use of non-compliant fuel from 1 January 2020 and the carriage of non-compliant fuel, for use on the ship, from 1 March 2020, unless the ship is fitted with an Exhaust Gas Cleaning System (EGCS).

To raise awareness in advance of the implementation of the new requirements, both the Paris MOU and the Tokyo MOU member Authorities have been issuing letters to vessels since the beginning of 2019, to remind them of the new requirements and the date of application.

During this information campaign the awareness among ships' crew proved to be high, especially with respect to the requirements entering into force on 1 January 2020. Emphasis is therefore placed on the requirements entering into force on 1 March 2020 prohibiting the carriage of non-compliant fuel, for use on ships not equipped with EGCSs.

As noted in these letters, there are three options for ship owners and operators to comply:

1. Use compliant fuel oil with sulphur content not more than 0.50% m/m;
2. Use an alternative fuel, such as LNG, with a sulphur content of 0.50 % m/m or less; or
3. Fit an alternative means of compliance, such as an EGCS approved under regulation 4 of MARPOL Annex VI.

The consensus at MEPC 73 was that there was no need to request port State control Authorities to adopt a 'practical and pragmatic' approach as compliance was expected, therefore both Memoranda have agreed that the requirements in relation to the

implementation of the 0.50% m/m sulphur cap will be applied without exception. This includes the carriage ban on non-compliant fuel from 1 March 2020.

From 1 March 2020 non-compliant fuel can only be carried on board, for use on the ship, where the vessel is fitted with an EGCS. In instances where compliant fuel cannot be obtained a Fuel Oil Non-Availability Report (FONAR) must be submitted to the flag State and the Competent Authority in the next port of call.

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Notes to editors:

<b>Paris MOU</b>	<b>Tokyo MOU</b>
<p>Regional Port State Control was initiated in 1982 when fourteen European countries agreed to coordinate their port State inspection effort under a voluntary agreement known as the Paris Memorandum of Understanding on Port State Control (Paris MOU). Currently 27 countries are member of the Paris MOU. The European Commission, although not a signatory to the Paris MOU, is also a member of the Committee.</p> <p>The Paris MoU is supported by a central database THETIS hosted and operated by the European Maritime Safety Agency in Lisbon. Inspection results are available for search and daily updating by MoU Members. Inspection results can be consulted on the Paris MoU public website and are published on the Equasis public website.</p> <p>The Secretariat of the MoU is provided by the Netherlands Ministry of Infrastructure and Water Management and located in The Hague.</p>	<p>The Memorandum of Understanding on Port State Control in the Asia-Pacific Region, known as the Tokyo MOU, was signed among eighteen maritime Authorities in the region on 1 December 1993 and came into operation on 1 April 1994. Currently, the Memorandum has 21 full members, namely: Australia, Canada, Chile, China, Fiji, Hong Kong (China), Indonesia, Japan, Republic of Korea, Malaysia, the Marshall Islands, New Zealand, Panama, Papua New Guinea, Peru, the Philippines, the Russian Federation, Singapore, Thailand, Vanuatu and Vietnam.</p> <p>The Secretariat of the Memorandum is located in Tokyo, Japan. The PSC database system, the Asia-Pacific Computerized Information System (APCIS), was established. The APCIS centre is located in Moscow, under the auspices of the Ministry of Transport of the Russian Federation.</p>
<p>Port State Control is a check on visiting foreign ships to verify their compliance with international rules on safety, pollution prevention and seafarers living and working conditions. It is a means of enforcing compliance in cases where the owner and flag State have failed in their responsibility to implement or ensure compliance. The port State can require deficiencies to be corrected, and detain the ship for this purpose if necessary. It is therefore also a port State's defence against visiting substandard shipping.</p>	