



Ship Type: All              Trade Area: Germany

## Bulletin 97 - 06/99 - Garbage Disposal Record Book - Fines - Germany

We have frequently reminded Members of the strict watch maintained by the German Harbour Police Authorities in connection with oil record books. This watch is maintained so that action can be taken against crews suspected of disposing of oil sludge illegally. The Harbour Police adopt a similar approach in connection with garbage disposal record books. The authorities also wish to prevent the illegal disposal of garbage from ships and to ensure disposal is only made through officially licensed companies.

Ships are subject to investigation that will estimate the levels of garbage generation and check for its proper disposal by reference to disposal vouchers that are provided to the ship by the licensed companies. The inspection will also check that the garbage disposal record book is properly maintained with precise and accurate records. A recent problem involved a ship that maintained its records in a 'loose-leaf' ring binder rather than in a fixed-bound book with printed page numbering. The police had previously expressed concern on this point; they observed that a loose-leaf format enabled alteration without detection and that it was therefore an unsuitable format for a log/record book.

When fines may be imposed (they are determined by the "Bundesamt Seeschiffahrt Hydrographie" - the same authority that deals with oil record book infringements) the police require a guarantee for DMK 500.00 to cover the potential fine. The fine is imposed upon the particular officer responsible for garbage disposal. This is because German law generally requires charges in respect of criminal offences to be pursued against an individual rather than against a company or other non-personal body. Although such fines may be small, it seems that a growth in the number of such prosecutions represents a developing trend and ship's crews should be aware of this.

Source of Information:- Claas W Brons, Club Correspondent - Hamburg