

CIRCULAR

5/20 FEBRUARY 2020

OUTLINE

- China MSA has published new Measures of Administration on Agreement for Ship Pollution Response Regime, in effect from 1st March 2020;
- From 1st March 2020, SPRO Agreements will no longer be needed for;
 - 1) Any ship under 10,000 GT either in ballast or carrying a liquid cargo in bulk not listed in the Directory; or
 - 2) Any ship of any size that is driven by clean fuels and either (i) carrying a liquid cargo not in bulk (even if that liquid is listed in the Directory) or (ii) carrying a liquid in bulk that is not listed in the Directory or (iii) carrying a non-liquid (i.e. solid) cargo.

TO THE MEMBERS

REGULATIONS OF THE PEOPLE'S REPUBLIC OF CHINA (PRC) ON THE PREVENTION AND CONTROL OF MARINE POLLUTION FROM SHIPS

We refer Members to the recent Circular 4/20 on the Regulations of the People's Republic of China (PRC) on the Prevention and Control of Marine Pollution from Ships and the requirement that Owners/Operators of (a) any ship carrying polluting and hazardous cargoes in bulk or (b) any other ship above 10,000 GT enter into a pollution clean-up contract with a Ship Pollution Response Organisation (SPRO) before the ship enters a PRC port or engages in loading, discharge or ship-to-ship transfers outside of the port but within 20 nautical miles off shore.

As previously advised, the Maritime Safety Agency (MSA) recently published new Measures of Administration on Agreement for Ship Pollution Response Regime, which will become effective on 1st March 2020.

Further clarifications and feedback on the new Measures have since been received from the International Group's (IG) advisers in the PRC and the China MSA.

It has been clarified that no SPRO Agreement is now needed for any of the following:

1. Any ship under 10,000 GT either in ballast or carrying a liquid cargo in bulk not listed in the Directory; or
2. Any ship of any size that is driven by clean fuels and either (i) carrying a liquid cargo not in bulk (even if that liquid is listed in the Directory) or (ii) carrying a liquid in bulk that is not listed in the Directory or (iii) carrying a non-liquid (i.e. solid) cargo.

Oil booming is still only required, inter alia, for ships loading, discharging, transferring over 300mt of cargoes listed in the Directory.

A copy of the Directory is also now available (in Chinese) on the China MSA website as follows:

www.msa.gov.cn/html/xxgk/tzgg/wgfw/20190611/5B82B390-ADCD-4A6C-A480-3DA130B560DA.html

For the avoidance of doubt, it should also be noted that, save for those ships falling within (1) or (2) above, all ships over 10,000 GT regardless of what cargo is being carried are required to enter into a SPRO agreement in accordance with the Article 11 requirements as set out in the amended SPRO table (attached).

If Members are in any doubt, then it is recommended that they contact the Club before contracting with any SPRO.

All Clubs in the International Group of P&I Clubs have issued similar Circulars.

Yours faithfully

THE MANAGERS

For more information

Please contact your usual Club contact.