



## CMS NEWSLETTER

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# Seminar on draft Regulation of the PRC on the Emergency Prevention and Handling Management of Marine Environmental Pollution from Ships

### Outline

- ★ A seminar was held by China MSA and local MSA in Shanghai.
- ★ The representatives from shipowners, fuel suppliers and clean-up contractors attended the seminar.
- ★ CMS sought advice on queries and comments raised by the IG as well as presenting our own comments on the Regulations.

### Dear Sirs

A seminar on draft Regulation of the PRC on the Emergency Prevention and Handling Management of Marine Environmental Pollution from Ships was held by China MSA and Shanghai MSA in Shanghai on June 13, 2010.

The participants included China Shipping, COSCO, Sino Chemist Stolt Nielsen, Dingheng Shipping, two fuel suppliers, four Shanghai local clean-up contractors, China Marine Services Co., Ltd and MSA people from China MSA and different local MSAs.

### The common views held by both shipowners and clean-up contractors are as follows:

1. China MSA should release a model OSRO contract.
2. China MSA should have some guidance on the rate under the OSRO contract. The rate should relate to the risk of different vessels such as oil tanker, chemical tanker, LNG, LPG and bulk carrier.



3. The requirement on pre-contracting with OSRO in different levels should depend on the risk of different vessels.
4. Long-term contract is recommended for the ports regularly visiting.

Moreover, the shipowners hope there is at least one clean-up contractor in each port who can cover all the water area in one port.

Some clean-up contractors expressed that the requirement on the OSRO capability should be higher.

CMS sought advice on queries and comments raised by the IG as well as presenting our own comments on the Regulations

**On the above-mentioned comments, China MSA's reply is as follows:**

1. Model OSRO contract with essential terms will be released by China MSA. Negotiation between shipowner and OSRO on the other terms is allowed.
2. It seems to be hard for China MSA to guide the rate under the contract.
3. Some articles in the draft Regulation only govern vessels with Chinese flag. For example, Article 8 (emergency plan), Article 11 (anti-pollution material and equipments) and Article 50&51 (revoke or temporarily withhold crew's competency certificates or other relevant certificates)
4. The lists of approved OSRO, high pollution risk ports, poisonous hazardous liquid in bulk will be released after assessment.

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