



Technical Circular

No.: 029/2015

Date: 12th October 2015

To Whomsoever it may concern

Subject: Hong Kong – Air Pollution Control (Ocean Going Vessels) (Fuel at Berth) Regulation.

1. The Hong-Kong government has implemented “Air Pollution Control (Ocean Going Vessels) (Fuel at Berth) Regulation (LN 51 of 2015)”. The Regulation applies to vessels of 500 gross tons and above and is effective from 1 July 2015.
2. Hong Kong Regulation(LN 51 of 2015) requires Ocean Going Vessels (OGVs) to use compliant fuel i.e. low sulphur fuel with sulphur content not exceeding 0.5% by weight, liquefied natural gas and any other fuels approved by the Director of Environmental Protection (DEP) while at berth in Hong-Kong, except during the first hour after arrival and the last hour before departure, so as to reduce sulphur dioxide (SO₂) emissions.
3. The Regulation requires following records to be kept on board a vessel for 3 years.
 - Bunker delivery notes that relates to any marine fuel delivered to the vessel.
 - The log book(s) recording the date and time of arrival, date and time of departure, date and completion time of switching over of fuels; and
 - For any unexpected event causing delay in departure of a vessel, a description of the event and the expected date and time of departure of the vessel.
4. Masters and Owners of any OGVs using non compliant fuel while at berth in Hong-Kong will be liable to a fine of \$200,000 and imprisonment for six months. Also Masters and Owners who fails to record or keep the required documents will also be liable to a fine of \$50,000 and imprisonment for three months.
5. This Regulation does not apply to a vessel during the period that the vessel remains in the waters of Hong Kong –
 - a) If the vessel is not moored or anchored at any berth during that period; or

- b) If the vessel enters Hong Kong waters solely for one or more of the following purposes –
 - i. Reducing risks to the safety of the vessel;
 - ii. Sheltering from stress of weather;
 - iii. Landing a sick or injured person; and
 - c) The owner or the master of the vessel has notified the Director of Marine of the purposes referred to in subparagraph (b) before the vessel enters Hong Kong waters.
6. Certain exemptions are permitted, such as when an approved equivalent arrangement is being employed which can reduce SO₂ reduction are least as effective as using low-sulphur marine fuel (i.e. exhaust gas cleaning system) or if compliance with the fuel switch at berth requirement will pose a risk to the safety of the vessel. Application for approval of such exemptions shall be submitted in writing at least 14 days prior to the date on which the vessel is intended to enter Hong Kong waters.
7. Masters and ship operators are required to observe the new requirements and to exercise due diligence to comply with the regulation.

Enclosure:

- 1. Nil.

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