



# Technical Circular

No.: 095/2020

Date: 29<sup>th</sup> June 2020

## **Subject: DGS requirements in respect of Swachh Sagar Portal, Prohibition in respect of Single Use Plastics on board and Payment of Crew Wages**

1. The Indian Administration requires strict compliance with respect to implementation of Swachh Sagar Portal and Prohibition in respect of Single use plastics and have instructed their authorized Recognized Organizations to verify compliance to these requirements. Accordingly a brief detail in respect of requirements related to Swachh Sagar Portal and prohibition regarding single use plastics are being provided below for guidance to ship owners/ operators, Surveyors and other stake holders involved.

### **2. Swachh Sagar Portal - Implementation by ship:**

Administration in order to facilitate ships and to help Indian ports create an efficient, effective and transparent port reception service delivery, has developed an on-line Centralized Port Reception Facility portal. The link of the portal is available on DGS Website, known as “Swachh Sagar”.

All ships visiting any Indian Port or anchorage are required to access the portal and give details of required data including inventory of ship generated waste onboard. This information and inventory is to be filled up irrespective of whether the ship intends to use port reception facility or not. If the ships are at anchorage, such details are to be filed up weekly. In case port reception facilities are required then same is to be preferably requested 24 hours or more prior arrival through this portal.

When port reception facility is required, the portal will connect the captain/owner /manager /agent with all port approved vendors of arrival port to negotiate and fix a suitable vendor and date and time for disposal of ship generated waste.

In case the vessel is experiencing any issue such as problems faced with server, contractors not assigned by port or any other problem, a 24x7 helpline number is also available on the DGS Website to resolve these issues.

The Administration has made mandatory for ports, ships and vendors to use the Swachh Sagar portal for requests related to disposal of waste concerning all Annexes of MARPOL and has advised that the above requirements be included in the ship’s SMS.

Accordingly records in respect of **Advance Notification Form (ANF)** raised on Portal and that all waste are delivered **ONLY** after assignment of a Contractor through the portal



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will be verified during surveys/ audits onboard. For details kindly refer DGS Engineering Circular No. 06 of 2018.

### **3. Prohibition of Single Use Plastic (SUP):**

Administration vide DGS Order No. 05 of 2019 and Addendum No. 1 to DGS Order No. 05 of 2019 has imposed a ban on single use plastic on all Indian ships in a phased manner.

Administration adopting a methodology of self-regulation has allowed ships to prepare their own ship specific “**Ship Execution Plan (SEP)**” containing a list of an inventory indicating all single use plastic used onboard as on 31 January 2020 for Cargo ships and 31 March 2020 for Passenger Ships.

The SEP to have different timelines for identification, listing and prohibition of SUP. All ships are eventually required to reduce their single-use plastic items by 90%. This is to be achieved by a stepwise implementation of the prohibition based on ship type and each ship’s actual inventory of single-use plastic items.

The details of execution methodology and schedule are provided in Addendum No. 1 to DGS Order 05 of 2019.

Accordingly ship owners/ operators are required to prepare a ship specific “**Ship Execution Plan (SEP)**” and incorporate the requirement of above DGS Order in the ship’s SMS. Same will be verified during surveys/ audits onboard.

### **4. Payment of Crew Wages:**

The seafarers are required to be paid wages as per Seafarers Employment Agreement, which is to be in line with the Collective Bargaining Agreement (Foreign going / Home Trade / Coastal) registered within India [MSN 07/2020]. The monthly wage slips (signed by seafarer and Master) of all seafarers onboard are required to be maintained by the Master. Verification in respect of above will be carried out during MLC inspections to ensure that wages of all seafarer have been paid till the last running month.

5. Ship owners/ operators and Masters of Indian flagged ships are advised to be guided by the above.
6. Compliance to above stated requirements will be verified during ship’s periodical surveys/shipboard audits and also while processing any request for exemption /extension /dispensation.

**Enclosure:**

1. DGS Engineering Circular No. 06 of 2018
2. DGS Order No. 05 of 2019
3. Addendum No. 01 to DGS Order No. 05 of 2019
4. FAQ – DGS Order No. 05 of 2019

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**F.No.:- ENG/OPP-MARPOL-38(5)/04 PT.II**

**Date:- 20.11.2018**

## **Circular No. 06 of 2018**

### **Utilization of Centralized Port Reception Facility Portal: Swachh Sagar**

#### **1. Introduction:**

India being a signatory to MARPOL Convention is obliged to provide adequate waste reception facilities in its ports for various ship generated wastes. The Merchant Shipping Act, 1958, mandates and imposes responsibility for the ports to provide in their own capacity such facilities to the satisfaction of Central Government. Notwithstanding the foregoing, the Directorate General of Shipping being the Indian Administration under Merchant Shipping Act, 1958 is responsible to International Maritime Organization and hence obligated to deal with any reported inadequacies of such port reception facility. Over the years, the Directorate has been answering a number of complaints registered on IMO GISIS Website by foreign ships on inadequacy of reception facility in Indian ports.

An assessment of port reception facilities provided by various Indian ports was carried out and it has been noted that many factors such as lack of advance notification; non-availability of details of port reception facility providers on port website; non-availability of port reception facilities for various ship generated waste in some ports and other administrative issues caused inadequacies in service delivery.

In order to facilitate ships and to help Indian ports create an efficient, effective and transparent port reception service delivery, the Directorate has developed an on-line Centralized Port Reception Facility portal. This portal, the link of which is available on DGS Website, is known as "Swachh Sagar". Apart from easing the provision of port reception facility, the portal will capture data to provide following other services in due course:

- a) Provision of adequate port reception facilities depending upon type of ships entering a port and the waste type given to shore facility.
- b) Tracking of end disposal of waste collected for compliance to National and local laws.
- c) Setting up of infrastructure for shore electric power supply by calculating electric power demand in various ports to control air pollution

## **2. Swachh Sagar: Web Portal**

The portal is designed to capture the inventory of ship generated waste on any ship on arriving at an Indian port. The ship captain/owner/manager/agent is required to access the portal and fill up certain required information irrespective of whether they require port reception facility or not. If the port reception facility is required, this necessary advance notification for the same can be raised through this portal. Subsequently portal will connect the captain/owner/manager/agent requesting for port reception facility with all port approved vendors of arrival port to negotiate and fix a suitable vendor and date and time for disposal of ship generated waste. All these communications are visible to port authority as well as DG shipping. Apart from handing over shore reception receipt to Master, a copy of the same will be uploaded by the vendor on the portal. The master/owner/mangers/agent can also lodge a complaint regarding inadequate service delivery or non-availability of shore reception facility via the portal. In case of any complaints, communication done on this platform will only be considered as formal for investigation. Therefore, it is mandatory for ports, ships, vendors to use this platform for all MARPOL discharge related requests.

## **3. Application**

This circular is applicable to following Indian ports and Indian and foreign flag ships from the date of issue of this circular or 1<sup>st</sup> December 2018 whichever is earlier:

- a) Ports in the Union list of Constitution of India.
- b) Ports in the Concurrent list of Constitution of India.
- c) Foreign ships during each visit to any Indian port, anchorage, roadstead etc whether or not port reception facility is required.
- d) Indian ships registered under Merchant Shipping Act, 1958 during each visit to any Indian port, anchorage, roadstead etc whether or not port reception facility is required.

#### **4. Requirements**

##### **A) Ships**

- a) All ships visiting any Indian port or anchorage should access the web portal and give details as stated there including inventory of ship generated waste on board whether or not a port reception facility is required.
- b) If the ships are at anchorages such details are to be filled up weekly.
- c) In case port reception facilities are required, then the same is to be preferably requested 24 hours or more prior arrival.

##### **B) Ports**

- a) Ports are required to create identification data of all approved vendors and issue user id and password to each of such vendor. To do the same it is required that an admin page for each page is created and user id and password is given to each port. Each port is required to contact Directorate at psc-dgs@nic.in to create admin page with the following information:

Name of Port; Name of Port Representative looking after PRF portal; Mobile no.; Office contact no.

The above is to be completed as soon as possible and a circular to be issued by each port so that all ships visiting the said port fill up the details and if required request for port reception through the Swachh Sagar Web-site from 1<sup>st</sup> December 2018. Port authorities are required to deny entry of ships in their ports in case of non-compliance, that is, in case requisite data is not filled up (whether or not port reception facilities are required). List of ports which have already furnished the requisite information is attached as annexure to this circular and they should start compliance from 1<sup>st</sup> December 2018.

- b) Ports to monitor the performance of vendors and complaints as same will be a parameter during conduct of assessment of port reception facility by Administration Surveyors.

##### **C) Mercantile Marine Departments**

- a) Each MMD will be given access to monitor the performance of ports under their jurisdiction.
- b) MMD's to ensure compliance with this circular by all ports under their jurisdiction by 30<sup>th</sup> November 2018. A report stating the compliances achieved to be forwarded to the directorate by 30<sup>th</sup> November 2018.
- c) Assessment by MMD of individual ports to include the performance as monitored through this on-line portal.

Sd/-

Vikrant Rai

Engineer & Ship Surveyor-cum-DDG (Tech)

Annexure to Circular:Utilization of Centralized Port Reception Facility Portal: Swachh Sagar.

Annexure I

Sr. No.	Ports
1	Gangavaram
2	Finolex Ratnagiri
3	Gopalpur Ports Limited -Odisha
4	Thirukkadaiyur Ports
5	Pipavav UTCL Captive berth
6	Sikka Port
7	Dahej Chemical Port
8	Haldia Port
9	Kolkata Port
10	Kakinada Port
11	Essar Bulk Terminal Surat Port
12	Ennor Chennai Adani Katupallli
13	Chennai Port Trust
14	Cochin Port Trust
15	New Manglore Port Trust
16	JNPT
17	Paradip port
18	Vizag Port
19	Dharma Port
20	Kamraj Port
21	Angre Port near Ratnagiri
22	Sanegaon Jetty – IEIL
23	Karaikal Port
24	Kandala/Deendayal Port Trust
25	Jaigarh JSW Port



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नौवहन महानिदेशालय, मुंबई  
DIRECTORATE GENERAL OF SHIPPING, MUMBAI

F.No. ENG.OPP-38(02)/19

Dated 16<sup>th</sup> October, 2019

**DGS Order No. 05 of 2019**

**Sub.: Prohibition on use of Single Use Plastics**

**Introduction:**

Whereas the object of the Merchant Shipping Act, 1958, as amended is to foster the development of shipping and ensure the safe & efficient Indian mercantile marine in a manner best suited to serve the national interests;

2. Whereas the Directorate General of Shipping [DGS], Ministry of Shipping, Govt. of India is the designated maritime administration of the country to administer the Merchant Shipping Act, 1958, as amended, as facilitator and regulator of the merchant shipping in India;

3. Whereas, the United Nations Environment Programme (UNEP) is the leading global environmental authority that sets the global environmental agenda, promotes the coherent implementation of the environmental dimension of sustainable development within the United Nations system, and serves as an authoritative advocate for the global environment;

4. Whereas, over the years India has actively collaborated in the work of the UNEP, including for the prevention of marine pollution;

5. Whereas, as per the 2018 UNEP report titled '*Single-use plastics - A Roadmap for Sustainability*', single-use plastics are also known as disposable plastics like plastic bags, straws, coffee stirrers, soda and water bottles and food packaging, which are used only once before they are thrown away or recycled;

6. Whereas, the aforesaid report highlighted the ubiquitous nature of plastic for being one of the greatest environmental challenges that chokes marine life transforming some marine areas into a plastic soup;

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7. According to International Clean-up Report, 2017, the most common finds during international coastal clean-ups are, in order of magnitude, cigarette butts, plastic beverage bottles, plastic bottle caps, food wrappers, plastic grocery bags, plastic lids, straws and stirrers, glass beverage bottles, other kinds of plastic bags, and foam take-away containers. Single-use plastics took most of the spots in this list of top ten.
8. Whereas, as per the 2018 UNEP report, *Single-use plastics - A Roadmap for Sustainability*: "Plastic pollution is a defining challenge of our times....Single-use throw away plastics are the biggest contributor every year, millions of plastic bags end up in the environment, thus polluting soil, water bodies, rivers oceans."
9. Whereas, according to International Maritime Organization, Marine litter presents a huge problem in our oceans, with some scientists warning that, by 2050, the quantity of plastics in the oceans will outweigh fish.
10. Whereas prohibition of discharging plastic at sea is not alien to maritime regulatory frameworks.
11. Whereas anecdotal accounts suggest the prevalence of wilful dumping of litter (plastic bottles, bags etc.) overboard by seafarers and that the lack of proper education and management has lead the seafarers to inevitably use single-use plastic products and discard them in a non-responsible manner;
12. Whereas, to avoid such practices IMO adopted Resolution MEPC.295(71)/2017: Guidelines for the implementation of MARPOL ANNEX V on 7<sup>th</sup> July 2017.
13. Whereas during the Independence Day speech on Aug. 15,2019, Hon'ble Prime Minister had urged people and government agencies to **"take the first big step"** on **October 2, 2019** towards freeing India of single-use plastic.
14. Whereas in-line with the Hon'ble Prime Minister's call to the people and the government agencies, the Director General of Shipping decided to examine the issue of prohibiting the usage of single-use plastics on Indian ships and foreign ships while such ships are in Indian waters.
15. Whereas, a stakeholders meeting was convened at Directorate on 29<sup>th</sup> August 2019 under the chairmanship of Director General of Shipping and Additional Secretary to Govt. of India. The meeting was attended by representatives of Indian National Ship Owner Association, Indian Coastal Shipping Association and Recognized Organizations.

16. Whereas in the said meeting it was decided that with effect from **2<sup>nd</sup> October 2019** all possible efforts will be made by the Indian shipping to contribute towards achieving the goal of making India and Indian waters free from Single use plastic.

17. Now therefore, in larger public interest a ban is imposed on single use plastic on Indian ships and foreign ships while in Indian waters, as per terms and conditions mentioned under succeeding paragraphs.

**18. Applicability of ban:**

18.1. All Ships which are deemed to be Indian Ships under Merchant Shipping Act, 1958.

18.2. Foreign ships in any port or place in India.

**19. Prohibitions:**

**19.1. Items prohibited w.e.f. 01.01.2020:**

Following Single use plastics are prohibited to be used on board Indian ships and foreign ships when such ships are at a port or place in India with effect from 1<sup>st</sup> January 2020:

19.1.1. Bags, trays, containers, food packaging film;

19.1.2. Milk bottles, freezer bags, shampoo bottles, ice cream containers;

19.1.3. Bottles for water and other drinks, dispensing containers for cleaning fluids, biscuit trays;

19.1.4. Hot drink cups, insulated food packaging, protective packaging for fragile items;

19.1.5. Microwave dishes, ice cream tubs, potato chip bags, bottle caps;

**19.2. Items prohibited with Immediate effect**

19.2.1. Cutlery, plates and cups;

19.2.2. Up-to 10 litres bottles for water and other drinks;

19.2.3. Garbage and shopping bags, and

19.2.4. Dispensing containers for cleaning fluids which are less than 10 litres volume.

## 20. Enforcement:

20.1. All Recognized Organizations are hereby directed to ensure during surveys, inspection and audits of Indian ships that:

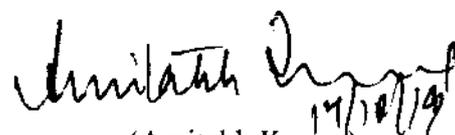
20.1.1. Single use plastics are not found used/stored on board any Indian ship. A Memo to the same effect to be inserted in the Survey status of ships.

20.2 Administration Surveyors while conducting Flag State Inspection/Audit/Survey of Indian ships to verify that Single use plastics are neither used and nor available on Indian ships. In case of non-compliance, a deficiency raised to be rectified prior departure under Code 99103 (Other MARPOL Operational). If same deficiency is repeated during next inspection, it may be taken as a clear ground for detention under ISM Code.

20.3. Administration Surveyors while carrying out Port State Inspection of foreign flag vessels to ensure that Single use plastics are not in use and are kept locked in a store during their stay in Indian ports and on their passage through the territorial waters of India. A foreign ships intending to enter an Indian port (as defined in Article 11 of UNCLOS), is required to make a log entry identifying the "Single Use Plastic Items" on board the ship and stating the time, latitude and longitude "when" along with the location of the store where these items are stored prior entering Indian territorial waters. Further no single use plastic items to be discharged to port reception facility at an Indian port; same to be verified during Port State Inspections.

20.4. No detention of foreign ships to be enforced. In case it is found necessary, after uploading all other deficiencies on IOCIS website, a handwritten deficiency in the printed PSC Form 'B' to be rectified prior departure may be issued; however, no such deficiency to be uploaded on IOCIS.

21. The foregoing measures have been put in place to ensure safe, secure, environmentally sound, sustainable shipping and in public interest.
22. This order shall come into force with immediate effect.



(Amitabh Kumar)  
Director General of Shipping  
& Additional Secretary to the GoI.

To;

1. All the stakeholders through DGS website
2. All Mercantile Marine Departments
4. All Recognised Organisations
5. Indian Ports Association
6. Indian National Ship-owners Association [INSA], Mumbai.
8. ICC Shipping Association [ICCSA], Mumbai.

Copy for kind information to:

The Secretary to the Government of India, Ministry of Shipping, Transport Bhawan,  
1, Parliament Street, New Delhi – 110 001. [Attn.: Shri Satinder Pal Singh, Joint Secretary]



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पोत परिवहन मंत्रालय / MINISTRY OF SHIPPING

नौवहन महानिदेशालय, मुंबई  
**DIRECTORATE GENERAL OF SHIPPING, MUMBAI**

F.No. ENG/OPP-38(02)/19

Dated 8<sup>th</sup> January, 2020

**Addendum No.1 to DGS Order 5 of 2019**

**(Sub: Prohibition on use of Single Use Plastics On-board Merchant Ships)**

**1. Background to issuance of this Addendum No.1 to DGS Order 5 of 2019**

- 1.1. The DGS Order 5 of 2019 was issued after having completed the due process of consultations with representatives from INSA (Indian National Ship Owners Association), ICOSA (Indian Coastal Ship Owners Association) and IRS (Indian Register of Shipping) and on ascertaining the feasibility in implementation of the requirements that have been enumerated in the stated order.
- 1.2. However, since the issuance of the aforesaid order, the Directorate has received a number of representations from INSA, ICOSA, INCLA (Indian Cruise Liners Association), Royal Association of Netherland Ship Owners Association, Maritime Association of Ship Managers and Agents(MASSA), Foreign Ship Owners Association(FOSMA)expressing the difficulties being faced by the ships to meet the time bound requirements stated in the said order and also stating that the supply lines needed to be modified to supply biodegradable alternatives for the prohibited Single Use Plastics (SUP) items and that they need further discussion for complying with the requirements.
- 1.3. In consideration of the representations, the Directorate issued notice dated 21.11.2019 to stakeholder deferring the implementation of the requirements of DGS Order 5 of 2019 pending issuance of a methodology for execution through the issuance of an *addendum* to DGS Order 5 of 2019.
- 1.4. Deliberation with stakeholders was held in the Directorate on 13.12.2019 and the plan for execution of the requirements of DGS Order 5 of 2019 was finalised. Accordingly, this *Addendum No. 1* is in accordance with the said notice to stakeholders providing the methodology to be adopted for complying with the requirements of the aforesaid order.

1.5. To assuage in implementation of the requirements of said Order, the Directorate prescribes following methodology for smooth rolling out of the prohibition in the use of SUP on-board merchant ships, visiting Indian port (s), and also provides clarity in the definition of SUP and prescribes the execution plan vide this addendum.

**1.5.1.** Re-defining Single use plastics for a clearer understanding.

**1.5.2.** Adopting a methodology of self-regulation by allowing ships to prepare their own execution plan.

**1.5.3.** Preparation of inventory of single use plastic on board ship by 31 January 2020 or 31<sup>st</sup> March 2020 for cargo ships and passenger ships respectively.

**1.5.4.** Clarification to use waste reception facilities at Indian ports for disposal of SUP.

## **2. Definition of Single use plastic (SUP):**

2.1. DGS Order 5 of 2019 defines SUP as “disposable plastics which are used only once and then thrown away by the user”. It is clarified that the said definition does not include all those plastic items, which are re-used on ships.

2.2. The definition of SUP includes only those items, which are completely made of plastics, and items such as juice/milk packets / tetra-packs with plastic lining or caps are not included in this definition. Biodegradable plastic with a stamp, marking or certificate from the manufacturer’ or something similar shall not be considered for prohibition. Non-biodegradable multi-layered packaging shall also be considered for prohibition.

2.3. The said prohibition is applicable to items used on board ship and excludes cargo related items and packaging.

2.4. Crew and passenger personnel effects are now excluded from this prohibition till such time an execution plan is decided, at a later date, for these items and / or issued vide *Addendum No. 2*.

2.5. Necessary items such as Personal Protective Equipment, medicines, medicinal equipment, life-saving appliances, fire fighting appliances, and other statutory items used on such equipment’s which are made up of SUP or contained in SUP are excluded from prohibition.

## **3. Ship Execution Plan (SEP)**

3.1 SEP is defined as a ship-specific plan containing the following:

3.1.1 List of an inventory indicating all single use plastic used on board a ship as on 31 January 2020 for cargo ships and 31 March 2020 for passenger ships.

3.1.2 Identification, listing and prohibition of single use plastic items are as per execution methodology as detailed in subsequent paragraphs.

#### 4. Execution

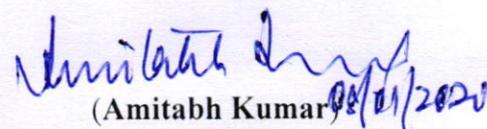
4.1 Based on the list of inventories prepared, following execution plan to be adhered and compliance with the same need to be demonstrated:

<i>Execution Methodology</i>	<i>Execution Schedule</i>			
	<i>Indian Cargo Ships</i>	<i>Foreign Flag Cargo Ships at an Indian Port or place</i>	<i>Indian Passenger Ships</i>	<i>Foreign Flag Passenger Ships at an Indian Port or place</i>
Preparation of complete list of inventories as per Paragraph 3.1.1	31 January 2020	31 January 2020	31 March 2020	31 March 2020
Identification, listing & prohibition of 50% of items detailed in the inventory prepared vide paragraph 3.1.1	1 April 2020	1 April 2020	1 June 2020	1 June 2020
Identification, listing & prohibition of 75% of items detailed in the inventory prepared vide paragraph 3.1.1	1 July 2020	1 July 2020	1 Sept 2020	1 Sept 2020
Identification, listing & prohibition of 90% of items detailed in the inventory prepared vide paragraph 3.1.1	1 October 2020	1 October 2020	1 Dec 2020	1 Dec 2020
<p>Note: 90% of items of inventory prepared vide paragraph 3.1.1. The ship can continue to use remaining 10% of items not identified for prohibition vide list prepared as per Paragraph 3.1.1.</p>				

- 4.2 Since the usage of SUP on-board a ship is not yet prohibited globally, foreign ships, visiting Indian port (s), are required not to use items made of single use plastics during their stay at an Indian port and hence they need to include in ship **execution** plan a methodology to prevent usage during their stay at Indian port (s). As far as practicable, all are urged to avoid using SUP on-board ships.
- 4.3 If a foreign cargo or passenger ship does not prepare an inventory as detailed in previous paragraphs of this addendum, the items mentioned in paragraph 19 of DGS Order 5 of 2019 will be prohibited to be used on board such ships (while at an Indian port or place) as per following implementation plan:

<i>Prohibition of SUP for foreign ships not in possession of Execution plan as on 31 January 2019</i>	<i>Execution Schedule</i>	
	<i>Foreign Flag Cargo Ships at an Indian Port or place</i>	<i>Foreign Flag Passenger Ships at an Indian Port or place</i>
50 % of items of SUP from the list provided in DGS Order No. 5 of 2019	1 April 2020	1 June 2020
75 % of items of SUP from the list provided in DGS Order No. 5 of 2019	1 July 2020	1 September 2020
90 % of items of SUP from the list provided in DGS Order No. 5 of 2019	1 October 2020	1 December 2020

- 4.4 The enforcement mechanism for compliance to changes via this addendum and last DGS Order 5 of 2019 is as per DGS Order 5 of 2019.
- 4.5 Waste reception facilities shall continue to be provided at all Indian ports through Swachh Sagar Portal including for disposal of Single use plastic items. However, they should be kept, segregated and marked for disposal.

  
(Amitabh Kumar)

Directorate General of Shipping  
& Additional Secretary of GOI

To;

1. All the stakeholders through DGS website
2. All Mercantile Marine Departments
4. All Recognised Organisations
5. Indian Ports Association
6. Indian National Ship-owners Association [INSA], Mumbai.
8. ICC Shipping Association [ICCSA], Mumbai.

Copy for kind information to:

The Secretary to the Government of India, Ministry of Shipping, Transport Bhawan,  
1, Parliament Street, New Delhi – 110 001. [Attn.: Shri Satinder Pal Singh, Joint Secretary]

**Frequently asked question:**

Prohibition on use Single Use Plastic: DGS Order 5 of 2019 and Addendum No. 1 to said Order

<u>Issued on</u>	<u>Revision No.</u>	<u>Date of Revision</u>	<u>Date of Uploading of revised FAQ on DGS Web-site</u>
14 January 2020	02	05.02.2020	06.02.2020

1.	<b>My vessel is using various sizes of single use plastic bags. Will plastic bags irrespective of sizes will be counted as a single SUP item?</b>
<u>Answer</u>	Yes, plastic bags irrespective of size will be considered as only one Single Use Plastic item.

2.	<p><b>The SIP is to include a list of all single-use-plastic on board with the exception of those exempted from the definition. The list will need to be separated into three groups which will represent a prohibition sequence as follows:</b></p> <p><b>List A – 50% of the total list of SUPs identified in the SIP that are to be prohibited from being on board by 1 April 2020.</b></p> <p><b>List B – 75% of the total list of SUPs identified in the SIP that are to be prohibited from being on board by 1 July 2020.</b></p> <p><b>List C – 90% of the total list of SUPs identified in the SIP that are to be prohibited from being on board by 1 October 2020.</b></p> <p><b>The remaining 10% of SUPs on board after 1 October 2020 will be comprised of those excluded from the SUP definition.</b></p> <p><b>Q1: Should the list include the number of each material? For example, onboard the ship there are 20plastic bags of one use, 100platici straws.</b></p> <p><b>Q2: In the above definition of the A, B, and C lists, there is the phrase “prohibition from being onboard”. Does it mean that these materials are prohibited to be onboard the vessel or does it mean that their use is prohibited during vessels’ stay in Indian waters?</b></p> <p><b>Q3: Are the materials that should be included in the list A, B and C ship specific or should each company develop its own A,B and C lists</b></p>
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<u>Answer</u>	<p>Ans1: No there is neither a need to identify and nor to list number of each SUP items on board.</p> <p>Ans 2: The phrase “ Prohibition from being onboard” means the following:  <b>Foreign Flagged- ships while at a place or port in India:</b> These ships are not allowed to use prohibited items while at a place or port in India. However, these items are allowed to be there on board such vessels provided kept stored at identified locations.</p> <p><b>Indian Flagged-Ships:</b> These ships are not allowed to have such items on board.</p> <p>Ans 3: Each ship should have a ship specific list.</p>

3.	<p><b>What does 10% mean? Does it mean 10% of the different types of SUP on board or 10% of total quantity spread over the different types? How is the % to be calculated? Does it mean a percentage of the number of items or volume or weight? Weight of course would be the more accurate measure. However, implementing this requirement to any degree of accuracy will be difficult.</b></p>
<u>Answer</u>	<p>10% is based on number of SUP items and not on total quantities. All plastic bags irrespective of their size shall be considered consisting of one item and it goes for say other items like plastic bottles.</p>

4.	<p><b>Biodegradable plastic with a certificate from the manufacturer’ – we find it highly unlikely that all biodegradable plastic will be issued with a certificate. It is probably just poor choice of words and it should be changed to ‘Biodegradable plastic with a stamp, marking or certificate from the manufacturer’ or something similar.</b></p>
<u>Answer</u>	<p>Yes, biodegradable plastic with a stamp, marking or certificate from manufacturer or something similar shall not be considered for prohibition under DGS Order 5 of 2019 and same is so stated in Addendum No.1 to this order.</p>

5.	<b>In section 2.1 of Draft Addendum No. 1, reusable plastic items are excluded from the definition of single use plastic. We seek confirmation that reusable plastic items such as commercial size dispensers for fluids (e.g. shampoo, cleaning products, etc.) are also excluded, since such items are used more than once before depleted.</b>
<u>Answer</u>	Yes, such items are excluded provided they are re-used/re-filled on the ship itself and not discarded after single use.

6.	<b>Section 2.2 further clarifies that the definition of single use plastics includes only items that are completely made of plastic. Please confirm our understanding that items with multi-layered packaging (e.g. foil-lined condiment packets, etc.) are not included within the definition of single use plastics.</b>
<u>Answer</u>	Yes, multi-layered plastic will not be considered for prohibition provided they are biodegradable with a stamp, marking or certificate from the manufacturer' or something similar.

7.	<b>In section 2.3, Draft Addendum No. 1 distinguishes items used on board ship from cargo related items and packaging. As large quantities of items are often stored on board passenger ships for use on board, we seek confirmation that such stores are considered to be cargo for the purposes of the Order.</b>
<u>Answer</u>	Crew and passenger personnel effects are already exempted and can be stored on ship. SUP not exempted are required to be included. Cargo related SUP are exempted from prohibition.

8.	<b>Section 2.5 of the Draft Addendum provides examples of practical exclusions for medical and life-saving equipment. We request clarification that the exclusion similarly extends to plastics used for sanitation such as plastic/latex gloves, trash bags, etc., and to personal protective equipment (PPE) including respirator cartridges, gloves, suites, boot covers and related items.</b>
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<u>Answer</u>	<p>Personnel protective equipment including respirator cartridges, gloves, suits, boots and related packaging are excluded from prohibition.</p> <p>Latex/rubber are not plastics and are excluded from prohibition.</p> <p>Plastics used for sanitation are not excluded from prohibition.</p>
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9.	<p><b>The requirement in section 3.1.2 to list an inventory of 10% of items which the ship intends to continue using appears to correspond to the earlier-referenced methodology listed in section 1.5 (labeled 1.3.3), which allows ships to continue to use 10% of total single use plastic inventory items based on operational needs of different ship types (March 31, 2020 for passenger ships). However, the text and requirements of section 3.1.3 (labeled 3.1.2) do not provide the same level of clarity. As drafted, it may be read to permit an increase over time in the percentage of inventory items that may continue to be used on ships (from 10% to 50% to 75% to 90%). In contrast, section 4 reflects an intent to increasingly prohibit single use plastics from being onboard from 50% to 75% to 90%, as identified in paragraph 19 of Order 5, by December 1, 2020 for foreign flagged passenger ships. The text in section 3 could be clarified to avoid confusion.</b></p>
<u>Answer</u>	<ol style="list-style-type: none"> <li>1. The purpose of this Order and its Addendum is to dissuade ships from using Single use plastic items. Therefore, inventory once prepared should not be changed unless there are slips in the preparation of an inventory.</li> <li>2. The aim of the Order is to help smooth removal of Single Use Plastic items from ships especially Indian ships by giving enough time to find alternatives. Therefore, the Addendum allows ships to identify the single use plastic items, list these items and prohibit use of these items on board ships in phased manner to achieve the target date of prohibition.</li> </ol>

10.	<p><b>We are the management company for vessels, which have possibility to call or pass your waters as Foreign Flag Cargo Ship. According to DGS Order No. 5 of 2019 and the Addendum No. 1 to this Order, the vessel prohibit using Single Use Plastic (SUP) in your waters. Related to this Order, we have some questions as below:</b></p> <ol style="list-style-type: none"> <li>1. <b>Can the vessel use these various foods and drinking water under this situation?</b></li> </ol>
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	<p>2. <b>If, the vessel can use them, how deal with the log entry?</b></p> <p>3. <b>If the vessel cannot use them, what can the crew do to take the meal on-board?</b></p> <p>4. <b>Section 20.3 of the Order said, further no single use plastic items to be discharged to port reception facility at your port. Is this mean all plastic items (except Sec.2 of the Addendum No. 1) including the contents should be landed to port reception facility?</b></p>
<p><u>Answer</u></p>	<p>1. DGS Order 5 of 2019 should be read along with Addendum No.1 to DGS Order 5 of 2019.</p> <p>2. The use of SUP on foreign ships is only prohibited at a place or port in India. There is no prohibition on usage while the ship is passing through Indian territorial waters.</p> <p>3. A list of all Single Use Plastic except those exempted as per Addendum No.1 to DGS Order 5 of 2019 is to be prepared by 31<sup>st</sup> January 2020. There is no need to identify number of each SUP in such a list. However, progressively 50%, 75% and 90% of items (as determined by Owner/Manager) listed in this list should not be used by foreign ships when at a port or place in Indian waters on/after 1 April 2020, 1 July 2020 and 1 October 2020 on cargo ships and 1 June 2020, 1 September 2020 and 1 December 2020 on passenger ships respectively.</p> <p>4. The purpose of Log entry is to indicate the places where all these items are stored for Port State Control purpose, however, quantity of each item stored is not required.</p> <p>5. Section 4.5 of Addendum No.1 to DGS Order 5 of 2019 stated that “Waste reception facilities shall continue to be provided at all Indian ports though Swachh Sagar Portal including for disposal of Single use plastic items. However, they should be kept. segregated and marked for disposal”. So there is no prohibition in using port reception facilities in India for discharge of single use plastic items.</p> <p>6. The Addendum No.1 to DGS Order 5 of 2019 allows 10% of items identified in the list prepared</p>

<p>11.</p>	<p><b>Addendum No. 1 to DGS Order 5 of 2019</b></p>
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	<p>With respect to the above addendum to the DGS order prohibiting the use of single use plastics, we note that the execution requirements place an obligation on ships to inventory a specific proportion of their single use plastic by certain dates. Is there a requirement as to how this will be calculated, or will it be left to the discretion of the ship? Ordinarily Annex V discharges are calculated and recorded by weight or volume rather than number of items, and we would be grateful if you could clarify whether this standard practice will apply in the case of the inventories.</p>
<u>Answer</u>	<ol style="list-style-type: none"> <li>1. Yes, unlike MARPOL, the prohibition is based on number of items of each type as explained below and not quantity of each type of items. The reason for this is to give enough space and time to Ship-Owners to find suitable alternatives and reduce dependence on single use plastics by both ship and seafarers.</li> <li>2. The philosophy of number of items is as below: <ul style="list-style-type: none"> <li>- In case SUP water bottles are used on board, the inventory should include SUP water bottles as one item only irrespective of sizes and numbers of each size of bottles. Same goes with plastic bags (garbage or otherwise) etc.</li> </ul> </li> </ol>

12.	<p><b>On the subject of the SUP ban and the Ship Execution Plan (SEP), could you please advise, if all the SUP on board are to be listed in the SEP or the SEP should have only those items listed that are out of the exempted list, e.g. do we need to have SUP used for PPE ,Medical ,Statutory ,personal use included in the SEP or keep them out from the start.</b></p>
<u>Answer</u>	<p>The list is required to include only those items which are not exempted. Number/Quantity/Volume of each type of item is not required to be listed.</p>

13.	<p><b>a) At the end of page 3, in the table of the execution schedule, there is the reference “The ship can continue to use remaining 10% of items not identified for prohibition vide list prepared as per Paragraph 3.1.1.” This is not clear and guidance is needed. If this 10% includes the items exempted, then in case that the exempted SUP are of equal</b></p>
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	<p><b>or similar number with the prohibited ones, there will be an issue to apply the 50%, 75% and 90% scheme.</b></p> <p><b>b) If the Addendum should be read along with the circular, a new paragraph of the verification by the PSC is needed as the existing is clearly referring to the old model described in the circular.</b></p>
<p><u>Answer</u></p>	<p>a) Apart from exempted items, the ships can continue using 10% of items identified in the list prepared on/after 1 October 2020, in case of cargo ships and on/after 1 December 2020 in case of passenger ships. The purpose of preparation of an initial list of SUP and progressive prohibition and then exclusion 10% of items from the list apart from exempted SUP items (detailed in Paragraph 2 of Addendum No.1 to DGS Order 5 of 2019) are manifold. Few of the reasons are listed below:</p> <ul style="list-style-type: none"> <li>(i) Since purpose of DGS Order 5 of 2019 and Addendum No.1 is to dissuade ships from using Single Use Plastic items, a list will create awareness and prevent later inclusion of other SUP items.</li> <li>(ii) Ship owners can look for alternatives only if a list is available to work upon and strive to get alternatives prior prohibition date. Further even if alternatives are available, there may be some SUP items, a ship may want to continue using based on their operations.</li> <li>(iii) A list will help in Port State, Flag State Inspection as the inspection will not be arbitrary, and inspector will have a document to base his inspection upon.</li> <li>(iv) To encourage a culture of self-regulation.</li> </ul> <p>b) The port state inspection will not detain the vessel and the philosophy of the inspection will be as follows:</p> <ul style="list-style-type: none"> <li>(i) PSC inspector will verify availability of a list of all SUP items on board the ship on/after the date on which such list is required. List is not mandatory and in case list as required by Paragraph 3.1.1 of Addendum No. 1 is not available, the PSCO will consider items detailed in Paragraph 19 of DGS Order 5 of 2019 as the list for the</li> </ul>

	<p>ship and carry out inspection in accordance with other paragraphs detailed below.</p> <p>(ii) On/after the date of progressive prohibition (50%, 75% &amp; 90% respectively), the PSC Inspector will verify whether the ship has identified from the list prepared percentage of items not to be used when at a port or place in Indian waters. Further he will identify whether there is some written record of the places where these prohibited items are kept stored and how non-usage of same is implemented.</p> <p>(iii) In case any of the prohibited item (or SUP item not listed in the prohibition list) is found being used on board, the PSCO may give a deficiency to be rectified prior departure. However, no detention shall be enforced.</p> <p>(iv) While at a port or place in Indian waters, ship can separately store all SUP items to be landed to Port reception facilities.</p>
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14.	<p>In our effort to prepare a proper Ship Execution Plan for the prohibition of the Single Use Plastics, we would appreciate it if you could guide us on the below questions which are not clearly addressed in the Circular, the Addendum and the FAQ document.</p> <p>For easier reference, I am asking for “Foreign Cargo Vessels”.</p> <p>(A) Should the original circular and the addendum be read together to create the plan? Some parts from the original circular are missing from the addendum included in the SEP. i.e. The addendum is not making any reference to lock the SUP when in Indian waters/ports.</p> <p>(B) Should the items for prohibition be locked in a space prior entering Indian waters and recorded in the log book?</p> <p>(C) Should the inventory include all SUP including the ones not identified for prohibition? I believe that this is not the case since they are set as exemption.</p> <p>(D) What is the expectation for items not in the prohibition list. Is it correct to say that nothing will change for these items?</p> <p>(E) Will the vessel have available a new SEP for every call in Indian waters/ports?</p>
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	<p>(F) Is there an expectation to compare the previous inventory with the new one and to see smaller quantities? How will this be done? Stamped?</p>
<p><u>Answer</u></p>	<p>(A) Yes, DGS Order 5 of 2019 should be read along with Addendum No.1 to the Order. There is no need for locking all SUP items, however all locations where SUP is available to be recorded.</p> <p>(B) Location of SUP items may be recorded in Ship Execution plan prior arrival at a port or place in Indian waters signed by Master with ship stamp. There is no need for making a log entry. The purpose of this recording is only for ease of port state control inspection.</p> <p>(C) There is no need to include items excluded from prohibition which are detailed in Paragraph 2 of Addendum No. 1 to DGS Order 5 of 2019.</p> <p>(D) As above</p> <p>(E) The philosophy is as below:</p> <ul style="list-style-type: none"> <li>(i) Foreign Flag vessels on frequent run to a place or port in Indian waters should have a list of all prohibited SUP items on board in place on cargo ships or passenger ships by 31 January 2020 and 31 March 2020 respectively.</li> <li>(ii) In case a foreign flag vessels is trading in Indian waters by grant of license under Section 406 or 407 of Merchant Shipping Act, 1958: <ul style="list-style-type: none"> <li>- If licensed on/before/after 31 January 2020, the vessel should have a list prepared prior coming to a port or place in Indian waters.</li> <li>- Further the prohibition on these licensed vessels shall be same as for Indian ships and shall not be allowed to have progressively SUP items on board based on this list and identified by them in accordance with Paragraph 4 of Addendum No.1.</li> <li>- The above prohibition is only during the period of license or during their stay at a port or place in India, whichever is later.</li> </ul> </li> <li>(iii) Other foreign flag vessel, which do not visit a place or port in Indian waters regularly, should have a list prior arrival only. There</li> </ul>

	<p>is no need to prepare a list on/before 31 January 2020. However, there is no relaxation from progressive prohibition of use of SUP items while at a port or place in Indian waters. This means:</p> <ul style="list-style-type: none"> <li>- that if a foreign flag vessels enters a place/port in Indian waters on/after 1 April 2020 but before 1 July 2020, it should not only have a list of SUP items, but also have identified and listed 50% of items from this list which shall not be used at a place/port in Indian waters. Location of these SUP prohibited should be identified and recorded.</li> <li>- Again if the same vessel or another foreign flag vessel comes to a port/place in Indian water on/after 1 July 2020 but before 1 September 2020, but also have identified and listed 75% of items from this list, which shall not be used at a place/port in Indian waters. Location of these SUP prohibited should be identified and recorded. This list may be a new list and may include additional items.</li> <li>- Again if the same vessel or another foreign flag vessel comes to a port/place in Indian water on/after 1 September 2020 but before 1 September 2020, but also have identified and listed 90% of items from this list, which shall not be used at a place/port in Indian waters. Location of these SUP prohibited should be identified and recorded and should not be used during its stay. This list may be a new list and may include additional items.</li> <li>- The above philosophy also goes for passenger ships and only date of implementation will change in accordance with Addendum No.1.</li> </ul>
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15.	<p>Just to make sure, I would like to confirm about the following questions.</p> <p style="text-align: center;"><b>1. Definition of Single Use Plastic</b></p> <p>As per “Definition of Single Use Plastic”, it states “items such as juice/milk packets / tetra-packs with plastic lining or caps are not included in this definition”.</p> <p>But, other items such as “Biodegradable plastic”, “cargo related items and Packaging” and others are stated not to be included from prohibition.</p>
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	<p>My understanding is that items from 2.1 to 2.5 refer to the definition of SUP, so items, which are not prohibited, are also not included in the definition of SUP.</p> <p>Is this understanding correct?</p> <p style="text-align: center;"><b>2. Inventory List of Single Use Plastic</b></p> <p>If these items which are stated “not to be included from prohibition” are included in the SUP, its use are just prohibited, and must it be listed on the Inventory List?</p> <p>Even if it is necessary to be listed, when considering the “prohibition of 50%, 75%, 90%”, must these items which are not prohibited be included in the ratio?</p> <p>If the answer of No.2 Questions are yes, it is very hard to make the inventory list of SUP.</p> <p>Because, if we have 9 items which are not prohibited (ex: PPE, medical equipment, Crew personal effects, etc.), we must prepare more than 90 items to be listed for the rule, and this is not realistic.</p>
<p><u>Answer</u></p>	<ol style="list-style-type: none"> <li>1. The prohibition is only on those Single Use Plastic Items, which are completely made of Plastics. Items such as juice and milk tetra-packs with only plastic caps are not prohibited. Further your understanding is correct.</li> <li>2. The items, which are excluded from prohibition, are not to be included in the list of single use plastic items on board. Please note it is a list and not an inventory and only item need to be mentioned and numbers are not required.</li> </ol>