



## TECHNICAL ALERT No. 15-17

---

### Introduction of Low-Sulphur Fuel Regulations in Hong Kong

---

#### 1. Introduction

- 1.1. *Air Pollution Control (Ocean Going Vessels) (Fuel at Berth) Regulation* (L.N. 51 of 2015) was published on 06 March 2015. This Regulation introduces limits on the sulphur content of fuel oil consumed by foreign ships visiting the port of Hong Kong.
- 1.2. The text of the new regulations can be found in the Hong Kong Legislative Council Brief EP 150/NV/26 via the link below:  
  
<http://www.legco.gov.hk/yr14-15/english/subleg/negative/ln051-2015-e.pdf>
- 1.3. This Technical Alert aims to increase awareness of the introduction of the above Regulation and to alert Companies operating Bahamian ships to potential penalties that may be applied to ships failing to demonstrate compliance with the regulations.
- 1.4. Please also refer to Technical Alert 15-09.

#### 2. New requirements

- 2.1. From 01 July 2015, all ocean-going ships of 500 gross tonnage and above, certificated in accordance with SOLAS, shall consume fuel oil with sulphur content not exceeding 0.5% by mass whilst berthed within the port limits of Hong Kong. Ships will be given a period of grace during the first 1 hour after arrival and the last 1 hour of berthing time in order to enable proper switching over of fuels.

2.2. Fuel considered compliant with the new requirements means:

- Low-Sulphur marine fuel with Sulphur content not exceeding 0.5% by mass;
- Liquefied Natural Gas (LNG);
- Any other fuel with Sulphur-content not exceeding 0.5% that may become approved in accordance with Section 11.1 of the Regulations.

2.3. The above requirements shall not apply if the ship is not moored or anchored at any berth.

2.4. In addition, subject to submitting a prior notification to Hong Kong Director of Marine, the above requirements will not apply if the ship enters the waters of Hong Kong solely for the purposes of:

- reducing risks to the safety of the vessel; or
- sheltering from the stress of weather; or
- landing a sick or injured person ashore.

### **3. Record Keeping**

3.1. A ship shall maintain the records of:

- the date and time of arrival alongside the berth;
- every fuel switch-over operation;
- the date and time of the departure from the berth;
- the specification of the fuel used.

3.2. Records should be retained on board for three years.

### **4. Penalties**

4.1. Where the ship is found to be consuming a non-compliant fuel for combustion purposes whilst berthed at port of Hong Kong after 01 July 2015, **both** the Owner and the Master each are considered as having committed an offence.

4.2. A person who commits an offence as described in 4.1 is liable on conviction to a fine of \$200,000 **and** to imprisonment for 6 months.

4.3. Further penalties are specified for:

- failure to record the required data without reasonable excuse;
- failure to retain the records specified in 3.1 above, or failure to produce such records for inspection without reasonable excuse;
- failure to submit copies of documents if required by a notice issued by the Hong Kong Authority.

**5. Validity**

5.1. This alert is valid until further notice.

**6. Revision History**

6.1. Rev.0 (19 June 2015) – First issue