

# RISK ALERT



## MARPOL Convention-Electronic Record Book (ERB)



Written by  
**Vijay Rao**  
Loss Prevention team

### Introduction:

1. This alert is issued in light of some logbook recording requirements moving towards digitalisation and the Clubs anticipation that operators will be embracing this format. Maintaining electronic records and promotion of fleet wide standardisation – such as automatic entries of ship's location – will boost the quality of information and make review and analysis clearer and more transparent.

2. In May 2019 the 74<sup>th</sup> Session of Marine Environment Protection Committee (“MEPC”) agreed and issued resolution 312(74) which lays out guidelines for the electronic recording of entries under the MARPOL 73/78 Convention. Resolution 312(74) came into effect on 01 Oct 2020.

### IMO Guidance:

3. Where permitted by Flag Administration, the electronic recording of entries under Annexes I, II, V, VI and NOx Technical Code is now possible. The detailed guidelines required to be followed for the development and approval of an electronic record book are specified in the [MEPC 312\(74\)](#).

4. In order to electronically record MARPOL related entries, IMO's MEPC (74) adopted additional resolutions in May 2019. These provide the details of the amendments to the MARPOL Annexes that permit electronic recording. These additional MEPC resolutions are listed below.

- Annex I [MEPC Resolution 314\(74\)](#)
- Annex II [MEPC Resolution 314\(74\)](#)
- Annex V [MEPC Resolution 314\(74\)](#)
- Annex VI [MEPC Resolution 316\(74\)](#)
- NOx Technical Code 2008 [MEPC Resolution 317\(74\)](#)

5. The amendment to the MARPOL makes provision for the following listed records to be maintained electronically:

- Oil Record Book, Part I and Part II (MARPOL Annex I, Regulations 17.1 Machinery space operations and 36.1 Cargo/Ballast operations),
- Cargo Record Book (MARPOL Annex II, Regulation 15.1),
- Garbage Record Book, parts I and II (MARPOL Annex V, Regulation 10.3),
- Ozone-depleting substances record book (MARPOL Annex VI, Regulation 12.6),
- Record of Tier and on/off status of engine -entry and exit from NOx Tier III ECAs (MARPOL Annex VI Regulation 13.5.3),
- Fuel oil changeover log (MARPOL Annex VI Reg. 14.6)
- Record book of engine parameters (NOx Technical Code, 2008, para 6.2.2.7.1)

6. Record books are required to be in the same format, as specified in the corresponding appendix to MARPOL Annexes. The electronic format should provide the same level of confidence that the entries for the activity have been verified and authorised by the person in charge, and that there is no scope for falsifying or altering records without being reauthorized. Any amendment of the electronic record book is to be notified to the respective Flag Administration.

7. For this reason, MEPC Resolution 312(74) provides guidelines for software development of electronic record books, ensuring records maintained on the system are secure, credible, and accountable. The software must also allow for backup of critical data and provide for means to audit entries contained within the ERB.

8. Additionally, any such electronic record keeping must be approved by the respective Flag administration. Upon successful installation and verification on board of an ERB a '[Declaration for MARPOL electronic record book](#)' must be issued by the Flag Administration or its authorised Recognised Organisation. This declaration must be ship specific and kept on board as proof of acceptance by the Flag Administration.

9. Furthermore, under [IMO Resolution 1138\(31\)](#) Procedures for PSC adopted on 4th December 2019, a PSCO is required to view the declaration during inspection when MARPOL records are maintained in electronic format. Failure to provide the declaration could result in the [ship being detained](#).

#### **Conclusion:**

10. Members already using an electronic recording system prior to 1st October 2020 are advised to contact their respective Flag Administration in order to check for any change in documentation that might be necessary.

11. Members considering implementation of electronic recording systems are recommended to consult with their Flag Administration to explore these arrangements.

12. Implementation of record keeping practices for ERBs should be reflected in the vessel's SMS. The ERB should be provided with the necessary security and protection in line with other critical software installations on board, as per the Cyber Security Management procedures. ERB software management, system updates, and the requirement for future revisions should be agreed with the vendor, and additionally, when necessary the continued validity of the declaration as issued by the Flag Administration, permitting the use of ERB, should also be verified.

13. Vessels should have the provision to be able to produce a hard copy of the MARPOL records and these should be annotated as being certified as a 'true copy' as detailed in the MEPC Resolution 312(74). Hard copies may be required for example when requested by port state authority during an inspection or in case of a pollution allegation. Means for producing such hard copies of the MARPOL electronic records should be available at all times and functionality should be verified periodically.

14. It is important to take note of any regional, coastal, or port state authority requirements that may differ from the amended MARPOL Convention. It is prudent to check for any specific requirements in advance of the intended arrival to the port or territorial waters, and the crew aware of any necessary actions that may be required.

15. Appropriate training and familiarisation in requirements for the recording of data under the MARPOL Convention and the use of the ERB software must be carried out for successful implementation of the ERB.

16. When properly implemented, electronic record keeping could provide a level of standardisation and contribute to an improved level of overall accuracy and reliability of the records needed to be maintained under the convention. Use of the ERB provides the possibility for enhanced quality checks, such as remotely by shoreside superintendents, and the identification of specific training needs, such as in the event of ship staff making repeated erroneous entries.

17. As with a hard record book, all required entries in the ERB must be completed and appropriately authorised by the Master before arrival in port unless there is a valid and documented justification for not doing so.

18. The use of ERB does not relieve the crew and the operator of the duties to maintain accurate records and to show same to the authorities in the event of an inspection and in the case of a pollution incident.

19. There has been no amendment to the retention period of record books, the electronic records must therefore be maintained in line with the hard copy retention requirements currently specified.

20. Finally, Members are reminded that they need to continue to maintain all the Statutory and Class requirements in accordance with the Club rules.