

Flag / Port States Policy

Australia (Port State)

<http://www.intertanko.com/pdf/technical/MEPC428decisionbyAustralia13G-13H.pdf>

The Australian Maritime Safety Authority (AMSA) will prohibit single hull oil tankers granted an extension under the provisions of 13G(7) by the flag State to enter Australian ports as of 1 January of the year that the tanker is to be phased out as per MARPOL regulation 13G(4). Those granted an extension under 13G(5) will be denied entry as 1 January 2015. Also, single hull oil tankers carrying heavy HGO under any extension granted by the flag State will not be allowed to enter Australian ports as of 5th April 2005.

Bahamas (Flag State)

(<http://www.intertanko.com/pdf/technical/Bahamas-IMOMEPC437.pdf>)

Bahamas will apply all paragraphs in Regulations 13G and 13H which pertain to the Flag Administration authority.

European Union (EU) Member States (Port State) – As far as 13G is concerned, the EU Member States will follow the same phase-out scheme as IMO, but with the following exceptions:

- After 2015, there will be no single hull tankers calling at EU ports or offshore terminals under their jurisdiction including category 2 and 3 ships complying with 13G(5) (double-bottom or double-sided tankers)
- After 2010, they will ban from entry into EU ports or offshore terminals under their jurisdiction, any single hull tanker that may be granted a later phase-out date under 13G(7) by its Flag Administration.
- From 5 April 2005, the EU will ban from its ports or offshore terminals under their jurisdiction, all single hull tankers transporting heavy grade oils, including tankers that are given permission for such trade by the Flag Administration under 13H(5) and 13H(6).

There are exemptions for tankers below 5,000 dwt, and for ice strengthened tankers.

The Member States of the European Union are: Austria, Belgium, Denmark, the Czech Republic, Cyprus, Estonia, Germany, Greece, Hungary, Finland, France, Ireland, Italy, Luxembourg, Latvia, Lithuania, Malta, The Netherlands, Poland, Portugal, Slovak Republic, Slovenia Spain, Sweden and United Kingdom. The Regulation also applies for the Member States of the European Economic Agreement (Norway, Iceland and Liechtenstein).

Hong Kong, China (Port State)

<http://www.intertanko.com/pdf/technical/IMOMEPC431HongKong.pdf>

The Hong Kong Marine Department will allow single hull oil tankers to enter Hong Kong ports in accordance with extensions provided under 13G(5) but not later than 2015. For those granted an extension under the provisions of 13G(7) by the flag State to operate beyond 2010, entry will be denied **20 years** after delivery or anniversary date in 2015, whichever is earlier. Hong Kong will deny entry into its ports of single hull oil tankers carrying HGO as of 5 April 2005 except tankers between 600 dwt and 5000 dwt which will be deny entry with HGO onboard from 2008.

India (Flag and Port State)

http://www.imo.org/includes/blastDataOnly.asp/data_id%3D11788/442.pdf

India will grant extensions of the phase out date as a flag State. India will accept extensions of the phase out date provided by flag Administrations to foreign flag ships calling at Indian ports.

Japan (Flag and Port State)

http://www.imo.org/includes/blastDataOnly.asp/data_id%3D12012/446.pdf

Japan gives favourable consideration to Japanese flag oil tankers to continue operation beyond the vessel's phase-out date specified in 13G(4) (2010 for ships delivered in 1984 or later), provided the vessel has double bottoms or double sides (as per 13G (5)) and complies with CAS requirements (as per 13G(7)), but not later than 25 years from the date of delivery or 2015 whichever is earlier."

Japan will give favourable consideration to Japanese flag oil tankers having on board heavy grades of oil to continue operation beyond 5 April 2005 provided the vessel is in compliance with conditions set forth in 13H(5) but not later than 2015. Japanese oil tankers below 5,000 dwt may be allowed under 13H(6)(b) to continue until their 25th anniversary only if they have a double bottom or double sides. Japanese oil tankers are not allowed to continue transportation of heavy grades of crude oil as per 13H(6)(a) since 5th April 2005.

The Japanese Port Authority will allow foreign flag tankers to call Japanese ports if they comply with provisions of 13G(5) and 13H(5). Single hull tankers carrying heavy grades of crude oil as per 13H(6)(a) are not allowed in Japanese ports since 5 April 2005. Single hull tankers of less than 5,000 dwt., (reference 13H(6)(b)) will be allowed to call to Japanese ports until their anniversary date until 2008, unless they have double bottoms or double sides in which case they will be allowed to call until their 25th anniversary.

Liberia (Flag State)

http://www.imo.org/includes/blastDataOnly.asp/data_id=12011/445.pdf

The Liberian Administration gives favourable consideration to allowing continued operation of an oil tanker beyond the date specified in 13G(4), provided the vessel is in compliance with conditions set forth in 13G(5) or 13G(7).

The Liberian Administration will give favourable consideration to allowing continued operation of an oil tanker having on board heavy grades of oil provided the vessel is in compliance with conditions set forth in 13H(5), 13H(6)(a) & (b) and 13H(7)(a) & (b).

Marshall Islands (Flag State)

<http://www.register-iri.com/marinenotices/mi-2-013-7-mnt.doc>

The Marshall Islands Administration will apply all paragraphs in Regulations 13G and 13H which pertain to the Flag Administration authority. In practice, Marshall Islands will allow single hull tankers to trade on past the 2010 phase-out deadline, under the provisions of Regulations 13G and 13H. See their Maritime Notice No. 2-013-7, which, in our view, gives clear guidance on the applicability of these new provisions together with important clarifications and interpretations on them. Annex 2 of this Notice shows a matrix with clear guidance on the application of the new provisions to different ships' categories as per their date of delivery.

Mexico (Flag and Port State)

http://www.imo.org/includes/blastDataOnly.asp/data_id%3D11804/443.pdf

Mexico will grant an extension of the phase out date as a flag State only under the provisions of 13G(5) but not later than 2015 and will apply the same principle to a foreign tanker operating under an extension granted by the flag State to enter Mexican ports. Mexico will not grant exemptions under 13G(7), 13H(5), 13H(6) and 13H(7).

Panama (Port State)

<http://www.pancanal.com/common/maritime/advisories/a-07-2005.html>

The Panama Canal Authority issued an Advisory stating that transit requests of oil tankers claiming exemption from provisions of MARPOL Annex I revised Regulation 13G and new Regulation 13H will be evaluated on a case-by-case basis. If approved for transit, such vessels will be assigned, at the vessel's expense, any additional resources as deemed necessary to guarantee a safe transit

People's Republic of China (Flag and Port State)

http://www.imo.org/includes/blastDataOnly.asp/data_id%3D11763/440.pdf

China will allow Chinese flagged double side and double bottom tankers to continue to trade until their 25th anniversary but not later than 2015 (13G(5)) but will **not** allow Chinese flagged single bottom & single side tankers to trade beyond their phase-out date (13G(7)). Chinese flagged double side and double bottom tankers will also be allowed to continue to trade on heavy grades of oil until their **20th** anniversary (13H(5)). China will **not** allow Chinese flagged single bottom & single side tankers to transport heavy grades of oil or crude oils with densities over 900 Kg/m³ beyond their initial phase-out date (13H(6) & (7)).

China will **not** allow any foreign flag single hull tanker to call its ports after the ship's initially set phase-out date in 13G(4) and thus deny recognition of any extension given by a foreign flag Administration. As from 5 April 2005, foreign flag single hull tankers transporting heavy grades of oil are **not** allowed to call Chinese ports **except** for double side or double bottom tankers which are less than **20** years old.

Republic of Korea (Flag and Port State)

http://www.imo.org/includes/blastDataOnly.asp/data_id%3D11764/441.pdf

The Republic of Korea may grant extensions to Korean flag tankers carrying heavy grade oil until **4 April 2006**. No indication on the implementation of Regulation 13G.

The Republic of Korea will ban entry to foreign tankers carrying heavy grade oil from **5th April 2006**.

Romania (Port State)

The Transportation Ministry Order OMTCT 2239/2004 published on 14 January 2005, acknowledges the enforcement of the EU regulation 1726 under the Romanian legislation. In other words, Romania will strictly follow the EU application of the provisions of 13G and 13H.

Singapore (Flag and Port State)

http://www.mpa.gov.sg/circulars_and_notices/shipping_circulars/sc04-25.htm

<http://www.intertanko.com/pdf/technical/Spore13G13H.pdf>

The Singapore Maritime and Port Authority (MPA) has issued Shipping Circular 25 of 2004 (first link above) which indicates, *inter alia*, how the MPA will enforce the various provisions of Regulations 13G and 13H as a Flag and as a Port State. Singapore will allow single hull tankers to trade on past the 2010 phase-out deadline, under the provisions of Regulations 13G and 13H.

United States (Flag and Port State)

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2004/pdf/04-17527.pdf>

The United States officially informed IMO that that these new regulations will not apply in the U.S. The U.S. Coast Guard published a Notice 69 Fed. Reg. 46172 notifying IMO that the express approval of the U.S. Government will be necessary before Regulation 13G as amended and new Regulation 13H could enter into force for the United States. In other words, the U.S. will follow the OPA 90 phase-out scheme and not the scheme and conditions under 13G. New Regulation 13H is so closely tied to revised Regulation 13G that it cannot be acceded to by the U.S. separately.

Source: Intertanko – June 2005