

**New Regulation on Shanghai Port Anti-pollution for Ships took effect from 1st June, 2015
(No. 28 Order of the People's Government of Shanghai Municipality)**

On 2nd April 2015, People's Government of Shanghai Municipality issued No. 28 Order on "Regulation on Shanghai Port Anti-pollution for Ships" for preventing ship pollution and pertinent contamination in Shanghai port and it took effect from 1st June 2015.

Huatai Shanghai Branch has been in receipt of many inquiries from members upon the captioned regulation. We perused it and consulted with Shanghai MSA by tele-conversation in regards to amendments' details and listed it below for your easy reference:

The new regulation is an updating version with total of 33 articles, 14 articles deleted and 13 articles added, which is based on 1996 Ship Pollution Prevention Rules of Shanghai Port.

The new regulation covers the whole Shanghai Port including in river ports and sea ports.

Article 29 to article 31 of 5th chapter clearly listed 8 illegal activities will be fined between RMB1,000(min) and RMB200,000(max) by Shanghai MSA law enforcement.

Any vessel who has 4 illegal activities of the followings will be fined for RMB1,000 to RMB10,000 / RMB10,000 to RMB50,000 in serious cases.

- 1) The vessel carrying pollution hazard cargo did not install Automatic Identification System (AIS) and no record cargo information clearly.
- 2) The vessel unsealing pollution discharge equipment did not report to the Maritime Administration if the administration had sealed the equipment before.
- 3) The vessel did not report the operating time and quantity of followings to the Maritime Administration by very high frequency (VHF), telephone call in advance.
 - AA: washing cabins, discharging gas, discharging ballast water, collecting residual oil or oily waste water, hull cleaning, painting
 - BB: ship-to-ship transfer of bulk liquid cargo apt to cause pollution damage
 - CC: dismantling, salvage, repair and building of ship, etc
- 4) The vessel did not fill out "Ship/Shore Safety Check List" as required.

Any vessel who has illegal activity of the following will be fined for RMB20,000 to RMB50,000 / RMB50,000 to RMB200,000 in serious cases.

5) Discharge sludge oil in Huangpu River or in water conservation districts or marine conservation areas.

Any vessel who has illegal activities of the followings will be fined for RMB20,000 to RMB50,000.

6) Wash deck with contaminants and vessel washing in water conservation districts or marine conservation areas.

Any vessel who has illegal activities of the followings will be fined for RMB10,000 to RMB100,000.

7) All the underway vessels in Shanghai did not comply with the provision or did not meet a fuel criterion ruled by national and shanghai government.

Any vessel who has illegal activities of the followings will be fined for RMB10,000 to RMB50,000.

8) The vessel breached of the regulation and used oil dispersant in water conservation districts or marine conservation areas.

“low sulfur fuel limit”

We noted many members also inquiry upon new fuel requirement - “low sulfur fuel limit” and accordingly, we noted that Article 11, Paragraph 2 states "Shanghai City encourages the low sulphur oil fueled by vessels or clean energy utilization." Thus, we suggest it is not compulsory standard at this stage.

“shore power supply”

In the Article 12, it states that Shanghai Transport Administration shall boost shore power supply and equipment in its ports gradually. If any wharf has equipped the shore power supply ship's engine at this stage, the vessel should shut down its fuel generator.

Finally we advised that all the items in this regulation shall be perused by owners or their management companies in advance before their vessel calling Shanghai from now on in case of any penalization strictly.

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