



THE REPUBLIC OF LIBERIA

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Office of
Deputy Commissioner
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05 January 2012

Marine Advisory: 01/2012

SUBJECT: Regulations of the People's Republic of China (PRC) on the Prevention and Control of Marine Pollution from Ships

Ref: (a) Maritime Safety Administration (MSA) of the People's Republic of China Announcement, 2011 No.3, related to implementation of the Agreement for Ship Pollution Response Administration System

Dear Shipowner/Operator:

The PRC MSA issued a Notice on 22 December 2011 outlining further requirements for shipowners and operators of (a) any ship carrying polluting and hazardous cargoes in bulk or (b) any other vessel above 10,000 GT to enter into a pollution cleanup contract with a Maritime Safety Agency (MSA) approved Ship Pollution Response Organization (SPRO) before the vessel enters a PRC port.

Ports with an established SPRO: For ports or waters in which a SPRO approved by the PRC MSA has been established, ship operators shall finalize an agreement for ship pollution response with a SPRO in the port before arrival of the vessel at that port. The PRC MSA has indicated that there will be no deferral of the implementation date of the Regulations of 1 January 2012 in ports which have approved SPRO's.

However, from 1 January 2012 to 1 March 2012, if an operator is unable to finalize an agreement with a SPRO in such a port before arrival of their ship, the local MSA may permit entry of that ship subject to the operator providing an explanation to the local MSA in advance of arrival. The explanation will need to state why the operator has not been able to conclude an agreement. A ship permitted entry under these circumstances must conclude an agreement before the ship departs the port.

Ports without an established SPRO: For ports or waters without an SPRO approved by the PRC MSA, all coastal MSA's directly under the PRC MSA are required to adopt temporary substituted measures in accordance with PRC MSA requirements. For ports or waters in which no temporary measure has been arranged, from 1 January 2012 to 1 March 2012, operators may temporarily not conclude an agreement for ship pollution response. This should be cleared with the local MSA in accordance with their temporary procedures.

From March 1, 2012, regardless of any previous waivers provided, PRC MSA intends to enforce the contract requirements.

Umbrella SPROs/alliances/consortia and agents signing agreements on behalf of operators will need to file relevant documentation with the MSA in order to be approved. A list of approved agents and umbrella SPROs/alliances/consortia will be published on the PRC MSA website: <http://msa.gov.cn>

Overseas operators without a branch company or office or representative in PRC can choose to sign up an agreement directly with an approved SPRO or appoint an agent to sign the agreement on their behalf.

A set of Frequently Asked Questions (FAQ's) have been developed by the P& I Clubs in the International Group (IG) and may be accessed on the GARD P&I Club's link below:
<http://www.gard.no/ikbViewer/Content/20650596/Circular%2014-11.pdf>

The free translation of the PRC MSA's Announcement, 2011 No.3 may be accessed on the UK P&I Club's link below:
<http://www.ukpandi.com/knowledge-developments/article/club-update-china-spros-22nd-december-2011-5071/>

Questions regarding this Advisory should be directed to Safety Department at +1 703 251 2469 or safety@liscr.com