

## TÜRKIYE. POLLUTION FINES 2023

Ingosstrakh' s P&I Correspondent in Türkiye Messrs. Kalimbassieris Maritime A.S. reports annual revision of administrative fines by the Ministry of Environment and Urbanization in the Official Gazette on 29 December 2022 by means of which, fines in 2023 will be raised by 122.93% in comparison to fine levels applied in 2022 with effect from 1st of January 2023.

**A- ARTICLE 20 (i) (1) Petroleum and petroleum products including but not limited to crude oil, liquid fuel, greasy waste, oily mud, slop, sludge by tankers**

GROSS TONNAGE	Rates valid from 01.01.2023
Up to 1000 (inclusive) GT	TRY per GT (Base) 2,009.85
1001-5000 (inclusive) GT	TRY per GT (Additional) 502,48
5001 and up	TRY per GT (Additional) 50,23

**B- ARTICLE 20 (i) (2) Dirty ballast discharged by tankers**

GROSS TONNAGE	Rates valid from 01.01.2023
Up to 1000 (inclusive) GT	TRY per GT (Base) 366,18
1001-5000 (inclusive) GT	TRY per GT (Additional) 73,05
5001 and up	TRY per GT (Additional) 11,59

**C- ARTICLE 20 (i) (3) Vessels / other sea vehicles releasing dirty ballast**

GROSS TONNAGE	Rates valid from 01.01.2023
Up to 1000 (inclusive) GT	TRY per GT (Base) 1,004.92
1001-5000 (inclusive) GT	TRY per GT (Additional) 200.99
5001 and up	TRY per GT (Additional) 50.23

\* According to the provisions (Article 23) of the Environment Code, the repetition of the same act by the same vessel within the next three years after the service date of the first fine will result in doubling the fine amount for the next pollution event and tripling for the following ones.

\*\* If any hazardous waste or similar nature or of its substance is released / dumped to the sea, the fine to be imposed is 10 (ten) times of the announced tariffs under the category of "A" above.

\*\*\* If the vessel or the sea craft (offender) cleans the pollution caused by its own, by using her own means and efforts, the administrative fine shall be 1/3 of the total amount.

\*\*\*\* Payment of the fine within 30 days as of the service date provides an advantage of 25% discount over the total amount.

\*\*\*\*\* The above rates are tripled if the owner of the vessel, which caused pollution is a legal entity.

\*\*\*\*\* The above rates will be doubled for the pollution incurred at Special Environment Protection Zones. The special zone covers the Marmara Region and Straits which also cover the Marmara Region and Straits (contains all ports and anchorage areas within Istanbul, Kocaeli, Yalova, Bursa, Balikesir, Canakkale, Tekirdag).

## CHINA. IMPORTANT UPDATES ON COVID-19 PREVENTION AND RESTRICTION POLICIES AT CHINESE MAINLAND PORTS - MANAGEMENT OF THE COVID-19 DISEASE DOWNGRADED TO CLASS B

Ingosstrakh' s P&I Correspondent in China Messrs. Huatai Insurance Agency & Consultant Service Ltd., keeps us in loop of update concerning Chinese government's new policy on improving epidemic prevention and control measures.

As it stands, On December 26th, 2022, the National Health Commission of the P.R.C. issued the *Overall Plan on Managing the Novel Coronavirus Infection with Measures against Class B Infectious Diseases* (hereinafter referred to as the "Overall Plan"). In accordance with the *Overall Plan*, starting from January 8th, 2023, China will downgrade management of COVID-19 from a Class A infectious disease to Class B. COVID-19 was previously classified as a Class B infectious disease but subject to the preventive and control measures for a Class A infectious disease. Prevention and restriction policies on port entry formalities, crew change, and onboard surveys at major ports are adjusted accordingly. The latest policies for the reference of Insured Owners are summarized here below.

### Background

On December 8th, 2022 the Ministry of Transport of P.R.C issued *Guidelines for the Prevention and Control of COVID-19 in Ports and Their Frontline Personnel (the 12th edition)* (hereinafter referred to as "the 12th Guidelines"). According to *the 12th Guidelines*, nucleic test requirements in some cases are lifted and restrictions on the entry of personnel into port areas are reduced to some extent. For details, please refer to the attached *HUATAI INFO* which was issued on December 12th, 2022.

On December 26th, 2022, the National Health Commission of the P.R.C. issued the *Overall Plan*. According to the Law of the People's Republic of China on Prevention and Treatment of Infectious Diseases, isolation of infected cases, tracking of their close contacts and classification of at-risk areas will be scrapped. According to the Frontier Health and Quarantine Law of the PRC, disease control measures targeting inbound travelers and imported cargoes are lifted.

In January 2023, the Ministry of Transport, jointly with the Ministry of Foreign Affairs, National Health Commission, General Administration of Customs, National Immigration Administration and National Administration of Disease Prevention and Control, issued the *Notice on Effectively Conducting Crew change for International Vessels after Management of the COVID-19 Disease Downgraded to Class B* (hereinafter referred to as “the Notice”), in which the approval procedure for crew change on international vessels are lifted.

### **Policy Adjustment on Crew Change for International Ships**

The above *Notice* has come into effect on January 8th, 2023. According to *the Notice*, inbound crews are no longer subject to ship-wide nucleic tests or isolation in designated facilities. And crew change does not require approval anymore.

#### **1. Crew Change Approval Procedures are Lifted**

All localities will no longer implement the examination and approval procedures for the crew change (including landing) of ships sailing on international voyages at domestic ports. While examination and approval systems of entry and exit inspection and temporary entry permits for crew members remain valid.

#### **2. Facilitate Crew Change and Entry**

i) Ship-wide nucleic tests or isolation in designated facilities are no longer implemented on crew members signing off in China. For ships sailing on international voyages and scheduled to change crew at Chinese ports, nucleic tests of crew members shall be adopted 48 hours prior to leaving the last overseas port. The crew members with positive test results should be treated nearby timely.

ii) The declaration of antigen results may be accepted if the crew members are unable to declare the results of the nucleic acid test within 48 hours prior to entry into China due to travel reasons.

iii) Crew members whose health declaration and Customs quarantine inspection show no abnormalities can be released into society. If the health declaration of crew members is abnormal or crew members have a fever and other symptoms, the Customs will implement classified disposal according to their investigation results.

As per P&I Correspondent’s local branches, crew change restrictions on both Chinese and foreign seafarers have been lifted at ports such as Tianjin, ports of Hebei Province, Ningbo port, and Xiamen port. At some ports such as Dalian, crew change restrictions are partially lifted and change of Chinese crew members can be arranged smoothly. It is estimated by local agents that foreign crew change will be permitted soon. However, there are also some ports where crew change restrictions lifted in principle but are still being implemented gradually, such as Qingdao port and ports in Guangxi and Guangdong Provinces.

#### **Formalities for Entering Ports**

According to *Guidelines for the Prevention and Control of COVID-19 in Ports and Their Frontline Personnel (the 12th edition)*, seafarers’ COVID-19 test information shall be no longer required to be submitted to port Authorities before berthing. However, the following information is still needed.

- i) Ports of call, berthing/unberthing information within the preceding 14 days before vessel's arrival.
- ii) Crew's general information and health condition. Information on Crew changes, embarkation and disembarkation personnel, materials and supplies delivery and personnel contact during berthing.
- iii) Ship's quarantine and epidemic prevention measures.
- iv) Information on sewage treatment plant and ballast water management system.
- v) Information on reefer containers and refrigerated cargo in bulk.
- vi) Information on disinfection and transfer of garbage from ships.

But as per some of P&I Correspondent's local branches, there are still ports that require ships to provide the 48-hour antigen test result and fill in the Entry Health Declaration Card when ships go through the formalities of entry inspection. It is recommended that ships comply with the agent's arrangement in this connection. In addition, according to P&I Correspondent's local branches, the 72-hour nucleic test requirement before embarkation at overseas port for on-signors is lifted. After berthing, ships are no longer subject to compulsory nucleic tests. Compulsory disinfection is no longer conducted and ships' discharging or loading operation will not be affected even if there are infected crews onboard.

#### **Policy Adjustment on Onboard Survey**

As per P&I Correspondent's local branches, most ports such as Dalian, Tianjin, Ningbo, Zhoushan, Shanghai, and ports along the Yangzi River, ports in Guangdong and Guangxi Province, onboard surveys are permitted in principle. And isolation in designated facilities is no longer in place. However, some inconvenience might be expected when serving onboard according to some surveyors.

As COVID-19 has been listed as a Class B disease managed with Class B measures, epidemic policies adjustment on various aspects are being gradually implemented at different processes locally. It is recommended to contact the local agent or P&I Correspondent's local branches for the latest port requirements before the ship calls at a Chinese port.