

Vessels must use compliant fuel within Hong Kong waters from January 1, 2019

A spokesman for the Environmental Protection Department (EPD) said today (October 26) that the Legislative Council has approved the Air Pollution Control (Fuel for Vessels) Regulation (the Regulation) (Cap 311AB). From January 1, 2019, all vessels except for specified vessel types as set out in the Regulation, are required to use compliant fuel within Hong Kong waters, irrespective of whether they are sailing or berthing.

Compliant fuel required by the Regulation includes low-sulphur marine fuel with sulphur content not exceeding 0.5 per cent, liquefied natural gas or any other fuel approved by the Director of Environmental Protection. If a vessel uses emission reduction technology that can achieve the same or less emission of sulphur dioxide when compared with using low-sulphur marine fuel, it may be exempted from using compliant fuel.

The spokesman added that from January 1, 2019, ocean-going vessels (OGVs) that are using heavy fuel oil (with an average sulphur content of 2.6 per cent) must switch to compliant fuel before entering Hong Kong waters. The Regulation also stipulates that for an OGV, the times when the vessel enters and exits the waters of Hong Kong, and the particulars about the fuel switch operations must be recorded in its log book; the written procedures for conducting fuel switch operations must be kept on board; and the ship log book and bunker delivery notes must be kept on board for a period of three years.

"It is anticipated that implementing the Regulation will reduce the emissions of sulphur dioxide and respirable suspended particulates from OGVs by about 76 per cent and 71 per cent respectively in 2020 as compared with 2016 emission levels. This will help improve air quality and reduce health risks of the population. The implementation of the Regulation would also enhance regional collaboration with the Mainland on the establishment of a domestic marine emission control area in the Pearl River Delta," the spokesman said.

The Government has been implementing the Air Pollution Control (Ocean Going Vessels) (Fuel at Berth) Regulation (the Fuel at Berth Regulation) (Cap 311AA) since July 1, 2015, requiring OGVs to switch to compliant fuel while berthing in Hong Kong. Since the Regulation will cover the scope of control under the Fuel at Berth Regulation, the prevailing Fuel at Berth Regulation will be repealed upon the commencement of the Regulation on January 1 next year.

When the Regulation comes into effect, the master and owner concerned of any vessel using non-compliant fuel within the waters of Hong Kong will be liable to a maximum fine of \$200,000 and imprisonment for six months. Shipmasters and ship owners of OGVs who fail to record or keep the required particulars will also be liable to a maximum fine of \$50,000 and imprisonment

for three months.