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PREVENTION OF POLLUTION OF THE SEA ACT (CHAPTER 243)

PREVENTION OF POLLUTION OF THE SEA (AIR) (AMENDMENT NO. 2) REGULATIONS 2018

In exercise of the powers conferred by section 34 of the Prevention of Pollution of the Sea Act, the Maritime and Port Authority of Singapore, with the approval of the Minister for Transport, makes the following Regulations:

Citation and commencement

1. These Regulations are the Prevention of Pollution of the Sea (Air) (Amendment No. 2) Regulations 2018 and come into operation on 1 January 2019.

Amendment of First Schedule

2. The First Schedule to the Prevention of Pollution of the Sea (Air) Regulations 2005 (G.N. No. S 134/2005) is amended —

- (a) by inserting, immediately after the words “paragraph 6 of this regulation” in paragraph 5.1 of regulation 13, the words “(NO_x Tier III emission control area)”;
- (b) by deleting sub-paragraph 2 of paragraph 5.1 of regulation 13 and substituting the following sub-paragraph:

“.2 that ship is constructed on or after:

- .1 1 January 2016 and is operating in the North American Emission Control Area or the United States Caribbean Sea Emission Control Area;
- .2 1 January 2021 and is operating in the Baltic Sea Emission Control Area or the North Sea Emission Control Area;”;

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- (c) by deleting the word “when:” immediately after sub-paragraph 2 of paragraph 5.1 of regulation 13;
- (d) by deleting the words “an emission control area designated for Tier III NO_x control under paragraph 6 of this regulation” in sub-paragraph 3 of paragraph 5.1 of regulation 13 and substituting the words “a NO_x Tier III emission control area”;
- (e) by deleting the word “convention” in sub-paragraph 3 of paragraph 5.2 of regulation 13 and substituting the word “Convention”;
- (f) by inserting, immediately after paragraph 5.3 of regulation 13, the following paragraphs:

“5.4 Emissions of nitrogen oxides from a marine diesel engine subject to paragraph 5.1 of this regulation that occur immediately following building and sea trials of a newly constructed ship, or before and following converting, repairing, and/or maintaining the ship, or maintenance or repair of a Tier II engine or a dual fuel engine when the ship is required to not have gas fuel or gas cargo on board due to safety requirements, for which activities take place in a shipyard or other repair facility located in a NO_x Tier III emission control area are temporarily exempted provided the following conditions are met:

- .1 the engine meets the Tier II NO_x limits; and
- .2 the ship sails directly to or from the shipyard or other repair facility, does not load or unload cargo during the duration of the exemption, and follows any additional specific routing requirements indicated by the port State in which the shipyard or other repair facility is located, if applicable.

5.5 The exemption described in paragraph 5.4 of this regulation applies only for the following period:

- .1 for a newly constructed ship, the period beginning at the time the ship is delivered from the shipyard, including sea trials, and ending at the time the ship directly exits the NO_x Tier III emission control area(s) or, with regard to a ship fitted with a dual fuel engine, the ship directly exits the NO_x Tier III emission control area(s) or proceeds directly to the nearest gas fuel

bunkering facility appropriate to the ship located in the NO_x Tier III emission control area(s);

- .2 for a ship with a Tier II engine undergoing conversion, maintenance or repair, the period beginning at the time the ship enters the NO_x Tier III emission control area(s) and proceeds directly to the shipyard or other repair facility, and ending at the time the ship is released from the shipyard or other repair facility and directly exits the NO_x Tier III emission control area(s) after performing sea trials, if applicable; or
- .3 for a ship with a dual fuel engine undergoing conversion, maintenance or repair, when the ship is required to not have gas fuel or gas cargo on board due to safety requirements, the period beginning at the time the ship enters the NO_x Tier III emission control area(s) or when it is degassed in the NO_x Tier III emission control area(s) and proceeds directly to the shipyard or other repair facility, and ending at the time when the ship is released from the shipyard or other repair facility and directly exits the NO_x Tier III emission control area(s) or proceeds directly to the nearest gas fuel bunkering facility appropriate to the ship located in the NO_x Tier III emission control area(s).”;

(g) by deleting paragraph 6 of regulation 13 and substituting the following paragraph:

“Emission Control Area

6 For the purposes of this regulation, a NO_x Tier III emission control area shall be any sea area, including any port area, designated by the Organization in accordance with the criteria and procedures set forth in Appendix III to this Annex. The NO_x Tier III emission control areas are:

- .1 the North American Emission Control Area, which means the area described by the coordinates provided in Appendix VII to this Annex;
- .2 the United States Caribbean Sea Emission Control Area, which means the area described by the coordinates provided in Appendix VII to this Annex;

- .3 the Baltic Sea Emission Control Area as defined in regulation 1.11.2 of Annex I of the present Convention; and
- .4 the North Sea Emission Control Area as defined in regulation 1.14.6 of Annex V of the present Convention.”; and

(h) by deleting Appendix V and substituting the following Appendix:

“APPENDIX V

Information to be included in
the bunker delivery note

(Regulation 18.5)

- 1 Name and IMO Number of receiving ship
- 2 Port
- 3 Date of commencement of delivery
- 4 Name, address and telephone number of marine fuel oil supplier
- 5 Product name(s)
- 6 Quantity in metric tonnes
- 7 Density at 15°C (kg/m³)*
- 8 Sulphur content (% m/m)†
- 9 A declaration signed and certified by the fuel oil supplier’s representative that the fuel oil supplied is in conformity with regulation 18.3 of this Annex and that the sulphur content of the fuel oil supplied does not exceed:
 - the limit value given by regulation 14.1 of this Annex;
 - the limit value given by regulation 14.4 of this Annex; or
 - the purchaser’s specified limit value of _____ (% m/m), as completed by the fuel oil supplier’s representative and on the basis of the purchaser’s notification that the fuel oil is intended to be used:
 - .1 in combination with an equivalent means of compliance in accordance with regulation 4 of this Annex; or

.2 is subject to a relevant exemption for a ship to conduct trials for sulphur oxides emission reduction and control technology research in accordance with regulation 3.2 of this Annex.

The declaration shall be completed by the fuel oil supplier's representative by marking the applicable box(es) with a cross (x).

* Fuel oil shall be tested in accordance with ISO 3675:1998 or ISO 12185:1996.

† Fuel oil shall be tested in accordance with ISO 8754:2003.”.

[G.N. Nos. S 620/2006; S 331/2010; S 398/2011; S 21/2012; S 661/2012; S 467/2013; S 376/2015; S 799/2015; S 78/2016; S 492/2017; S 113/2018]

Made on 29 December 2018.

NIAM CHIANG MENG
*Chairman,
Maritime and Port Authority of
Singapore.*

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