

1. The detailed requirements regarding the control of ballast water and sediments of vessels

According to the *Supervision and Management of Ships' Ballast Water and Sediment Management (for Trial Implementation)* published by China MSA in 2019, which is applicable to vessels navigating, berthing and operating in waters under Chinese jurisdiction, the following requirements shall be met:

1) Compliance with ballast water replacement requirements

According to the Ballast Water Convention, vessels are required to replace ballast water in accordance with the "D-1 standard".

Vessels shall carry out ballast water exchange in waters at least 200 NM from the nearest land and with water depth of at least 200 meters; if the voyage is less than 200 NM, the exchange may be carried out in waters at least 50 NM from the nearest land and with water depth of at least 200 meters.

The discharge of ballast water from vessels shall be reported to the local maritime administration authorities 12 hours in advance prior to discharging.

2) Ballast water treatment standards

According to Ballast Water Convention, vessels are required to treat ballast water in accordance with the Ballast Water Treatment Performance Standard, also known as the "D-2 Standard".

3) Ballast water management measures

Vessels engaged in international navigation shall hold the *International Ballast Water Management Certificate*, *Ballast Water Management Plan* and *Ballast Water Record Book* and other relevant certification. Vessels equipped with a ballast water management system should also have a copy of the *Ballast Water Management System Type Approval Certificate*.

2. Vessels that shall be equipped with shore power system

The following vessels shall be equipped with shore power system shipboard installation in line with *Technical Rules for Statutory Inspection of Seagoing Ships for Domestic Navigation* (2020) published by China MSA:

- 1) Container vessels for domestic voyages, cruise vessel, passenger ro-ro vessels, passenger vessels of 3,000 GT and above, and dry bulk carriers of 50,000 GT and above that built on or after 1 January 2020.
- 2) From 1 January 2022, container vessels for domestic voyages, passenger ro-ro vessels, passenger vessels of 3,000 GT and above, and dry bulk carriers of 50,000 GT and above that use single marine diesel engine with an output power of more than 130 KW and do not meet the requirements of the NOx emission limits under 7.2.3.1(4) of above rules.

3. Breaches and penalties of the law

- **Violating the provisions of the law regarding the discharge of ballast water and sediments.**

Penalty:

Subject to a fine of between CNY10,000 and CNY200,000.

- **Failure in holding valid ship pollution prevention certificate or failure in properly recording or preserving the discharge and operation record of vessel's pollutants, ballast water, and sediments.**

Penalty:

Subject to a fine of not exceeding CNY100,000.

- **Failure or refusing to report or making falsified report on the matters of carriage of harmful polluting goods by vessels.**

Penalty:

Subject to a fine of not exceeding CNY50,000.

- **The shipper fails to truthfully inform the carrier of the official name of the pollution hazardous cargo, its hazard and protective measures that should be taken.**

Penalty:

Subject to a fine of between CNY50,000 and CNY100,000.

- **The documentation, packaging, marking and quantitative restrictions delivered by the shipper do not comply with the relevant provisions for the cargo delivered.**

- **An assessment is not made beforehand for vessels engaged in transporting cargo with uncertainty as to whether it is apt to cause pollution damage.**

Penalty:

Subject to a fine of between CNY20,000 and CNY100,000.

- **The shipper delivers polluting and hazardous cargo mixed in a consignment of general cargo or misrepresents polluting and hazardous cargo as general cargo.**

Penalty:

Subject to a fine of between CNY100,000 and CNY200,000.

- **Failure to report after an accident or other unexpected event happened that causes or may cause marine environmental pollution or ecological damage.**

Penalty:

Subject to a fine of between CNY50,000 and CNY500,000.

Relevant liable person: Subject to a fine of between CNY10,000 and CNY100,000 and may subject to suspension or revocation of the certificates of competency as well.

- **Failure to make emergency plan and have it filed for record or fail to prepare emergency equipment in accordance with relevant regulations.**

Penalty:

Subject to a fine of between CNY20,000 and CNY200,000.

- **Failure to take immediate and effective measures or to escape from an accident that causes or may cause marine environmental pollution or ecological damage.**
- **Failure to take necessary response measures, resulting in the expansion of marine ecological disasters.**

Penalty:

Subject to a fine of between CNY200,000 and CNY2,000,000.

- **Violating provisions of this law, refusing or obstructing investigations and on-site inspections, or making false statements when being investigated.**

Penalty:

Subject to a fine of between CNY50,000 and CNY200,000.

Relevant liable person: Subject to a fine of between CNY20,000 and CNY100,000

- **Violating provisions of this law, vessel transfers hazardous wastes through sea**

areas under the jurisdiction of the P.R.C.

Penalty:

Subject to a fine of between CNY500,000 and CNY5,000,000 and the vessel will be ordered to leave the sea area by maritime administrative authorities.

- **Vessels carrying pollution-hazardous cargo do not obtain the necessary prior approval before entering or leaving a port, or perform loading or unloading operations.**
- **When conducting loading and unloading operations of oil, toxic and hazardous cargo, the vessel and shore sides fail to comply with the safety and anti-pollution operations.**
- **When carrying out lightening operations of bulk liquid hazardous cargo, vessels fail to have the operational plan prepared or fail to obtain the necessary prior approval.**

Penalty:

Subject to a fine of between CNY10,000 and CNY50,000.

- **Failure to maintain a list of hazardous materials on board the vessel, or fail to update the list during the construction, operation, and maintenance of the vessel, or fail to provide the list before the vessel is dismantled.**

Penalty:

Subject to a fine of not exceeding CNY20,000.

- **Measures taken by vessels to improve energy efficiency that do not meet the relevant requirements.**

Penalty:

Subject to a fine of between CNY10,000 and CNY100,000.

- **Vessels that are equipped with shipboard installation of Ship-to-Shore power system do not use shore power.**

Penalty:

Subject to a fine of between CNY10,000 and RMB100,000.

Serious circumstances: Subject to a fine of between CNY100,000 and RMB500,000.

- **Vessels entering the Emission Control Area do not comply with the requirements relating to the discharge of pollutants from vessels.**

Penalty:

Subject to a fine of between CNY30,000 and CNY300,000.