

# CIRCULAR

SETTING THE STANDARD FOR SERVICE AND SECURITY

TO ALL OWNERS AND MEMBERS

28 April 2010

Dear Sirs

## **REGULATIONS OF THE PEOPLE'S REPUBLIC OF CHINA ON THE PREVENTION AND CONTROL OF MARINE POLLUTION FROM SHIPS**

We refer owners and members to previous circulars dated 9 November 2009, 27 January 2010 and 22 February 2010 on the new Regulations of the People's Republic of China (PRC) on the Prevention and Control of Marine Pollution from Ships ('the Regulations'), specifically the likely postponement of the requirement that Operators of (a) any ship carrying polluting and hazardous cargoes in bulk or (b) any other ship above 10,000 gt enter into a pollution clean-up contract with a Maritime Safety Agency (MSA) approved pollution response company before the ship enters a PRC port.

The International Group understands that this requirement is likely to be postponed further, with the PRC's MSA probably issuing additional rules in the next two to three months. Those rules will most likely deal with spill response contractors and the standards and criteria that they must adhere to, including information on the standard contractual terms under which they will operate. Thereafter, Operators will probably have a further three months from issuance of the rules to contract with an approved spill response organisation.

It is likely that Operators calling at different ports in the PRC during the year will need to contract with an approved spill response organisation in each port of call.

The International Group understands that the local MSAs should not be issuing lists of approved contractors until the PRC's MSA has issued these further rules. Members are therefore recommended not to enter into contractual arrangements with a spill response organisation for the purposes of ensuring compliance with the Regulations until such further rules have been issued by the PRC's MSA. Moreover, even then it is recommended that owners and members discuss matters with the club before entering into any such contracts.

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**The Standard Steamship Owners' Protection and Indemnity Association (Asia) Limited**

[www.standard-club.com](http://www.standard-club.com)

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The International Group will continue to engage with the PRC MSA in this regard and a further update to owners and members will be provided in due course.

All clubs in the International Group of P&I Clubs have issued similar circulars.

Yours faithfully

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