

Nitrogen oxides (NO_x) Part 199 Marine Protection Rules Qs and As

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This document is uncontrolled if printed. Please refer to the Maritime New Zealand website for the latest version.

Current Guidance for Marine Protection Rules Part 199 can be accessed [here](#)

When will the NO_x rules for domestic ships come into force?

Because of the time required to develop and consult on the amendment, the NO_x rules for domestic ships (Section C3 of the Part 199 Rules) remain suspended and will not come into force until the amendment has been made. We intend to gazette the rules before the end of 2022. They will come into force 28 days after being gazetted.

Does this mean New Zealand is not meeting its obligations under MARPOL Annex VI?

The continued suspension of Part C3 will not affect New Zealand's compliance with MARPOL Annex VI. The rest of the rules will come into force on 26 August and 1 November 2022 as planned. When the NO_x controls for domestic ships come into force, engines installed during the period prior to commencement will be covered by the controls, but will be treated as "existing" rather than "new" engines.

What does the suspension of section C3 mean in practice?

It means that any engine installed on a domestic voyaging commercial ship or recreational boat before the suspension of section C3 is lifted will need to meet the rule requirement for an existing engine. Guidance on the specifics is on the Maritime NZ website.

I'm thinking of buying a particular model of engine. How do I know whether it's compliant?

Read the guidance on the Maritime NZ website to find out what the requirements are for your type of engine. Then talk to your engine supplier to find out whether the engine you are looking at is compliant and comes with the required documentation. Maritime NZ cannot provide advice on what engines you should buy.

How do I find out whether my existing engine is compliant?

Read the guidance on the Maritime NZ website to find out what the requirements are for your engine. You may need to obtain appropriate documentation to show your engine is compliant, or replace your engine if it's non-compliant.

Can I install a second-hand engine?

The requirements for second-hand engines are the same as those for new engines. If you install a second-hand engine it will need to meet Annex VI Tier II emissions limits and have the required documentation.

For NO_x documentation Option 3, is a .pdf or photocopy of the approved technical file for the parent engine sufficient?

Yes.

Do the rules apply to outboards?

The NO_x rules apply to outboards over 130kW/174HP *installed* on a boat. The rules do not apply to outboards with a portable fuel supply that is not permanently affixed to the boat. Documentation requirements for spark-ignition (petrol) outboards differ from those for diesel outboards. See the guidance on the Maritime NZ website for more information on whether an engine is installed and what the requirements are.

Why are the proposed rules more lenient on recreational boaties?

Many recreational boat owners will have engines of less than 130 kW power output and will not have to comply with the NO_x emission limits.

We are using the different ways that we regulate the commercial and recreational sectors for this new requirement. This is reflected in the rules where commercial operators need to have the necessary documentation at survey time and we will run education for recreational boaties over time. The new rules take effect over ten years for both commercial and recreational sectors.

Why do I have to replace my engine when I can't get a piece of paper?

We believe many owners will be able to get the required documentation to prove the engine is compliant with the NO_x emission limits. The requirements have been in place in some countries for well over a decade and manufacturers have been making engines that comply for some time. Until 30 June 2032, a wider range of documentation can be used to show an existing engine is likely to meet the NO_x emission levels. NO_x emissions are environmentally harmful so proof that an engine meets the requirements is needed. An engine that is noncompliant and doesn't meet the emissions requirements will need to be replaced regardless of whether there is documentation available for it or not.

How will surveyors endorse an engine for compliance if it doesn't have an EIAPP and a complete maintenance history?

If an engine has an EIAPP, it has to be surveyed in line with the requirements of the Annex VI NO_x Technical Code. This will usually involve a check to ensure the engine's parameters are set as stated in the technical file. If an engine is not required to have an EIAPP, the surveyor's job is to ensure that it has the correct alternative documentation and continues to be properly maintained, so that it is likely to remain within the Annex VI emissions limits.

Why don't we just do what overseas countries have done?

Overseas countries have developed a variety of solutions for applying the Annex VI NO_x requirements to domestic ships. Some elements of overseas regimes have been incorporated into the New Zealand rules. However all the regimes we have considered have some features which would not meet New Zealand's policy objectives, and/or would be prohibitively expensive for New Zealand to introduce.

Why don't we set up a NO_x testing facility in New Zealand?

There are no organisations in New Zealand currently accredited to carry out NO_x emission level testing of marine engines in accordance with the NO_x Technical Code. In the absence of an engine-building industry located within New Zealand, there has previously been no demand for such testing. While there are some organisations that could gain accreditation, Maritime NZ has established that a NO_x testing regime would be costly to set up and that the testing itself would likely be prohibitively expensive for smaller operators. Maritime NZ will continue to monitor the demand for and feasibility of NO_x testing in New Zealand.

Are Tier III NO_x limits relevant in New Zealand?

Only ships that voyage to an Emissions Control Area (ECA) are required to meet Tier III limits. ECAs are currently established in North America, the North Sea and the Baltic Sea. At present there are no plans to establish an ECA in New Zealand waters.