

December 2022

Timeline guide

for Marine Protection Rules Part 199:
Prevention of air pollution from ships

This guideline is for commercial operators of
New Zealand ships other than ships which solely
operate on inland waters such as lakes and rivers.



SAFE SECURE CLEAN



Maritime New Zealand Nō te rere moana Aotearoa

Nō te rere moana Aotearoa accompanies te manaia – the guardian – in our logo.

Together, they reflect our role as the caretaker of New Zealand's flowing waters. They underpin our mandate to make life at sea safer; to protect the maritime environment from pollution and safeguard it for future generations; to ensure New Zealand's ports and ships are safe and secure; and to provide a search and rescue response service in one of the largest search and rescue areas in the world.

Disclaimer

This publication provides guidance on the timeframes to achieve compliance with the legal requirements in Marine Protection Rules, Part 199: Prevention of Air Pollution from Ships. It represents Maritime New Zealand's current thinking on this topic and may assist industry, mariners and the public in applying the legal requirements. Maritime New Zealand revises guidance from time to time, to reflect changes in legislation, but you cannot rely on this guidance to be fully up-to-date. This document is not a substitute for applicable legal requirements, and is not a rule. It is not intended to and does not impose legally binding requirements. It is your obligation to make sure you are operating to the latest rules and other legislation, and to obtain legal advice where appropriate.

Please check maritimenz.govt.nz/rules/ to confirm that you are referring to the current version of this publication.

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Timeline guide for Marine Protection Rules Part 199: Prevention of air pollution from ships

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Purpose

This guide is for commercial operators of New Zealand ships. It summarises the requirements from the Marine Protection Rules Part 199: Prevention of Air Pollution from Ships (Part 199) and when they need to be met. Part 199 is New Zealand's legal basis for the requirements in the international maritime convention MARPOL Annex VI: Prevention of Air Pollution from Ships.

This guide must be read in conjunction with the full text of the rules and the Part 199 Guide. The Part 199 Guide provides greater detail about all of the requirements in the rules and details and defines the terms used in this Part 199 Timeline Guide. All Part 199 guidance is available at maritimenz.govt.nz/airpollution

Part 199 requirements

1.0 Fuel requirements

All ships must comply with the requirement to use compliant fuel. Ships 400 GT or more must keep bunker delivery notes as evidence, and are required to have a fuel sampling point fitted. Ships that voyage internationally must also keep fuel samples. The level of sulphur allowed in the fuel is lower when a ship is voyaging in an Emissions Control Area (ECA). Ships must keep records of fuel change-overs for ECAs.

AT THESE TIMES...	THESE SHIPS...	MUST...
From 26 August 2022	All ships	Use low sulphur fuels, or seek approval from the Director of Maritime NZ to use acceptable equivalent means to manage sulphur emissions.
	All ships	Use fuels that meet specific fuel quality standards. Note: The Part 199 Guide explains the fuel quality standards in detail.
	All ships 400 GT or more	Keep bunker delivery notes.
	Ships 400 GT or more that voyage internationally	Keep fuel samples.
	International voyaging ships that operate in ECAs	Carry a written procedure and keep a log book of fuel change-overs when entering and exiting an ECA to prove compliant lower sulphur fuels have been used in the ECA. Note: New Zealand does not currently have any ECAs.
	All ships	Submit a Fuel Oil Non-availability Report (FONAR) to the Director of Maritime NZ and the authorities of the destination port before a voyage if compliant fuel cannot be sourced.
By next renewal survey on or after 1 April 2023	Ships 400 GT or more and platforms	Ensure the ship or platform has a fuel sampling point.

1.1 Nitrogen oxides (NO_x) engine emissions requirements

Part 199 introduces limits on the emission of NO_x from many installed ship engines over 130 kW power output (that is, over 174.3 horsepower) that are not solely used in emergencies; these are referred to here as ‘applicable engines’. You should refer to the Part 199 Guide to determine whether the NO_x requirements apply to your ship’s engine(s).

All applicable engines will be checked by surveyors for compliance with the NO_x emission limits at survey. Ship operators must hold the correct documentation to demonstrate compliance at the particular surveys noted in the table below.

International voyaging ships

The NO_x requirements described in the table below apply to installed engines on international voyaging ships that were constructed or last had a major conversion of the engine after 1 January 2000. The dates by which international voyaging ships need to meet the NO_x requirements are set out below.

Domestic voyaging ships

The NO_x requirements described in the table below apply to installed engines on domestic voyaging ships that were installed or last had a major conversion of the engine on or after 19 May 2005 and to all installed engines on domestic voyaging ships that become New Zealand ships after 1 January 2023. The dates by which domestic voyaging ships need to meet the NO_x requirements are set out below

AT THESE TIMES...	THESE SHIPS...	MUST...
From 26 August 2022	International voyaging ships	Operate applicable engines within the NO _x emission limits.
By the first intermediate or renewal survey after 1 January 2023 for ships that were New Zealand ships before 26 August 2022	International voyaging ships	Hold a technical file and an Engine International Air Pollution Prevention (EIAPP) certificate for each applicable engine. Maintain a record book of engine parameters if required.
	Ships that voyage in ECAs	Keep records of engine changes for tier on/off status if ship voyages in ECAs.
At the initial survey for ships that become New Zealand ships on or after 26 August 2022	International voyaging ships	Hold a technical file and EIAPP certificate for applicable engines. Maintain a record book of engine parameters if required.
By the first intermediate or renewal survey after 1 January 2029, and no later than 30 June 2032, for ships that were New Zealand ships before 1 January 2023	Domestic voyaging ships	Operate applicable engines within the NO _x emission limits. Hold either:
		<ul style="list-style-type: none"> ■ a technical file and an Engine International Air Pollution Prevention (EIAPP) certificate for each applicable engine, or ■ a manufacturer’s declaration/certificate of conformity to a listed standard, if the applicable engine is a spark-ignition or stationary non-propulsion engine.
At the initial survey for ships that become New Zealand ships after 1 January 2023		Maintain a record book of engine parameters if required.

1.2 Control of other air pollutants

Ships are required to prevent the emission of air pollutants from installed equipment that contain ozone depleting substances (ODS) and from shipboard incinerators. This equipment must be carefully managed in

line with the requirements in Part 199. Tankers that carry crude oil are also required to have and implement a management plan to minimise emissions of volatile organic compounds (VOC).

AT THESE TIMES...	THESE SHIPS...	MUST...
OZONE DEPLETING SUBSTANCES		
From 26 August 2022	Ships with ODS	Not deliberately emit ODS.
	Ships that generate ODS waste on board	Dispose of ODS waste in a port reception facility. Note: Government officials are currently developing arrangements to enable port reception facilities for ODS wastes to be available in New Zealand.
By the first intermediate or renewal survey after 1 January 2023 or the initial survey for a ship that becomes a New Zealand ship on or after 26 August 2022	Ship constructed on or after 19 May 2005	Ensure ship does not have any installations with rechargeable ODS systems, other than hydrochlorofluorocarbons (HCFC) on board.
	Ships constructed on or after 1 January 2020	Ensure ship does not have any installations with rechargeable ODS systems on board.
	Ships 400 GT or more	Keep a list of all systems and equipment with ODS. Keep a record book for ODS.
SHIPBOARD INCINERATORS		
From 26 August 2022 or the initial survey for a ship that becomes a New Zealand ship on or after 26 August 2022	Ships with incinerators	Carry out incineration only in equipment designed for shipboard incineration.
		Not incinerate the prohibited substances described in Part 199. Note: The prohibited substances are listed in the Part 199 Guide. Not incinerate sewage sludge and sludge oil in the main or auxiliary power plant or boilers in ports, harbours or estuaries.
By the first intermediate or renewal survey after 1 January 2023 or the initial survey for a ship that becomes a New Zealand ship on or after 26 August 2022	Ships with incinerators installed on or after 1 January 2000	Hold an IMO Type Approval certificate for each shipboard incinerator. Keep the incinerator operational manual on board, train operators of the incinerator and operate the incinerator following the requirements in Part 199.
VOLATILE ORGANIC COMPOUNDS		
By the first intermediate or renewal survey after 1 January 2023 or at the initial survey for a tanker that becomes a New Zealand ship on or after 26 August 2022	Tankers carrying crude oil	Hold a VOC management plan on board and implement the plan.

1.3 Carbon intensity reduction requirements for ships 400 GT or more

Ships 400 GT or more are required to identify and manage the carbon intensity of the ship's operations. All ships 400 GT or more must have a Ship Energy Efficiency Management Plan (SEEMP) developed specifically for the ship. Some ships 400 GT or more, including those ships defined by Part 199 as 'carbon intensity ships', must also have a calculation of either the Energy Efficiency Design Index (EEDI) or, from 1 January 2023, the Energy Efficiency Existing Ship Index (EEXI) of their ship.

The calculation must be verified by a surveyor from a recognised organisation (RO). Whether an EEDI or EEXI is required depends on the date of construction of the ship. Some categories of ships are excluded from the EEDI/EEXI requirements. On demonstration of compliance at survey, ships 400 GT or more will receive certification. Certification and other documents required under Part 199 are described in section 1.5.

AT THESE TIMES...	THESE SHIPS...	MUST...
At the initial survey after 26 August 2022	All ships 400 GT or more that become New Zealand ships after 26 August 2022	Keep a SEEMP on board.
	Carbon intensity ships and passenger ships 400 GT or more that become New Zealand ships after 26 August 2022	Have the Attained EEDI and Required EEDI verified for the ship by an RO, and keep the technical file for the calculation on board.
By the first intermediate or renewal survey after 1 January 2023	Carbon intensity ships and passenger ships that were constructed, or had a major conversion, after 1 January 2017	Have the Attained EEDI and Required EEDI verified for the ship by an RO, and keep the technical file for the calculation on board. Note: Passenger ships only need to calculate the Attained EEDI, not the Required EEDI.
By the first intermediate or renewal survey after 1 January 2023	All ships 400 GT or more that are New Zealand ships before 26 August 2022	Keep a SEEMP on board.
	Carbon intensity ships constructed before 1 January 2017	Have the Attained EEXI and Required EEXI verified for the ship by an RO, and keep the technical file for the calculation on board.

1.4 Reporting for ships 5,000 GT or more

All ships 5,000 GT or more must report on the ship’s fuel consumption each year. Ships 5,000 GT or more that are defined as ‘carbon intensity ships’ by Part 199 must also report on the ship’s annual Carbon Intensity Indicator (CII) rating each year. See either Part 199 or the Part 199 Guide for the full definition of carbon intensity ship. A Statement of Compliance will be issued by recognised organisations (ROs) to each ship 5,000 GT or more following annual submission and verification of fuel oil

consumption data reports and, for carbon intensity ships, the ship’s annual Carbon Intensity Indicator rating. The reports are both for the calendar year, and must be submitted to RO by 31 March of the following year. ROs will issue the Statement of Compliance to the ship operators that have complied with reporting requirements by 30 June of that year.

AT THESE TIMES...	THESE SHIPS...	MUST...
By 31 December 2022	All ships 5,000 GT or more	Have the ship’s SEEMP verified by an RO. The SEEMP should describe the method for the annual reporting of fuel consumption and, if the ship is a carbon intensity ship, the method for reporting the ships CII rating each year.
From 1 January 2023	All ships 5,000 GT or more	Collect fuel consumption data throughout the calendar year.
	Carbon intensity ships 5,000 GT or more	Collect the required data to enable the ship’s CII calculation to be made at the end of the calendar year.
By 31 March 2024, and then by 31 March in following years	All ships 5,000 GT or more	Report fuel consumption for the 2023 year to the RO.
	Carbon intensity ships 5,000 GT or more	Report the ship’s CII rating for the 2023 year to the RO.
By 1 June 2024, and then by 1 June in following years	All ships 5,000 GT or more	Hold a Statement of Compliance from the RO on board the ship as evidence the RO verified the reports and that the reports were satisfactory.

1.5 Survey and certification

Ships that become New Zealand ships on or after August 2022 will have compliance with Part 199 checked at the ship's initial survey.

Compliance with Part 199 will be checked for all existing New Zealand ships within the schedule of the surveys for each ship, from 1 January 2023.

Recognised organisations (ROs) will conduct the surveys required for the international certificates. Surveyors accredited by Maritime NZ will conduct surveys for an Annex VI Endorsement.

AT THESE TIMES...	THESE SHIPS...	MUST...
At the initial survey after 26 August 2022	Ships 400 GT or more that become New Zealand ships on or after 26 August 2022 which voyage internationally	Hold an International Air Pollution Prevention (IAPP) certificate and an International Energy Efficiency (IEE) certificate.
	Ships 400 GT or more that become New Zealand ships on or after 26 August 2022 which only voyage domestically	Hold an Annex VI Endorsement on the ship's Certificate of Survey, Barge Safety Certificate or certificate of fitness, whichever is applicable. Note: These ship operators may choose to hold IAPP and IEE certificates instead.
	Ships under 400 GT that become New Zealand ships on or after 26 August 2022 which voyage either internationally or only domestically	Hold an Annex VI Endorsement on the ship's Certificate of Survey, Barge Safety Certificate or certificate of fitness, whichever is applicable.
At the first intermediate or renewal survey after 1 January 2023 and no later than 1 April 2025	Ships 400 GT or more that are New Zealand ships before 26 August 2022 which voyage Internationally	Hold an IAPP certificate and an IEE certificate.
At the first intermediate or renewal survey after 1 April 2023 and no later than 1 April 2025	Ships 400 GT or more that are New Zealand ships before 26 August 2022 which only voyage domestically	Hold an Annex VI Endorsement on the ship's Certificate of Survey, Barge Safety Certificate or certificate of fitness, whichever is applicable. Note: These ship operators may choose to hold IAPP and IEE certificates instead of the Annex VI Endorsement.
	Ships under 400 GT that are New Zealand ships before 26 August 2022 which only voyage domestically	Hold an Annex VI Endorsement on the ship's Certificate of Survey, Barge Safety Certificate or certificate of fitness, whichever is applicable.
At the first intermediate or renewal survey after 1 January 2023, and no later than 1 April 2025	Ships under 400 GT that are New Zealand ships before 26 August 2022 which voyage internationally	Hold an Annex VI Endorsement on the ship's Certificate of Survey, Barge Safety Certificate or certificate of fitness, whichever is applicable.