The Bahamas Maritime Authority

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MARPOL Annex VI

Notice to ship owners, managers, Masters, Approved Nautical Inspectors, Recognised Organisations and surveyors

This Notice supersedes BMA Information Bulletin No.75

1. Purpose

1.1. This Notice outlines the Bahamas Maritime Authority (BMA) position on the requirements of Annex VI of the International Convention for the Prevention of Pollution from Ships (MARPOL Annex VI).

1.2. This version reflects the amendments to MARPOL Annex VI which entered into force on 01 November 2022. Any references to Articles, Regulations and Interpretations in this Notice are references to the November 2022 version of MARPOL Annex VI, as amended, unless stated otherwise. Where regulation numbers have changed, the previous regulation number is shown in the footnotes.

1.3. For ease of use, provisions relating to Regulation 14, addressing sulphur oxides (SOx) emissions and fuel oil sampling and Regulation 18, addressing fuel oil availability and quality, are summarised in Marine Notice 62.

1.4. The provisions of Regulation 27(formerly Regulation 22A, as stated in MEPC.1/Circ.897 – Cross reference tables for amendments to MARPOL Annex VI[1]) of MARPOL Annex VI, in respect of fuel consumption data collection and reporting, are addressed separately in Marine Notice 63, as are the requirements for Ship Energy Efficiency Management Plan (SEEMP) Part III[2].

2. Application

2.1. MARPOL Annex VI applies to all ships, except where expressly provided for in Annex VI.

2.2. In general, all Bahamian ships of 400 gross tonnage and above, engaged on international voyages, shall be surveyed and certificated in accordance with Regulation

[1] https://wwwcdn.imo.org/localresources/en/OurWork/Environment/Documents/Air%20pollution/MEPC.1-Circ.897.pdf
[2] https://www.bahamasmaritime.com/wp-content/uploads/2021/10/MN063-Fuel-Consumption-Data-and-Recording-v1.0.pdf

5 and 6 of MARPOL Annex VI by the Recognised Organisation responsible for issuing the statutory certification.

3. Exceptions and exemptions (Regulation 3)

3.1. The provisions of MARPOL Annex VI do not apply to:

i. any emission necessary for the purpose of securing the safety of a ship or saving life at sea; or

ii. any emission resulting from damage to a ship or its equipment:

- provided that all reasonable precautions have been taken after the occurrence of the damage or discovery of the emission for the purpose of preventing or minimizing the emission; and
- except if the owner or the master acted either with intent to cause damage, or recklessly and with knowledge that damage would probably result.

3.2. Any emission described in 3.1 above shall be promptly notified to the BMA via email (tech@bahamasmaritime.com) and the details recorded in the Official Logbook.

3.3. Based on the provisions of Regulation 3.2 of MARPOL Annex VI and recognising the necessity to allow the development and promulgation of new technology, the BMA will, in cooperation with other Administrations, as appropriate, consider applications for exemption from specific provisions of Annex VI and issue a permit for a ship to conduct trials for the development of ship emission reduction and control technologies and engine design programmes, including engine control systems. If accepted by the BMA, such applications shall be provided only to the minimum number of ships necessary and for the maximum periods specified in Regulation 3.2.

3.4. Emissions directly arising from the exploration, exploitation and associated offshore processing of seabed mineral resources are exempt from the provisions of MARPOL Annex VI.

3.5. The BMA may exempt unmanned non-self-propelled (UNSP) barges from the survey and certification requirements of MARPOL Annex VI by means of an International Air Pollution Prevention Exemption Certificate for Unmanned Non-self-propelled (UNSP) Barges[3] for a period not exceeding five years.

3.6. Owners of UNSP barges may apply for exemption from the survey and certification requirements of MARPOL Annex VI, where specific conditions have been met.

[3] Refer to MEPC.1/Circ.892 *Guidelines for exemption of unmanned non-self-propelled (UNSP) barges from the survey and certification requirements under the MARPOL Convention*.

3.7. Owners of UNSP barges registered with the Bahamas may apply for one or more temporary exemptions from the survey and certification requirements under MARPOL Annex VI. Said exemptions will be issued subject to the provisions outlined in section 3 of MEPC.1/Circ.892 and with validity of not more than 5 years.

3.8. For the purpose of maintaining a unified and streamlined certification and survey procedure, the BMA recommends that the International Air Pollution (IAPP) Exemption Certificate for UNSP Barges is aligned with the 5-yearly cycle of the existing statutory certificates.

3.9. Applications for permanent exemptions shall be made to the BMA, as per Marine Notice 5.

4. Equivalents (Regulation 4)

4.1. Regulation 4 of Annex VI allows the Administration to approve the use of alternative compliance methods being at least as effective in terms of emission reductions as that required by Annex VI, including the provisions set out in Regulations 13 and 14.

4.2. Such methods may include use of SOx emission reduction system (exhaust gas scrubbing, de-sulphuring of fuel or others), NOx emission reduction apparatus (if not installed as part of the engine) or any other technology that is verifiable and enforceable to limit:

i. nitrogen oxides (NOx) emissions to a level equivalent to that described in Regulation 13 of Annex VI; or
ii. SOx emissions to a level equivalent to that described in Regulation 14 of Annex VI.

4.3. The equivalent arrangements to the specific provisions of Annex VI and alternative compliance methods will be considered on a case-by-case basis in accordance with the provisions of Regulation 4 of MARPOL Annex VI.

4.4. All applications for acceptance of equivalents and alternative compliance methods are to be forwarded to the BMA via the Recognised Organisation per Marine Notice 5. The Recognised Organisation shall clearly indicate its support, or reservations if any, for the application.

4.5. Upon satisfactory review of the application, the BMA will notify the International Maritime Organization (IMO) of the acceptance of the equivalent/alternative compliance by making an entry in the IMO Global Integrated Shipping Information System (GISIS)[4].

[4] https://gisis.imo.org (Registration required)

4.6. A separate notification will be provided to the Company[5] and the Recognised Organisation that issues the International Air Pollution Prevention Certificate of the ship, with necessary instructions for amendments to the existing Certificate or for issuing a new Certificate as and when required. For the avoidance of doubt, Recognised Organisations are not permitted to issue any equivalence/alternative compliance method acceptance documents, or initiate amendments to the IAPP Certificate or its Supplement without explicit authorisation from the BMA.

5. Surveys and certification (Regulations 5 to 9)

5.1. ***International Air Pollution Prevention (IAPP) Certificate***

Ships of 400 gross tonnage and above, including every fixed and floating drilling rig and other platforms, shall undergo surveys in accordance with Regulation 5.1 and be issued with an IAPP Certificate.

5.2. ***International Energy Efficiency (IEE) Certificate***

5.2.1. Ships of 400 gross tonnage and above to which Chapter 4 of MARPOL Annex VI applies, as defined in Regulation 19, shall undergo surveys in accordance with Regulation 5.4 and be issued with an IEE Certificate.

5.2.2. Ships which are not required to keep a Ship Energy Efficiency Management Plan (SEEMP) do not require an IEE Certificate.

5.3. ***Ship type designation***

5.3.1. The ship type on the IEE Certificate shall refer to the designation assigned to a particular ship on the basis of the provisions of Regulation 2.2 of MARPOL Annex VI. The BMA considers that the ship type stated on the IEEC should usually replicate the ship type designated at the stage of design and construction upon which the Safety Certificates of the ship are based.

5.3.2. In situations where, owing to operational necessity, an existing ship may be required to change the ship type on the IEE Certificate, the BMA will consider such requests where supported by the Recognised Organisation that issues the IAPP Certificate of the ship, provided that the ship type upon which the Safety Certificates of the ship are based have been amended accordingly.

[5] "The Company" is the owner or any other organisation or person, such as the manager, or the bareboat charterer, who has assumed responsibility for the operation of the ship

5.3.3. The Owners of a ship certificated to the ISM Code should be aware that where a change of ship type is requested, the ship's Safety Management Certificate (SMC) and the Company Document of Compliance (DOC), including associated safety management documents and procedures[6], may require to be amended.

5.3.4. Where an existing ship without a Safety Certificate requires a change of ship type on the IEE Certificate, an application shall be submitted to the BMA via the Recognised Organisation that issued the IAPP Certificate of the ship.

6. Port State control, violations and enforcement (Regulations 10 & 11)

6.1. The following shall be made available upon request to duly authorised officials, in addition to the statutory certificates:

i. Bunker delivery notes (BDNs) and samples including collection and analysis records, any issued Fuel Oil Non-Availability Reports (FONAR) as required by Regulation 18 and related communications - see Marine Notice 62;
ii. Nitrogen Oxides (NOx) Technical File for each applicable engine, inclusive of record book of engine parameters, including Engine International Air Pollution Prevention Certificate (EIAPPC);
iii. Documented procedures and records to ensure compliance while in a Sulphur Emissions Control Area (SECA);
iv. Documented procedure for oily garbage screening and segregation;
v. MARPOL VI Record Book, see Information Notice 11;
vi. Control and monitoring system data where exhaust gas cleaning systems (EGCS) and/or selective catalytic reduction (SCR) systems are installed on board;
vii. An Exemption Certificate and a Permit where the BMA has agreed to allow the ship to conduct EGCS on-board commissioning and trials, under the provisions of Regulation 3.2;
viii. Energy Efficiency Existing Ship Index (EEXI) Technical File (TF) and the associated Onboard Monitoring Manual (EEXI OMM) records of propulsion power limiting system;
ix. Records of power reserve use and propulsion power limiter restoration, including acknowledgement messages received from the BMA technical reporting portal;
x. Records of biofuels and their blends where not covered by BDN (point i. above).

6.2. The Master or crew should be able to demonstrate familiarity with essential procedures regarding the operation of air pollution prevention equipment, including maintenance of diesel engines, fuel oil changeover procedures, garbage screening procedures, operation of EGCS/SCR if installed and procedures for propulsion power reserve access, use, limiter restoration recording and reporting.

[6] See BMA MN046 MN046-ISM-Code-v1.2.pdf (bahamasmaritime.com)

6.3. In exceptional circumstances when original records/documents or associated samples are removed by a duly authorised officer, the Master or crew should document the fact in the Official Logbook and the appropriate section of the Bahamas Annex VI Record Book (where carried) and obtain contact information of the port or coastal State Authority that took such action.

7. Ozone-depleting substances (Regulation 12)

7.1. Regulation 12 does not apply to permanently sealed equipment where there are no refrigerant charging connections or potentially removable components containing ozone-depleting substances.

7.2. Deliberate emission of ozone-depleting substances is prohibited. This includes emissions occurring in the course of maintaining, servicing, repairing or disposing of systems or equipment.

7.3. Deliberate emissions do not include minimal releases associated with the recapture or recycling of an ozone-depleting substance.

7.4. Companies should be aware that emissions arising from leaks of an ozone-depleting substance, whether or not deliberate, may be regulated by other Parties to MARPOL Annex VI or be subject to additional control and reporting requirements under national and/or regional environmental legislation within the jurisdiction in which the ship may be operating.

7.5. Ozone-depleting substances, and equipment containing such substances, shall be delivered to appropriate reception facilities when removed from a ship.

7.6. Each ship to which Annex VI applies shall maintain a list of equipment containing ozone-depleting substances.

7.7. Records of shipboard operations related to ozone-depleting substances shall be kept. The BMA has issued a MARPOL Annex VI Record Book that can be utilised to maintain the required records. Please refer to BMA Information Notice 11.

7.8. The BMA has issued guidance on the use of hydrochlorofluorocarbon (HCFC) refrigerants – please refer to BMA Marine Notice 64.

7.9. Further details of controlled ozone-depleting substances, as outlined in Regulation 2.1.25 of MARPOL Annex VI and a summary of control measures defined under UNEP Montreal Protocol can be found in the official guidelines to the Montreal Protocol[7].

8. Nitrogen Oxides (NOx) emissions (Regulation 13)

8.1. The Regulations regarding NOx controls apply to any diesel engine with a power output of more than 130kW that has been installed on a ship constructed on or after 01 January 2000 or, if installed on a ship constructed earlier, has undergone a major conversion on or after 01 January 2000.

8.2. "Major conversion", for the purposes of Regulation 13, means a modification on or after 01 January 2000 of a marine diesel engine which has not already been certified to Tier I, II or III standards where:

i. the engine is replaced by a marine diesel engine, or an additional marine diesel engine is installed; or
ii. any substantial modification, as defined in the revised NOx Technical Code 2008, is made to the engine; or
iii. the maximum continuous rating of the engine is increased by more than 10% compared to the maximum continuous rating of the original certification of the engine.

8.3. When a major conversion involves replacement of a marine diesel engine with a non-identical engine, or installation of an additional engine, the new engine shall comply with the NOx standards of Regulation 13.4 (Tier II) or 13.5.1 (Tier III) applicable at the time of replacement.

8.4. Where a replacement engine is fitted that is unable to demonstrate compliance with the Tier III standards outlined in Regulation 13.5.1, such engine shall meet the standards applicable to Tier II. Any additional engine however shall demonstrate compliance with Tier III emission limits.

8.5. More details addressing non-identical replacement engines compliance with Tier III limits can be found in IMO Resolution MEPC.230(65).

8.6. Regulation 13 does not apply to diesel engines intended to be used solely in the case of emergency, including lifeboat engines. However, lifeboats used as tenders must comply with Regulation 13.

[7] https://ozone.unep.org/treaties/montreal-protocol/montreal-protocol-substances-deplete-ozone-layer

8.7. Emissions from fixed or floating platforms and drilling rig engines that are solely dedicated to the exploration, exploitation and associated offshore processing of seabed mineral resources are exempted from the regulations regarding NOx controls. However, any emissions from engines that jointly supply power to exploration and processing machinery and also the platform domestic load are NOT exempt.

8.8. Each engine on board a Bahamian ship subject to Annex VI is required to have an associated Engine Technical File. The Technical file shall remain on board the ship for as long as the engine remains on board and shall be available for inspection by duly authorised officers.

8.9. The Technical File shall include an on-board NOx verification procedure, the parent engine's emission test report and the Engine International Air Pollution Prevention Certificate (EIAPPC).

8.10. Boilers and gas turbines are not covered under the NOx controls regulations.

8.11. Marine diesel engines subject to Regulation 13 shall comply with the following NOx emission standards:

Ship constructed on or after:	Nitrogen Oxide Emissions (calculated as total weighted emission of NO2) g/kWh		
	Rated engine speed less than 130 rpm	Rated engine speed between 130 and 1999 rpm	Rated engine speed 2000 rpm and over
1 January 2000	17.0	$45*n^{(-0.2)}$	9.8
1 January 2011	14.4	$44*n^{(-0.2)}$	7.7
1 January 2016	3.4	$9*n^{(-0.2)}$	2.0

i. The requirements of Tier III standard shall apply **only** when:
   a. the ship is constructed on or after 01 January 2016 and is operating in the North American Emission Control Area (ECA) or the United States Caribbean Sea Emission Control Area; and
   b. the ship is constructed on or after 01 January 2021 and is operating in the Baltic Sea Emission Control Area or North Sea Emission Control Area; and
   c. the ship is operating in a new NOx Emission Control Area (ECA), other than those indicated above, and is constructed on or after the date of a date of designation of such an emission control area, or a later date, as may be specified in the designation of such NOx Tier III emission control area;

ii. When the ship is operating outside of a NOx Emission Control Area the Tier II standards apply.

8.12. The Tier III emission standards shall not apply to:

i. a marine diesel engine installed on a ship with a length (L), as defined in regulation 1.19 of MARPOL Annex I, of less than 24 metres when it has been specifically designed, and is used solely, for recreational purposes; or
ii. a marine diesel engine installed on a ship with a combined nameplate diesel engine propulsion power of less than 750 kW if it is demonstrated, to the satisfaction of the Administration, that the ship cannot comply with the standards set forth in regulation 13.5.1.1 of MARPOL Annex VI because of design or construction limitations of the ship; or
iii. a marine diesel engine installed on a ship constructed prior to 1 January 2021 of less than 500 gross tonnage, with a length (L), as defined in regulation 1.19 of MARPOL Annex I, of 24 metres or over when it has been specifically designed and is used solely for, recreational (non-commercial) purposes.

8.13. Marine diesel engines with a power output of more than 5,000 kW and a per cylinder displacement at or above 90 litres, installed on or after 1 January 1990 but before 1 January 2000, shall comply with the Tier I limits shown above, provided that an Approved Method for that engine is commercially available and has been certified by an Administration of a Party to Annex VI and notified to IMO.

8.14. The supplement to the IAPP Certificate shall indicate that an approved method:

i. has been applied pursuant to paragraph 7.1.1 of Regulation 13; or
ii. the engine has been certified pursuant to paragraph 7.1.2 of Regulation 13; or
iii. an Approved Method is not yet commercially available as described in paragraph 7.2 of Regulation 13, or
iv. is not available.

8.15. **Use of biofuels and their blends**

8.15.1. Where a ship is using a biofuel blend of more than 30% by volume and the marine diesel engine maker has provided documented confirmation that the respective requirements of Regulation 13 of MARPOL Annex VI are met when operating on a biofuel, synthetic fuel or their blends, the BMA would treat such cases as not falling under the *alternative fuel oil use* definition.

8.15.2. In the absence of engine maker confirmation, the BMA may consider accepting the approach per paragraphs 6.3 or 6.4 of the NOx Code as outlined in paragraph 15.3 of MEPC.1/Circ.759/Rev.9.

9. Sulphur oxides (Sox) emissions (Regulation 14)

9.1. Please refer to Marine Notice 62.

10. Volatile organic compounds VOC (Regulation 15)

10.1. These provisions apply only to tankers in designated ports and terminals where the emission of VOC is regulated.

10.2. Compliance with VOC emission control requirements may be achieved through the following:

i. fitting of Vapour Emission Collection Systems (VECS), in accordance with IMO MSC/Circ.585; and
ii. obtaining certification and class notation from Recognised Organisation referred to in paragraph 2.2.

10.3. All tankers carrying crude oil shall have an approved VOC management plan implemented onboard. Companies should refer to MEPC.185(59), MEPC.1/Circ.680 and MEPC.1/Circ.719 when developing the VOC management plan. VOC management plans are to be approved by a Recognised Organisation on behalf of the BMA.

10.4. The provisions of Regulation 15 also apply to gas carriers where cargo loading and containment systems are designed to allow retention of non-methane VOC on board for safe return to shore facilities.

10.5. A list of current designated ports may be viewed on IMO GISIS.

11. Shipboard incineration (Regulation 16)

11.1. This Regulation applies to all incinerators installed on or after 01 January 2000.

i. Incinerators installed on or after 01 January 2000 with capacity up to 1500 kW shall be type approved in accordance with MEPC.76(40), as amended;
ii. Incinerators with capacity over 1500kW and up to 4000 kW shall be type approved in accordance with MEPC.244(66).

11.2. Existing incinerators installed before 01 January 2000 are acceptable to the BMA, provided that they are type approved in accordance with IMO MEPC.59(33) or MEPC.76(40), as amended. Existing incinerators that are not type approved may still be used, however they may not be used for the incineration of polyvinyl chlorides (PVCs).

11.3. Shipboard incineration of the following substances is prohibited:

i. Residues of cargoes subject to MARPOL Annex I, II or III or related contaminated packing materials;
ii. Polychlorinated biphenyls (PCBs);
iii. Garbage, as defined by MARPOL Annex V, containing more than traces of heavy metals;
iv. Refined petroleum products containing halogen compounds;
v. Sewage sludge and sludge oil which is not generated on the ship; and
vi. Exhaust gas cleaning system residues.

11.4. Shipboard incineration of sewage sludge and sludge oil generated during normal operations of a ship may also take place in the main or auxiliary power plant or boilers, but in those cases, shall not take place inside ports, harbours and estuaries.

11.5. Operation of incinerators within SOx or NOx ECAs must be agreed with individual port States and affected coastal States in all cases. Certain Coastal States apply similar limitations to the use of incinerators in waters under their jurisdiction, as in the case of SOx and/or NOx emissions. It is the responsibility of the Master to verify whether use of an incinerator is permitted in the area where the ship is operating.

11.6. When an incinerator becomes defective or otherwise inoperative, a request for a temporary dispensation and issue of a short term IAPP Certificate should be submitted to the BMA via the Recognised Organisation. Where the incinerator is also listed as an approved method for disposal of oil residues, a similar application should be submitted in respect of the International Oil Pollution Prevention (IOPP) Certificate.

11.7. Removal or permanent deactivation of an installed incinerator may necessitate amendments to both the IAPP and IOPP Certificates and should be requested via the Recognised Organisation.

11.8. **Thermal waste treatment devices (TWTDs)**

11.8.1. TWTD shall comply as far as possible with MEPC.373(80) *2023 Guidelines for Thermal Waste Treatment Devices (TWTD)*.

11.8.2. The BMA may accept TWTD under Regulation 4 of MARPOL Annex VI as an equivalence to Regulation 16.

11.8.3. General conditions of acceptance for equivalency are:
i. Emissions shall not exceed those specified in MARPOL VI/16 (i.e. MEPC.244(66));
ii. Any local emissions requirements to be established by the Company and adhered to;
iii. The prohibition in Regulation VI/16.2 continues to apply;
iv. The prohibition in Regulation VI/16.3 continues to apply.

12. Reception facilities (Regulation 17)

12.1. Reports on alleged unavailability or inadequacy of reception facilities provided under Regulation 17 should be sent to the Maritime Affairs department of the BMA via email (ma@bahamasmaritime.com) and copied to the Inspections & Surveys Department (tech@bahamasmaritime.com).

12.2. The BMA will report such allegations to IMO, in accordance with Regulation 17.4.

13. Fuel oil availability and quality (Regulation 18)

13.1. Please refer to Marine Notice 62.

14. Energy efficiency and carbon emission intensity requirements (Regulations 19 to 29)

14.1. Regulation 19 outlines the application of Chapter 4 of Annex VI Regulations on Energy Efficiency for Ships (i.e. Regulations 19 to 29).

14.2. Chapter 4 applies to all ships of 400 gross tonnage and above, with the exception of:

i. ships not propelled by mechanical means;
ii. offshore platforms, including FPSOs and FSUs and drilling rigs, regardless of their propulsion;
iii. ships operating exclusively in Bahamian waters, provided that such ships are constructed and act in a manner consistent with Chapter 4 so far as is reasonable and practicable.

14.3. Regulations 22, 23, 24 & 25 shall not apply to ships which have non-conventional propulsion, except:

i. Regulations 22 and 24 shall apply to cruise passenger ships having non-conventional propulsion and LNG carriers having conventional or non-conventional propulsion, delivered on or after 1 September 2019, as defined in regulation 2.2.1 of MARPOL Annex VI;
ii. Regulations 23 and 25 shall apply to cruise passenger ships having non-conventional propulsion and LNG carriers having conventional or non-conventional propulsion.

14.4. Regulations 22, 23, 24, 25 and 28 shall not apply to category A ships as defined in the Polar Code.

14.5. Subject to BMA agreement, the provisions of Regulations 22 and 24 may be waived for ships of 400 gross tonnage and above, except ships:

i. for which the building contract is placed on or after 1 January 2017; or
ii. in the absence of a building contract, the keel of which is laid, or which is at a similar stage of construction on or after 1 July 2017; or
iii. the delivery of which is on or after 1 July 2019; or
iv. in cases of a major conversion of a new or existing ship, as defined in regulation 2.24 of Annex VI, on or after 1 January 2017, and in which regulations 5.4.2 and 5.4.3 of Annex VI apply.

15. Attained EEDI (Regulation 22[8])

15.1. EEDI means Energy Efficiency Design Index and represents the equivalent amount of carbon dioxide that a ship as a whole emits, in relation to the amount of cargo carried per mile sailed.

15.2. The attained EEDI is a calculated value that represents the actual amount of emissions. The attained EEDI should be lower than the required EEDI prescribed in Regulation 24 of Annex VI

15.3. The attained EEDI shall be calculated for every new ship, new ship which has undergone a major conversion and new or existing ships which have undergone a major conversion that is so extensive that the ship is regarded by the Administration as a newly constructed ship, which fall under one or more categories outlined in regulations 2.2.5, 2.2.7, 2.2.9, 2.2.11, 2.2.14 to 2.2.16, 2.2.20, 2.2.22, and 2.2.26 to 2.2.29.

15.4. The attained EEDI shall be specific to each ship and shall indicate the estimated performance of the ship in terms of energy efficiency and be accompanied by the EEDI Technical File that contains the information necessary for the calculation of the attained EEDI and that shows the process of calculation.

15.5. The attained EEDI shall be verified, based on the EEDI technical file, by the Recognised Organisation which classes the ship, using *Guidelines on the Method of Calculation of the Attained EEDI for New Ships* published by the IMO as Resolution MEPC.308(73).

15.6. Starting from 01 April 2022 for all ships to which requirements of Regulations 22 and 24 apply, the attained EEDI and required EEDI (Regulation 24) shall be reported to the IMO as follows:

[8] Formerly Regulation 20

i. for ships constructed on or after 1 April 2022 within 7 months from the date if the IEE Certificate Initial Survey, or

ii. for ships constructed prior to 1 April 2022 by 1 November 2022.

16. Attained EEXI (Regulation 23)

16.1. EEXI means Energy Efficiency Existing Ship Index and is a measure of a ship's energy efficiency, expressed in grams of carbon dioxide per amount of cargo carried per mile sailed.

16.2. The attained EEXI shall be calculated for every ship falling under one or more categories outlined in regulations 2.2.5, 2.2.7, 2.2.9, 2.2.11, 2.2.14 to 2.2.16, 2.2.22, and 2.2.26 to 2.2.29, including ships which have undergone a major conversion, using MEPC.350(78) *2022 Guidelines on the Method of Calculation of the Attained EEXI*.

16.3. Where a ship may be identified as falling under more than one category listed above, the more stringent criteria in calculations shall apply. The process of calculation and the necessary information to produce the EEXI calculation shall be addressed in the ship specific EEXI Technical File.

16.4. For ships subject to Regulation 22, the verified attained EEDI may be taken as the attained EEXI if the value of the attained EEDI is equal to or less than that of the required EEXI (Regulation 25). In this case, the attained EEXI shall be verified based on the EEDI Technical File and the provisions contained within the EEDI Technical File may be used in place of an EEXI Technical File.

16.5. For existing ships the attained EEXI should have been verified and the International Energy Efficiency Certificate re-issued at the first IAPP annual, intermediate or renewal survey, or the initial survey (in the case of an existing ship, falling under major conversion, that is so extensive that the ship is considered by the Administration as a newly constructed ship), on or after 01 January 2023 to reflect the application of Regulations 23 and 25. MEPC.351(78) *2022 Guidelines on survey and certification of the attained energy efficiency existing ship index (EEXI)* applies.

16.6. For the purpose of application of the requirements of Regulations 23 and 25 of MARPOL VI the BMA defines a ***Verifier*** as being any Bahamas Recognised Organisation. See Marine Notice 2 for details.

16.7. The EEXI Technical File shall be reviewed and accepted by the Verifier. The Verifier may issue a statement affirming the completion of an EEXI Technical File review; however, such a statement does not form part of the survey requirements of Regulation 5 of MARPOL Annex VI.

17. Required EEDI (Regulation 24[9])

17.1. The Required EEDI is the maximum value of attained EEDI allowed for the specific ship type and size.

17.2. For each:

i. new ship,
ii. new ship which has undergone a major conversion, and
iii. new or existing ship which has undergone a major conversion that is so extensive that the ship is regarded by the Administration as a newly constructed ship

which falls into one of the categories in regulations 2.2.5, 2.2.7, 2.2.9, 2.2.11, 2.2.14 to 2.2.16, 2.2.22, and 2.2.26 to 2.2.29 and to which Chapter 4 of MARPOL Annex VI is applicable, the attained EEDI shall be as follows:

$$Attained\ EEDI \leq Required\ EEDI = \left(1 - \frac{x}{100}\right) \cdot Reference\ line\ value$$

where X is the reduction factor specified in table 1 of Regulation 24 for the required EEDI compared to the EEDI reference line.

17.3. For each new and existing ship that has undergone a major conversion which is so extensive that the ship is regarded by the Administration as a newly constructed ship, the attained EEDI shall be calculated and meet the requirement of paragraph 17.2 with the reduction factor applicable corresponding to the ship type and size of the converted ship at the date of the contract of the conversion, or in the absence of a contract, the commencement date of the conversion.

18. Required EEXI (Regulation 25)

18.1. The Required EEXI shall be calculated for every ship, including ships that have undergone a major conversion, to which the provisions of Chapter 4 apply, and which fall under one of the categories in Regulations 2.2.5, 2.2.7, 2.2.9, 2.2.11, 2.2.14 to 2.2.16, 2.2.22, and 2.2.26 to 2.2.29.

18.2. Where in order to achieve the Required EEXI the propulsion power of an existing ship may need to be limited, such power limitation arrangements shall be effected on the basis of the provisions outlined in MEPC.335(76), as amended, and taking into account the recommendations provided in Paragraph 6 of IACS Recommendation 172[10].

[9] formerly Regulation 21
[10] https://iacs.s3.af-south-1.amazonaws.com/wp-content/uploads/2024/05/01212628/Rec.-172-Rev.1-Apr-2024-CR.pdf

18.3. The BMA does not have any specific requirements or limitations on the exact arrangements or construction of a power limitation system or device. In any case where a power limitation system or device have been installed on board those shall be clearly referenced in the EEXI Technical File.

18.4. In case of a ship with a power limitation system or device installed, each occasion when the propulsion power reserve limiter has been overridden, power reserve accessed for whatever reason and when power reserve limiter has been restored or reset shall be notified to BMA and the Administration acknowledgement received via email duly logged on board. Each occasion shall be reviewed at the next IAPP Certificate survey taking into account the provision of Regulation 3.1.1 and 3.1.2 of MARPOL Annex VI. See Annex I below for further details.

19. Ship Energy Efficiency Management Plan (SEEMP) (Regulation 26[11])

19.1. Each ship of 400 gross tonnage and above to which the provisions of Chapter 4 apply shall keep a ship-specific SEEMP on board, prepared taking into account MEPC.346(78).

19.2. The SEEMP shall be provided on board before issuance of the IEE Certificate.

19.3. SEEMP Part I does not require verification or approval by the Administration. This may form part of the ship's safety management system.

19.4. See paragraph 4 of Marine Notice 63 addressing SEEMP Part II.

19.5. The SEEMP shall be prepared in the working language or languages of the ship. Where the working language is not English, a copy of the SEEMP shall also be available in English.

[11] formerly Regulation 22

19.6. ***SEEMP Part III***[12]

19.6.1. For ships of 5,000 gross tonnage and above, which fall under one or more of the categories in Regulations 2.2.5, 2.2.7, 2.2.9, 2.2.11, 2.2.14 to 2.2.16, 2.2.22, and 2.2.26 to 2.2.29[13] the SEEMP shall include:

i. a description of the methodology that will be used to calculate the ship's attained annual operational CII required by Regulation 28 and the processes that will be used to report this value to the ship's Administration;
ii. the required annual operational CII, as specified in regulation 28, for the next three years;
iii. an implementation plan documenting how the required annual operational CII will be achieved during the next three years; and
iv. a procedure for self-evaluation and improvement.

19.6.2. All amendments to the existing SEEMP shall be verified by the Reporting Organisation/Verifier. On successful verification of the amended SEEMP, the Reporting Organisation/Verifier is to issue a Confirmation of Compliance[14] to the ship, in accordance with Regulation 5.4.6 of MARPOL Annex VI.

19.6.3. For a ship rated as **D** for three consecutive years, or when rated as **E** in accordance with Regulation 28, the SEEMP shall be reviewed and amended and a corrective action plan to achieve the required annual operational CII should be included therein.

20. Collection and reporting of ship fuel oil consumption data (Regulation 27[15])

20.1. Please refer to Marine Notice 63.

21. Operational carbon intensity (Regulation 28)

21.1. ***Attained annual operational carbon intensity indicator (CII)***

21.1.1. Starting from 01 January 2024, each ship of 5,000 gross tonnage and above which falls into one or more of the categories specified in Regulations 2.2.5, 2.2.7, 2.2.9, 2.2.11, 2.2.14 to 2.2.16, 2.2.22, and 2.2.26 to 2.2.29 [16] shall calculate the attained annual

[12] See paragraph 5 of MN063

[13] Where a ship may be identified as falling to more than one category listed above the more stringent criteria shall be taken

[14] See MEPC.1/Circ.876: https://wwwcdn.imo.org/localresources/en/OurWork/Documents/MEPC_1-Circ-876_Sample%20Format%20For%20The%20Confirmation%20Of%20Compliance.pdf

[15] Formerly Regulation 22A

[16] Where a ship may be identified as falling to more than one category listed above the more stringent criteria shall be taken

operational CII over a 12-month period from 1 January to 31 December for the preceding calendar year, using the data collected in accordance with regulation 27.

21.1.2. The attained annual operational CII for the preceding year shall be reported by the Reporting Organisation/Verifier by 01 April each year.

21.1.3. Notwithstanding the above, in the event of a change of flag of a ship completed after 1 January 2023, the ship shall, after the end of the calendar year in which the transfer takes place, calculate and report the attained annual operational CII for the full 12-month period from 1 January to 31 December in the calendar year during which the transfer took place for verification by the Recognised Organisation.

21.1.4. It should be noted that nothing in Regulation 28 relieves any ship of its reporting obligations under Regulation 27 or Regulation 28.

21.2. ***Required annual operational carbon intensity indicator (CII)***

21.2.1. For each ship of 5,000 gross tonnage and above which falls into one or more of the categories specified in Regulations 2.2.5, 2.2.7, 2.2.9, 2.2.11, 2.2.14 to 2.2.16, 2.2.22, and 2.2.26 to 2.2.29 a Required Annual Operational Carbon Intensity Index (required CII) shall be calculated as outlined in Regulation 28.4.

21.3. ***Operational carbon intensity rating***

21.3.1. The attained annual operational CII shall be verified by the Reporting Organisation/Verifier against the required annual operational CII to determine operational carbon intensity rating **A**, **B**, **C**, **D** or **E**, indicating the ship's preceding year performance level, as outlined in regulation 28.6.

21.4. ***Corrective actions and incentives***

21.4.1. A ship rated as **D** for three consecutive years, or when rated as **E,** shall develop a plan of corrective actions to achieve the required annual operational CII.

21.4.2. The SEEMP shall be reviewed to include the above plan of corrective actions accordingly. The revised SEEMP shall be submitted to the Reporting Organisation/Verifier for verification, not later than 1 month after reporting the attained annual operational CII. Implementation of corrective actions shall commence immediately following the verification by the Reporting Organisation/Verifier.

22. Document preparation

22.1. With regards to the amended SEEMP Part III, as per the provisions of Regulation 26.3.1 of MARPOL Annex VI, the EEXI Technical File as per the requirements of MEPC.334(76) and EEXI Onboard Management Manual, where applicable, as referenced in MEPC.335(76), the BMA fully recognises the constraints being faced by the industry in relation to introduction of the new energy efficiency requirements.

22.2. Therefore, in the opinion of the BMA, the owners of a ship may exercise their best judgement to allocate the preparation of the required amendments to the existing SEEMP and composing EEXI Technical File and EEXI Onboard Management Manual to a competent entity of their choice.

22.3. No formal approval for the above-mentioned documents is required, except for the SEEMP Confirmation of Compliance as per Regulation 5.4.6 of MARPOL Annex VI.

22.4. The new SEEMP Part III amendments, EEXI Technical File and EEXI Onboard Management Manual shall be verified and confirmed acceptable to the Reporting Organisation/Verifier.

23. Power reserve access and use

23.1. The BMA recognises that, on occasions, a ship may be required to access and use the full propulsion power output of the prime mover engine, bypassing the limiter that may be in form of shaft power limiting ("ShaPoLi") arrangements or EPL device installed to meet the EEXI requirements per Regulation 23.

23.2. The Master of a ship shall have the sole decision on access and use of a power reserve. Appropriate procedures should be incorporated in the ship's safety management system.

23.3. Every occasion where a power reserve limiter has been removed or overridden and/or power reserve used in response to an aggravated safety situation falling under the remit of Regulation 3.1, or when instructed by port State or coastal State authorities, including near-miss situations, shall be reported to the BMA using the online technical reporting facility. This includes a response to any actual or potential hazardous situation or a threat to a ship or her crew when navigating in waters with hostile activities.

23.4. The power reserve shall not be accessed and used for any other operational purpose. However, it shall be ensured that the standing instructions to the Master include a clear reference to receiving a Flag State acknowledgement of a power reserve limiter

override/deactivation, power reserve use and subsequent limiter reactivation/reset. Please refer to section 3.5 of IMO Resolution MEPC.335(76)[17].

23.5. Every Flag State acknowledgement received on board shall be duly logged and presented to Class for review at the next IAPP survey, whether scheduled or not.

23.6. Please note the BMA does not mandate submission of any other form of notification where an Engine Power Limiter EPL/ShaPoLi has been overridden and restored, or when a power reserve has been used.

23.7. Power reserve access and use reporting and recording requirements are outlined in Annex I to this Notice.

24. Queries

24.1. Any queries relating to MARPOL Annex VI should be addressed to the ship's Classification Society in the first instance. Alternatively, please contact tech@bahamamaritime.com or any BMA office.

[17] https://wwwcdn.imo.org/localresources/en/KnowledgeCentre/IndexofIMOResolutions/MEPCDocuments/MEPC.335(76).pdf

Revision History

Version	Description of Revision
1.0	First Issue
1.1	Amendments to para.5.3, 16, 18 and 19. New para.22 introduced.
1.2	Updating of links
2.0	Para.23 and Annex I introduced on power reserve access and use
2.1	General update and revision. New paragraphs - 4.6, 6.1.viii/ix/x, 8.15 (biofuels), 11.6, 11.7 (incinerators) and 11.8 (thermal waste treatment devices). Annex updated to reflect updated reporting requirements

ANNEX I

Access and use of power reserve

EPL/ShaPoLi deactivation and reactivation recording and reporting requirements

1. Definitions

In relation to EPL/ShaPoLi power limiting systems and available propulsion power reserve the following terminology applies:

1.1. **Limiter override or deactivation** of EPL/ShaPoLi system means an unintentional, deliberate or accidental disengagement of the power limiting provisions of the propulsion engine, propulsion control system or other method installed on board pursuant to demonstrating the compliance to the requirements of Regulation 23 of MARPOL VI. Deactivation of EPL/ShaPoLi system may not necessarily result in **access** to the power reserve, e.g. in situations where the power limiting arrangements may be switched off, removed, or disabled on a stationary ship whilst adrift, at anchorage or in port for a purpose of testing or maintenance, or as a result of a technical malfunction or a human error.

1.2. **Reactivation/reset** of EPL/ShaPoLi system means full and complete restoration of the power limiting arrangements.

1.3. **Access** to a power reserve means a purposeful completion of the EPL/ShaPoLi system **limiter override in** order to allow the **use** of a power reserve. The BMA recognises that access to the power reserve may ***only*** be gained where instructed by Port State or Coastal State authorities for the purpose of safe navigation or in situations falling under the definition of an exception or exemption per Regulations 3.1.1 and 3.1.2 of MARPOL Annex VI for the purpose of:

i. Response to an emergency situation to ensure safety of the ship, her crew, other sea users, or in order to prevent or minimise a serious marine pollution incident;
ii. Response to a life-saving situation, e.g. Man Overboard (MOB) or Search and Rescue (SAR) operations, protection of human life and similar;
iii. Response to a medical emergency;
iv. Response to, or in anticipation of, a severe weather factor, both wind and sea;
v. As a consequence of a machinery and/or equipment failure affecting the ship's propulsion and/or manoeuvring;
vi. As a result of a navigation constraints, such as port entry-exit, traffic separation, higher speed order by a coastal state or vessel traffic services (VTS), or similar navigation related situations.

It is the sole responsibility of the Master of the ship, or an officer in charge of a navigation watch where authorised by the Master, to make a decision on gaining the **access** and **use** of

the power reserve. Respective safety management system procedures on board shall clearly outline the Master's authority, including a sequence of actions on the **access** and **use** of the power reserve.

1.4. **Use** of a power reserve means a purposeful completion of the **limiter override** of an EPL/ShaPoLi system, gaining **access** to the power reserve and subsequent operation of the propulsion system at a higher power than permitted under the requirements of Regulation 23 of MARPOL VI.

2. Recording requirements

2.1. **Limiter override/deactivation of EPL/ShaPoLi system**

Every occasion of deactivation of EPL/ShaPoLi system shall be recorded in the EPL/ShaPoLi Onboard Management Manual (OMM) outlining the details of the occurrence as well as date and time.

The subsequent **reactivation/reset** of the EPL/ShaPoLi system shall be recorded and reported as outlined in paragraph 2.4 below.

2.2. **Gaining access to power reserve**

Where **access** to the power reserve has been gained a record shall be produced in EPL/ShaPoLi system OMM to replicate in a concise form the Official Logbook information addressing circumstances necessitating availability of the power reserve.

Where such situation falls under the marine casualty circumstances listed in **BMA Marine Notice 04**[18]**,** such record in its turn shall form a part of the formal incident notification to the BMA Investigation Department, where applicable.

2.3. **Use of the power reserve**

Each occasion of the **use** of the power reserve shall be reported per Section 3 below and recorded in the Official Logbook as well as in the OMM based on the guidance found in paragraph 3.2 of MEPC.335(76). Every time where the power reserve has been **used** shall be reviewed at the next IAPP survey by the Recognised Organisation, as the issuing authority of the ship's IAPP and IEEC Certificates.

Please note there is an error in the wording of paragraph 3.2.8 of the Resolution and the supporting evidence, which could be in the form of a copy of the Official Logbook entry, shall be included with every such record, not only those related avoidance actions.

A separate notification to the competent authority of the port of destination, if known, should be produced of which BMA and the Recognised Organisation shall be put in copy.

[18] MN004-Reporting-Requirements.pdf (bahamasmaritime.com)

2.4. **Reactivation of EPL/ShaPoLi system**

Recording the EPL/ShaPoLi system limiter **reactivation** shall be done in the OMM.

Every occasion where EPL/ShaPoLi system limiter **reactivation** has been completed shall be reported per provisions of Section 3 below. All such occasions shall be reviewed at the next IAPP Survey by the Recognised Organisation.

3. Reporting requirements

The BMA has introduced a new reporting portal to allow for easy online notifications of EPL/ShaPoLi power reserve limiter override, EPL/ShaPoLi limiter restoration/reset and to report occasions of power reserve use.

Those reports cover the requirements of paragraphs 3.4 and 3.5 of MEPC.335(78), including confirmation of the EPL/ShaPoLi limiter restoration/reset to ensure continuous compliance with Regulation 23 of MARPOL Annex VI.

Each online submission will be followed by an automated acknowledgement email from the BMA.

Note! Submission of notifications of power reserve use to the BMA Casualty Portal is no longer required.

3.1. BMA reporting portal

Reports may be submitted using the following links:

- EPL/ShaPoLi power reserve limiter **OVERRIDE** notification form
- EPL/ShaPoLi power reserve limiter **RESTORATION/RESET** notification form
- Power Reserve **USE** notification form

Communications in relation to the reporting portal may be forwarded to the dedicated email address techreports@bahamasmaritime.com.

3.2. **Terms used in the reporting portal**

Email address of submitter – should be the actual email address of the ship or any other email inbox accessible to the Master where an automated response received from BMA can be viewed and saved.

Date (UTC dd-mm-yyyy) – should be the actual reported occurrence date (UTC)

Time (UTC) – should be the actual reported occurrence time (UTC)

Position latitude / longitude DD MM.M- shall be in range of 0-89deg for latitude and 0-179deg for longitude. Minutes field 0-59.9 only.

Date-time (UTC) when returned to limited power – details when the ship's propulsion power has returned to the limited value per IEEC certificate but not necessarily the moment of **REACTIVATION** of EPL/ShaPoLi limiter. It is recognised for operational reasons, and particularly when operating in severe navigation conditions, the Master may decide to **USE** the power reserve numerous times at short notice and without restoration of EPL/ShaPoLi limiter after the previous use.

Description of reason for override of the power reserve – Description of *other reasons* may be included. For instance, the ship may be instructed to remove the EPL/ShaPoLi limiter by a pilot, port authorities or coastal state or any other reason not matching the preset options. In such case a brief description text should be provided in the textbox. When reporting limiter **OVERRIDE** related to port State or coastal State authority instructions, please always clearly indicate the location.

Description of reason for using power reserve – Description of *other reasons* may be provided in the available textbox as appropriate. When reporting **USE** of power reserve related to port State or coastal State authority instructions, please always clearly indicate the location.

Upload supporting evidence – please upload at least one moderately sized JPG format picture (0.5MB file size advisable), to illustrate the power reserve **USE** notification. Similarly, it is necessary to upload a picture to every **EPL/ShaPoLi limiter RESTORATION/RESET** notification to confirm the restoration of power limitation. Please attach a moderately sized JPG format picture (0.5MB file size advisable) to each **EPL/ShaPoLi limiter RESTORATION/RESET** submission.

Save & continue option – a handy feature to allow saving of partially entered data to complete the report submission in the future. May be used when power reserve **USE** commences to make a note of the starting conditions and thence to complete the submission once power reserve use ended. Useful if power reserve **USE** is expected to last a considerable period of time.

3.3. **Reporting instructions**

3.3.1. **EPL/ShaPoLi power reserve limiter override notification**

This type of notification shall be submitted on every occasion when EPL/ShaPoLi power reserve limiter has been **DEACTIVATED** or **OVERRIDEN** for any purpose, whether or not **ACCESS** has been gained to the power reserve or if the power reserve has been **USED**. Please submit a limiter **OVERRIDE** notification shortly after the actual occasion but not later than within 24 hours.

3.3.2. **EPL/ShaPoLi power reserve limiter reactivation notification**

This type of notification shall be submitted on every occasion of EPL/ShaPoLi power reserve limiter **RESTORATION/RESET** whether or not **ACCESS** has been gained to the power reserve or if the power reserve has been **USED**. Please submit a limiter **OVERRIDE** notification shortly after the actual occasion but not later than within 24 hours. The acknowledgement email received from BMA after EPL/ShaPoLi power reserve limiter **RESTORATION/RESET** shall serve the purpose of being Administration confirmation as per paragraph 3.5 of MEPC.335(78). No other survey or verification by the Recognised Organisation (Class) is required. However, the Recognised Organisation shall be notified every time a BMA acknowledgement of EPL/ShaPoLi power reserve limiter **RESTORATION/RESET** has been received. Such emails should be stored in a specific location and made available for inspection by the Recognised Organisation and Port State Authorities.

3.3.3. **EPL/ShaPoLi power reserve use notification**

This type of notification shall be submitted on every occasion the power reserve has been **USED** for any purpose or any duration of time except certain short exceedances as outlined in 3.4 below.

Please submit a power reserve **USE** notification soonest possible after the returned to operations at the limited propulsion power. Delays should be avoided. The acknowledgement email received from BMA after EPL/ShaPoLi power reserve limiter **RESTORATION/RESET** shall serve the purpose of being Administration confirmation as per paragraph 3.4 of MEPC.335(78). No other survey or verification by the Recognised Organisation is required. BMA recommends notifying the Recognised Organisation every time a BMA acknowledgement of EPL/ShaPoLi power reserve **USE** has been received. Such emails should be stored in a specific location and made available for inspection by the Recognised Organisation and Port State Authorities.

Please note when submitting the **USE** report fields, DATE/TIME WHEN RETURNED TO LIMITED POWER shall be filled with information when the ship returned to navigation at the propulsion power level at or below the limited value but not the date/time of **RESTORATION/RESET** of the power limiter. However, BMA recognises that on occasions

these two occurrences may relate to the same moment of time.

3.4. **Non-reportable periods of power reserve use**

The BMA applies the following interpretations to non-reportable power reserve use occasions for ShaPoLi systems as addressed in Resolution MEPC.390(81), amending Resolution MEPC.335(76).

Paragraph 2.1.1.3.1 addressing acceptance of the "power reserve alarm" shall apply only in situations where the Master or officer in charge of the navigational watch (OICNW) knowingly undertakes a deliberate action for the ShaPoLi system to be **DEACTIVATED** and **ACCESS** to the power reserve gained when required to ensure safe navigation situation or upon the orders of a port/coastal State.

In situations where this alarm has been initiated after the ShaPoLi system **DEACTIVATION** but without the Master or OICNW knowingly removing the limitation, and as a result of the system malfunction or a human error, accepting this alarm shall not mean a deliberate action for the purpose of paragraph 2.2.1. A clarification record in such cases shall be produced in the ShaPoLi OMM and correct ShaPoLi system operation shall be restored.

Paragraph 2.1.1.3.5 shall mean when ShaPoLi system has been **DEACTIVATED** and **ACCESS** to the power reserve gained, either knowingly by the Master or OICNW or as a result of the system malfunction or a human error, any unintentional power reserve **USE** of up to 5 minutes may not initiate the alarm referenced in paragraph 2.1.1.3.1. Notwithstanding the above, where such situations are in response to an aggravated safety situation, it shall be understood any resultant change in ship's speed should not mean a change of speed order by the Master or OICNW. In any case it is the Master and OICNW responsibility to **REACTIVATE** the power limiting functionality of ShaPoLi as soon as the safe navigation situation permits.

In practical terms for a ship with a ShaPoLi power limiting system installed when the power limiter has been knowingly **DEACTIVATED** and **ACCESS** to the power reserve gained by the Master or OICNW, but the ship may still continue to proceed not exceeding the reduced level of propulsion power, any unintentional power limit exceedance of up to 5 minutes in duration may not need to be accounted for nor reported or recorded as a power reserve **USE**. Reasons for such short unintentional power limit exceedance may only be attributed to waves, wind, squat or other effects objectively affecting the ship or the manner of propulsion system response. All other effects are excepted.

Where a ShaPoLi system might have been **DEACTIVATED** and **ACCESS** to the power reserve gained not knowingly to the Master or OICNW but as a result of the system malfunction or a human error, the ShaPoLi system shall be brought in order, power limitation restored, and measures shall be introduced to prevent recurrence of such incidents in the future.

By a derogation from the above arrangements, the BMA also puts forward a consideration of a reversed application of these provisions in situations where a ship may already navigate using the reserve power. Such as when navigating using the reserve power any unintentional reduction of actual propulsion power to a level at or below the power limit albeit not exceeding 5 minutes in duration may not need to be considered as an end of power reserve **USE** and reporting such short periods of return to limited propulsion power is not required.

3.5. Reporting power reserve use during port entry/exit and near coast navigation

The BMA is aware of specific requirements being imposed by certain port State authorities demanding a ship to navigate with the power reserve limiter deactivated from the moment of boarding of the first inbound pilot and until leaving the port limits to resume sea passage. Specific instructions on reporting of all activities during such port calls are outlined below.

The power reserve may be used several times during either inbound or outbound pilotage passage. To avoid excessive administrative burden, the reporting process may be simplified somewhat to permit submission of just one **USE** report in case if at any stage the power reserve had been used, independent from how many times the actual power reserve limit has been exceeded during either inbound or outbound pilotage. The below example illustrates the reporting procedure for a hypothetical port call where authorities request power reserve limiter to be maintained **OVERRIDEN** from the moment of the first pilot boarding and for the entire duration of both inbound and outbound pilotage.

The BMA recognises that on occasions pilotage passage may last a significant time and reports therefore may be submitted some reasonably short time after the actual port call and once the ship resumed on her sea passage:

a. **OVERRRIDE** report timed upon arrival to first pilot station;
b. **USE** report inbound. Only one report shall be submitted if the power reserve has been used at any stage during the inbound pilotage passage independent from how many times the power reserve limit has been exceeded. Timing for the **USE** report shall be from the moment of first power reserve limit exceedance to “finished with engines” command. No **USE** report submission is necessary if power reserve limit had not been exceeded at any time;
c. **USE** report outbound. Only one report shall be submitted if the power reserve has been used at any stage during the outbound pilotage passage independent from how many times the actual power reserve limit has been exceeded. Timing for the **USE** report shall be from the moment of first power reserve limit exceedance to disembarkation of the last sea pilot. No **USE** report submission is necessary if power reserve limit had not been exceeded at any time;

d. Power reserve **LIMITER RESTORATION/RESET** report. Shall be submitted only once after the ship resets the power limiter and resumes sea passage under the limited propulsion power.

In such scenarios the ship will submit no more than 4 different reports covering the entire duration of the port call.

This suggested reporting process will be similarly valid for other navigational situations where a ship may navigate for significant periods of time under pilotage or whilst being directed by coastal State authorities.

3.6. Reporting of power reserve access and use during other exceptional navigational activities

The BMA recognises that some ships may periodically be involved in safety-critical operations where for the sake of safe navigation, continuous access to power reserve may be required during prolonged periods of time. During such periods a ship may need to operate with the power reserve limiter overridden and the power reserve may be used on several occasions for short periods of time albeit with clearly identifiable periods of time between such uses. To this extent, and on a case-by-case basis, where the manner of ship operations is significantly different from those already addressed above, the BMA will be open to assess the specific operational conditions and provide the summary of possible alternative reporting provisions to minimise the administrative burden.