



PANAMÁ MARITIME AUTHORITY
GENERAL DIRECTORATE OF MERCHANT MARINE
DEPARTMENT OF CONTROL AND COMPLIANCE

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(DCCM)
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Merchant Marine Notice
Best practice to ensure effective implementation and enforcement of statutory requirements of the
MARPOL Annex VI

No.: MMN-05/2019

August, 2019.

1. The purpose of this Merchant Marine Notice is to communicate best practices to implement and carry out their responsibilities under MARPOL Annex VI, to ensure effective implementation and enforcement of statutory requirements of that Annex.

1.1 Definitions. (MEPC.1/Circ.884 Annex, page 1).

For the purpose of this best practice guidance:

- *Fuel oil purchaser/Purchaser:* Secures and pays for bunkers delivered to a vessel at the operator side (user) and not a trader. The "Fuel oil purchaser/Purchaser" can be a shipowner's operator or a charterer's operator; and is often used in contracts as counterpart of the supplier.
- *Physical supplier/Supplier:* Buys, owns and stores fuel oil and sells bunkers. Distributes bunkers from pipelines, trucks and/or barges. May blend products to meet the customer's specifications. May own or charter a distribution network or may hire a barge provider for supply. Issues the bunker delivery note (BDN).
- *Register of local suppliers of fuel oil:* A register of those local suppliers of fuel oil which includes the contact information which is required on the bunker delivery note as per appendix V of MARPOL Annex VI, as well as a homepage address, and if the fuel oil supplier has a quality management system (voluntary, based on supplier's own information, reference to supplier's homepage).
- *MARPOL delivered sample:* means the sample of fuel oil referred in regulation 18.8.1 of MARPOL Annex VI.
- *Shipowner:* the Company which holds the International Safety Management Document of Compliance for the vessel under the International Safety Management (ISM) Code.
- *Trader:* The trader buys bunkers from a physical supplier and sells to a purchaser without holding the product physically. MEPC.1/Circ.884 Annex, page 2.

2. Goals. (MEPC.1/Circ.884 Annex, page 2).

Communicate those obligations and responsibilities to the vessels operating under their authority and the fuel oil suppliers located in their jurisdictions.

As appropriate under domestic regulatory arrangements, strive to address the reliability of the local bunker suppliers under the jurisdiction of the Member State/Coastal State, under its domestic legal authority.

3. Best practices. (MEPC.1/Circ.884 Annex, page 2).

The following best practices reflect aspects of the goals described above and are intended to help local bunker suppliers to achieve them. Best practices may include only those aspects deemed most appropriate for each national government, but they should all observe the provisions of regulation 18 as per Goal 1 (strive to ensure existing requirements of MARPOL Annex VI are effectively applied).

Best practices with respect to the provisions of regulation 18 of MARPOL Annex VI are as follows:

- **Regulation 18.1: Best practice/experience on how to promote availability of compliant in fuel oil (MEPC.1/Circ.884 Annex, page 3):**

The Administration should promote the availability of fuel oils which comply with MARPOL Annex VI and require any measures to promote the availability of fuel oils in ports that should not lead to distortion of competition. It should be left to individual fuel oil suppliers to make investment decisions based on the market opportunities seen; and

The Administration should provide timely information on upcoming regulations to suppliers under their jurisdiction, including revisions of the information required on the bunker delivery note.

- **Regulation 18.2: Best practice for handling of notifications of the non-availability of fuel oil that complies with MARPOL Annex VI based on experience until now, including a harmonized format for such notifications (MEPC.1/Circ.884 Annex, page 3):**

The Administration should strive to follow the procedure for reporting compliance on fuel oil non-available and make use of the related standard format as developed by the Organization when notify to other Parties.

- **Regulation 18.3: Fuel oil quality (MEPC.1/Circ.884 Annex, page 3):**

Regulation 18.3 requires fuel delivered to vessels needs to comply with a number of qualitative requirements. However, no specification (i.e. ISO 8217) or routine testing scheme exists, which would guarantee that a fuel complies with such qualitative requirements. In cases where it is documented that the fuel delivered is not enforced with those qualitative requirements of the regulation the Administration should take action against the supplier.

The Administration should encourage fuel oil suppliers under their jurisdiction to use detailed fuel specifications, as well as the *Guidance on best practice for fuel oil suppliers for assuring the quality of fuel oil delivered to vessels* (MEPC.1/Circ.875/Add.1).

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