

# Shanghai Highwoods Ship Co., Limited



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## Administrative Regulations of the prevention and control of marine environment pollution from ships and their related activities in P. R of China

### Chapter 1 General

1. In order to prevent marine environment from pollution caused by ships and their related activities, the administrative regulations was made in accordance with Law of the People's Republic of China on Maritime Environmental Protection, Law of the People's Republic of China on the Prevention and Control of Atmospheric Pollution, Regulations on the prevention and control of marine pollution by ships in People's Republic of China and International conventions accepted by People's Republic of China.

2. These Provisions on the prevention and control of pollution caused by ships and their related activities apply to the sea area under the jurisdiction of the People's Republic of China.

The operation activities referred to in these Provisions refer to the loading and unloading, STS, cleanup, washing, refueling, repairing, salvaging, dismantling, loading of contaminated and harmful cargo, filling and cleaning of contaminated cargo, and other waterborne and underwater ship construction operations.

3. The competent transportation department under the State Council shall be in charge of the prevention and control of pollution of the marine environment caused by ships and their related operational activities throughout the country.

Maritime Safety Administration (MSA) is responsible for supervising and administration the prevention and control of marine environmental pollution caused by ships and their related operational activities throughout the country.

Local MSA at all levels shall, in accordance with their functions and powers, be specifically responsible for supervising and administration the prevention and control of marine environmental pollution caused by ships and their related operational activities in their respective jurisdictions.

### Chapter 2 General provisions

4. The structure, equipment and materials of a ship shall conform to the requirements of the State's inspection standards for the prevention and control of marine environment pollution by ships and the international conventions concluded or acceded to by the People's Republic of China,

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shall obtain corresponding certificates of conformity in accordance with the provisions of the State.

5. Ships shall, in accordance with laws, administrative regulations, the provisions of the competent transportation department under the State Council and the requirements of international treaties concluded or acceded to by the People's Republic of China, obtain and carry with them corresponding certificates and documents for the prevention and control of marine environment pollution by ships. MSA shall publish to the public the catalogue of certificates and documents stipulated in paragraph 1 of this Article and update it in time.

6. Certificates and instruments for the prevention and control of marine environment pollution by China flag ships shall be issued by MSA or an institution recognized by MSA; certificates and instruments for the prevention and control of marine environment pollution by foreign flag ships shall meet the requirements of international conventions concluded or acceded to by the People's Republic of China.

7. Seafarers shall have the relevant professional knowledge and skills to prevent and control pollution of the marine environment by ships, and shall participate in the corresponding training and examination, and hold valid certificates of competence or corresponding certificates of qualifications for training.

Units engaged in relevant operational activities shall organize their own operators to carry out professional training in operational skills, equipment use, operational procedures, safety protection and emergency response, so as to ensure that they have relevant professional knowledge and skills in safety and pollution prevention.

8. Ports, wharfs, loading and unloading stations and units engaged in ship repair operations shall be equipped with corresponding pollution monitoring facilities and pollutant receiving facilities in accordance with relevant national standards. Ports, wharfs, loading and unloading stations and other units engaged in ship repair, salvage, dismantling and other related operations shall be equipped with corresponding pollution prevention equipment in accordance with relevant national standards.

9. Ships engaged in the following operations shall abide by relevant laws and regulations, standards and relevant operating rules, implement safety and pollution prevention measures, and report to MSA before operation

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such information as the types of operations, operating time, operating place, operating unit and name of the ship; if the operation information is changed, timely Supplement is necessary.

- (1) Carry out outboard spade, paint operation or incinerator at coastal ports.
- (2) Washing, cleanup, degassing and discharging waste, domestic sewage, residual oil, sludge, sewage containing toxic and harmful substances and ballast water in harbor waters;
- (3) Wash the deck with contaminants and toxic substances.
- (4). To carry out ship dismantling, salvage, repair and other waterborne and underwater ship construction operations;
- (5) Ship bunkering operation;

10. Where the operator is engaged in the operation of clearing the cargo hold of an oil tanker with a load of 30,000 tons or more, transferring the harmful cargo contaminated by liquid in bulk to a barge, salvaging a sunken ship or dismantling an oil tanker, etc., which has a greater risk of contamination, the operator shall conduct a feasibility study of the operation plan and accept the inspection of MSA in the operation.

11.If any unit or individual discovers that the ship and its related operational activities have caused or may cause marine environmental pollution, it shall immediately report to the nearest MSA.

## **Chapter 3 Discharge and reception of pollutants from ships**

12.Ships sailing, berthing or operating in the waters under the jurisdiction of the People's Republic of China discharging pollutants such as ship garbage, domestic sewage, sludge, sewage containing toxic and harmful substances, waste gas and ballast water shall comply with laws, administrative regulations, relevant standards and international conventions concluded or acceded to by the People's Republic of China. Ships sailing, berthing and operating in the ship's emission control area shall also comply with the requirements for the prevention and control of atmospheric pollution in the ship's emission control area. Ships shall use low-sulfur fuel or adopt alternative measures such as shore power, clean energy and exhaust aftertreatment devices to meet the requirements of ship atmospheric emission control.

13.Vessels shall not discharge pollutants into marine nature reserves, marine special protection zones, coastal scenic spots, important fishery waters and other sea areas that need special protection according to law. Where the sea areas requiring special protection are established in

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accordance with the law as stipulated in paragraph 1 of this Article, marine pollutant reception facilities and emergency equipment and equipment shall be set up in appropriate areas.

14. Ships shall discharge pollutants that do not meet the discharge requirements stipulated in Article 12 or are prohibited from discharging into the sea areas according to law into port reception facilities with corresponding reception capacity or entrust ships with corresponding reception capacity to receive pollutants. If a ship entrusts a ship's pollutant receiving unit to carry out the pollutant receiving operation, its ship operator shall clearly designate the ship's pollutant receiving unit entrusted before the operation.

15. When receiving pollutants from ships, such as ship garbage, residual oil, sludge and sewage containing toxic and harmful substances, the receiving units shall, prior to the operation, report to MSA the operation time, place, unit, vessel, type and quantity of pollutants and the manner and direction of disposal to be made. Where the reception processing is changed, the supplement report shall be made timely. If the port establishes a joint supervision system for the reception operation, transshipment and disposal of ship pollutants, the ship and the ship's pollutant receiving unit shall report the reception, transshipment and disposal of ship pollutants to the relevant competent authorities in accordance with the requirements of the joint supervision system.

16. The units receiving pollutants from ships should implement the administration system of safety and pollution prevention. In the case of receiving pollutants, an operation plan shall be worked out, relevant national standards and regulations shall be observed, and effective anti-pollution measures shall be taken to prevent the leakage of pollutants.

17. The ship's pollutant receiving unit shall, after the completion of the pollutant receiving operation, issue a pollutant receiving document to the ship, which shall be confirmed by both parties' signatures and retained for at least two years. The pollutant receiving documents shall indicate the name of the operation unit, the name of the vessels of both parties to the operation, the time and place of the start and end of the operation, and the type and quantity of pollutants, etc. The ship shall keep the pollutant receipt documents in the corresponding record book.

18. When a ship carries out any work involving the disposal of pollutants, it shall fill in the relevant records in a standardized manner and record them

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truthfully, so as to truly reflect the quantity, disposal process and destination of pollutants produced during the operation of the ship. In accordance with the provisions of laws, administrative regulations, the competent transportation department under the State Council and the requirements of international treaties concluded or acceded to by the People's Republic of China, where no record book is required, the relevant information shall be truthfully recorded in the nautical or marine log of the day of operation. The ship shall keep the ship's garbage record book after use for two years, and the ship's sludge and toxic and harmful substances record book after use for three years.

19. The receiving unit of ship pollutants shall hand over the received pollutants to the pollutant treatment unit with the qualifications prescribed by the State for disposal, shall report monthly the reception and disposal of ship pollutants to the MSA for the record.

20. Receiving and treating pollutants from ships containing toxic and harmful substances or other dangerous components shall conform to the relevant regulations of the State on the administration of hazardous wastes. Pollutants produced by ships from the epidemic areas shall be quarantined and treated by the relevant quarantine departments before receiving and disposing of them.

21. Ships shall be equipped with covered, non-leaking and non-spilling garbage storage containers, or garbage shall be bagged. Ships shall collect and store garbage separately, and garbage containing toxic and harmful substances or other hazardous ingredients shall be stored separately. If a ship discharges waste containing toxic or harmful substances or other hazardous ingredients into a port reception facility or entrusts the receiving unit of pollutants on board to receive such waste, it shall explain to the vendor the name, nature and quantity of such waste.

22. Ships shall, in accordance with the relevant provisions of the State and the requirements of international conventions concluded or acceded to by the People's Republic of China, install treatment facilities or storage containers suitable for the production of domestic sewage.

## **Chapter 4 Ships carrying pollutants and dangerous goods and related operations.**

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23. The term "polluted hazardous goods" as mentioned in these Provisions refers to goods that enter water directly or indirectly and will damage water quality and environmental quality, thereby causing harmful effects such as damage to biological resources and human health. The MSA shall publish to the public the list of pollution-harmful goods and update it as needed.

24. When a ship carries pollution-harmful goods into or out of a port, the carrier or agent shall go through the formalities for the declaration of proper loading of the ship to MSA 24 hours before entering or leaving the port (if the voyage is less than 24 hours); The owner or agent of the goods shall go through the formalities for Reasonable cargo declaration procedures to MSA before the declaration of proper loading of the ship. Only after the declaration of cargo fitness and the declaration of ship's loading fitness have been examined and approved by MSA can the ship leave the port or stay in transit.

25. The characteristics, packaging, risk prevention and emergency measures for the delivery of contaminated and hazardous goods shall conform to the relevant national standards and regulations, as well as the requirements of international treaties concluded or acceded to by the People's Republic of China; if the goods are to be transported only after being approved by the competent authorities of the State according to law, they shall also be transported after obtaining the approval of the competent authorities. The conditions for the proper carriage of a ship shall be implemented in accordance with the conditions for the proper carriage of dangerous goods by ship as stipulated in the Regulations of the People's Republic of China on Maritime Administrative Licensing Conditions.

26. The owner or agent of the goods shall submit the following materials to MSA in handling the declaration formalities for the proper carriage of the goods:

- (1) The declaration form for the proper carriage of goods includes the relevant information of the owner or agent of the goods, as well as the basic information of the names, types and characteristics of the goods.
- (2) If an agent goes through the formalities for declaration of cargo fitness, he shall provide a valid certificate of authorization issued by the owner of the cargo.
- (3) Corresponding safety technical specifications for hazardous goods,

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matters needing attention in safe operation, precautions and emergency measures, etc.

(4) If the goods that are contaminated and harmful need to be approved by the relevant competent departments of the state according to law, they shall have valid approval documents.

(5) The following materials shall also be submitted for delivering the following hazardous and hazardous goods:

i. If the goods are packaged with contaminated and dangerous goods, the certificates of conformity for inspection of packaging and medium-sized bulk containers or the certificates of conformity for inspection of pressure vessels shall be provided.

ii. A mobile cupboard can be used to load contaminated hazardous goods. Inspection certificates for tank can be provided.

iii. The radioactive dose certificate shall be submitted for carrying hazardous radioactive goods.

iv. If an inhibitor or stabilizer is added to the goods, the name, quantity, temperature, validity period of the inhibitor or stabilizer and the measures to be taken when the validity period exceeds shall be submitted.

v. The limit of dangerous goods shall be submitted to the limited quantity of dangerous goods.

vi. Carriers of goods with unknown pollution hazards shall submit a pollution hazard assessment report conforming to the provisions of Article 30.

27.If the carrier or agent goes through the formalities for declaration of ship's fitness for loading, he shall submit the following materials to MSA

(1) A declaration form for pollution-hazardous goods carried by a ship includes basic information about the carrier or agent, as well as the name, type and characteristics of the goods.

(2) The certificate of carriage of goods approved by MSA

(3) The agent shall provide an effective authorization certificate issued by the carrier when handling the declaration procedures for ship's proper loading.

(4) Certificates of prevention of oil pollution, certificates of proper loading of ships, civil liability insurance for oil pollution damage of ships or other financial guarantee certificates;

(5) Where an accident has occurred in the course of transportation by a ship carrying pollution-hazardous goods, the cause of the accident, the control measures taken and the current situation shall also be described briefly in the declaration form of the ship carrying pollution-hazardous goods, and a detailed report shall be submitted upon arrival at the port.

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- (6) List the manifest of actual loading, manifest or stowage plan;  
(7) A port, dock, loading and unloading station for loading and unloading operations.

Ships with fixed ships, routes and types of cargo may go through the formalities for regular proper loading declaration for ships not exceeding one month. In handling the formalities for declaration of regular and suitable loading of a ship, in addition to the materials stipulated in the first paragraph of this Article, the relevant materials which can prove that a fixed ship carries fixed pollution-hazardous goods on a fixed route shall be submitted.

28. After receiving the declaration of cargo fitness and ship fitness, MSA shall determine of approval or disapproval within 24 hours in accordance with the conditions stipulated in Article 25; if the declaration of ship fitness is made regularly, the decision of approval or disapproval shall be made within 7 days.

29. The owner or agent of the goods shall take effective pollution prevention and control measures to ensure that the specifications, proportions, colors and durability of the packages and marks of the goods meet the requirements of the state for safety and pollution prevention and control, and that the technical names of the goods are truthfully stated in the transport documents. Quantity, category, nature, precaution and emergency measures.

30. If the owner or agent delivers the goods with unknown pollution hazards on board the ship, he shall entrust a technical institution with corresponding qualifications to assess the nature of the pollution hazards and the technical conditions for carrying the goods on board the ship.

31. The empty containers and transport components that used to carry contaminated and hazardous goods shall be thoroughly cleaned and eliminated. Only after obtaining a clean certificate issued by a testing institution qualified by the State, can they be delivered to the ship for transport in accordance with ordinary goods. Before thorough cleaning and elimination of hazards, transportation shall be carried out according to the requirements of the original goods.

32. If MSA considers that the goods delivered on board a ship should be declared in accordance with the declaration of pollution-hazardous goods, or if the contents of the declaration do not conform to the actual situation,



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it may, with the approval of the person-in-charge of MSA, inspect them by opening the case or other means. When MSA carries out the open-box inspection, the owner or agent of the goods shall be present and be responsible for moving the goods, opening and sealing the packing of the goods. If MSA considers it necessary, it may carry out inspection, reinspection or sample collection. The relevant units and individuals should cooperate with each other.

33.If a ship fails to meet the requirements for proper loading of pollution-harmful goods, it shall not carry pollution-harmful goods, and no wharf or loading and unloading station shall carry out loading and unloading operations for it.

If a ship and its related operation activities are found to be likely to cause pollution hazards to the marine environment, the wharf, loading and unloading station or ship shall immediately take corresponding emergency measures and report them to MSA.

34. Wharfs and loading and unloading stations engaged in loading and unloading contaminated goods shall comply with the relevant standards for safe handling and pollutant treatment, shall submit to MSA relevant materials on safe handling and pollutant handling capacity. MSA shall publicize to the public wharfs and loading and unloading stations with corresponding safe handling and pollutant handling capabilities. Ships carrying pollution-hazardous goods shall carry out loading and unloading operations at wharfs and loading and unloading stations with corresponding safe handling and pollutant disposal capabilities as announced by MSA.

35. Ships carrying out barge operations involving dangerous cargo contaminated by liquid in bulk shall comply with the State Maritime Traffic Safety and the administrative regulations and technical specifications for the prevention and control of marine environment contaminated by ships, and shall select water areas with better conditions such as slow flow, shelter from wind, depth of water and sediment, and shall be far from densely populated areas, navigable areas, waterways and important areas. To formulate measures and emergency plans for safety and pollution prevention and control and ensure effective implementation of civil targets or facilities and military water areas.

36.The carrier, owner or agent of a ship carrying out STS operation of dangerous goods contaminated by liquid in bulk shall submit to MSA the

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following application materials:

- (1) The application form for ship operation includes the basic information of the working ship, the contact person, the contact method, the working time, the working place, the type and quantity of the barge, etc.
- (2) Ship operation plan, monitoring and prevention measures to be taken.
- (3) Emergency plan for ship operation ;
- (4) An analysis report on navigation safety and pollution risk of vessels operating in ships;
- (5) A pollution cleanup agreement signed with a corresponding SPRO.

MSA shall, within 2 days from the date of accepting the application, make a decision on approval or disapproval in accordance with the conditions stipulated in Article 35. If the decision can't be made within 2 days, it can be extended by 5 days after the approval of the head of the maritime administrative body.

37. Units engaged in the supply and acceptance of oil for ships shall submit the following materials for the record to MSA:

- (1) Business license;
- (2) Safety and pollution prevention system documents, emergency plans, emergency equipment and materials list, oil hose pressure test certificate and operator attendance training;
- (3) Where oil is supplied and received by a ship, relevant certificates of the ship, contingency plans for oil pollution on board, certificates of liability insurance for oil pollution on a working ship and certificates of competence for crew members shall also be submitted.
- (4) Fuel quality commitments; units engaged in the supply and acceptance of refined oils shall also submit certificates of wholesale or retail operations of refined oils approved by relevant departments according to law.

38. In carrying out oil supply and receiving operations on ships, both parties to the operation shall adopt management measures for oil supply and receiving operations that meet the requirements of safety and pollution prevention, and shall comply with the following provisions:

- (1) Before starting :
  - i. Check pipes and valves, make preparations, block the deck drain holes, and close the access valves.
  - ii. Check the equipment in oil operation to keep it in good condition.
  - iii. Set up oil collecting containers for places where spills may occur.
  - iv. The both parties should agree to contact the parties concerned, and

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both parties should implement them.

(2) In operation, there should be enough staff on duty, the staff on duty should adhere to their posts, strictly implement the operating procedures, master the progress of operation, prevent running oil, oil leakage;

(3) When stopping operation, the valve must be closed effectively.

(4) When collecting and releasing the oil pipeline hose, the hose must be effectively sealed with a blind plate in advance, or other effective measures should be taken to prevent the hose from pouring oil into the sea.

MSA shall supervise and inspect the operation of the ship's oil supplies, shall stop those who find that they do not meet the requirements of safety and pollution prevention.

39. The fuel supply unit shall fill in the fuel supply and acceptance documents truthfully and provide the fuel supply and acceptance documents and fuel samples to the ship. The fuel supply and acceptance documents shall include the name of the receiving vessel, the ship identification number or the IMO number, the time and place of operation, the name, address and contact method of the fuel supplier, and the type, quantity, density and sulfur content of the fuel oil. Ships and fuel suppliers shall keep fuel supply and acceptance documents for three years and fuel samples for one year. The fuel supply unit shall ensure that the quality of the fuel supplied meets the relevant standards and deliver the fuel supplied to the fuel testing unit which has obtained the qualifications prescribed by the State for testing. The inspection report of fuel quality should be kept on the operating ship for reference.

40. The ship shall, before departure, report to MSA the types and quantities of fuel consumed on the previous voyage, the power of the main engine, auxiliary engine and boiler, and the operating time in accordance with regulations.

Ships that convert low-sulfur fuel in accordance with the requirements of the ship's emission control zones or take alternative measures such as the use of shore power, clean energy and tail gas reprocessing devices to meet the requirements of the ship's atmospheric emission control shall be truthfully recorded in accordance with the provisions.

41. When a ship carries out the following operations and the operation volume exceeds 300 tons, it shall take measures to prevent pollution, including the installation of oil fences, in which the barge operator is responsible for the STS operation:

(1) Bulk loading and reloading operations for durable oil, except for fuel

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supply operations on ships.

(2) Loading, unloading and barging of bulk toxic liquids with specific gravity less than 1 (relative to water) and solubility less than 0.1%;

(3) Other operations that may cause serious water pollution.。

Due to natural conditions and other reasons, it is not suitable for laying oil fence. Effective replacement measures should be adopted.

42. Ships carrying contaminated and dangerous goods entering and leaving ports and passing through bridges, traffic control zones, densely navigable areas and areas with restricted navigation conditions, or vessels carrying highly toxic, explosive or radioactive goods entering and leaving ports shall comply with the special provisions of MSA and take necessary safety and pollution prevention and control guarantees.

43. Where a ship carries cargo such as poisonous and harmful gases or dust substances, it shall take sealing or other protective measures. In the process of transportation and operation, measures shall be taken to recover poisonous and harmful gases from contaminated and hazardous goods requiring closed operations.

## **Chapter 5 Ship dismantling, salvage, repair, other underwater and waterborne construction operations**

44. It is forbidden to carry out ship dismantling operation by means of beach washing.

45. In carrying out ship dismantling, salvage, repairing and other underwater and waterborne vessel construction operations, relevant operating rules shall be abide by and necessary safety and pollution prevention measures shall be taken.

46. Before dismantling a ship and repairing its oil tank, the operating unit shall effectively dispose of the vessel's residues and wastes, refuel the oil stored in the fuel tank and the cargo tank, carry out such work as washing, clearing and explosion testing, and obtain the vessel's pollutant receiving documents and effective explosion testing certificates in accordance with regulations. If the storage oil in the fuel tank and cargo tank of a ship needs to be delivered and stored by barge, it shall comply with the requirements of these Provisions for the barge operation of dangerous cargo contaminated by liquid in bulk. Shipyard shall establish a marine environment management system to prevent and control ship pollution and take necessary protective measures to prevent marine environment pollution during ship building.

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47.If a ship is repaired in a dock, the shipyard shall clean up the pollutants in the dock and confirm that no water pollution will be caused before the floating dock or the dock door can be opened.

48. After the ship is dismantled, salvaged, repaired or other underwater vessels constructions are completed, the pollutants shall be removed in time, and the removal and treatment of the pollutants produced in the whole process of operation shall be reported to MSA, which may verify on the spot according to the situation.

## **Chapter 6 Legal responsibility**

49. If MSA discovers that the ship or the relevant operating unit has acted in violation of these Provisions, it shall be ordered to make corrections; if it refuses to make corrections, MSA may order it to stop its operation, forcibly unload, prohibit the ship from entering or leaving the port, berthing or transit stopping, or order it to stop, change its course, leave the country or sail to the designated place.

50. In violation of these Provisions, if the structure of a ship does not conform to the requirements of the State's inspection norms for the prevention and control of marine pollution by ships or relevant international conventions, MSA shall impose a fine of not less than 100,000 yuan but not more than 300,000 yuan.

51. If a ship, port, wharf or loading and unloading station is not equipped with pollution prevention facilities, equipment in violation of these Provisions, MSA shall give a warning or impose a fine of not less than 20,000 yuan but not more than 100,000 yuan in any of the following circumstances

(1)The number of pollution prevention facilities, equipment can't meet the requirements of laws, administrative regulations, regulations, relevant standards and international treaties concluded or acceded to by China

(2)The technical performance of pollution prevention facilities, equipment can't meet the requirements of laws, administrative regulations, regulations, relevant standards and international treaties concluded or acceded to by China.◦

52.In violation of the provisions of Articles 9 and 40 of these Provisions, if the ship fails to report the relevant situation to MSA in accordance with

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the provisions, MSA shall give a warning; if the circumstances are serious, the ship shall be fined not more than 20,000 yuan.

53. In violation of these Provisions, if a ship fails to hold a certificate or document for the prevention and control of marine environment pollution by a ship, MSA shall give a warning or impose a fine of less than 20,000 yuan.

54. If a ship discharged pollutants prohibited by these Provisions into the sea area in violation of these Provisions, MSA shall impose a fine of not less than 30,000 yuan but not more than 200,000 yuan.

55. If a ship discharges or disposes of pollutants in violation of these Provisions in one of the following circumstances, MSA shall impose a fine of not less than 20,000 yuan but not more than 100,000 yuan:

- (1) Exceeding the standard for discharging pollutants into the sea area;
- (2) Failing to keep records of ship's pollutant discharge or disposal on board ships;
- (3) The disposal records of ship pollutants are not in conformity with the quantity of pollutants generated during the operation of ships.

56. In violation of these Provisions, MSA shall impose a fine of not less than 10,000 yuan but not more than 50,000 yuan on the receiving unit of ship pollutants if it fails to draw up an operation plan, abide by relevant operation rules and take necessary anti-pollution measures for the receiving operation of ship garbage, residual oil, oily sewage and sewage containing toxic and harmful substances. The marine environmental pollution is fined 50 thousand yuan or less than 250 thousand yuan.

57. In violation of these Provisions, the receiving units of pollutants from ships and vessels shall, in the case of item (1) below, give a warning or impose a fine of less than 20,000 yuan; in the case of item (2) and item (3) below, MSA shall impose a fine of less than 20,000 yuan:

- (1) The ship did not record the disposition of the pollutant truthfully.
- (2) The ship's pollutant receiving unit fails to report to MSA the status of the ship's pollutant reception in accordance with the relevant provisions, fails to issue a pollutant receiving document to the ship in accordance with the relevant provisions;
- (3) The receiving unit of ship pollutants fails to report the reception and treatment of ship pollutants to MSA for the record.



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58. In violation of these Provisions, if a ship carries pollution-hazardous goods into or out of a port or stops in transit without the approval of MSA, MSA shall impose a fine of not less than 10,000 yuan but not more than 50,000 yuan on its carrier, cargo owner or agent; If the ship carries out the pollution-hazardous nature of liquid in bulk without the approval of MSA, In case of cargo reloading, MSA shall impose a fine of 10 thousand yuan or less than 50 thousand yuan on the ship.

59. In case of violation of Item (1) of these Provisions, MSA shall give a warning or impose a fine of not less than 20,000 yuan but not more than 100,000 yuan; in case of violation of Items (2), 3 and 4 below, MSA shall impose a fine of not less than 20,000 yuan but not more than 100,000 yuan:

(1) Ships carrying pollution and hazardous goods do not have suitable transportation conditions.

(2) Ships carrying pollution hazardous goods do not meet the requirements for the loading of hazardous goods.

(3) Ships carrying contaminated and hazardous goods are not engaged in loading and unloading operations at wharfs or loading and unloading stations with corresponding safe handling and pollutant handling capabilities.

(4) If the owner or agent of the goods fails to assess the pollution hazards of the goods with unknown pollution hazards in accordance with the provisions.

60. In violation of these Provisions, MSA shall impose a fine of not less than 2,000 yuan but not more than 10,000 yuan under one of the following circumstances:

(1) The ship does not keep the pollutant receipt documents according to the regulations.

(2) The fuel supply and receiving unit of the ship does not truthfully fill in the fuel oil for the receipt of the document.

(3) The fuel supply and receiving unit of the ship fails to provide fuel to the ship with documents and fuel samples according to the regulations.

(4) The fuel suppliers and ships do not keep the BDN and fuel samples according to the regulations. If the oil supply unit of a ship fails to carry out oil supply and receiving operations in accordance with the relevant safety and pollution prevention and control norms, or if the oil supplied by the ship exceeds the standard, MSA shall request rectification and inform the relevant competent authorities

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61. In violation of these Provisions, if a ship is dismantled on water, an old ship is refitted, salvaged or other ships' underwater, waterborne construction operation thereby causing damage to the marine environment, MSA shall give a warning or impose a fine of not less than 50,000 yuan but not more than 200,000 yuan.

## **Chapter 7 Supplement**

62. These Provisions shall not apply to the prevention and control of marine environment pollution by military vessels and fishing vessels outside the waters of harbors under the jurisdiction of the competent transportation department under the State Council.

63. These Provisions shall come into force on February 1, 2011.