

4 ALBERT EMBANKMENT
LONDON SE1 7SR
Telephone: +44 (0)20 7735 7611 Fax: +44 (0)20 7587 3210

Circular Letter No.4350
2 December 2020

To: All IMO Members
Parties to the MARPOL Convention which are not Members of IMO

Subject: **Amendments to MARPOL Annexes I, IV and VI**

- 1 MEPC 75 (16 to 20 November 2020) considered and approved draft amendments to:
- .1 MARPOL Annex I (Prohibition on the use and carriage for use as fuel of heavy fuel oil by ships in Arctic waters);
 - .2 MARPOL Annexes I and IV (Exemption of UNSP barges from survey and certification requirements); and
 - .3 MARPOL Annex VI (Mandatory goal-based technical and operational measures to reduce carbon intensity of international shipping and exemption of UNSP barges from survey and certification requirements),

with a view to adoption at MEPC 76 (10 to 17 June 2021).

2 The Secretary-General has the honour to transmit herewith, in accordance with article 16(2)(a) of the MARPOL Convention, the text of the draft amendments referred to above and set out in annexes 1 to 3, respectively, with a view to their consideration for adoption at MEPC 76 in accordance with articles 16(2)(b), (c) and (d) of the said Convention.

ANNEX 1

DRAFT AMENDMENTS TO MARPOL ANNEX I

(Prohibition on the use and carriage for use as fuel of heavy fuel oil by ships in Arctic waters)

1 The title of chapter 9 is amended as follows:

"Chapter 9 – Special requirements for the use or carriage of oils in polar waters"

2 A new regulation 43A is added in chapter 9 after existing regulation 43, as follows:

"Regulation 43A

Special requirements for the use and carriage of oils as fuel in Arctic waters

1 With the exception of ships engaged in securing the safety of ships or in search and rescue operations, and ships dedicated to oil spill preparedness and response, the use and carriage of oils identified in paragraph 1.2 of regulation 43 as fuel by ships shall be prohibited in Arctic waters, as defined in regulation 46.2 of this Annex, on and after 1 July 2024.

2 Notwithstanding the provisions of paragraph 1 of this regulation, for ships to which regulation 12A of this Annex or regulation 1.2.1 of chapter 1 of Part II-A of the Polar Code apply, the use and carriage of oils identified in paragraph 1.2 of regulation 43 as fuel by ships shall be prohibited in Arctic waters, on and after 1 July 2029.

3 When prior operations have included the use and carriage of oils listed in paragraph 1.2 of regulation 43 as fuel, the cleaning or flushing of tanks or pipelines is not required.

4 Notwithstanding the provisions of paragraphs 1 and 2 of this regulation, the Administration of a Party to the present Convention, the coastline of which borders on Arctic waters, may temporarily waive the requirements of paragraph 1 of this regulation for ships flying the flag of the Party while operating in waters subject to the sovereignty or jurisdiction of that Party, taking into account the guidelines to be developed by the Organization. No waivers issued under this paragraph shall apply on and after 1 July 2029.

5 The Administration of a Party to the present Convention which allows application of paragraph 4 of this regulation shall communicate to the Organization for circulation to the Parties particulars thereof, for their information and appropriate action, if any."

ANNEX 2

DRAFT AMENDMENTS TO MARPOL ANNEXES I AND IV

(Exemption of UNSP barges from survey and certification requirements)

MARPOL ANNEX I

REGULATIONS FOR THE PREVENTION OF POLLUTION BY OIL

Regulation 1

Definitions

1 The following new paragraph 40 is added after the existing paragraph 39:

"40 *Unmanned non-self-propelled (UNSP) barge* means a barge that:

- .1 is not propelled by mechanical means;
- .2 carries no oil (as defined in regulation 1.1 of this Annex);
- .3 has no machinery fitted that may use oil or generate oil residues;
- .4 has no fuel oil tank, lubricating oil tank and bilge/oil residues tank;
and
- .5 has neither persons nor living animals on board."

Regulation 3

Exemption and waivers

2 The existing paragraph 2 is replaced with the following:

"2 Particulars of any such exemption, except those under paragraph 7 of this regulation, granted by the Administration shall be indicated in the Certificate referred to in regulation 7 of this Annex."

3 The following new paragraph 7 is added after the existing paragraph 6:

"7 The Administration may exempt an unmanned non-self-propelled (UNSP) barge¹ from the requirements of regulations 6.1 and 7.1 of this Annex, by an International Oil Pollution Prevention Exemption Certificate for Unmanned Non-self-propelled Barges, for a period not exceeding 5 years provided that the barge has undergone a survey to confirm that conditions referred to in regulations 1.39.1 to 1.39.5 of this Annex are met."

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

Regulation 9

Form of certificate

4 The existing paragraph is numbered as paragraph 1 and the following new paragraph 2 is added after paragraph 1:

"2 The International Oil Pollution Exemption Certificate for Unmanned Non-self-propelled Barges shall be drawn up in the form corresponding to the model given in appendix IV to this Annex and shall be at least in English, French or Spanish. If an official language of the issuing country is also used, this shall prevail in the event of a dispute or discrepancy."

Appendices

5 New appendix IV is added after the existing appendix III, as follows:

APPENDIX IV

Form of Exemption Certificate for UNSP Barges

**INTERNATIONAL OIL POLLUTION PREVENTION EXEMPTION CERTIFICATE FOR
UNMANNED NON-SELF-PROPELLED BARGES**

Issued under the provisions of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, as amended, (hereinafter referred to as "the Convention") under the authority of the Government of:

.....
(full designation of the country)

by
*(full designation of the competent person or organization
authorized under the provisions of the Convention)*

Particulars of ship²

Name of ship
Distinctive number or letters
Port of registry
Gross tonnage

THIS IS TO CERTIFY:

- 1 that the unmanned non-self-propelled barge has been surveyed in accordance with regulation 3.7 of Annex I to the Convention;
- 2 that the survey shows that the unmanned non-self-propelled barge:
 - .1 is not propelled by mechanical means;
 - .2 carries no oil (as defined in regulation 1.1 of MARPOL Annex I);
 - .3 has no machinery fitted that may use oil or generate oil residues;
 - .4 has no fuel oil tank, lubricating oil tank and bilge/oil residues tank; and
 - .5 has neither persons nor living animals on board.
- 3 That the ship is exempted, under regulation 3.7 of Annex I to the Convention, from the certification and related survey requirements of regulations 6.1 and 7.1.

² Alternatively, the particulars of the ship may be placed horizontally in boxes.

This Certificate is valid until (dd/mm/yyyy).....

subject to the exemption conditions being maintained.

Completion date of the survey on which this certificate is based (dd/mm/yyyy).....

Issued at

(place of issue of Certificate)

(dd/mm/yyyy):

(date of issue)

.....

*(signature of duly authorized official
issuing the Certificate)*

(seal or stamp of the issuing authority, as appropriate)"

MARPOL ANNEX IV

REGULATIONS FOR THE PREVENTION OF POLLUTION BY SEWAGE FROM SHIPS

Regulation 1

Definitions

6 The following new paragraph 16 is added after the existing paragraph 15:

- "16 *Unmanned non-self-propelled (UNSP) barge* means a barge that:
- .1 is not propelled by mechanical means;
 - .2 has neither persons nor living animals on board;
 - .3 is not used for holding sewage during transport; and
 - .4 has no arrangements that could produce sewage as defined in regulation 1.3."

Regulation 3

Exceptions

7 The title of the regulation is replaced by the following:

"Exceptions and Exemptions"

8 The following new paragraph 2 is added after the existing paragraph 1:

"2 The Administration may exempt an unmanned non-self-propelled (UNSP) barge³ from the requirements of regulations 4.1 and 5.1 of this Annex, by an International Sewage Prevention Exemption Certificate for Unmanned Non-self-propelled Barges, for a period not exceeding 5 years provided that the barge has undergone a survey to confirm that conditions referred to in regulations 1.16.1 to 1.16.4 of this Annex are met."

Regulation 7

Form of certificate

9 The existing paragraph is numbered as paragraph 1 and the following new paragraph 2 is added after paragraph 1:

"2 The International Sewage Prevention Exemption Certificate for Unmanned Non-self-propelled Barges shall be drawn up in the form corresponding to the model given in appendix II to this Annex and shall be at least in English, French or Spanish. If an official language of the issuing country is also used, this shall prevail in the event of a dispute or discrepancy."

Appendices

10 The existing appendix is numbered as appendix I and a new appendix II is added after appendix I, as follows:

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

APPENDIX II

Form of Exemption Certificate for UNSP Barges

INTERNATIONAL SEWAGE POLLUTION PREVENTION EXEMPTION CERTIFICATE FOR UNMANNED NON-SELF-PROPELLED BARGES

Issued under the provisions of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, as amended, (hereinafter referred to as "the Convention") under the authority of the Government of:

.....
(full designation of the country)

by
(full designation of the competent person or organization authorized under the provisions of the Convention)

Particulars of ship⁴

Name of ship
Distinctive number or letters
Port of registry
Gross tonnage

THIS IS TO CERTIFY:

- 1 that the unmanned non-self-propelled barge has been surveyed in accordance with regulation 3.2 of Annex IV to the Convention;
- 2 that the survey shows that the unmanned non-self-propelled barge:
 - .1 is not propelled by mechanical means;
 - .2 has neither persons nor living animals on board;
 - .3 is not used for holding sewage during transport; and
 - .4 has no arrangements that could produce sewage as defined in regulation 1.3 of MARPOL Annex VI.
- 3 that the ship is exempted, under regulation 3.2 of Annex IV to the Convention, from the certification and related survey requirements of regulations 4.1 and 5.1.

⁴ Alternatively, the particulars of the ship may be placed horizontally in boxes.

This Certificate is valid until (dd/mm/yyyy).....

subject to the exemption conditions being maintained.

Completion date of the survey on which this certificate is based (dd/mm/yyyy).....

Issued at

(place of issue of Certificate)

(dd/mm/yyyy):

(date of issue)

.....

*(signature of duly authorized official
issuing the Certificate)*

(seal or stamp of the issuing authority, as appropriate)"

ANNEX 3¹

DRAFT AMENDMENTS TO MARPOL ANNEX VI

(Mandatory goal-based technical and operational measures to reduce carbon intensity of international shipping and exemption of UNSP barges from survey and certification requirements)

CHAPTER 1 – GENERAL

Regulation 2

Definitions

- 1 Sub-paragraph 5 of paragraph 24 is replaced by the following:
 - "5 which substantially alters the energy efficiency of the ship and includes any modifications that could cause the ship to exceed the applicable required EEDI as set out in regulation 21 or applicable required EEXI as set out in regulation 21A of this Annex."
- 2 New paragraphs 57 to 61 are added after existing paragraph 56, as follows:
 - "57 *Unmanned non-self-propelled (UNSP) barge* means a barge that:
 - .1 is not propelled by mechanical means;
 - .2 has no system, equipment and/or machinery fitted that may generate emissions regulated by this Annex; and
 - .3 has neither persons nor living animals on board.
 - 58 *Attained EEXI* is the EEXI value achieved by an individual ship in accordance with regulation 20A of this Annex.
 - 59 *Attained annual operational CII* is the operational carbon intensity indicator value achieved by an individual ship in accordance with regulations 22 and 22B of this Annex.
 - 60 *Required EEXI* is the maximum value of attained EEXI that is allowed by regulation 21A of this Annex for the specific ship type and size.
 - 61 *Required annual operational CII* is the target value of attained annual operational CII in accordance with regulations 22 and 22B of this Annex for the specific ship type and size."

¹ As requested by MEPC 75, the Secretariat is preparing a draft revised MARPOL Annex VI, incorporating the amendments approved by MEPC 75 as well as all previous amendments adopted by the Committee. The draft text will be circulated through an addendum to this circular letter in due course, for information of the Parties.

Regulation 3

Exceptions and Exemptions

3 New paragraph 4 is added after existing paragraph 3.2, as follows:

"Unmanned non-self-propelled (UNSP) barges

4 The Administration may exempt an unmanned, non-self-propelled (UNSP) barge² from the requirements of regulations 5.1 and 6.1 of this Annex, by an International Air Pollution Prevention Exemption Certificate for Unmanned Non-self-propelled Barges, for a period not exceeding 5 years provided that the barge has undergone a survey to confirm that conditions referred to in regulations 2.57.1 to 2.57.3 of this Annex are met."

CHAPTER 2 – SURVEY, CERTIFICATION AND MEANS OF CONTROL

Regulation 5

Surveys

4 The chapeau of paragraph 4 is replaced by the following:

"4 Ships to which chapter 4 of this Annex applies shall also be subject to the surveys specified below, taking into account guidelines adopted by the Organization:³"

5 New sub-paragraphs 6, 7 and 8 are inserted at the end of paragraph 4, as follows:

.6 The Administration shall ensure that for each ship to which regulation 22B applies, the SEEMP complies with regulation 22.3 of this Annex. This shall be done prior to 1 January 2023. Confirmation of compliance shall be provided to and retained on board the ship.

.7 The verification that the ship's attained EEXI is in accordance with the requirements in regulations 20A and 21A of this Annex shall take place at the first annual, intermediate or renewal survey identified in paragraph 1 of this regulation or the initial survey identified in paragraphs 4.1 and 4.3 of this regulation, whichever is the first, on or after [date of entry into force].

.8 Notwithstanding paragraph 4.7 of this regulation, a general or partial survey, according to the circumstances, after a major conversion of a ship to which regulation 20A applies. The survey shall ensure that the attained EEXI is recalculated as necessary and meets the requirement of regulation 21A of this Annex."

² Refer to the *Guidelines for exemption of unmanned non-self-propelled barges from the survey and certification requirements under the MARPOL Convention* (MEPC.1/Circ.[...]).

³ Refer to the *2014 Guidelines on survey and certification of the Energy Efficiency Design Index* (resolution MEPC.254(67), as amended by resolutions MEPC.261(68) and MEPC.309(73); consolidated text: MEPC.1/Circ.855/Rev.2), as may be further amended.

Regulation 6

Issue or endorsement of Certificates and Statements of Compliance related to fuel oil consumption reporting

6 The title of regulation 6 is replaced by the following:

"Issue or endorsement of Certificates and Statements of Compliance related to fuel oil consumption reporting and operational carbon intensity rating"

7 Paragraphs 6 and 7 and their associated title are replaced by the following:

"Statement of Compliance related to fuel oil consumption reporting and operational carbon intensity rating

6 Upon receipt of reported data pursuant to regulation 22A.3 of this Annex and attained annual operational CII pursuant to regulation 22B.2 of this Annex, the Administration or any organization duly authorized by it shall:

- .1 determine whether the data has been reported in accordance with regulation 22A of this Annex;
- .2 verify the attained annual operational CII reported is based on the data submitted in accordance with regulation 22A of this Annex;
- .3 based on the verified attained annual operational CII, determine the operational carbon intensity rating of the ship in accordance with regulation 22B.6; and
- .4 issue a Statement of Compliance related to fuel oil consumption reporting and annual operational carbon intensity rating to the ship no later than 5 months from the beginning of the calendar year. In every case, the Administration assumes full responsibility for this Statement of Compliance.

7 Upon receipt of reported data pursuant to regulations 22A.4, 22A.5 or 22A.6 of this Annex, the Administration or any organization duly authorized by it⁴ shall promptly determine whether the data has been reported in accordance with regulation 22A and, if so, issue a Statement of Compliance related to fuel oil consumption reporting and annual operational carbon intensity rating CII to the ship. In every case, the Administration assumes full responsibility for this Statement of Compliance."

8 New paragraph 8 is inserted after paragraph 7, as follows:

"8 Notwithstanding paragraphs 6 and 7 of this regulation, a ship rated as D for 3 consecutive years or rated as E in accordance with regulation 22B of this Annex shall not be issued a Statement of Compliance unless a plan of corrective actions is duly developed and reflected in the SEEMP, and verified by the Administration or any organization duly authorized by it in accordance with regulation 22B.7 of this Annex. The plan of corrective actions shall be submitted to the Administration, or any organization duly authorized by it for verification within 1 month after reporting of the attained annual operational CII."

⁴ Refer to the Code for recognized organizations (RO Code) (resolution MEPC.237(65), as may be amended).

Regulation 8

Form of Certificates and Statements of Compliance related to fuel oil consumption reporting

9 The title of regulation 8 is replaced by the following:

"Form of Certificates and Statements of Compliance related to fuel oil consumption reporting and operational carbon intensity rating"

10 The title of paragraph 3 is replaced by the following:

"Statement of Compliance related to fuel oil Consumption Reporting and operational carbon intensity rating"

11 New paragraph 4 and associated title are added after paragraph 3, as follows:

"International Air Pollution Exemption Certificate for Unmanned Non-self-propelled Barges"

4 In accordance with regulation 3.4 of this Annex, the International Air Pollution Exemption Certificate for Unmanned Non-self-propelled Barges shall be drawn up in the form corresponding to the model given in appendix XI to this Annex and shall be at least in English, French or Spanish. If an official language of the issuing country is also used, this shall prevail in the event of a dispute or discrepancy."

Regulation 9

Duration and Validity of Certificates and Statements of Compliance related to fuel oil consumption reporting

12 The title of regulation 9 is replaced by the following:

"Duration and Validity of Certificates and Statements of Compliance-related to fuel oil consumption reporting and operational carbon intensity rating"

13 A new sub-paragraph 3 is inserted at the end of paragraph 11, as follows:

".3 if the ship's equipment, systems, fittings, arrangements, or material covered by the survey was changed without the express approval of the Administration in accordance with regulation 5.5 of this Annex, unless regulation 3 of this Annex applies."

14 Paragraph 12 and its associated title are replaced by the following:

"Statement of Compliance related to fuel oil consumption reporting and operational carbon intensity rating"

12 The Statement of Compliance pursuant to regulation 6.6 of this Annex shall be valid for the calendar year in which it is issued and for the first 5 months of the following calendar year. The Statement of Compliance pursuant to regulation 6.7 of this Annex shall be valid for the calendar year in which it is issued, for the following calendar year, and for the first 5 months of the subsequent calendar year. All Statements of Compliance shall be kept on board for at least 5 years."

Regulation 10

Port State control on operational requirements

15 Paragraph 5 is replaced by the following:

"5 In relation to chapter 4 of this Annex, any port State inspection may verify, when appropriate, that there is a valid Statement of Compliance related to fuel oil consumption reporting and operational carbon intensity rating, an International Energy Efficiency Certificate and Ship Energy Efficiency Management Plan on board, in accordance with article 5 of the Convention."

16 New paragraph 6 is added after paragraph 5, as follows:

"6 Notwithstanding the requirements in paragraph 5 of this regulation, any port State inspection may inspect whether the Ship Energy Efficiency Management Plan is duly implemented by the ship in accordance with regulation 22B of this Annex."

CHAPTER 4 – REGULATIONS ON ENERGY EFFICIENCY FOR SHIPS

17 The title of chapter 4 is replaced by the following:

"CHAPTER 4 – REGULATIONS ON THE CARBON INTENSITY OF INTERNATIONAL SHIPPING"

Regulation 19

Application

18 Paragraph 3 is replaced by the following:

"3 Regulations 20, 20A, 21 and 21A of this Annex shall not apply to ships which have non-conventional propulsion, except that regulations 20 and 21 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 paragraph 43 of regulation 2 and regulations 20A and 21A shall apply to cruise passenger ships having non-conventional propulsion and LNG carriers having conventional or non-conventional propulsion. Regulations 20, 20A, 21, 21A and 22B shall not apply to category A ships as defined in the Polar Code."

19 New regulations 19A and 19B are inserted after existing regulation 19 and before existing regulation 20, as follows:

"Regulation 19A

Goal

The goal of this chapter is to reduce the carbon intensity of international shipping, working towards the levels of ambition set out in the *Initial IMO Strategy on reduction of GHG emissions from ships*.⁵

⁵ Resolution MEPC.304(72)

Regulation 19B

Functional requirements

In order to achieve the goal set out in regulation 19A of this Annex, a ship to which this chapter applies shall comply, as applicable, with the following functional requirements to reduce its carbon intensity:

- .1 the technical carbon intensity requirements in accordance with regulations 20, 20A, 21 and 21A of this Annex; and
- .2 the operational carbon intensity requirements in accordance with regulations 22, 22A and 22B of this Annex."

20 New regulation 20A is inserted after existing regulation 20 and before existing regulation 21, as follows:

"Regulation 20A

Attained Energy Efficiency Existing Ship Index (EEXI)

1 The attained EEXI shall be calculated for:

- .1 each ship; and
- .2 each ship which has undergone a major conversion,

which falls into one or more of the categories in regulations 2.25 to 2.31, 2.33 to 2.35, 2.38 and 2.39 of this Annex. The attained EEXI 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 EEXI technical file that contains the information necessary for the calculation of the attained EEXI and that shows the process of the calculation. The attained EEXI shall be verified, based on the EEXI technical file, either by the Administration or by any organization duly authorized by it.⁶

2 The attained EEXI shall be calculated taking into account guidelines⁷ developed by the Organization.

3 Notwithstanding regulation 20A.1, for each ship to which regulation 20 of this Annex applies, the attained EEDI verified by the Administration or by any organization duly authorized by it in accordance with regulation 20.1 of this Annex may be taken as the attained EEXI if the valued of the attained EEDI is equal to or less than that of the required EEXI required by regulation 21A of this Annex. In this case, the attained EEXI shall be verified based on the EEDI Technical File."

⁶ Refer to the Code for recognized organizations (RO Code) (resolution MEPC.237(65), as may be amended).

⁷ Guidelines on the method of calculation of the Energy Efficiency Existing Ship Index to be developed by the Organization.

21 New regulation 21A is inserted after existing regulation 21 and before existing regulation 22, as follows:

"Regulation 21A
Required EEXI

- 1 For:
- .1 each ship; and
 - .2 each ship which has undergone a major conversion,

which falls into one of the categories in regulations 2.25 to 2.31, 2.33 to 2.35, 2.38 and 2.39 and to which this chapter is applicable, the attained EEXI shall be as follows:

$$\text{Attained EEXI} \leq \text{Required EEXI} = (1 - Y/100) \times \text{EEDI Reference line value}$$

where Y is the reduction factor specified in Table 3 for the required EEXI compared to the EEDI reference line.

Table 3. Reduction factors (in percentage) for the EEXI relative to the EEDI reference line

Ship type	Size	Reduction factor
Bulk carrier	200,000 DWT and above	15
	20,000 and above but less than 200,000 DWT	20
	10,000 and above but less than 20,000 DWT	0-20*
Gas carrier	15,000 DWT and above	30
	10,000 and above but less than 15,000 DWT	20
	2,000 and above but less than 10,000 DWT	0-20*
Tanker	200,000 DWT and above	15
	20,000 and above but less than 200,000 DWT	20
	4,000 and above but less than 20,000 DWT	0-20*
Containership	200,000 DWT and above	50
	120,000 and above but less than 200,000 DWT	45
	80,000 and above but less than 120,000 DWT	35
	40,000 and above but less than 80,000 DWT	30
	15,000 and above but less than 40,000 DWT	20
	10,000 and above but less than 15,000 DWT	0-20*

Ship type	Size	Reduction factor
General cargo ship	15,000 DWT and above	30
	3,000 and above but less than 15,000 DWT	0-30*
Refrigerated cargo carrier	5,000 DWT and above	15
	3,000 and above but less than 5,000 DWT	0-15*
Combination carrier	20,000 DWT and above	20
	4,000 and above but less than 20,000 DWT	0-20*
LNG carrier	10,000 DWT and above	30
Ro-ro cargo ship (vehicle carrier)	10,000 DWT and above	15
Ro-ro cargo ship	2,000 DWT and above	5
	1,000 and above but less than 2,000 DWT	0-5*
Ro-ro passenger ship	1,000 DWT and above	5
	250 and above but less than 1,000 DWT	0-5*
Cruise passenger ship having non-conventional propulsion	85,000 GT and above	30
	25,000 and above but less than 85,000 GT	0-30*

* Reduction factor to be linearly interpolated between the two values dependent upon ship size. The lower value of the reduction factor is to be applied to the smaller ship size.

2 The EEDI reference line values shall be calculated in accordance with regulations 21.3 and 21.4 of this Annex. For ro-ro cargo ships and ro-ro passenger ships, the reference line value to be used from phase 2 and thereafter under regulation 21.3 of this Annex shall be referred.

3 A review shall be completed by 1 January 2026 by the Organization to assess the effectiveness of this regulation taking into account any Guidelines developed by the Organization. If, based on the review, the Parties decide to adopt amendments to this regulation, such amendments shall be adopted and enter into force in accordance with the procedures contained in article 16 of the present Convention."

22 Regulation 22 is replaced by the following:

"Regulation 22

Ship Energy Efficiency Management Plan (SEEMP)

1 Each ship shall keep on board a ship specific Ship Energy Efficiency Management Plan (SEEMP). This may form part of the ship's Safety Management System (SMS). The SEEMP shall be developed and reviewed, taking into account Guidelines adopted by the Organization.

2 On or before 31 December 2018, in the case of a ship of 5,000 gross tonnage and above, SEEMP shall include a description of the methodology that will be used to collect the data required by regulation 22A.1 of this Annex and the processes that will be used to report the data to the ship's Administration.

3 On or before 1 January 2023, in case of a ship of 5,000 gross tonnage and above, the SEEMP shall include:

- .1 a description of the methodology that will be used to calculate the ship's attained annual operational CII required by regulation 22B of this Annex and the processes that will be used to report this value to the ship's Administration;
- .2 required annual operational CII for the next 3 years, as specified in regulation 22B of this Annex;
- .3 an implementation plan documenting how the required annual operational CII will be achieved during the next 3 years; and
- .4 a procedure for self-evaluation and improvement.

4 For ships rated as D for 3 consecutive years or rated as E in accordance with regulation 22B of this Annex, the SEEMP shall be reviewed to include a plan of corrective actions to achieve the required annual operational CII in accordance with regulation 22B.8 of this Annex.

5 The SEEMP shall be subject to verification and company audits taking into account Guidelines adopted by the Organization."

23 New regulation 22B is inserted after existing regulation 22A and before existing regulation 23, as follows:

"Regulation 22B

Operational carbon intensity

Attained annual operational carbon intensity indicator (CII)

1 After the end of each calendar year, each ship of 5,000 gross tonnage and above, which falls into one or more of the categories in regulations 2.25 to 2.31, 2.33 to 2.35, 2.38 and 2.39 of this Annex, shall calculate the attained annual operational CII over a 12-month period from 1 January to 31 December in that calendar year, using the data collected in accordance with regulation 22A of this Annex, taking into account guidelines developed by the Organization.⁸

2 Within 3 months after the end of each calendar year, the ship shall report to its Administration or any organization duly authorized by it, the attained annual operational CII, via electronic communication and using a standardized format to be developed by the Organization.

3 In the event of any transfer of a ship addressed in regulations 22A.4, 22A.5 or 22A.6 completed after 1 January 2023, the annual operational carbon intensity

⁸ Refer to the 2016 Guidelines for the development of a Ship Energy Efficiency Management Plan (SEEMP) (resolution MEPC.282(70), as may be amended).

rating of the ship for the reporting period immediately preceding the transfer and verified in accordance with regulation 6.6 of this Annex shall be taken as the annual operational carbon intensity rating of the ship after transfer and until the next verification of the attained annual carbon intensity indicator of the ship required by regulation 6.6 of this Annex. Nothing in regulation relieves any Company of their reporting obligations under regulation 22A or 22B of this Annex.

Required annual operational carbon intensity indicator (CII)

4 For each ship of 5,000 gross tonnage and above, which falls into one or more of the categories in regulations 2.25 to 2.31, 2.33 to 2.35, 2.38 and 2.39 of this Annex, the required annual operational CII shall be determined as follows:

$$\text{Required annual operational CII} = (1-Z/100) \times \text{CII}_R$$

where,

Z is the annual reduction factor to ensure continuous improvement of the ship's operational carbon intensity within a specific rating level; and

CII_R is the reference value.

5 The annual reduction factor Z⁹ and the reference value CII_R shall be the values defined taking into account the guidelines to be developed by the Organization.

Operational carbon intensity rating

6 *Attained annual operational CII* shall be documented and verified against the required annual operational CII to determine operational carbon intensity rating A, B, C, D or E, indicating a major superior, minor superior, moderate, minor inferior, or inferior performance level, either by the Administration or by any organization duly authorized by it, taking into account guidelines developed by the Organization. The middle point of rating level C shall be the value equivalent to the required annual operational CII set out in paragraph 4 of this regulation.

Corrective actions and incentives

7 A ship rated D for 3 consecutive years or rated as E, shall develop a plan of corrective actions to achieve the required annual operational CII.

8 The SEEMP shall be reviewed to include the plan of corrective actions accordingly, taking into account guidelines developed by the Organization. The revised SEEMP shall be submitted to the Administration or any organization duly authorized by it for verification within 1 month after reporting the attained annual operational CII in accordance with paragraph 2 of this regulation.

9 A ship rated as D for 3 consecutive years or rated as E shall duly undertake the planned corrective actions in accordance with the updated SEEMP.

10 Administrations, port authorities and other stakeholders as appropriate, are encouraged to provide incentives to ships rated as A or B.

⁹ The annual reduction factor is specific to each category of ship and is a function of the size of the ship. This factor is defined to increase progressively to meet the objectives of the Initial IMO Strategy.

Review

11 A review shall be completed by 1 January 2026 by the Organization to assess:

- .1 the effectiveness of this regulation in reducing the carbon intensity of international shipping;
- .2 the need for reinforced corrective actions or other means of remedy, including possible additional EEXI requirements;
- .3 the need for enhancement of the enforcement mechanism;
- .4 the need for enhancement of the data collection system; and
- .5 revision of the Z factor and CII_R values.

If based on the review, the Parties decide to adopt amendments to this regulation, such amendments shall be adopted and enter into force in accordance with the procedures contained in article 16 of the present Convention."

Appendices

24 Existing appendix VIII is replaced by the following:

APPENDIX VIII

Form of International Energy Efficiency (IEE) Certificate

INTERNATIONAL ENERGY EFFICIENCY CERTIFICATE

Issued under the provisions of the Protocol of 1997, as amended, to amend the International Convention for the Prevention of Pollution by Ships, 1973, as modified by the Protocol of 1978 related thereto (hereinafter referred to as "the Convention") under the authority of the Government of:

.....
(full designation of the Party)

by
*(full designation of the competent person or organization
authorized under the provisions of the Convention)*

Particulars of ship¹⁰

Name of ship

Distinctive number or letters

Port of registry

Gross tonnage

IMO Number¹¹

THIS IS TO CERTIFY:

- 1 That the ship has been surveyed in accordance with regulation 5.4 of Annex VI of the Convention; and
- 2 That the survey shows that the ship complies with the applicable requirements in regulation 20, regulation 20A, regulation 21, regulation 21A and regulation 22.

Completion date of survey on which this Certificate is based: (dd/mm/yyyy)

Issued at
(place of issue of Certificate)

(dd/mm/yyyy):
(date of issue)
*(signature of duly authorized official
issuing the Certificate)*

(seal or stamp of the authority, as appropriate)

¹⁰ Alternatively, the particulars of the ship may be placed horizontally in boxes.

¹¹ In accordance with the *IMO Ship Identification Number Scheme* (resolution A.1117(30)).

**Supplement to the International Energy Efficiency Certificate
(IEE Certificate)**

**RECORD OF CONSTRUCTION RELATING TO ENERGY
EFFICIENCY**

Notes:

- 1 This Record shall be permanently attached to the IEE Certificate. The IEE Certificate shall be available on board the ship at all times.
- 2 The Record shall be at least in English, French or Spanish. If an official language of the issuing Party is also used, this shall prevail in case of a dispute or discrepancy.
- 3 Entries in boxes shall be made by inserting either: a cross (x) for the answers "yes" and "applicable"; or a dash (-) for the answers "no" and "not applicable", as appropriate.
- 4 Unless otherwise stated, regulations mentioned in this Record refer to regulations in Annex VI of the Convention, and resolutions or circulars refer to those adopted by the International Maritime Organization.

1 Particulars of ship

- 1.1 Name of ship
- 1.2 IMO number
- 1.3 Date of building contract
- 1.4 Gross tonnage
- 1.5 Deadweight
- 1.6 Type of ship¹²

2 Propulsion system

- 2.1 Diesel propulsion
- 2.2 Diesel-electric propulsion
- 2.3 Turbine propulsion
- 2.4 Hybrid propulsion
- 2.5 Propulsion system other than any of the above

¹² Insert ship type in accordance with definitions specified in regulation 2. Ships falling into more than one of the ship types defined in regulation 2 should be considered as being the ship type with the most stringent (the lowest) required EEDI. If ship does not fall into the ship types defined in regulation 2, insert "Ship other than any of the ship type defined in regulation 2".

3 Attained Energy Efficiency Design Index (EEDI)

3.1 The attained EEDI in accordance with regulation 20.1 is calculated based on the information contained in the EEDI technical file which also shows the process of calculating the attained EEDI.....

The attained EEDI is: grams-CO₂/tonne-mile

3.2 The attained EEDI is not calculated as:

3.2.1 the ship is exempt under regulation 20.1 as it is not a new ship as defined in regulation 2.23

3.2.2 the type of propulsion system is exempt in accordance with regulation 19.3

3.2.3 the requirement of regulation 20 is waived by the ship's Administration in accordance with regulation 19.4

3.2.4 the type of ship is exempt in accordance with regulation 20.1

4 Required EEDI

4.1 Required EEDI is: grams-CO₂/tonne-mile

4.2 The required EEDI is not applicable as:

4.2.1 the ship is exempt under regulation 21.1 as it is not a new ship as defined in regulation 2.23

4.2.2 the type of propulsion system is exempt in accordance with regulation 19.3.....

4.2.3 the requirement of regulation 21 is waived by the ship's Administration in accordance with regulation 19.4

4.2.4 the type of ship is exempt in accordance with regulation 21.1

4.2.5 the ship's capacity is below the minimum capacity threshold in table 1 of regulation 21.2.....

5 Attained Energy Efficiency Existing Ship Index (EEXI)

5.1 The attained EEXI in accordance with regulation 20A.1 is calculated taking into account guidelines¹³ developed by the Organization.....

The attained EEXI is:.....grams-CO₂/tonne-mile

5.2 The attained EEXI is not calculated as:

5.2.1 the type of propulsion system is exempt in accordance with regulation 19.3.....

5.2.2 the type of ship is exempt in accordance with regulation 20A.1.....

¹³ Guidelines on the method of calculation of the Energy Efficiency Existing Ship Index to be developed by the Organization.

6 Required EEXI

- 6.1 Required EEXI is:.....grams-CO₂/tonne-mile in accordance with regulation 21A
- 6.2 The required EEXI is not applicable as:
 - 6.2.1 the type of propulsion system is exempt in accordance with regulation 19.3.....
 - 6.2.2 the type of ship is exempt in accordance with regulation 21A.1.....
 - 6.2.3 the ship's capacity is below the minimum capacity threshold in table 3 of regulation 21A.1.....

7 Ship Energy Efficiency Management Plan

- 7.1 The ship is provided with a Ship Energy Efficiency Management Plan (SEEMP) in compliance with regulation 22.....

8 EEDI technical file

- 8.1 The IEE Certificate is accompanied by the EEDI technical file in compliance with regulation 20.1.....
 - 8.1.1 The EEDI technical file identification/verification number.....
 - 8.1.2 The EEDI technical file verification date.....

9 EEXI technical file

- 9.1 The IEE Certificate is accompanied by the EEXI technical file in compliance with regulation 20A.1.....
 - 9.1.1 The EEXI technical file identification/verification number.....
 - 9.1.2 The EEXI technical file verification date.....
- 9.2 The IEE Certificate is not accompanied by the EEXI technical file as the attained EEDI is used as an alternative to the attained EEXI.....

THIS IS TO CERTIFY that this Record is correct in all respects.

Issued at
(place of issue of the Record)

(dd/mm/yyyy):
(date of issue) (signature of duly authorized official issuing the Record)

(seal or stamp of the authority, as appropriate)

25 Existing appendix X is replaced by the following:

" APPENDIX X

Form of Statement of Compliance – Fuel Oil Consumption Reporting and Operational Carbon Intensity rating

STATEMENT OF COMPLIANCE – FUEL OIL CONSUMPTION REPORTING AND OPERATIONAL CARBON INTENSITY RATING

Issued under the provisions of the Protocol of 1997, as amended, to amend the International Convention for the Prevention of Pollution by Ships, 1973, as modified by the Protocol of 1978 related thereto (hereinafter referred to as "the Convention") under the authority of the Government of:

.....
(full designation of the Party)

by.....
(full designation of the competent person or organization authorized under the provisions of the Convention)

Particulars of ship¹⁴

Name of ship.....

Distinctive number or letters.....

IMO Number¹⁵.....

Port of registry.....

Gross tonnage.....

Deadweight.....

Type of ship.....

THIS IS TO DECLARE:

- 1 That the ship has submitted to this Administration the data required by regulation 22A of Annex VI of the Convention, covering ship operations from (dd/mm/yyyy) through (dd/mm/yyyy);
- 2 The data was collected and reported in accordance with the methodology and processes set out in the ship's SEEMP that was in effect over the period from (dd/mm/yyyy) through (dd/mm/yyyy);

¹⁴ Alternatively, the particulars of the ship may be placed horizontally in boxes.

¹⁵ In accordance with the *IMO Ship Identification Number Scheme* (resolution A.1117(30)).

- 3 The attained annual operational CII of the ship from (dd/mm/yyyy) through (dd/mm/yyyy) was:
- 4 The operational carbon intensity of the ship in this period is rated as
A B C D E,
in accordance with regulation 22B of Annex VI of the Convention, for ships to which regulation 22B applies; and
- 5 A corrective action plan has been developed and included in the SEEMP (for ships to which regulation 22B applies, rated as D for 3 consecutive years or rated as E).

This Statement of Compliance is valid until (dd/mm/yyyy)

Issued at.....
(place of issue of the Statement)

(dd/mm/yyyy):
(date of issue)
(signature of duly authorized official issuing the Statement)

(seal or stamp of the authority, as appropriate)"

26 New appendix XI is added after appendix X, as follows:

"

APPENDIX XI

Form of Exemption Certificate for UNSP Barges

**INTERNATIONAL AIR POLLUTION PREVENTION EXEMPTION CERTIFICATE FOR
UNMANNED NON-SELF-PROPELLED BARGES**

Issued under the provisions of the Protocol of 1997, as amended, to amend the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, (hereinafter referred to as "the Convention") under the authority of the Government of:

.....
(full designation of the country)

by
*(full designation of the competent person or organization
authorized under the provisions of the Convention)*

Particulars of ship¹⁶

Name of ship.....
Distinctive number or letters
Port of registry
Gross tonnage

THIS IS TO CERTIFY:

- 1 that the unmanned non-self-propelled barge has been surveyed in accordance with regulation 3.4 of Annex VI of the Convention;
- 2 that the survey shows, the unmanned non-self-propelled:
 - .1 is not propelled by mechanical means;
 - .2 has no system, equipment and/or machinery fitted that may generate emissions controlled by MARPOL Annex VI; and
 - .3 has neither persons nor living animals on board;
- 3 that the ship is exempted, under regulation 3.4 of Annex VI of the Convention from the certification and related survey requirements of regulations 5.1 and 6.1.

¹⁶ Alternatively, the particulars of the ship may be placed horizontally in boxes.

This Certificate is valid until (dd/mm/yyyy)

subject to the exemption conditions being maintained.

Completion date of the survey on which this certificate is based (dd/mm/yyyy)

Issued at

(place of issue of Certificate)

(dd/mm/yyyy):

(date of issue)

.....

*(signature of duly authorized official
issuing the Certificate)*

(seal or stamp of the issuing authority, as appropriate)"
