

# ABS REGULATORY NEWS

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## HONG KONG CONVENTION FOR THE SAFE AND ENVIRONMENTALLY SOUND RECYCLING OF SHIPS – RATIFIED, ENTERING INTO FORCE IN 2025

This Regulatory News provides guidance about the Hong Kong Convention for the Safe and Environmentally Sound Recycling of Ships.

### BACKGROUND

In 2005, the International Maritime Organization (IMO) General Assembly adopted Resolution A.981(24), which directed the Marine Environment Protection Committee (MEPC) to develop a new legally binding instrument for ship recycling. On May 15, 2009, the Hong Kong Convention (HKC) for the Safe and Environmentally Sound Recycling of Ships was adopted in Hong Kong, China.

At the time of adoption, it was agreed that the HKC would come into effect 24 months after the following required criteria were met:

- Ratification by not less than 15 States;
- Ratifying states represent not less than 40% of the world's merchant shipping by gross tonnage; and
- Ratifying states represent a ship recycling capacity of not less than 3% of the gross tonnage of the combined merchant shipping of those States mentioned above.

On Monday, June 26, 2023, the accession by Bangladesh and Liberia triggered the entry into force of the HKC, as the above conditions have now been met, and will enter into force on **June 26, 2025**. Its goal is to prevent significant risks to human health and the environment throughout a ship's operating life and during ship recycling. Upon the entry into force of the HKC, new ships, and existing ships with a gross tonnage (GT) of 500 or more should have a valid International Certificate on Inventory of Hazardous Materials (IHM) no later than 5 years after the Convention's entry into force date or before being sent for recycling, whichever occurs first.

### APPLICATION

HKC applies to ships of 500GT or more engaged in international trade and flying the flag of a party to the Convention or operating under the authority of a flag of a party to the Convention, and to ship recycling facilities operating under the jurisdiction of a party to the Convention.

### KEY NOTES

Entry into force date:  
26 June 2025

Application:

- Ships of 500GT or more engaged in international trade
- Ship recycling facilities operating under the jurisdiction of a Party to HKC.

References:

Resolution MEPC.379(80)  
2023 Guidelines for developing the IHM include anti-fouling systems containing cybutryne as a biocide

HKSRC.1/Circ.21

Hong Kong International Convention for The Safe & Environmentally Sound Recycling of Ships, 2009. Accession by Bangladesh and Liberia. Entry into force.

## A. ENHANCE SHIP SAFETY, PROTECTION OF HUMAN HEALTH AND THE ENVIRONMENT THROUGHOUT A SHIP'S OPERATING LIFE

Ships will be required to develop and maintain an Inventory of Hazardous Materials that consists of three parts:

- **Part I:** Hazardous materials listed in Appendices 1 and 2 to the Convention, contained in the ship's structure and equipment including their location and approximate quantities. The Convention prohibits or restricts new installation of hazardous materials listed in Appendix 1, and it requires the recording of new installations that contain hazardous materials listed in Appendix 2.
- **Part II:** Operationally generated wastes that are potentially hazardous to the environment and human health at ship recycling facilities.
- **Part III:** Stores like regular consumable goods, which may potentially contain hazardous materials that are not integral to a ship.

Part I should be developed following the 5-step approach outlined in the IHM Guidelines, verified on board, and maintained during the operational life of the ship, while Parts II and III are to be developed to detail hazardous material that will be delivered with the ship to the recycling facility.

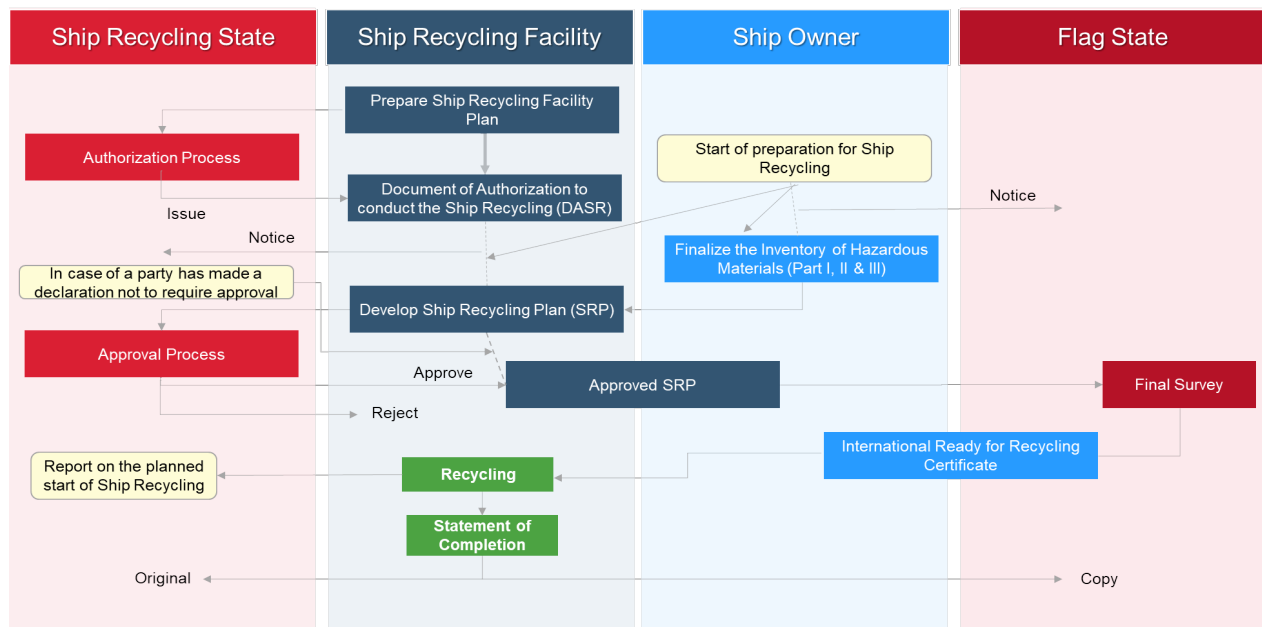
Ships will undergo the following surveys:

- An initial survey to verify Part I of the IHM, before the International Certificate on Inventory of Hazardous Materials is issued.
- A renewal survey at intervals not exceeding 5 years.
- An additional survey (either general or partial) at the shipowner's request after a change, replacement, or significant repair.
- A final survey before recycling.

While IHM renewal surveys need not be harmonized with other statutory surveys, it is recommended to do so.

## B. PREVENT AND TO THE EXTENT PRACTICABLE, ELIMINATE ACCIDENTS, INJURIES AND OTHER ADVERSE EFFECTS ON HUMAN HEALTH AND THE ENVIRONMENT CAUSED BY SHIP RECYCLING.

According to the HKC, each Party shall establish legislation, regulations, and standards that are necessary to ensure that Ship Recycling Facilities are designed, constructed, and operated in a safe and environmentally sound manner in accordance with the Convention. These facilities will need to develop a Ship Recycling Facility Plan prior to being authorized by the Competent Authority(ies) of the Party. Prior to recycling a ship, an authorized Ship Recycling Facility must prepare a ship-specific Ship Recycling Plan taking into account information provided by the shipowner.



## 2023 GUIDELINES FOR THE DEVELOPMENT OF THE INVENTORY OF HAZARDOUS MATERIALS

In July 2023, the International Maritime Organization (IMO) adopted the 2023 Guidelines for developing the Inventory of Hazardous Materials (IHM) (resolution MEPC.379(80)), specifically addressing the inclusion of anti-fouling systems containing cybutryne as a hazardous material. These guidelines were introduced in response to resolution MEPC.331(76), which implemented amendments to the Anti-Fouling Systems (AFS) Convention regarding the regulation of cybutryne, a biocide commonly used in anti-fouling systems.

The 2023 Guidelines for developing the IHM include amendments to the Materials listed in appendix 1 of the Annex to the Convention to include anti-fouling systems containing cybutryne as a biocide.

	Description	Threshold Value
Asbestos	Materials containing asbestos	0.10%
Polychlorinated biphenyls (PCBs)	“Polychlorinated biphenyls” means aromatic compounds formed in such a manner that the hydrogen atoms on the biphenyl molecule (two benzene rings bonded together by a single carbon-carbon bond) may be replaced by up to ten chlorine atoms	50 mg/kg
Ozone depleting substances	Controlled substances defined in paragraph 4 of article 1 of the Montreal Protocol on Substances that Deplete the Ozone Layer, 1987, listed in Annexes A, B, C or E to the said Protocol in force at the time of application or interpretation of the Annex. Ozone-depleting substances that may be found on board ships include, but are not limited to: <ul style="list-style-type: none"> <li>• Halon 1211</li> <li>• Bromochlorodifluoromethane</li> <li>• Halon 1301 Bromotrifluoromethane</li> <li>• Halon 2402 1,2-Dibromo-1,1,2,2- tetrafluoroethane (also known as Halon 114B2)</li> <li>• CFC-11 Trichlorofluoromethane</li> <li>• CFC-12 Dichlorodifluoromethane</li> <li>• CFC-113 1,1,2-Trichloro-1,2,2- trifluoroethane</li> <li>• CFC-114 1,2-Dichloro-1,1,2,2- tetrafluoroethane</li> <li>• CFC-115 Chloropentafluoroethane</li> </ul>	no threshold value
Anti-fouling systems containing organotin compounds as a biocide	Anti-fouling compounds and systems regulated under Annex I to the International Convention on the Control of Harmful Anti-fouling Systems on Ships, 2001 (AFS Convention) in force at the time of application or interpretation of the Annex	2,500 mg total tin/kg
Anti-fouling systems containing <b>cybutryne</b> as a biocide	When samples are directly taken from the hull, average values of cybutryne should not be present above 1,000 mg of cybutryne per kilogram of dry paint.	1,000 mg/kg
	When samples are taken from wet paint containers, average values of cybutryne should not be present above 200 mg of cybutryne per kilogram of dry paint.	200 mg/kg

Figure 1: Hazardous Materials listed in Appendix 1

## ACTIONS FOR SHIPS TO COMPLY WITH HKC

### New Ships

New ships of 500 GT and above contracted on or after June 26, 2025, must have an Inventory of Hazardous Materials (IHM) in place upon delivery. The IHM Part I should be developed in accordance with MEPC.379(80) during the design and construction phase based on the supplier's material declaration forms and should be submitted to the Recognized Organization or flag Administration, along with supporting information (Material Declarations (MD) and Supplier's Declaration of Conformity (SDoC)). Upon completion of the initial survey, the Recognized Organization or flag Administration will issue the documentation detailing compliance with the IHM Part I.

### Existing Ships

Some existing ships with IHM Part I may be able to undergo a simple verification by an attending surveyor, while others may need to submit an updated IHM Part I for review.

#### ▪ Existing ships that do not require IHM Part I technical submission

Existing ships with an IHM Part I technically reviewed by ABS for compliance in accordance with resolution MEPC.269(68) or / and EU SRR (EU No.1257/2013) do not require IHM Part I technical submission. These ships should ensure that they:

1. Have the ABS review letter of the IHM Part I in accordance with resolution MEPC.269(68) or / and EU SRR;
2. Revise the IHM Part I in accordance with resolution MEPC.379(80) if necessary, or present documentation that the vessel's hull coating is cybutryne-free.

On completion of a satisfactory IHM Part I review and survey, the surveyor will issue a survey report for compliance and issue the IHM certificates as appropriate.

#### ▪ Existing ships that require IHM Part I technical submission

Existing ships with a reviewed IHM Part I according to the resolutions MEPC.197(62) or / and MEPC.179(59) and existing ships without an IHM Part I should:

1. Develop their IHM Part I plan according to resolution MEPC.379(80),
2. Submit to ABS the updated IHM Part I for review,

Once reviewed, surveyor attendance will be required to verify that the reviewed IHM Part I is onboard. The surveyor will also confirm the location of materials listed in the IHM Part I. On completion of a satisfactory IHM review and survey, the surveyor will issue the IHM certificates as appropriate.

Existing ships must meet the HKC requirements within five (5) years of the Convention's entry into force on June 26, 2025, or before going for recycling if that occurs earlier. Ships proceeding to a recycling facility may have the initial and final surveys held concurrently.

	Existing ships with IHM Part I in accordance with			
	MEPC.269(68)	MEPC.197(62)	MEPC.179(59)	(EU) No 1257/2013
	2015 Guidelines	2011 Guidelines	Guidelines	EU SRR
<b>IHM Part I technical submission to ABS</b>	Do not require revised IHM Part I technical submission	Updated IHM Part I according to MEPC.379(80) to be submitted for technical review	Updated IHM Part I according to MEPC.379(80) to be submitted for technical review	Do not require revised IHM Part I technical submission

It is advisable to start preparing the IHM as soon as possible to ensure proper compliance. An initial survey shall be conducted before the International Certificate on IHM is issued in order to prevent potential future Port State Control interventions.

## MAINTENANCE OF THE IHM

As new machinery, equipment, or other material are installed onboard the vessel, the item is to be provided with the necessary MDs and SDoCs. Equipment that is detailed to have hazardous material in quantities above the threshold values is to be included in the IHM Part I. When items listed in the IHM Part I are removed or replaced, it is also necessary to update Part I of the IHM. However, if identical parts or coatings are installed or applied, updating it is not required.

Moreover, Part I of the IHM should be considered an integral part of the ship, and it is crucial to ensure the continuity and conformity of the information contained within it, especially in cases where there are changes in the flag, owner, or operator of the ship.

## OTHER SHIP RECYCLING REGULATIONS

Basel Convention	Ban Amendment	EU Waste Shipment Regulation	EU Ship Recycling Regulation	UK Regulation (EU) 1257/2013 on Ship Recycling
<ul style="list-style-type: none"> <li>Adopted in 1989 and is in force since May 1992.</li> <li>Control transboundary movement of hazardous wastes and its disposal.</li> <li>Prevention of the transfer of hazardous waste from developed countries to developing countries.</li> <li>Difficulty in applying these provisions to ship recycling.</li> </ul>	<ul style="list-style-type: none"> <li>Adopted in 1995 and is in force since December 2019.</li> <li>Prohibition of the hazardous waste export from countries in the Organization for Economic Cooperation and Development (OECD) to non-OECD countries.</li> <li>Ships at the end of their life destined for recycling are considered as waste.</li> </ul>	<ul style="list-style-type: none"> <li>Adopted in 2006 and entered into force in July 2007.</li> <li>Implements Basel Convention and Ban Amendment at an EU level.</li> <li>Prohibition of import/export of hazardous waste for disposal to non-EU or non-OECD countries.</li> </ul>	<ul style="list-style-type: none"> <li>In force since December 2013.</li> <li>Similar to the HKC requirements transposing them into the EU.</li> <li>Currently it is under review.</li> <li>Applies to EU flag ships and foreign flag ships of 500 GT and above calling at EU ports.</li> <li>Set higher standards than the IMO's HKC.</li> </ul>	<ul style="list-style-type: none"> <li>UK SRR is almost identical to EU SRR</li> <li>Effective since January 2021.</li> <li>UK flagged ships 500GT and over on international voyages, calling at ports or anchorages in the UK, calling at ports or anchorages in the EEA and to non-UK flagged ships 500GT and over calling at ports or anchorages in the UK.</li> <li>Ships should have an Inventory of Hazardous Materials and a UK-IHM certificate.</li> <li>Set higher standards than the IMO's HKC.</li> </ul>

## REFERENCES

Document	Title
<a href="#">HKSRC.1/Circ.21</a>	Hong Kong International Convention for The Safe and Environmentally Sound Recycling of Ships, 2009 - The Hong Kong Convention. Accession by Bangladesh and Liberia.
<a href="#">Resolution MEPC.379(80)</a>	2023 Guidelines for the development of the Inventory of Hazardous Materials
<a href="#">Resolution MEPC.269(68)</a>	2015 Guidelines for The Development of The Inventory of Hazardous Materials
<a href="#">Resolution MEPC.210(63)</a>	2012 Guidelines for Safe and Environmentally Sound Ship Recycling
<a href="#">Resolution MEPC.197(62)</a>	2011 Guidelines for The Development of The Inventory of Hazardous Materials
<a href="#">Resolution MEPC.179(59)</a>	Guidelines for The Development of The Inventory of Hazardous Materials
<a href="#">Regulation (EU) No 1257/2013</a>	Ship recycling and amending Regulation (EC) No 1013/2006 and Directive 2009/16/EC
<a href="#">ABS IHM Guide</a>	ABS Guide for the Inventory of Hazardous Materials
<a href="#">EMSA IHM Guide</a>	EMSA Guidance on the Inventory of Hazardous Materials

### WORLD HEADQUARTERS

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