

Notice of the Maritime Safety Administration of the People's Republic of China on Issuing the Regulation on Energy Consumption Data and Carbon Intensity of Ships

Shipping companies, branches of China MSA,

China MSA has stipulated the Regulation on Energy Consumption Data and Carbon Intensity of Ships in order to promote the collection of energy consumption data and carbon intensity of ships. Please implement the Regulation as follows.

Shanghai MSA is authorized to be responsible for overall collection, analysis and verification of energy consumption of ships nationwide, and for the implementation of regulations on carbon intensity regarding Chinese ships sailing internationally.

Maritime Safety Administration of the People's Republic of China
November 22, 2022

Regulation on Energy Consumption Data and Carbon Intensity of Ships

Chapter 1 General Provision

Article 1 This Regulation lays down rules for the collection of ship energy consumption data and carbon intensity, in accordance with *Regulation of People's Republic of China on the Prevention and Control of Marine Environment Pollution Caused by Ships and Their Activities* and *International Convention for the Prevention of Pollution from Ships* (MARPOL) which China has acceded to.

Article 2 This Regulation applies to ships, of Chinese flag or of foreign flag entering or leaving the ports in China, of 400 gross tonnage and above.

This Regulation does not apply to warships or fishing ships.

Article 3 Maritime Safety Administration of People's Republic of China (China MSA) is responsible for ship energy consumption data, and for carbon intensity of Chinese ships sailing internationally.

Branches of China MSA and local transportation authorities are responsible for the supervision and inspection of data collection and report in respective districts.

Branches of China MSA are responsible for the supervision and inspection of carbon intensity of ships in respective districts.

Maritime administrations duly authorized by China MSA (the authorized MSA) are responsible for overall collection, analysis and verification of energy consumption data, and for implementation of relevant measures regarding ships of Chinese flag sailing internationally.

Inspection authorities duly authorized by China MSA are responsible for the collection and verification of energy efficiency indicator regarding ships of Chinese flags sailing internationally.

Chapter 2 Data Collection and Report

Article 4 The energy consumption data shall be collected and reported in accordance with this Regulation and *Technical Requirements for Energy Consumption Data Collection and Reporting of Ships* (JT/T 1340).

Article 5 Energy consumption data of ships, of Chinese flag or of foreign flag

entering or leaving the ports in China, shall be recorded on the logbook or other relevant supporting documents in accordance with *Ship Energy Efficiency Management Plan* (SEEMP).

Seagoing ships of Chinese flag sailing domestically and Chinese riverboats shall keep a daily or voyage record of energy consumption data, digitally or on paper. Please find the format as attached.

Energy consumption data should be kept on board the ship for at least two years for inspection by MSA.

Article 6 Seagoing ships of Chinese flag sailing domestically shall report energy consumption data of last voyage to MSA or local transportation authorities before leaving a port.

A seagoing ship of Chinese flag sailing domestically could submit monthly report to MSA if it is subject to one of the following conditions:

- (1) sailing in fixed region and the time underway per voyage is 4 hours or less; or
- (2) sailing on fixed route and the time underway per voyage is 12 hours or less.

A seagoing ship of Chinese flag sailing domestically which plans to submit a monthly report shall report the aggregated energy consumption data of last calendar month to the fixed branch of China MSA of related port of call or local transportation authorities before the 10th of each month.

Chinese riverboats shall report the aggregated energy consumption data of last calendar year to the branch of China MSA of port of registry or local transportation authorities before April 1 of each year.

Article 7 Chinese ships sailing internationally and foreign ships shall report energy consumption data of last voyage to MSA before leaving a port in China.

Chinese ships sailing internationally shall report energy consumption data of last voyage to authorized MSA before leaving a port abroad.

Article 8 Ships shall report the required energy consumption data via maritime information platform maintained by China MSA. If there's special circumstances, ships shall complete the supplementary report of the energy consumption data within five working days after the reporting conditions are available.

Article 9 Chinese ships sailing internationally shall report the energy efficiency indicators to inspection authorities in accordance with MARPOL.

Inspection authorities shall verify the energy efficiency indicators of ships and submit the verified data to authorized MSA in due course.

Article 10 Ships shall report true information regarding the data of energy consumption and energy efficiency indicators, and be responsible for the completeness, authenticity and accuracy of the data.

Inspection authorities shall be responsible for the completeness, authenticity and accuracy of the verified data of energy efficiency indicators.

Chapter 3 Carbon Intensity Management of Chinese Ships Sailing Internationally

Article 11 Chinese ships sailing internationally shall meet the requirements of the energy indicators in MARPOL and acquire International Energy Efficiency Certificate (IEE).

Article 12 Chinese ships sailing internationally shall establish SEEMP as required and submit it to authorized MSA for verification, and keep the verified SEEMP on board.

Authorized MSA shall issue Confirmation of Compliance (COC) of SEEMP to Chinese ships sailing internationally of 5000 gross tonnage and above when their SEEMP have been verified. The format and content of COC shall be arranged in accordance with MARPOL.

Shipowners, operators or managers shall have the responsibility for ensuring the implementation of SEEMP.

Article 13 A Chinese ship sailing internationally of 5000 gross tonnages shall re-establish SEEMP and submit it to authorized MSA for verification if it is subject to one of the following conditions:

- (1) there is a change to the shipowner, operator or manager;
- (2) there is a major rebuilding of the ship; or
- (3) its SEEMP implementation fails to meet the requirements during a random audit by authorized MSA.

After verification, authorized MSA shall issue a new COC to relevant ship.

Article 14 Chinese ships sailing internationally of 5000 gross tonnages shall report annual energy consumption data and relevant supporting documents of last calendar year to authorized MSA before March 31 of each year, and keep both the reported and original data till the end of next year.

Ships applicable to Article 28 of MARPOL VI shall report annual operational carbon intensity indicators and relevant supporting documents of last calendar year that meet the requirements of MARPOL.

Article 15 Authorized MSA shall verify the annual energy consumption data, check the annual operational carbon intensity indicator the ship acquired, and assess the rank of annual operational carbon intensity in accordance with MARPOL.

The annual operational carbon intensity is rated from A to E (the best to the worst).

Article 16 Authorized MSA shall provide *Statement of Conformity of Fuel Consumption Report and Operational Carbon Intensity Rating* to the ship if its energy efficiency report and operational carbon intensity rank meet the requirements of MARPOL.

The Statement of Conformity shall be arranged in accordance with MARPOL in terms of its format and content, and be kept for five years on board.

Article 17 Ships with E in the annual operational carbon intensity rating or D for three consecutive years shall immediately develop an action plan and integrate it into SEEMP, and submit the revised SEEMP to authorized MSA for verification before April 30 of that year.

Authorized MSA shall issue the Statement of Conformity and new COC to the ship after verifying the revised SEEMP.

Article 18 Chinese ships sailing internationally of 5000 gross tonnages, if there is a transfer of flag, or a change to the shipowner, operator or manager, shall report the energy consumption data of last calendar year and the data of that year before the day of completion of the change in one month to authorized MSA. Authorized MSA

shall verify the data reported, and issue the Statement of Conformity to ships that meet the requirements.

If a ship with above-mentioned conditions has reported the data in accordance with Article 14 of this Regulation, it could not report again.

Article 19 Branches of MSA may reduce the frequency of inspection for ships with rating A or B in terms of annual operational carbon intensity.

Chapter 4 Supervision and Inspection

Article 20 Branches of MSA and local transportation authorities shall carry out supervision and inspection in accordance with guidelines stipulated by China MSA.

When the authorized MSA finds any problem during the verification of the annual energy consumption data of a Chinese ship sailing internationally, it shall transfer the problem to the MSA where the port of registry is located for inspection in accordance with relevant laws, regulations and this Regulation.

Authorized MSA shall have random inspection of the SEEMP implementation within six months after the issuing of *Statement of Conformity of Fuel Consumption Report and Operational Carbon Intensity Rating* in accordance with guidelines stipulated by China MSA.

Article 21 Ships that fail to report the energy consumption data as required shall be handled by MSA in accordance with *Regulation of People's Republic of China on the Prevention and Control of Marine Environment Pollution Caused by Ships* and this Regulation.

Branches of MSA and local transportation authorities shall urge ships to re-submit their energy consumption data within in three working days if there are errors in the precious report.

Chapter 5 Supplementary Provisions

Article 22 The management of carbon intensity of this Regulation refers to management measures for controlling greenhouse gas intensity of ships, including the management of energy efficiency and operational carbon intensity.

Article 23 This Regulation shall enter into force on December 22, 2022, and shall be valid for five years.

From the implementation of this Regulation, *Regulation on Data Collection for Energy Consumption of Ships* ([2018] 476) shall be repealed at the same time.