

Appendix 2. Annex VI offences and penalties – proposed amendments to schedule 1 Marine Protection (Offences) Regulations

Provision in draft Marine Protection Rules	Brief description	Maximum penalty on conviction for individual (\$)	Maximum penalty on conviction for person other than individual (\$)	Infringement fee for individual (\$)	Infringement fee for person other than individual (\$)
Rule 100.14	Duties to ensure port has reception facilities for Annex VI substances	—	35,000	—	7,000
Rule 199.20(a)	Owner and master of ship must ensure equipment is maintained to conform with Annex VI provisions	10,000	35,000	—	—
Rule 199.20(b)	Owner and master of ship must ensure no change made to equipment etc. after survey without approval	10,000	35,000	2,000	7,000
Rule 199.23	Owner or master of ship must report occurrences to Director	10,000	50,000	2,000	10,000
Rule 199.41(2)	Owner and master of ship must ensure International Air Pollution Prevention Certificate is carried on board and available for inspection	3,750	12,500	750	2,500
Rule 199.51(2)	Owner and master of ship must ensure International Energy Efficiency Certificate is carried on board and available for inspection	3,750	12,500	750	2,500
Rule 199.61	A person must not deliberately cause an emission from a ship of an ozone depleting substance	10,000	50,000	—	—
Rule 199.62	Owner and master must ensure that no installation containing ozone depleting substances is on a ship	10,000	35,000	2,000	10,000
Rule 199.63	Owner and master must ensure ozone depleting substances and equipment containing ozone depleting substances, when removed	10,000	50,000	2,000	10,000

Provision in draft Marine Protection Rules	Brief description	Maximum penalty on conviction for individual (\$)	Maximum penalty on conviction for person other than individual (\$)	Infringement fee for individual (\$)	Infringement fee for person other than individual (\$)
	from ship, are delivered to reception facility				
Rule 199.64	Owner and master must maintain a list of all systems and equipment containing ozone depleting substances	3,750	12,500	750	2,500
Rule 199.65	Owner and master of a ship with rechargeable system containing ozone depleting substances must maintain an ozone depleting substances record book	3,750	12,500	750	2,500
Rule 199.66	Master must ensure that an entry in the ozone depleting substances record book is made	3,750	12,500	750	2,500
Rule 199.83	Owner and master of a Ship must ensure a technical file is held for each marine diesel engine	3,750	12,500	750	2,500
Rule 199.85(1)(a)	Owner and master of ship must ensure a valid EIAPP Certificate is held for each marine diesel engine	10,000	35,000	2,000	7,000
Rule 199.85(1)(c)	Owner and master of ship must ensure EIAPP is carried on board and available for inspection	3,750	12,500	750	2,500
Rule 199.88(1)	Owner and master of ship must ensure a record is kept on board containing information on the tier and on/off status of marine diesel engines when ship enters or leaves a Tier III NO _x emission control area	3,750	12,500	750	2,500

Provision in draft Marine Protection Rules	Brief description	Maximum penalty on conviction for individual (\$)	Maximum penalty on conviction for person other than individual (\$)	Infringement fee for individual (\$)	Infringement fee for person other than individual (\$)
Rule 199.89	Owner and master of ship with a marine diesel engine must maintain a record book of engine parameters	3,750	12,500	750	2,500
Rule 199.104(1A)	Owner and master of ship must ensure the ship carries a written procedure for changeover of fuel oil	10,000	50,000	2,000	10,000
Rule 199.104(1B)	Owner and master of ship must fully flush fuel oil service system in accordance with written procedure	10,000	50,000	2,000	10,000
Rule 199.104(2)	Owner and master of ship must record information relating to fuel change-over in a log-book that is kept on board the ship	3,750	12,500	750	2,500
Rule 199.122	Owner and master of a tanker within a designated port or terminal must ensure the tanker is equipped with a vapour emission collection system approved by the Director	10,000	50,000	—	—
Rule 199.123	Owner and master must ensure tanker carrying crude oil has a Volatile Organic Compounds Management Plan approved by the Director	10,000	50,000	2,000	10,000
Rule 199.142(1)	Owner and master must comply with rules to ensure incineration is in compliance with Annex VI	10,000	50,000	2,000	10,000
Rule 199.142(2)	Owner and master must comply with rules to assure quality of the incineration system	10,000	50,000	2,000	10,000
Rule 199.162	Owner and master of Ship must ensure the quality of fuel oil used on	10,000	50,000	2,000	10,000

Provision in draft Marine Protection Rules	Brief description	Maximum penalty on conviction for individual (\$)	Maximum penalty on conviction for person other than individual (\$)	Infringement fee for individual (\$)	Infringement fee for person other than individual (\$)
	board for combustion purposes meets requirements set out in regulation 18 of Annex VI				
Rule 199.164(2)	Owner and master must ensure that label attached to representative fuel oil sample is signed and retain bunker delivery note	3,750	12,500	750	2,500
Rule 199.164(2A)	Owner and master must retain representative fuel oil sample for specified period and consistently with IMO guidance	10,000	35,000	2,000	7,000
Rule 199.165(4)	Owner and master must ensure a sampling point is fitted or designated for the purpose of taking samples of fuel oil in use on the ship	10,000	35,000	2,000	7,000
Rule 199.167	Owner and master of ship must notify the Director and applicable competent authority when unable to purchase compliant fuel oil for use on board ship	10,000	50,000	—	—
Rule 199.184(1A)	Owner and master must ensure attained EEDI is calculated at the specified times	10,000	35,000	2,000	7,000
Rule 199.184(1)	Requirements for calculation and verification of attained EEDI	10,000	35,000	2,000	7,000
Rule 199.184(4)	Owner and master must ensure attained EEDI of a ship is less than or equal to the required EEDI	10,000	50,000	—	—
Rule 199.186(1A)	Owner and master must ensure attained EEXI is calculated at the specified times	10,000	35,000	2,000	7,000

Provision in draft Marine Protection Rules	Brief description	Maximum penalty on conviction for individual (\$)	Maximum penalty on conviction for person other than individual (\$)	Infringement fee for individual (\$)	Infringement fee for person other than individual (\$)
Rule 199.186(1)	Requirements for calculation and verification of attained EEXI	10,000	35,000	2,000	7,000
Rule 199.189(2)	Owner and master of a ship for which a corrective action plan is required must develop a plan of corrective actions and include in SEEMP	10,000	35,000	2,000	7,000
Rule 199.189(3)	Owner and master of a ship for which a corrective action plan is required must undertake planned corrective actions	10,000	50,000	2,000	10,000
Rule 199.201	Owner and master of a ship must ensure a SEEMP is prepared for the ship and complied with	10,000	50,000	2,000	10,000
Rule 199.202	Owner and master of a ship must ensure SEEMP is kept on board	3,750	12,500	750	2,500
Rule 199.225	Owner and master of a ship must ensure Statement of Compliance is kept on board for at least 5 years	3,750	12,500	750	2,500
Rule 199.341(2)	Owner and master of ship must ensure New Zealand Air Pollution Prevention Certificate is carried on board and available for inspection	3,750	12,500	750	2,500
Rule 199.351(2)	Owner and master of ship must ensure New Zealand Energy Efficiency Certificate is carried on board and available for inspection	3,750	12,500	750	2,500
Rule 199.361	A person must not deliberately cause an emission from a ship of an ozone depleting substance	10,000	50,000	—	—

Provision in draft Marine Protection Rules	Brief description	Maximum penalty on conviction for individual (\$)	Maximum penalty on conviction for person other than individual (\$)	Infringement fee for individual (\$)	Infringement fee for person other than individual (\$)
Rule 199.362	Owner and master must ensure that no installation containing ozone depleting substances is on a ship	10,000	35,000	2,000	10,000
Rule 199.363	Owner and master must ensure ozone depleting substances and equipment containing ozone depleting substances, when removed from ship, are delivered to reception facility	10,000	50,000	2,000	10,000
Rule 199.364	Owner and master must maintain a list of all systems and equipment containing ozone depleting substances	3,750	12,500	750	2,500
Rule 199.365	Owner and master of a ship with rechargeable system containing ozone depleting substances must maintain an ozone depleting substances record book	3,750	12,500	750	2,500
Rule 199.366	Master must ensure that an entry in the ozone depleting substances record book is made	3,750	12,500	750	2,500
Rule 199.383	Owner and master of a Ship must ensure a technical file is held for each marine diesel engine	3,750	12,500	750	2,500
Rule 199.385(1)(a)	Owner and master of ship must ensure a valid EIAPP Certificate is held for each marine diesel engine	10,000	35,000	2,000	7,000
Rule 199.385(1)(c)	Owner and master of ship must ensure EIAPP is carried on board and available for inspection	3,750	12,500	750	2,500

Provision in draft Marine Protection Rules	Brief description	Maximum penalty on conviction for individual (\$)	Maximum penalty on conviction for person other than individual (\$)	Infringement fee for individual (\$)	Infringement fee for person other than individual (\$)
Rule 199.388(1)	Owner and master of ship must ensure a record is kept on board containing information on the tier and on/off status of marine diesel engines when ship enters or leaves a Tier III NO _x emission control area	3,750	12,500	750	2,500
Rule 199.389	Owner and master of ship with a marine diesel engine must maintain a record book of engine parameters	3,750	12,500	750	2,500
Rule 199.404(1A)	Owner and master of ship must ensure the ship carries a written procedure for changeover of fuel oil	10,000	50,000	2,000	10,000
Rule 199.404(1B)	Owner and master of ship must fully flush fuel oil service system in accordance with written procedure	10,000	50,000	2,000	10,000
Rule 199.404(2)	Owner and master of ship must record information relating to fuel change-over in a log-book that is kept on board the ship	3,750	12,500	750	2,500
Rule 199.423	Owner and master must ensure tanker carrying crude oil has a Volatile Organic Compounds Management Plan approved by the Director	10,000	50,000	2,000	10,000
Rule 199.442(1)	Owner and master must comply with rules to ensure incineration is in compliance with Annex VI	10,000	50,000	2,000	10,000
Rule 199.442(2)	Owner and master must comply with rules to assure quality of the incineration system	10,000	50,000	2,000	10,000

Provision in draft Marine Protection Rules	Brief description	Maximum penalty on conviction for individual (\$)	Maximum penalty on conviction for person other than individual (\$)	Infringement fee for individual (\$)	Infringement fee for person other than individual (\$)
Rule 199.462	Owner and master of ship must ensure the quality of fuel oil used on board for combustion purposes meets requirements set out in regulation 18 of Annex VI	10,000	50,000	2,000	10,000
Rule 199.464(2)	Owner and master must ensure that label attached to representative fuel oil sample is signed and retain bunker delivery note	3,750	12,500	750	2,500
Rule 199.464(2A)	Owner and master must retain representative fuel oil sample for specified period and consistently with IMO guidance	10,000	35,000	2,000	7,000
Rule 199.465(4)	Owner and master must ensure a sampling point is fitted or designated for the purpose of taking samples of fuel oil in use on the ship	10,000	35,000	2,000	7,000
Rule 199.467	Owner and master of ship must notify the Director and applicable competent authority when unable to purchase compliant fuel oil for use on board ship	10,000	50,000	—	—
Rule 199.484(1A)	Owner and master must ensure attained EEDI is calculated at specified times	10,000	35,000	2,000	7,000
Rule 199.484(1)	Requirements for calculation and verification of attained EEDI	10,000	35,000	2,000	7,000
Rule 199.484(4)	Owner and master must ensure attained EEDI of a ship is less than or equal to the required EEDI	10,000	50,000	—	—

Provision in draft Marine Protection Rules	Brief description	Maximum penalty on conviction for individual (\$)	Maximum penalty on conviction for person other than individual (\$)	Infringement fee for individual (\$)	Infringement fee for person other than individual (\$)
Rule 199.486(1A)	Owner and master must ensure attained EEXI is calculated at specified times	10,000	35,000	2,000	7,000
Rule 199.486(1)	Requirements for calculation and verification of attained EEXI	10,000	35,000	2,000	7,000
Rule 199.489(2)	Owner and master of a ship for which a corrective action plan is required must develop a plan of corrective actions and include in SEEMP	10,000	35,000	2,000	7,000
Rule 199.489(3)	Owner and master of a ship for which a corrective action plan is required must undertake planned corrective actions	10,000	50,000	2,000	10,000
Rule 199.501	Owner and master of a ship must ensure a SEEMP is prepared for the ship and complied with	10,000	50,000	2,000	10,000
Rule 199.502	Owner and master of a ship must ensure SEEMP is kept on board	3,750	12,500	750	2,500
Rule 199.525	Owner and master of a ship must ensure Statement of Compliance is kept on board for at least 5 years	3,750	12,500	750	2,500
Rul3 199.611(3)	Owner and master of foreign ship must ensure that certificates are carried on board and available for inspection	3,750	12,500	750	2,500
Rule 199.612	Owner and master of foreign ship must hold valid Statement of Compliance	10,000	35,000	2,000	7,000

Provision in draft Marine Protection Rules	Brief description	Maximum penalty on conviction for individual (\$)	Maximum penalty on conviction for person other than individual (\$)	Infringement fee for individual (\$)	Infringement fee for person other than individual (\$)
Rule 199.613	Owner and master of a foreign ship must notify the Director when unable to purchase compliant fuel oil for combustion	10,000	50,000	—	—
Rule 199.642(2)	Owner and master of UNSP barge must ensure that exemption certificate is carried on board and available for inspection	3,750	12,500	750	2,500