

Instructions to Recognised Organisations

Instructions for implementation of MARPOL Annex VI
(in accordance with the RO Code)



Instructions to Recognised Organisations

Last updated: 22 December 2022

In this guide

1. Overview	2
2. Specific guidance on Part 199	3
2.1 General functions under the MTA and Part 199	3
2.2 Application of Annex VI provisions	3
2.3 Certification process for New Zealand ships	6
Appendix: Additional information on survey report	10

1. Overview

Maritime New Zealand (Maritime NZ) issues 'Instructions to Recognised Organisations (ROs)' to provide detailed information as to specific requirements or processes to be followed in the conduct of the functions specified in its authorisations to ROs.

These 'Instructions to Recognised Organisations: Instructions for implementation of MARPOL Annex VI' are specific to the implementation of Annex VI of the International Convention for the Prevention of Pollution from Ships 1973, as modified from time to time (MARPOL). MARPOL Annex VI is implemented in New Zealand largely through the Maritime Transport Act 1994 (MTA) and through the Marine Protection Rules Part 199 (Part 199).

These instructions must be read alongside 'Instructions to Recognised Organisations: Part One – General requirements.

These instructions will be revised and amended by Maritime NZ as and when necessary. Please, ensure you are reading the latest version on the Maritime NZ website.

Compliance with the 'Instructions to Recognised Organisations' is a condition of the authorisations unless any deviation is approved by the Director of Maritime NZ (the Director).

2. Specific guidance on Part 199

This section provides guidance for ROs in relation to specific requirements of New Zealand in implementing MARPOL Annex VI and Part 199 when undertaking statutory functions under their authorisations.

2.1 General functions under the MTA and Part 199

ROs have been issued with delegations to undertake certain functions provided for in the MTA and Part 199 related to MARPOL Annex VI. These delegations include undertaking surveys and issuing certificates, issuing approvals, verifying carbon intensity requirements and reporting to the International Maritime Organization (IMO).

2.2 Application of Annex VI provisions

The Part 199 rules apply to all New Zealand (NZ) ships at all times and foreign-flagged ships voyaging in NZ jurisdiction. Part 199 does not apply to warships and any other ships of the NZ Defence Force (Reference rule 199.1(3)), or to ships that only operate in inland waters, such as lakes or rivers (Reference rule 199.1(7)).

Maritime NZ expects that all applicable ships in class or in a Maritime NZ safety management system undergo relevant (size dependent and operating area) survey and certification processes.

Part 199 includes provisions where NZ has applied discretion as provided for by MARPOL Annex VI. This includes the application of Nitrogen Oxides (NO_x) requirements for domestic voyaging ships, as set out below.

2. Specific guidance on Part 199 (continued)

Initial surveys

Ships that become a NZ ship on or after 26 August 2022 must comply with the relevant requirements in Part 199 at Initial survey. NZ ship means a ship that is registered under the Ship Registration Act 1992; and includes a ship that is not registered under that Act but is required or entitled to be registered under that Act.

Timeline for existing ships

Ships that were a NZ ship before 26 August 2022 that are required or whose operator chooses to hold an IAPP, must be surveyed for compliance with Part 199 at the first intermediate or renewal survey after 1 January 2023. The surveys must be carried out in accordance with the *Survey Guidelines under the Harmonized System of Survey and Certification* adopted by the IMO.

There are transitional provisions relating to the dates when certificates are required for and information is to be reported on existing ships, in Schedule 1.2 of Part 199.

Application of the 'to the satisfaction of the Administration'

Where Annex VI or any mandatory codes under Annex VI, provides for matters to be resolved 'to the satisfaction of the Administration', or where Part 199 provides for matters to be resolved 'to the satisfaction of the Director', the Director requires ROs to propose and document solutions. Solutions should consider and apply any relevant international standards, class rules, or accepted good practice, as appropriate. The RO must advise the Director of, and supply any documentation relating to, the proposed solution. The Director will then indicate that the proposed solution is satisfactory to them prior to its adoption or implementation by the RO.

Discretion that can be applied when surveying more than one engine from an Engine Group or Engine Family with an Engine International Air Pollution Prevention (EIAPP) certificate and technical file

To avoid certification testing of every engine for compliance with NO_x emission limits, serially manufactured engines may be approved as part of the Engine Family or the Engine Group concept (as per chapter 4 of the NO_x Technical Code (NTC)). You may apply the following discretions (as per section 2.3.10 NTC):

1. Only one cylinder and/or one engine is required to be surveyed if there is more than one engine installed on the ship from an engine group/family and the other cylinders and/or engines are expected to perform in the same manner as the surveyed engine and/or cylinder; and/or
2. As an alternative to examination of fitted components, examination can be made of the spare parts carried on board provided they are representative of the components fitted.

2. Specific guidance on Part 199 (continued)

NO_x emission limits for domestic voyaging commercial ships

Section C3 of the Part 199 rules excludes ships constructed before 19 May 2005 provided that:

- any marine diesel engine installed on that ship has not had a major conversion on or after 19 May 2005; and
- it was a New Zealand ship on 31 December 2022; and
- it voyages solely within NZ jurisdiction.

This is the exclusion set out in regulation 13.1.3 of Annex VI.

The 19 May 2005 date does not apply when an operator of a domestic voyaging ship 400 GT or more, chooses to hold an IAPP certificate instead of the Annex VI Endorsement. Where the ship is required, or the operator chooses to hold an IAPP certificate, the ship must comply with NO_x emission limits set out in both section B3 **and** section C3.

Bunker Delivery Notes (BDNs) for domestic voyaging ships

For domestic voyaging ships, BDNs may be received from the supplier of the fuel or kept in digital form. Digital copies of BDNs, such as a pdf, should clearly show the date of supply and stamp of the supplier and be able to be verified as an alternate to the original hard copy (reference Rule 199.463 (3) and regulation 18.11 of Annex VI).

Approval of Incinerators

An incinerator that is approved under regulation 16 of Annex VI by another Party State is deemed to be an approval made by the Director under 199.445(1).

If the survey of the Incinerator or review of the IMO Type Approval Certificate raises doubts as to the authenticity of the certificate and/or the incinerator's compliance with regulation 16 of Annex VI, the RO should cancel the deemed approval. The incinerator must be surveyed to the satisfaction of the surveyor and will require an appropriate IMO Type Approval Certificate before being put back into service.

If a deemed approval is cancelled, the RO must notify Maritime NZ of the actions they have taken.

2. Specific guidance on Part 199 (continued)

2.3 Certification process for New Zealand ships

Certificates provided for by Part 199

Certificate:	Applicable to the following ships / engines:
1. IAPP certificate and IEE certificate	International voyaging ships 400 GT or more (Reference rule 199.41) Operators of domestic voyaging ships 400 GT or more may choose to hold the IAPP and IEE certificates instead of the Annex VI Endorsement (Reference rule 199.341(1)(a))
2. Technical file and EIAPP certificate	Each applicable engine over 130 kW (Reference rules 199.84 and 199.86, and rules 199.388 and 199.390)
3. IAPP Exemption certificate	Unmanned non-self-propelled (UNSP) barges 400 GT or more if the UNSP barge complies with certificate conditions (Reference rule 19.642(1)(a))
4. Statement of Compliance	Both international and domestic voyaging ships that are 5000 GT or more must hold a valid Statement of Compliance for each year from April 2024 when they have completed the required fuel oil consumption reporting and, if required, the operational Carbon Intensity Indicator reporting (Reference rules 199.224 and 199.524)
5. Annex VI Endorsement	International and domestic voyaging commercial ships under 400 GT must hold an Annex VI Endorsement on: <ul style="list-style-type: none">• the Certificate of Survey; or• if the ship is a barge, on the Barge Safety Certificate; or• if the ship is a novel ship, the certificate of fitness under the Part 40G Rules (Reference rules 199.54 and 199.341(1)(b)) Operators of domestic voyaging ships 400 GT or more may choose to hold the international certificates (IAPP and IEE) instead of the Annex VI Endorsement (Reference rule 199.341(1)(a)). Note: A surveyor employed by a Maritime NZ RO, delegated for Part 199, may survey a ship for compliance with Part 199 for the purpose of an Annex VI Endorsement (under rule 199.680). The person making (actually issuing) an Annex VI Endorsement is required to hold a Certificate of Surveyor Recognition issued under rule 44.22. The Annex VI Endorsement is a New Zealand requirement and not covered by the RO's Instrument of Delegation.

2. Specific guidance on Part 199 (continued)

Issue and endorsement of certificates

The RO may issue and endorse the following statutory certificates (as applicable on delegation) on behalf of the Director after undertaking the necessary inspections, surveys, approvals and verification:

1. **IAPP certificate** in respect of a NZ ship that is 400 GT or more, or a New Zealand platform engaged in a voyage, under rule 199.42(2)
2. **IEE certificate** in respect of a NZ ship that is 400 GT or more, under rule 199.52(2)
3. **EIAPP certificate** in respect of applicable engines over 130 kW, under rules 199.87(2) and 199.391(2), and approval of associated Technical File under rules 199.85(1) and 199.389(1)
4. **IAPP Exemption certificate** in respect of an unmanned non-self-propelled barge, under rule 199.644(2)
5. **Statement of Compliance** in respect of a New Zealand ship that is 5000 GT or more, under rules 199.224 and 199.524(1).

If an RO is acting as a RO surveyor for a ship not in class, a declaration may instead be made as part of an 'application for a Part 199 vessel certificate' to confirm compliance with Part 199. The application form, associated survey report and completed template for each certificate including the certificate supplement as appropriate, must be sent to Maritime NZ for the IAPP and IEE, or IAPP exemption certificate, and/or EIAPP certificate, and technical file approval, as applicable. The application can be made by the RO surveyor or the operator.

Annex VI Endorsement – Documentation options for existing installed engines that are required to meet the NO_x emission levels from 1 January 2023

Note: Alternate documentation options for demonstrating compliance with NO_x apply to some engines on ships that only voyage in New Zealand waters whose operators are required or choose to hold an Annex VI Endorsement.

For details of the alternate documentation options, see the Surveyor Performance Requirements for Annex VI Endorsement ships 400 GT or more on domestic voyages available under the surveyor resources on the Maritime NZ website.

www.maritimenz.govt.nz/surveyors

2. Specific guidance on Part 199 (continued)

Verification of carbon intensity reduction requirements for ships 400 GT or more

In relation to passenger ships, or carbon intensity ships, that are NZ ships, ROs will verify:

- *Attained Energy Efficiency Design Index (EEDI)* under regulations 22¹ and 24 of Annex VI and rules 199.184(3) and 199.484(3)
- *Attained Energy Efficiency Existing Ship Index (EEXI)* under regulation 23 of Annex VI and rules 199.186(3) and 199.486(3)
- *Attained Annual Operational Carbon Intensity Indicator (CII)* under regulation 6.6 of Annex VI and rules 199.188(2) and 199.488(2)
- *Operational carbon intensity rating* under regulation 28.6 of Annex VI and rules 199.189(1) and 199.489(1)
- *Ship Energy Efficiency Management Plan* under regulation 5.4.5 and 5.4.6 of Annex VI and rules 199.201(4) and 199.501(4) and (4A)
- *Consumption and identification data* under regulation 27 of Annex VI and rules 199.223(b) and 199.523(b).

Reporting to the IMO

New Zealand ROs have been authorised to submit data to the IMO Ship Fuel Oil Consumption Database (the database). For ships over 5000 GT or more RO's should:

- Verify annually reported data for the:
 - o ship fuel oil consumption,
 - o attained annual operational CII, and
 - o operational carbon intensity rating
- Transfer the data to the IMO database, and
- Issue a statement of compliance.

The user guidance for the database is set out in the Annex to the IMO's Circular Letter No. 3827. Once reporting has been made to the database the RO is to inform Maritime NZ.

For domestic voyaging ships of 5000 GT or more, the information is to be reported to Maritime NZ rather than be submitted to the IMO.

¹ Regulations and paragraphs cited in these instructions are aligned to the renumbering in the 2021 Revised MARPOL Annex VI.

2. Specific guidance on Part 199 (continued)

Should the operational carbon intensity rating for a ship be D for three consecutive years or rated as E in a single year; the operator must develop a plan of corrective actions. The plan must be included in the ship's Ship Energy Efficiency Management Plan (SEEMP). This will be reviewed and if found acceptable, approved by Maritime NZ. If the corrective actions/plan amendments are not implemented, the International Energy Efficiency Certificate (IEE) may be suspended, and further subject to revocation under sections 272 and 273 of the MTA, as applicable.

The RO is to report to the IMO the required and attained EEDI values and relevant information, taking into account the *2018 Guidelines on the method of calculation of the attained Energy Efficiency Design Index (EEDI)* (resolution MEPC.308(73), as amended by resolutions MEPC.322(74) and MEPC.332(76)).

Appendix: Additional information on survey report

The information in the table below must be recorded during the survey and provided on the survey report.

Vessel Engine Details (complete for each engine on board)	
Field	Value/Options
Engine type (tick option that applies)	<input type="checkbox"/> Compression ignition <input type="checkbox"/> Diesel-electric <input type="checkbox"/> Electric <input type="checkbox"/> Gas Turbine <input type="checkbox"/> Hybrid <input type="checkbox"/> Spark Ignition <input type="checkbox"/> Steam <input type="checkbox"/> Turbine
Year of Engine Build (YYYY)	
Year of Engine Installation (YYYY)	
Engine Use (tick all that apply)	<input type="checkbox"/> Propulsion <input type="checkbox"/> Power Generation <input type="checkbox"/> Powering other Machinery <input type="checkbox"/> Emergency
Engine Manufacturer (Name and address)	
Model Number	
Serial Number	
Engine Approval Number	
Rated Power (kW)	
Engine Speed Rating (RPM)	
Number of Shafts	
Fuel Type (tick all that apply)	<input type="checkbox"/> Coal <input type="checkbox"/> Diesel/Gas Oil <input type="checkbox"/> Diesel/Petrol <input type="checkbox"/> Ethanol <input type="checkbox"/> Heavy Fuel Oil (HFO) <input type="checkbox"/> HFO/LFO Blend <input type="checkbox"/> Intermediate Fuel Oil (IFO) <input type="checkbox"/> Lift Fuel Oil (LFO) <input type="checkbox"/> Liquefied Natural Gas (LNG) <input type="checkbox"/> Liquefied Petroleum Gas (Butane) <input type="checkbox"/> Liquefied Petroleum Gas (Propane) <input type="checkbox"/> Methanol <input type="checkbox"/> Petrol

Appendix: Additional information on survey report (continued)

Field	Value/Options
Sulphur level of fuel used	
Required Nitrogen Oxide (NO _x) Tier (I,II or III)	
NO _x Compliant (Yes, No, N/A)	
NO _x Not Applicable Reason (tick option(s) that apply)	<input type="checkbox"/> Engine <=130 kW <input type="checkbox"/> Engine pre dates requirements <input type="checkbox"/> Engine only used for emergencies <input type="checkbox"/> Engine not installed
Proof of Compliance	<input type="checkbox"/> EIAPP Certificate
Maximum Continuous Rating (MCR)	

Current MARPOL Details	
Field	Value/Options
EEDI: Required	
EEDI: Attained	
EEXI: Required	
EEXI: Attained	
Carbon Intensity Rating (A,B,C,D or E)	
Statement of Compliance (for fuel consumption reporting and Carbon Intensity) Issued Date (dd/mm/yyyy)	
Incinerator Onboard (Yes or No)	
Incinerator Compliant (Yes, No or N/A)	
Date Incinerator Compliant (dd/mm/yyyy) (Date of IMO Type Approval certificate)	
Ozone depleting substances (ODS) Onboard? (Yes or No)	
Exhaust Gas Cleaning System (EGCS) Onboard (Yes or No)	