



Technical Circular

No.: 134/2020

Date: 09th November 2020

Subject: DGS MS Notice No. 14 of 2020 Reg Issuance of Statement of Compliance (SOC) towards Hong Kong Convention and EU-SRR

1. The Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009 was adopted in 2009 and aimed at ensuring that ships, when being recycled after reaching the end of their operational lives, do not pose any unnecessary risks to human health, safety and to the environment. The Convention has not yet entered into force.
2. However, the European Parliament formally adopted the EU Ship Recycling Regulation (SRR) on 22 October 2013. The EU SRR entered into force on 30 December 2013 and requires all non-EU-flagged ships of 500 GT and above calling at EU ports; **from 31 December 2020**, to have onboard a valid Statement of Compliance (SOC) supplemented by an Inventory of Hazardous Materials (IHM).
3. In view of above, Indian Administration has issued MS Notice No. 14 of 2020 providing instructions for the issuance of SOC, on its behalf by the Recognised Organizations, towards the compliance with the HKC. The MS Notice applies to any Indian ship to which the Convention applies and are calling at a port or anchorage of a EU Member State.
4. Accordingly, when requested by the Company, a SOC may be issued after satisfactory initial survey including verification that the IHM Part I meets the relevant requirements.
5. The IHM is to be ship-specific and must take into account IMO Resolution MEPC.269(68) and relevant guidelines of EU-SRR. For an existing ship it is to identify, as a minimum, all the hazardous materials listed in Control of Hazardous Materials (Appendix I) which also includes Perfluorooctane sulfonic acid (PFOS).
6. Towards development of an IHM, a Visual & Sampling Check Plan (VSCP) is to be established by the Company describing the visual/sampling check by which the IHM is developed. Any laboratory used to carry out specific tests is to take into consideration the guidance in MEPC.269 (68), Appendix 9. In general, the “specific sampling” activity involves certain risks to personnel involved or to other persons on board. **Therefore, sampling should only be undertaken by a Hazmat expert duly engaged through Hazmat expert company.**
7. Furthermore, analysis of the samples should only be carried out by suitably accredited laboratories (i.e. in accordance with ISO 17025 or equivalent) using qualified and trained



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. While we have taken utmost care to be as factual as possible, readers/ users are advised to verify the exact text and content of the Regulation from the original source/ issuing Authority.

personnel, suitable testing methods and the necessary equipment. It is the responsibility of the Hazmat Expert Company/ Hazmat Expert to confirm that the laboratory is suitably accredited and which should be verified by the Recognized Organization. In case of ships built after 1st Jan'2021, shipyards may develop the IHM in lieu of Hazmat expert company.

8. Ship owners/ operators and masters of Indian flagged ships to which the Convention applies and are intended to call any EU Member ports/ anchorages are advised to be guided by above and act accordingly.

Enclosure:

DGS MS Notice No. 14 of 2020, dated 05 November 2020.

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भारत सरकार/ GOVERNMENT OF INDIA
पोत परिवहन मंत्रालय / MINISTRY OF SHIPPING
नौवहन महानिदेशालय, मुंबई
DIRECTORATE GENERAL OF SHIPPING, MUMBAI

M.S. NOTICE 14 OF 2020

File ref no. 13-39/7/2020-ENGG-DGS

Date: 05/11/2020

Subject: Issuance of Statement of Compliance (SOC) towards Hong Kong Convention and EU-SRR – reg.

1) Background

- (i) The Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009 (HKC) was adopted in 2009. This Convention is yet to enter into force. However, as per Article 12 of the European Union Ship Recycling Regulation (EU-SRR), ships flying the flag of a third country (a non- EU Member State), when calling at a port or anchorage of an EU Member State, is required to have on board a Statement of Compliance (SOC) and Inventory of Hazardous Material (IHM) that complies with Article 5 (2) of EU-SRR from 31st December 2020.
- (ii) Whereas, India has acceded to the HKC on 28th Nov'2019 and shall implement the provisions of HKC once the convention comes into force. Additionally, the Government of India is considering to prohibit or restrict installation of the two additional hazardous substances, namely perfluorooctane sulfonic acid (PFOS) and the brominated flame retardant hexabromocyclododecane (HBCDD), which are part of EU-regulation 257/2013 but not in HKC.
- (iii) In view of foregoing, the Directorate General of Shipping in exercise of powers under section 456 of the Merchant Shipping Act 1958, as amended hereby authorizes the Recognized Organizations to implement the provisions of this Notice for Indian ships of 500 GT and above intending to ply within the jurisdiction of EU Member States.

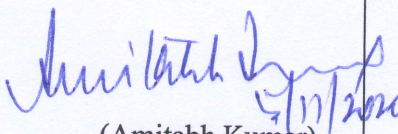
2) Purpose & Application -

This Notice provides instructions for the issuance of SOC, on behalf of Indian Administration by the Recognised Organization (RO), towards the compliance with the HKC and applies to any Indian ship to which this Convention applies and are calling at a port or anchorage of a EU Member State.

3) **Authorization of Recognized Organizations to issue SOC**

Recognized Organizations (ROs) listed in Annex-I are hereby authorized to carry out survey and issuance of SOC on behalf of the DGS. Further, DGS Order No.06 of 2013 (*Statutory Certification and Services of Indian ships by the Recognized Organizations*), terms & conditions stipulated in the existing agreement and M.S. Notice 09 of 2012 dated 21/03/2012 for remittance of Administrative fees are to be complied with.

- 4) *The requirements* stipulated in Annex-I are to be complied with for implementation of this notice.
- 5) This Notice comes into force from the date of its issuance and shall be reviewed once HKC comes into force or as necessary.


(Amitabh Kumar)

Director General of Shipping

& Additional Secretary to the GoI.

To
1) All Ship owners.
2) Indian National Ship-owners Association , Mumbai
3) Secretary, Paris MoU
4) All R.O's
5) The Principal Officer, MMD –Mumbai / Kolkata / Chennai / Kandla / Kochi.
6) All branches / officers of D.G.Shipping and MMD.
7) Hindi cell, Computer cell and Guard file of DGS.

ANNEX-I

Procedure for issuance of Statement of Compliance

<i>S.No.</i>	<i>INDEX</i>	<i>PAGE NOs</i>
1	Definitions	3
2	Abbreviations	4
3	Reference documents	4
4	Organizations Authorized to issue SOC on behalf of Indian Administration	4
5	Survey, Issuance, Endorsement, Form and Validity of SOC	7
6	Appendix-I	8
7	Appendix-II	9
8	Format of Statement of Compliance	12

1. Definitions-

<i>Term</i>	<i>Definition</i>
Accredited laboratories	‘Accredited laboratory’ is a laboratory accredited in accordance with ISO 17025 or an equivalent standard for the purpose of conducting specific tests for HMs included in the SRR and capable of providing a written report that can be relied upon by all parties.
Convention	The Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009
Hazmat expert	‘HazMat expert’ is a person who has the appropriate training, qualifications and knowledge to conduct HM surveys for the development and maintenance of an IHM. He or she should have experience on ship structure and on handling of HM and sufficient knowledge of how to compile an IHM and of all the relevant international and EU legislations.
Hazmat expert company	‘HazMat expert company’ is an entity employing or contracting individual Hazmat experts to conduct any relevant work or task in relation to the IHM process for the purpose of compiling or updating Inventories of Hazardous Materials. The Hazmat expert company should use a documented management system and should work on suitable standards, covering the relevant activities of the company. This company should be approved by any of the Organizations recognized as listed in section 4 of this Annex.
Recognized Organisation	Organization recognized as listed in section 4 of this Annex.
SOC	Statement of Compliance towards the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009

2. Abbreviations–

<i>Abbreviation</i>	<i>Description</i>
DGS	Directorate General of Shipping , Mumbai
EU-SRR	European Union -Ship Recycling Regulation (EU) No 1257/2013
Hazmat or HM	Hazardous Material
HBCDD	Hexabromocyclododecane
HKC	Hong Kong Convention
IHM	Inventory of Hazardous Material
MD	material declaration
PFOS	Perfluorooctane sulfonic acid
SDOC	supplier's declaration of conformity

3. Reference documents

Document	Title
Regulation (EU) No 1257/2013 Regulation (EC) No 1013/2006 Directive 2009/16/EC	EU Ship Recycling Regulation (EU SRR)
EMSA Guidance on SRR Inspections dated 27 September 2019	Guidance on inspections of ships by the port states in accordance with Regulation (EU) 1257/2013 on ship recycling
IMO's 2009 SR/CONF/45	The Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships (HKC)
Resolution MEPC.269(68)	Guidelines for the development of the Inventory of Hazardous Materials (IHM guidelines)

4. List of Organizations Authorized to issue Statement of Compliance on behalf of Indian Administration -

- (i) American Bureau of Shipping (ABS)
- (ii) Bureau Veritas (BV)
- (iii) DNV-GL AS
- (iv) Indian Register of Shipping (IRS)
- (v) Korean Register of Shipping (KRS)
- (vi) Lloyds Register (LR)
- (vii) Nippon Kaiji Kyokai (NKK)
- (viii) RINA services S.p.A

5. Survey, Issuance, Endorsement, Form and Validity of SOC

(i) Survey

(a) Initial Survey

On request by the Company, a SOC may be issued by any R.O, after satisfactory initial survey including verification that the IHM Part I meets the relevant requirements.

The IHM shall be ship-specific and shall take into account IMO Resolution MEPC.269 (68) and relevant guidelines of EU-SRR. For an existing ship it shall identify, as a minimum, all the hazardous materials listed in Control of Hazardous Materials (Appendix I) which also includes Perfluorooctane sulfonic acid (PFOS).

A visual & sampling check plan (VSCP) shall be established by the Company describing the visual/sampling check by which the IHM is developed. Any laboratory used to carry out specific tests shall take into consideration the guidance in MEPC.269 (68), Appendix 9. In general, the “specific sampling” activity involves certain risks to personnel involved or to other persons on board. Therefore, sampling should only be undertaken by a Hazmat expert duly engaged through Hazmat expert company. Furthermore, analysis of the samples should only be carried out by suitably accredited laboratories (i.e. in accordance with ISO 17025 or equivalent) using qualified and trained personnel, suitable testing methods and the necessary equipment. It is the responsibility of the Hazmat expert Company/Hazmat Expert to confirm that the laboratory is suitably accredited and which should also be verified by the Recognised Organisation. In case of ships built on or after 1stJan’2021, shipyards may develop the IHM in lieu of Hazmat expert company.

(b) Additional survey & Maintenance of IHM

New installations that contain hazardous materials referred to in Table (A) of Appendix II are prohibited. The IHM shall be properly maintained and updated throughout the ship’s operational life. It must reflect new installations that contain hazardous materials referred to in Table (B) of Appendix II including Brominated Flame Retardant HBCDDs.

Any additional survey may be conducted at the request of the ship owner to ensure that any change, replacement, or significant repair, made to the structure, equipment, systems, fittings, arrangements and material continues to comply with the Regulation 10 of the HKC and shall be endorsed to that effect upon successful completion of additional survey.

(c) Renewal Survey

The SOC renewal survey is required at intervals not exceeding five years and is to be harmonized with other statutory surveys. A new SOC may be issued upon satisfactory completion of renewal survey and shall comprise verification of following requirements;

- .1 Ship’s existing SOC and IHM Part I;

- .2 The updated IHM (Part I), reflecting any change, replacement or significant repair of structure, equipment, systems, fittings, arrangements and materials since last survey;
- .3 Ship's IHM Part I maintenance record, Material Declarations(MDs) and Suppliers Declarations of Conformity's (SDoCs) reflecting the ship's hazardous materials management since last IHM survey.

(ii) Validity and form of SOC

- a) The validity of Statement of Compliance should not exceed five years and shall be subjected to initial, renewal and additional surveys required under the HKC. SOC to be issued as per appended Form-I.
- b) Where a renewal survey has been completed and a new SOC cannot be issued or placed on board the ship before the date of expiry of the existing SOC, R.O may endorse existing SOC and such a SOC shall be valid for a further period not exceeding five months from the date of expiry of the existing SOC.
- c) If a ship is not in a port where it is to be surveyed at the time when a SOC granted under this Notice expires, the R.O may extend the period not exceeding three months:
Provided further that no SOC shall be extended for a period exceeding three months, and a ship to which an extension is granted shall not, on its arrival in the port in which it is to be surveyed, be entitled by virtue of such extension to leave that port without having a new SOC.
When the renewal survey is completed, the new SOC shall be valid for a period not exceeding five years from the date of expiry of the existing SOC before the extension was granted.

Appendix I –Control of hazardous materials

S.No.	Hazardous Material	Definitions	Control measures
(1)	Asbestos	Materials containing asbestos	For all ships, new installation of materials which contain asbestos shall be prohibited.
(2)	Ozone-depleting substances	<p>Ozone-depleting substances means 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 these regulations.</p> <p>Ozone-depleting substances that may be found on board ship include, but are not limited to:</p> <p>Halon 1211 Bromochlorodifluoromethane</p> <p>Halon 1301 Bromotrifluoromethane</p> <p>Halon 2402 1,2-Dibromo-1,1,2,2-tetrafluoroethane (also known as Halon 114B2)</p> <p>CFC-11 Trichlorofluoromethane</p> <p>CFC-12 Dichlorodifluoromethane</p> <p>CFC-113 1,1,2-Trichloro-1,2,2-trifluoroethane</p> <p>CFC-114 1,2-Dichloro-1,1,2,2-tetrafluoroethane</p> <p>CFC-115 Chloropentafluoroethane</p> <p>HCFC 22 -Chlorodifluoromethane</p>	New installations which contain ozone-depleting substances shall be prohibited on all ships.
(3)	Polychlorinated biphenyls (PCB)	“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.	For all ships, new installation of materials which contain Polychlorinated biphenyls shall be prohibited.
(4)	Perfluorooctane sulfonic acid (PFOS)	‘perfluorooctane sulfonic acid’ (PFOS) means perfluorooctane sulfonic acid and its derivatives.	New installations which contain perfluorooctane sulfonic acid (PFOS) and its derivatives shall be prohibited.
(5)	Anti-fouling compounds and systems	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 these regulations.	<ol style="list-style-type: none"> 1 No ship may apply anti-fouling systems containing organo tin compounds as a biocide or any other anti-fouling system whose application or use is prohibited by the AFS Convention. 2 No new ships or new installations on ships shall apply or employ anti-fouling compounds or systems in a manner inconsistent with the AFS Convention.

Appendix II

Minimum list of items for the inventory of hazardous materials (Table A & B)

Table A						
No.	Materials		Inventory			Threshold value
			Part I	Part II	Part III	
A-1	Asbestos		x			0.1% (refer Resolution MEPC 269(68))
A-2	Polychlorinated biphenyls (PCBs)		x			50 mg/kg
A-3	Ozone depleting substances	CFCs	x			No threshold value
		Halons	x			
		Other fully halogenated CFCs	x			
		Carbon tetrachloride	x			
		1,1,1-Trichloroethane (Methyl chloroform)	x			
		Hydrochlorofluorocarbons	x			
		Hydrobromofluorocarbons	x			
		Methyl bromide	x			
		Bromochloromethane	x			
A-4	Anti-fouling systems containing organotin compounds as a biocide		x			2,500 mg total tin/kg
A-5	Perfluorooctane sulfonic acid (PFOS) and its derivatives		x			<p>Concentration of PFOS above 10 mg/kg (0.001% by weight) when it occurs in substances or in preparations</p> <p>Or</p> <p>Concentrations of PFOS in semi-furnished products or articles, or parts thereof equal to or above than 0.1% by weight calculated with reference to the mass of structurally or micro-structurally distinct parts that contain PFOS</p> <p>Or</p> <p>For textiles or other coated materials, if the amount of PFOS is equal to or above than 1 µg/m² of the coated material.</p>

Table B

No.	Materials	Inventory			Threshold value
		Part I	Part II	Part III	
B-1	Cadmium and cadmium compounds	x			100 mg/kg
B-2	Hexavalent chromium and hexavalent chromium compounds	x			1,000 mg/kg
B-3	Lead and lead compounds	x			1,000 mg/kg
B-4	Mercury and mercury compounds	x			1,000 mg/kg
B-5	Polybrominated biphenyl (PBBs)	x			50 mg/kg
B-6	Polybrominated diphenyl ethers (PBDEs)	x			1,000 mg/kg
B-7	Polychlorinated naphthalenes (more than 3 chlorine atoms)	x			50mg/kg
B-8	Radioactive substances	x			no threshold value
B-9	Certain shortchain chlorinated paraffins (Alkanes, C10-C13, chloro)	x			1% (refer Resolution MEPC.269(68))
B-10	Brominated Flame Retardant (HBCDD)	x			100 mg/kg

Form –I

Format of Statement of Compliance that need to be issued upon initial or renewal survey.

Statement of Compliance on Inventory of hazardous materials

(Note: This Statement of Compliance shall be supplemented by Part I of the Inventory of Hazardous Materials)
Issued under the provisions of the Hong Kong International Convention for the Safe and Environmentally
Sound Recycling of Ships, 2009 (hereinafter referred to as “the Convention”)

under the authority of Government of India

by

(Full designation of the organization authorized under this Notice)

Particulars of ship

Name of ship:

Distinctive number or letters:

Port of registry:

Gross tonnage:

IMO number:

Name and address of ship owner:

IMO registered owner identification number:

IMO company identification number:

Date of construction:

Particulars of Part I of the Inventory of Hazardous Materials

Part I of the Inventory of Hazardous Materials identification/verification number:

Note: Part I of the Inventory of Hazardous Materials, as required by regulation 5 of the Annex to the Convention, is an essential part of the Statement of Compliance on Inventory of Hazardous Materials and must always accompany the Statement of Compliance on Inventory of Hazardous Materials. Part I of the Inventory of Hazardous Materials should be compiled on the basis of the standard format shown in the guidelines developed by the Organization.

THIS IS TO CERTIFY:

1. that the ship has been surveyed in accordance with regulation 10 of the Annex to the Convention; and
2. that the survey shows that Part I of the Inventory of Hazardous Materials fully complies with the applicable requirements of the Convention.

Remark: The ship was satisfactorily inspected according to the requirements of Article 12 of the Regulation (EU) 1257/2013 on ship recycling and as per M.S.Notice 14 of 2020 dated 05/11/2020.

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

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

Issued at on(dd/mm/yyyy).

Official Seal

[Authorized Signatory]

ENDORSEMENT TO EXTEND THE STATEMENT OF COMPLIANCE IF VALID FOR LESS THAN FIVE YEARS WHERE REGULATION 11.6 APPLIES

The ship complies with the relevant provisions of the Convention, and this Statement of Compliance shall, in accordance with regulation 11.6 of the Annex to the Convention, be accepted as valid until(dd/mm/yyyy).

Signed:

(Signature of authorized official)

Place:

Date:

Official Seal

(dd/mm/yyyy)

ENDORSEMENT WHERE THE RENEWAL SURVEY HAS BEEN COMPLETED AND REGULATION 11.7 APPLIES

The ship complies with the relevant provisions of the Convention, and this Statement of Compliance shall, in accordance with regulation 11.7 of the Annex to the Convention, be accepted as valid until(dd/mm/yyyy).

Signed:

(Signature of authorized official)

Place:

Date:

Official Seal

(dd/mm/yyyy)

ENDORSEMENT TO EXTEND THE VALIDITY OF THE STATEMENT OF COMPLIANCE UNTIL REACHING THE PORT OF SURVEY OR FOR A PERIOD OF GRACE WHERE REGULATION 11.8 OR 11.9* APPLIES

This Statement of Compliance shall, in accordance with regulation 11.8 or 11.9* of the Annex to the Convention, be accepted as valid until(dd/mm/yyyy).

Signed:

(Signature of authorized official)

Place:

Date:

Official Seal

(dd/mm/yyyy)

ENDORSEMENT FOR ADDITIONAL SURVEY

At an additional survey in accordance with regulation 10 of the Annex to the Convention, the ship was found to comply with the relevant provisions of the Convention.

Signed:

(Signature of authorized official)

Place:

Date:

Official Seal

(dd/mm/yyyy)
