

## ANAVE – Circular de Régimen Interior

Madrid, 10 de septiembre de 2021  
Ref: SMA 29/2021/AB

**Asunto: Contenido de azufre en los combustibles marinos:**

- 1. Sierra Leona: sanciones por transportar combustible no reglamentario y tasa de servicio 'IMO 2020 sulphur cap'.**
- 2. Establecimiento de una zona SECA en el mar Mediterráneo.**

Muy Srs. nuestros:

### **1. Sierra Leona.**

Sanciones por transportar combustible no reglamentario para consumo a bordo.

La Cámara Naviera Internacional (ICS) nos ha informado de que, desde el **1 de septiembre de 2021**, los armadores y operadores que hagan escala en **puertos de Sierra Leona** se exponen a **sanciones** de hasta **15.000 \$** si transportan **combustible no reglamentario para consumo a bordo** con un contenido de **azufre** superior al **0,5%**.

Según la **circular adjunta** enviada por el gobierno de Sierra Leona, estas sanciones podrían aplicarse **incluso si el buque tiene instalado un scrubber**, aunque podría tratarse de una errata. ICS ha solicitado una aclaración oficial sobre este punto, ya que la regla 4 del Anexo VI del Convenio MARPOL permite a los buques con *scrubbers* usar combustibles con un contenido de azufre superior al 0,5% (es decir, HSFO). Por el momento, no han recibido aclaración oficial por parte de las autoridades de Sierra Leona y desconocen si efectivamente ya se está aplicando dicha sanción. Según han tenido noticia de un miembro asociado, parece que al menos en el puerto de Freetown, si el *scrubber* cumple los requisitos técnicos de la OMI, no se impondría la multa, aunque no hay certeza de que esta sea la posición oficial del gobierno de Sierra Leona ni que sea también la aplicación en otros puertos del país.

Tasa de servicio 'IMO 2020 sulphur cap'.

Adicionalmente, las autoridades marítimas de dicho país van a aplicar una **nueva tasa de servicio** denominada '*IMO 2020 sulphur cap*' de hasta **15 \$ por tonelada de combustible a bordo** para los buques que hagan escala en los puertos de Free Town, Peppel, Nitti y sus respectivos fondeaderos. Dicha tasa se aplicará también a los buques que tengan instalados *scrubbers*. En el **documento** que ha circulado el gobierno de Sierra Leona (adjunto), se incluyen los detalles sobre este asunto.

ICS ha manifestado que esta nueva tasa va mucho más allá del alcance y el espíritu del límite de azufre establecido en el Anexo VI de MARPOL. Por ello, junto con ECSA, han solicitado a la Secretaría de la OMI, el Grupo Consultivo de Transporte Marítimo y la Comisión Europea su intervención, para que el gobierno de Sierra Leona revoque la iniciativa.

FONAR

El documento no hace referencia en ningún momento a los Informes de No Disponibilidad de Combustible Reglamentario (FONAR) que pudiera tener el buque si demuestra que no le ha sido

posible obtenerlo. No queda clara, por tanto, cual sería la actuación de las Autoridades en estos casos.

Les informaremos de cualquier avance que se produzca sobre esta materia. Si lo consideran oportuno, pueden informarnos de cualquier incidencia que puedan tener en una escala en Sierra Leona para mantener a ICS y ECSA informados y, en su caso, proceder a presentar una reclamación formal.

## 2. Propuesta de SECA en el mar Mediterráneo.

La Asociación de Navieros Europeos (ECSA) nos ha informado de que existe un acuerdo general entre los países mediterráneos para crear una Zona de Control de las Emisiones de Azufre (SECA) en el mar Mediterráneo. Aún está por decidir si el canal de Suez entrará en el ámbito de aplicación de dicha SECA.

Varios países mediterráneos (Egipto, Bosnia, Argelia, Libia, Líbano e Israel) no han ratificado el Anexo VI del Convenio MARPOL. Israel ha manifestado su intención de hacerlo este año y Egipto está avanzando en el proceso para ratificarlo. Sin embargo, se desconoce si Libia y Argelia lo ratificarán en un futuro próximo.

En consecuencia, la OMI tiene que dar su opinión sobre si es posible copatrocinar la propuesta sin que todos los países que la quieren apoyar hayan ratificado el Convenio MARPOL. Si no fuera posible, la propuesta la copatrocinarán únicamente los Estados Parte del Convenio y se estipulará en la misma que todos los Estados ribereños están de acuerdo con el establecimiento de la SECA.

Los próximos pasos previstos son los siguientes:

- 2022: presentación de la propuesta de la SECA del Mediterráneo al Comité MEPC de la OMI.
- 1 de enero de 2025: entrada en vigor de la SECA.

Muy atentamente,

Elena Seco  
Directora General

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# SIERRA LEONE PORTS AUTHORITY

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Our Ref: SLPA/GM/06/07/2021/1

Date: 6<sup>th</sup> July, 2021

Dear Sir

## Introduction

IMO 2020 is a term used to describe the implementation of the Regulations to Annex VI of the International Convention for the Prevention of Pollution from Ships (MARPOL). MARPOL is one of the most important international marine environmental conventions and IMO 2020 aims to improve air quality and protect the environment by reducing Sulphur Oxide produced by ships.

With effect from January 1, 2020, ships will be required to use:

1. fuel oils with a Sulphur content of 0.5 percent m/m or lower;
2. an approved equivalent means of compliance such as exhaust gas cleaning systems (EGCS) commonly referred to as "scrubbers"; or
3. Non-fuel oil alternatives such as switching to Liquefied Natural Gas (LNG) as fuel.

It is anticipated that, at least initially, most ships will utilize new blends of fuel oil which meet the 0.5 percent limit on Sulphur in fuel oil or compliant marine gas or diesel oil.

It is important to note that IMO 2020 will not affect designated emission control areas (ECAS) where there is already a stricter Sulphur limit of 0.1 percent m/m in place, such as in the Baltic Sea, the North Sea, the North American ECA and the US Caribbean ECA as well as the 0.1 percent Sulphur cap already in place in European Union ports.

## Implementation and enforcement of IMO 2020

Following the 74<sup>th</sup> session of the IMO's Marine Environment Protection Committee (MPEC), the IMO released the 2019 Guidelines for Consistent Implementation of the 0.5 percent Sulphur Limit under MARPOL Annex VI (the 2019 Guidelines), which aim at ensuring a consistent implementation of IMO 2020 across port and flag states. In addition, the 2019 Guidelines provide helpful guidance to state parties on interpreting their obligations under and implementing IMO 2020.

Enforcement, compliance and monitoring of the IMO 2020 Sulphur limit is the responsibility of the state parties that have ratified MARPOL and acceded to Annex VI and are therefore obliged to give effect to and enforce its provisions. Accordingly, this directive includes flag states (in whose registries ships are flagged) and port states obliged to enforce IMO 2020 within their territorial waters.

Port states must enforce the provisions of MARPOL by monitoring vessels within their territorial waters and reporting non-compliance to the relevant flag state. This reporting ensures that there is adequate low Sulphur compliant fuel available within their jurisdiction and provides shore-based facilities for the receipt and removal of scrubber waste. Against this background, the Sierra Leone Ports Authority in consultation with the Ministry of Transport and Aviation, had consented to implement this important International member state mandate in July, 2021. It is also important to note that Sierra Leone is 18 months behind the global mandate to implement IMO 2020 statutory instrument. In view of the above, the Sierra Leone Ports Authority will serve as the consulting Government agency to implement IMO 2020. Furthermore, the Port Authority will undertake a joint implementation of the same with a competent institution for efficiency and standardization.

### **The implementation of IMO 2020 in Sierra Leone**

Following consultative meetings between the Government of Sierra Leone and the Sierra Leone Ports Authority on one hand and registered shipping lines in Sierra Leone, on the other hand, several deliberations were held surrounding the implementation of IMO 2020 at the Port of Freetown. After careful consideration of the various outcomes from the consultative meetings, the Ministry of Transport and Aviation and Sierra Leone Ports Authority wishes to inform all Shipping lines and Registered Agencies that **the implementation of IMO 2020 in Sierra Leone will take effect from the July 15 2021. Below are the implementation guidelines for the attention of all Shipping lines and Agencies.**

#### **1.0 VALIDITY OF VESSEL'S COMPLIANCE CERTIFICATE**

- 1.1 The validity of the Compliance Certificate for vessels are as follows:
- a. Certificate for Vessels greater than 500 GRT will be valid for **7 days**
  - b. Certificate for Vessels lesser than 500 GRT will be valid for **5 days**

#### **2.0 IMO 2020 SERVICE CHARGE ON VESSELS CALLING AT THE PORT OF FREETOWN, PEPEL, NITTI AND DEDICATED VESSELS ANCHORAGE AREAS**

2.1 The IMO Implementation tariff is as follows

<b>NO</b>	<b>TOTAL BUNKER ONBOARD (MT)</b>	<b>TONNAGE COST PER METRIC TON (\$)</b>
1	001 - 300	15
2	301 - 500	14

3	501 - 750	13
4	751 - 1000	12
5	1001 - Above	11

### 3.0 IMPLEMENTATION TIMELINE AND INVOICING FORMALITIES

- 3.1 The commencement date will be on July 15 2021. This cuts across for all vessel types and sizes.
- 3.2 Invoicing will be per vessel attendance. Bill notification will be sent to the client immediately after attendance together with the Compliance Certificate.
- 3.3 Bill notifications will be accumulated on a monthly basis for each client, and a monthly invoice generated and sent to the client on the last day of each calendar month.
- 3.4 Based on the above commencement date, it is expected that the first set of invoices will be sent out to various clients on July 30 2021.

### 4.0 PENALTY ON VESSEL FOR NON COMPLIANCE WITH IMO 2020

The Port of Freetown will extend a grace period spanning from 15<sup>th</sup> July, 2021 – 31<sup>st</sup> August, 2021 for vessels that are non compliance.

Penalties would not be instituted against defaulting or Non- compliance vessels on or before 31<sup>st</sup> August, 2021. However, a non compliance report together with a warning letter would be issue to such vessel for corrective action to be taken against their next call at the Port and within this grace period as stipulated above.

Effective 1<sup>st</sup> September, 2021 ships owners and operators could face ship penalties of **\$15,000** (Fifteen Thousand United States Dollars) should they continue to carry fuel that contains sulphur content higher than 0.5 percent even though the ship has an exhaust gas cleaning system

It is also important to note that tariffs and fines attached therein are subjected to periodic reviews based on prevailing circumstances.

### 5.0 CONCLUSION

Much work remains to be done to ensure a consistent approach to compliance with IMO 2020. Given that Sierra Leone is 18 months behind the global implementation date (January 1, 2020); the Port Authority will take appropriate measures to ensure compliance by initial inspections based on documents and other methods such as remote sensing and portable devices. If there are clear grounds to conduct a more detailed inspection, sample analyses and other detailed inspections can be undertaken. The samples to be analyzed may be the representative samples provided with the Bunker Delivery Note.

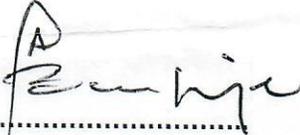
The Authority further wish to assure its valued clients that, All possible efforts will be made to avoid the ship being unduly detained or delayed; especially the sample analysis will not unduly delay the operation, movement or departure of ships.

Finally, the Authority wishes to express its sincere thanks and appreciation to all Shipping Lines and Agencies for your continued support towards improving our Port and our collective efforts towards meeting up with our international obligations.

**Yours faithfully**

**For and on behalf of**

**SIERRA LEONE PORTS AUTHORITY**



**Dr. Abdulai Fofana**  
**General Manager**

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