

MARINE ENVIRONMENT PROTECTION
COMMITTEE
72nd session
Agenda item 3

MEPC 72/3/7
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**CONSIDERATION AND ADOPTION OF AMENDMENTS TO
MANDATORY INSTRUMENTS**

**Proposed modifications to the draft amendments to regulation 21 of
MARPOL Annex VI (EEDI requirements for ro-ro cargo and ro-ro passenger ships)**

Submitted by CESA and IACS

SUMMARY

Executive summary: This document provides proposed modifications to the draft amendments to regulation 21 of MARPOL Annex VI (Required EEDI for ro-ro cargo and ro-ro passenger ships) with a view to clarifying the scope of application of the amended regulation

Strategic Direction, if applicable: 3

Output: 3.7

Action to be taken: Paragraph 8

Related documents: MEPC 70/5/21; MEPC 71/5/14 and MEPC 72/3/4

Introduction

1 The document provides comments on document MEPC 72/3/4, in particular the draft amendments to regulation 21 of MARPOL Annex VI.

2 The Committee, at its seventy-first session, approved draft amendments to regulation 21 of MARPOL Annex VI regarding EEDI requirements for ro-ro cargo and ro-ro passenger ships. These draft amendments are provided in the annex to document MEPC 72/3/4, with a view to their adoption by the Committee at this session.

3 The co-sponsors note that the draft amendments do not include any application provisions. The co-sponsors recall that in the previous amendments to this regulation that expanded the application to further ship types (resolution MEPC.251(66)), the following texts were added to clarify the scope of the application of the amendments:

.1 in regulation 2: new definitions of the relevant ship types; and

- .2 in table 1 of regulation 21: a footnote stating the application for the relevant ship types.

4 Regarding paragraph 3.1 above, it is noted that the terms "ro-ro cargo ships" and "ro-ro passenger ship" are already defined in regulations 2.34 and 2.35 respectively of MARPOL Annex VI. However, the draft amendments presented in the annex to document MEPC 72/3/4, can be read as meaning that upon their entry into force, they will take effect retrospectively, i.e. application to these new ship types as from phase 1 (on or after 1 September 2015).

Discussion

5 The co-sponsors consider that the intent of the latest draft amendments to regulation 21 of MARPOL Annex VI is that they should apply from phase 2, noting the following:

- .1 discussions in relation to the review of reference lines were triggered by implementation of regulation 21.6. of MARPOL Annex VI, i.e.:

"At the beginning of Phase 1 and at the midpoint of Phase 2, the Organization shall review the status of technological developments and, if proven necessary, amend the time periods, the EEDI reference line parameters for relevant ship types and reduction rates set out in this regulation";

- .2 documents MEPC 70/5/21 and MEPC 71/5/14, which discussed the required EEDI for ro-ro cargo and ro-ro passenger ships, clearly addressed phase 2, i.e.:

"consider in general the outcome of the first assessment of the applicability of the forthcoming phase 2 EEDI requirements for the ro-ro cargo and ro-ro passenger ship types, respectively, as presented in this document;" (paragraph 22.1 of MEPC 70/5/21); and

"consider in general the concluding findings of the co-sponsors of this document in relation to the applicability of the forthcoming phase 2 EEDI requirements for the ro-ro cargo and ro-ro passenger ships, respectively, as presented in this document" (paragraph 11.1 of MEPC 71/5/14); and

- . 3 if the intent was to apply these latest draft amendments retrospectively, this would require re-issuance of the Supplement to the IEEC certificate (to modify paragraph 4.1 "Required EEDI"), which would not be practicable without adequate lead time (but the draft text does not refer to such a lead time).

Proposal

6 For the reasons provided above, the co-sponsors have prepared draft amendments to the text of regulation 21 of MARPOL Annex VI, with a view to clarifying the application of this regulation to ro-ro cargo and ro-ro passenger ships. These draft amendments are provided in the annex to this document.

7 If, however, the Committee decides to use other dates, other than those associated with the beginning of phase 2, the co-sponsors recommend that amendments to regulation 2, similar to those introduced by resolution MEPC.251(66), should be introduced.

Action requested of the Committee

8 The Committee is invited to consider the foregoing, in particular the proposed draft amendments provided in the annex to this document, and take action as appropriate.

ANNEX

**AMENDMENTS TO MARPOL ANNEX VI
(Required EEDI for ro-ro cargo and ro-ro passenger ships)**

Regulation 21 – Required EEDI

1 In table 2 (Parameters for determination of reference values for the different ship types) of paragraph 3, rows 2.34 and 2.35 for ro-ro cargo and ro-ro passenger ships are replaced by the following:

2.34 Ro-ro cargo ship	1405.15	DWT of the ship	0.498
	1686.17*	DWT of the ship where $DWT \leq 17,000^*$; 17,000 where $DWT > 17,000^*$	
2.35 Ro-ro passenger ship	752.16	DWT of the ship	0.381
	902.59*	DWT of the ship where $DWT \leq 10,000^*$; 10,000 where $DWT > 10,000^*$	

* to be used from phase 2 and thereafter.