

MARINE ENVIRONMENT PROTECTION  
COMMITTEE  
75th session  
Agenda item 3

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**CONSIDERATION AND ADOPTION OF AMENDMENTS TO  
MANDATORY INSTRUMENTS**

**Comments on document MEPC 75/3**

**Submitted by IACS**

**SUMMARY**

*Executive summary:* This document proposes modifications to the draft new regulation 20.3 of MARPOL Annex VI. The modifications address the need to avoid the creation of a new administrative burden; further, the document discusses the practicalities identified by recognized organizations (ROs) when submitting data to the IMO EEDI database.

*Strategic direction,  
if applicable:* 3

*Output:* 3.6

*Action to be taken:* Paragraph 12

*Related documents:* MEPC 70/18; MEPC 74/5/11, MEPC 74/18/Add.1, MEPC 74/WP.8; MEPC 75/3 and MSC-MEPC.1/Circ.5/Rev.1

**Background**

1 This document is submitted in accordance with the provisions of paragraph 6.12.5 of the document on *Organization and method of work of the Maritime Safety Committee and the Marine Environment Protection Committee and their subsidiary bodies* (MSC-MEPC.1/Circ.5/Rev.1) and comments on document MEPC 75/3.

2 At MEPC 74, the Committee approved amendments to regulation 20 of MARPOL Annex VI, which, once adopted, would require mandatory reporting of verified attained EEDI values and related information for ships already subject to phase 0 and phase 1, and verified EEDI values and related information for any future new ship covered by regulation 21 of MARPOL Annex VI. These draft amendments are provided in the annex to document MEPC 75/3, with a view to their adoption by the Committee at this session.

## Discussion

3 At MEPC 73, IACS advised that it was satisfied that all IACS Members had provided EEDI data to the Organization for inclusion in the EEDI database (MEPC 73/19, paragraph 5.66.2). In consultation with the IMO Secretariat, IACS has harmonised the reporting provided by its Member Societies, based on a fixed biannual reporting scheme. Further, IACS has established an internal positive reporting process to confirm that IACS Members have submitted and are submitting data according to this biannual reporting scheme (MEPC 73/19, paragraph 5.66.2).

4 Further to the above-mentioned reporting measures, the new draft regulation 20.3.2 of MARPOL Annex VI, if adopted, would introduce a new responsibility for Member States to report attained EEDI data and related information for ships already delivered.

5 Considering the status of the existing database referred to in paragraph 3 and notwithstanding the advice of the IMO Secretariat that it would be technically possible to provide a list of the IMO numbers to the flag Administration of those ships which had already been submitted to the EEDI database (MEPC 74/WP.8, paragraph 36), the application of retrospective reporting would create an unnecessary burden for Member States. Member States would be responsible for identifying, within their registered ships, any possible ship that may not have been reported, then identify involved recognised organisations (ROs) (past and present) and instruct them accordingly.

6 The instructions from the flag Administration to ROs would have to recognize and provide clarity in respect of the process of acquiring attained EEDI data and related information for ships in cases of transfer of Class after delivery. This would need to take into account that the past classification society may not be recognized and duly authorised by that flag State Administration, with no RO Agreement in place.

7 Furthermore, and as an example of the decision to avoid unnecessary burden for Member States, it should be recalled that the Committee, at MEPC 70, having endorsed the additional information to be included in the EEDI database report, agreed that the data already submitted for inclusion in the EEDI database did not need to be updated (MEPC 70/18, paragraph 5.68.2). IACS considers that a similar approach should be applied when considering the amendments to regulation 20 of MARPOL Annex VI.

8 Consequently, IACS recommends that the draft new regulation 20.3.2 of MARPOL Annex VI (paragraph 5 of annex to MEPC 75/3) should not be adopted.

9 As a separate but related issue, IACS considers that the reporting of attained EEDI and related information for passenger ships, other than ro-ro passenger ships and cruise passenger ships with non-conventional propulsion, should not be covered by the new draft regulation 20.3 of MARPOL Annex VI. This is based on the understanding that the mandatory reporting requirement is linked to ships to which regulation 21 of MARPOL Annex VI applies.

## Proposal

10 To avoid unnecessary administrative burden for Member States and their ROs, IACS proposes modifications to the approved draft amendments to regulation 20 of MARPOL Annex VI with deletion of draft new regulation 20.3.2 of MARPOL Annex VI, as set out in the annex to this document.

11 With reference to the discussion in paragraph 9 above, the Committee is invited to confirm, or otherwise, that the submission of attained EEDI values and related information for passenger ships, other than ro-ro passenger ships and cruise ships having non-conventional propulsion, is not intended for inclusion in the IMO EEDI database.

**Action requested of the Committee**

12 The Committee is invited to consider the foregoing, and as well as:

- .1 the proposal set out in paragraph 10 and in annex;
- .2 the proposal set out in paragraph 11 above; and
- .3 decide as appropriate.

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## ANNEX

### MODIFICATIONS TO THE DRAFT AMENDMENTS TO MARPOL ANNEX VI

#### Regulation 20

##### *Attained Energy Efficiency Design Index (attained EEDI)*

5 A new paragraph 3 is added after existing paragraph 2, as follows\*:

"3 For each ship subject to regulation 21, the Administration or any organization duly authorized by it shall report to the Organization the required and attained EEDI values and relevant information taking into account the Guidelines developed by the Organization<sup>4</sup> via electronic communication:

~~.1~~ within seven months of completing the survey required under regulation 5.4 of this Annex; ~~or~~.

~~.2~~ within seven months following [1 September 2021] for a ship delivered prior to [1 September 2021]."

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\* Tracked changes are indicated using "strikeout" for deleted text.