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Sayın Üyemiz,

**İlgi:** Uluslararası Deniz Ticaret Odası(ICS)'nın 19.12.2018 tarihli ve MC(18)111 sayılı yazısı ve Eki

İlgi yazı ile, ICS Üyelerinden, BIMCO ve INTERTANKO kuruluşları tarafından geliştirilen ve %0.5 kükürt üst limiti ile ilgili olan “Yeni Gemi Kiralama Sözleşme Maddeleri” hakkındaki bilgi yazısını üyelerine iletmeleri talep edilmektedir.

Bilgilerinize arz ve rica ederiz.

Saygılarımızla,

Murat TUNCER  
Genel Sekreter

**EKLER:**

Ek-1: İlgi yazı (2 syf.)

**DAĞITIM:**

**Gereği:**

- Tüm Üyelerimiz (Web)
- Türk Armatörler Birliği
- S/S Gemi Armatörleri Motorlu Taş. Koop.
- Vapur Donatanları ve Acenteleri Derneği
- İMEAK DTO Meslek Komitesi Başkanları
- İMEAK DTO Şube ve Temsilcilikleri
- GİSBİR
- Yalova Altınova Tersane Girişimcileri San.ve Tic.A.Ş
- TÜRKLİM
- GESAD
- S.S. Deniz Tankerleri Akaryakıt Taş. Koop .
- Gemi Yakıt İkmalcileri Derneği
- Yetkilendirilmiş Klas Kuruluşları
- Gemi Sahibi Firmalar

**Bilgi:**

- Meclis Başkanlık Divanı
- Yönetim Kurulu Başkanı ve Üyeleri
- İMEAK DTO Çevre Komisyonu
- Meclis Üyeleri
- İMEAK DTO Şube Y/K Başkanları
- Gemi Makineleri İşletme Mühendisleri Odası
- Gemi Mühendisleri Odası
- WISTA Türkiye Derneği

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19 December 2018

MC(18)111

To: **MARINE COMMITTEE**

Copy: **Maritime Law Committee**  
**Environment Sub-Committee**  
**All Full and Associate Members (for information)**

**OPTIONS FOR CHARTER PARTY CLAUSES FOR COMPLIANCE WITH THE 2020 GLOBAL SULPHUR CAP**

**Action Required: *Members are invited to note the information on the new charter party clauses for time charters developed by BIMCO and INTERTANKO related to the 0.50% Global Sulphur Cap in 2020 and to circulate it to their members.***

Members are aware of the IMO Global sulphur cap of 0.50% sulphur applicable to all marine fuels as from 1<sup>st</sup> January 2020. Members will also be aware of the 'Provisional Guidance to Shipping Companies and Crews on Preparing for Compliance with the 2020 Global Sulphur Cap for Ships' Fuel Oil' that has been developed by ICS and which can be accessed via the following link:

<http://www.ics-shipping.org/docs/default-source/2020-Sulphur-compliance-download-list/ics-guidance-on-implementation-of-2020-global-sulphur-cap---september-2018.pdf?sfvrsn=22>

The ICS guidance recommends that where ships are on charter and the fuel on board is to be supplied by the charterer, that owners and operators of those ships ensure that, appropriately worded clauses are included in their charter party agreements that would require the fuel to be in accordance with the Fuel Oil Changeover Plan as contained in the Ship's Implementation Plan for 2020.

Members are informed that the following two options are now available for ship owners and operators to access appropriately worded clauses that would ensure, as far as possible, timely and smooth compliance with the 2020 fuel sulphur regulation:

1. BIMCO has published the two new sulphur content related bunker clauses for time charter parties that address the issue of compliance with the 2020 global sulphur cap:

1. BIMCO 2020 Marine Fuel Sulphur Content Clause for Time Charter Parties; and

2. BIMCO 2020 Fuel Transition Clause for Time Charter Parties.

These two clauses deal solely with sulphur compliance and, they address separately, sulphur content and transition aspects. They are intended to be used along with the other existing provisions in the BIMCO suite of bunker clauses that address issues such as quantity and quality of bunkers in order to cover all aspects related to the changeover and operation on compliant fuel. The two new BIMCO clauses can be accessed via the following links:

[https://www.bimco.org/contracts-and-clauses/bimco-clauses/2020 Fuel Transition Clause for Time Charter Parties](https://www.bimco.org/contracts-and-clauses/bimco-clauses/2020%20Fuel%20Transition%20Clause%20for%20Time%20Charter%20Parties)

[https://www.bimco.org/contracts-and-clauses/bimco-clauses/2020 Marine Fuel Sulphur Content Clause for Time Charter Parties](https://www.bimco.org/contracts-and-clauses/bimco-clauses/2020%20Marine%20Fuel%20Sulphur%20Content%20Clause%20for%20Time%20Charter%20Parties)

2. INTERTANKO has published an all-encompassing model "Bunker Compliance Clause" that can be negotiated and amended to meet the particular requirements of the charterparty or trade. The Clause has 'bolt on' transitional provisions to deal with the run up to and the immediate aftermath of the implementation of the 2020 'Global Sulphur Cap' regime on 1 January 2020. These are divided into two, with different responsibilities assigned to owners and charterers should the charterparty end late-2019 or continue into 2020. INTERTANKO recommends the use of the Ship Implementation Plan in order to inform owners' decision making regarding the additional provisions of the INTERTANKO Bunker Compliance Clause for the transition to the 0.50% Sulphur Cap during 2019 and into 2020.

The INTERTANKO clause is ready for immediate use by shipowners and operators ahead of the implementation of the 0.50% Sulphur Cap on 1 January 2020. The model clause and commentary can be accessed through the following link:

[https://www.intertanko.com/images/topics-issues/documentary/2018/Bunkers Compliance web 10 12.pdf](https://www.intertanko.com/images/topics-issues/documentary/2018/Bunkers%20Compliance%20web%2010%2012.pdf)

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