

3. Maximum sulphur content of marine fuel used by a ship at berth, anchored or moored within British Gibraltar Territorial Waters (BGTW) including the Port

Ships at berth, anchor or moored within BGTW (including the Port) shall not use marine fuels which have a sulphur content that exceeds 0.1% by mass. [Section 12K (1) of the Act]

This requirement does not apply in to ships at berth, anchor or moored within BGTW (including the port):

- a. For that period of time which is sufficient to allow the crew to complete any necessary fuel-changeover operation. These changeover operations should be completed as soon as possible after arrival at berth and as late as possible before departure from berth.
- b. Ships which, according to published timetables, are due to be at berth for less than two hours;
- c. Ships which switch off all engines and use shore-side electricity while at berth.

[Section 12K (2) of the Act]

4. Restriction on marketing of marine diesel oil and marine gas oil in Gibraltar

Marine diesel oil with a sulphur content exceeding 1.5% by mass and marine gas oil with a sulphur content exceeding 0.1% by mass shall not be placed on the market in Gibraltar. [Section 12C & 12D (2)]

5. Enforcement

5.1 Inspections and sampling/analysis of marine fuels

Ships may be subject to inspections and sampling and analysis of marine fuels in use on board.

5.1.1 Inspections will involve review of documentation, and as appropriate:

- a. Sampling of marine fuels while it is being delivered to the ships; and/or
- b. Sampling and analysis of the sulphur content of marine fuels for on-board combustion contained in the ship's tanks and/or in the ship's sealed MARPOL bunker samples.

5.2 Documentation required on board

5.2.1 As a minimum, during the inspection, the following may be reviewed:

- a. Bunker delivery notes (BDN);
- b. The ship's logbook;
- c. Abatement method documents (if appropriate);
- d. Any other documentation which may be considered necessary by the GMA to ascertain compliance
- e. On board procedures for the changeover to low sulphur fuel
- f. Ships found not to be in compliance may be requested to provide additional evidence such as actions to achieve compliance and attempts to purchase compliant marine fuel.

5.2.2. The Master of the ship is required to record the following information:

- a. Marine fuel used while the ship is transiting and/or operating within British Gibraltar Territorial Waters;
- b. Marine Fuel used while the ship is berthed, anchored or moored within British Gibraltar Territorial Waters (including the Port);
- c. Any operation involving the changeover of marine fuels whilst the ship is within British Gibraltar Territorial Waters or while the ship is at berth, anchor or moored within British Gibraltar Territorial Waters (including the Port).

6. Period of time necessary to allow for fuel changeover operations by ships at berth, anchor or moored within BGTW (including the Port) to be undertaken

One hour is considered to be “sufficient time” to complete fuel changeover operations after arrival at berth, anchorage or mooring.

A ship is expected to have compliant fuel on board on arrival at Gibraltar.

A ship arriving at a Gibraltar from outside the European Union that has been unable, despite best endeavours, to source compliant marine fuel before arrival, is required to have made arrangements for compliant marine fuel to be supplied on arrival at Gibraltar.

“Sufficient time” for fuel changeover operations does not include time to procure and have delivery to the ship, marine fuel with a sulphur content not exceeding 0.10%.

Where a ship arrives at Gibraltar without compliant marine fuel, documentary evidence should be available to demonstrate that efforts have been made to procure compliant marine fuel before commencing its voyage to Gibraltar.

Passenger Ships are not required to changeover fuel where, according to published scheduled timetables, the ship is due to be at berth for less than two hours.

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