

Circular From CHARTERERS

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新西兰生物污损新标准

简介

新西兰引入行业新标准，要求自2018年5月起，所有抵达新西兰水域的船舶须保持船体清洁。

背景

新西兰将于2018年年中实施生物污损新标准，通过该措施减少有害海洋生物入侵到其领海。

根据新西兰《生物安全法(1993年)》的规定，初级产业部(MPI)的任务是针对进入新西兰的船舶，做好有效风险管理，有权制定船舶必须遵守的标准。

MPI已发布生物污损新标准，称为《抵达新西兰船舶的生物污损风险管理标准》(CRMS)，适用于所有驶入新西兰的船舶。

CRMS要求船舶抵达新西兰必须保持“船体清洁”。无活生物体的情况下，船体被认为是清洁的，在设定的阈值内除外。如果未满足该标准，MPI检验员将指令船舶采取减少违规措施，如果不具备处理污损风险的合格设施或水下系统，指令船舶在24小时内离开新西兰领水(或按照检验员的其他要求行事)。

2018年5月CRMS生效前，MPI要求船舶经营人自愿遵守。过度期间，MPI保留法案第33章下的权利，当认为船舶污损对新西兰海洋环境有严重风险时，有权采取措施。

在近期的一个案例中，MPI命令散货船DL Marigold在卸货作业期间离开新西兰水域。MPI人员检验船舶，并认为船体污损超标。随即船舶被拒在斐济清洗船体，最终由潜水员在斐济外公海进行船体清洗作业。

无论是船舶被指令进行紧急船体清洗，还是离开新西兰，考虑到与此有关的潜在费用和信誉风险，建议租赁或营运前往新西兰船舶的会员，于CRMS生效前后，都确保船舶遵守“船体清洁”新标准。

被保险人应审查租约条款，其中应明确规定遵守新标准的义务以及未遵守的责任承担；期租和程租租约的建议条款如下。

更多信息

更多信息及查看船体清洁阈值，请参阅[CRMS](#)

更多MPI指南，可在[这里](#)找到

推荐租约附加条款

以下条款可能有用

Under a **Voyage Charter**:

NEW ZEALAND BIOFOULING CLAUSE

Owners acknowledge they are familiar with biofouling rules and requirements currently in force and/or due to be enforced in the territory of New Zealand. Owners further warrant that any vessel nominated under this charterparty will not pose a biofouling risk that may prompt local authorities to act against the vessel including issuing directions to deny entry or order the vessel to leave New Zealand waters.

Any claim, loss, damage (including delay) or expense of whatsoever nature and howsoever arising resulting from a breach of this clause will be exclusively for Owners' account.

Under a **Time Charter or Time Charter Trip**:

NEW ZEALAND BIOFOULING CLAUSE

Owners acknowledge they are familiar with biofouling rules and requirements currently in force and/or due to be enforced in the territory of New Zealand. Owners further warrant that the vessel will not pose a biofouling risk and that at all times she will be fit in all respects including hull condition for calling in New Zealand waters in accordance with said rules and requirements.

In the event that the vessel is denied entry, required to comply with directions, orders or requests of the New Zealand authorities, detained or ejected from New Zealand's territorial Sea the vessel shall be immediately off hire from the commencement of any loss of time until she is again ready and in an efficient state to resume her service from a position not less favourable to Charterers than that at which

such loss of time commenced. Owners will be responsible for the use of fuel during any off hire period.

Owners will be responsible for any claim, loss, damage (including delay) or expense of whatsoever nature resulting from a breach of this Clause including without limitation losses that Charterers may incur in relation to any party to which they have contracted with and have been unable to perform including delayed performance.

信息来源: The Charterers P&I Club

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