

Circular From STANDARD

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European Commission (EC) Urges PSC Leniency on IHM Compliance

As mentioned in the club's bulletin on ship recycling, from 31 December 2020, all EU flag and non-EU flag ships calling at EU ports and anchorages are required to have a certified IHM on board. The club's bulletin also highlights the challenges that the industry is facing in regard to the compilation of the inventory of hazardous materials (IHM) due to the unforeseeable impact of pandemic.

On 20 October 2020 the European Commission (EC) has issued [guidelines](#) on the enforcement of obligations under the EU Ship Recycling Regulation relating to the Inventory of Hazardous Materials of vessels operating in European waters (2020/C 349/01) acknowledging reports from industry stakeholders that COVID-19 restrictions have led to significant difficulties in surveying ships and producing certified IHMs.

The guidelines urge EU port State authorities to recognise the challenges faced by the shipping industry and apply a harmonised approach temporarily for a limited period of 6 months after the entry into force of the IHM-related obligations for existing EU-flagged vessels and non-EU flagged vessels calling at EU ports (ie until 30 June 2021).

As per the EC notice, ships arriving at an EU port after 31 December 2020 without carrying on board a valid IHM or semi-completed IHM will need to provide evidence of all the measures that were taken to undertake the IHM work and obtain the required certification and documentation. EU Member States are invited to assess the specific circumstances of each ship owner and the degree to which this case might apply. If the PSC inspector decides to accept the evidence provided by the owner/master, then the IHM should be completed and approved within 4 months of that inspection.

If these plans have to be amended further after the inspection, due to continuing travel or access restrictions, then the owner/master needs to provide sufficient written evidence from the IHM inspectors that it has not been feasible to meet the initial plans. It will then be for the PSC inspector undertaking the next inspection to decide whether this evidence is acceptable on a case-by-case basis depending on the specific circumstances of the vessel in question and using his/her professional judgement.

Source of Information: The Standard Club