

Circular From UK

Date: 2 February 2021

**TURKEY - 2021 Pollution Fine Tariffs**

The Club would like to draw Members' attention to the new 2021 pollution fine tariffs in Turkey, applicable from 1 January 2021. The rates have been increased by some 9.11% as per article 20 of the Environmental Code.

A summary of the 4 categories of fines and the levels of the fines, together with recommendations on how to avoid the fines may be found in the attached article by Turkish Lawyers & Consultants, [Esenyel Partners](#).

**Pollution fines are divided in four categories: A, B, C and D.**

**Category A:** Pollution from tankers discharging petroleum products and derivatives (raw petroleum, fuel oil, bilge, oil mud, refined product oil waste etc.)

|                                        |                                     |
|----------------------------------------|-------------------------------------|
| Up to 1,000 (inclusive) GT             | 661.94TL per unit GT                |
| Between 1,000 and 5,000 (inclusive) GT | An additional 165.49 TL per unit GT |
| Over 5,000 GT                          | An additional 16.54 TL per unit GT  |

**Category B:** Pollution from dirty ballast discharged to sea by tankers

|                                        |                                    |
|----------------------------------------|------------------------------------|
| Up to 1,000 (inclusive) GT             | 120.60 TL per unit GT              |
| Between 1,000 and 5,000 (inclusive) GT | An additional 24.06 TL per unit GT |
| Over 5,000 GT                          | An additional 3.82 TL per unit GT  |

**Category C:** Pollution from ships and other sea vehicles that release petroleum/ petroleum derivatives (bilge, oil mud, freight mud, fuel oil, oil waste or dirty ballast, etc.)

|                                        |                                    |
|----------------------------------------|------------------------------------|
| Up to 1,000 (inclusive) GT             | 330.97 TL per unit GT              |
| Between 1,000 and 5,000 (inclusive) GT | An additional 66.20 TL per unit GT |
| Over 5,000 GT                          | An additional 16.54 TL per unit GT |

**Category D:** Pollution from garbage and sewage discharged to sea by ships, tankers or other sea vessels

|                                        |                                    |
|----------------------------------------|------------------------------------|
| Up to 1,000 (inclusive) GT             | 165.49 TL per unit GT              |
| Between 1,000 and 5,000 (inclusive) GT | An additional 33.10 TL per unit GT |
| Over 5,000 GT                          | An additional 16.54 TL per unit GT |

A shipowner can appeal a fine to the Administrative Court, but any appeal must be lodged within 30 days of notification of the fine and the prospects of success are generally low. There is also a 25% discount available if the fine is paid within the appeal period which is recommended.

**Recommendations**

- De-ballasting operations should be avoided unless the ballast water was checked and confirmed to be clean.
- All overboard discharge valves should be closed and secured/sealed in closed position.
- All deck scuppers should be plugged and any gaps in the fish plate surrounding the deck should be closed. Hose test of hatch covers, hydrostatic test of deck pipes/hoses or other equipment should not be performed. Washing of decks and superstructure should be avoided.
- Treated water from the sewage system and grey water should be transferred to a holding tank and should not be discharged until the vessel is outside Turkish waters.
- Cargo residues, cargo space cleaning residues, all garbage and other substances should not be disposed in Turkish waters.
- The vessel's hull should not be scrapped, chipped or painted while alongside the pier or at anchor.
- While the vessel is at the shipyard or in dry dock, even if the pollution is caused by the negligence of the shipyard, its employees or agents, the ship may be held vicariously liable for the pollution fine. Therefore the crew members should exercise care and they should immediately protest in writing to the shipyard where they believe pollution took place.

Source of Information: The UK P&I Club