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**環境保護署  
稅務大樓辦事處**

香港  
灣仔告士打道五號  
稅務大樓三十三樓

26 October 2018

Dear Sir/ Madam,

### **Air Pollution Control (Fuel for Vessels) Regulation (Cap. 311AB)**

We would like to inform you that the Legislative Council has approved the Air Pollution Control (Fuel for Vessels) Regulation (Cap. 311AB) (“the Regulation”). Under the Regulation, starting from 1 January 2019, all vessels except for specified vessel types as set out in the Regulation, are required to use compliant fuel within Hong Kong waters, irrespective of whether they are sailing or berthing.

2. Compliant fuel required by the Regulation includes low-sulphur marine fuel with sulphur content not exceeding 0.5%, liquefied natural gas or any other fuel approved by the Director of Environmental Protection. If a vessel uses emission reduction technology that can achieve the same or less emission of sulphur dioxide when compared with using low-sulphur marine fuel, it may be exempted from using compliant fuel.

3. From 1 January 2019, ocean-going vessels (OGVs) that are using heavy fuel oil with sulphur content exceeding 0.5% are required to switch to compliant fuel before entering Hong Kong waters. The Regulation also stipulates that the times when the OGV enters and exits the waters of Hong Kong, and the particulars about the fuel switch operations must be recorded in a log book. Written procedures for conducting fuel switch operations must be kept on board and the log book and bunker delivery notes must be kept on the vessel for a period of three years.

4. When the Regulation comes into effect, the master and owner concerned of any vessel using non-compliant fuel within the waters of Hong Kong will be liable to a maximum fine of \$200,000 and imprisonment for six months. Shipmasters and ship owners of OGVs who fail to record or keep the required particulars will also be liable to a maximum fine of \$50,000 and imprisonment for three months.

5. The Government has been implementing the Air Pollution Control (Ocean Going Vessels) (Fuel at Berth) Regulation (the Fuel at Berth Regulation) (Cap. 311AA) since 1 July 2015, requiring OGVs to switch to compliant fuel while berthing in Hong Kong. Since the Regulation will cover the scope of control under the Fuel at Berth Regulation, the prevailing Fuel at Berth Regulation will be repealed upon the commencement of the Regulation on 1 January next year.

6. If you have any questions, please feel free to contact me at 2594 6376 or my colleague Mr. Wing CHAN at 2594 6430. Thank you.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'P. Louie', written in a cursive style.

(Dr. Peter K K LOUIE )  
for Director of Environmental Protection