



▶ TURKEY - SUPPLEMENTAL UPDATE TO POLLUTION FINES 2022 SHIPOWNERS

Further to the Club's [previous circular](#) in March 2022, there have been further updates to Pollution fines in Turkey as declared by the Ministry of Environment and Urbanisation and published in the Official Gazette no. 31867, effective from 15 June 2022.

DISCHARGE OF GARBAGE AND SEWAGE

As outlined in the Club's previous update, pollution fines are issued under four categories: (1) petrol and petroleum products discharged by tankers; (2) dirty ballast discharged by tankers; (3) petrol/petroleum products and dirty ballast discharged by vessels or any other marine vehicles; and (4) garbage and sewage discharged by vessels or any other marine vehicles.

The latest amendments offer clarification on category (4) and defines the substances considered "garbage and sewage" as follows:

- i. Domestic wastewater (sewage);
- ii. Water mixed with detergent;
- iii. Foam;
- iv. Scrubber wash water; and
- v. Similar wastewater and solid wastes.

The wording of the (v) indicates that this list is not exhaustive.

The tariffs for category (4) fines have also been amended for vessels up to 150 GT (inclusive), while the previously reported tariffs for vessels larger than 150 GT still apply. The updated amounts are therefore as follows:

Category 4 – garbage and sewage (domestic wastewater/detergent water/foam/scrubber wash water or similar wash water and solid wastes discharged by ships/vessels and other sea vehicles.

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| ▪ Up to 18 (inclusive) Gross Tons: | 5,000 Turkish lira. |
| ▪ Between 18-50 (inclusive) Gross Tons: | 10,000 Turkish lira. |
| ▪ Between 50-100 (inclusive) Gross Tons: | 20,000 Turkish lira. |
| ▪ Between 100-150 (inclusive) Gross Tons: | 30,000 Turkish lira. |
| ▪ Up to 1000 (inclusive) Gross Tons: | 225.40 Turkish lira per ton. |
| ▪ Between 1000 and 5000 (inclusive) Gross Tons: | an additional 45.08 Turkish lira per ton. |
| ▪ Over 5000 Gross Tons: | an additional 22.53 Turkish lira per ton. |

SULPHUR CONTENT OF VESSEL FUELS

A new category of fine has been introduced for vessels using fuels that breach the limits of sulphur content and fail to comply with the sulphur cap of 0.5% implemented under IMO 2020. The tariffs listed below are calculated on the basis of the gross tonnage of the vessel concerned.

The Shipowners' Mutual Protection and Indemnity Association (Luxembourg) UK Branch, authorised by the Luxembourg Minister of Finance and regulated by the Commissariat aux Assurances. Authorised by the Prudential Regulation Authority. Subject to regulation by the Financial Conduct Authority and limited regulation by the Prudential Regulation Authority. Details about the extent of our regulation by the Prudential Regulation Authority are available from us on request. **The Shipowners' Mutual Protection and Indemnity Association (Luxembourg)** is incorporated in Luxembourg and registered as a mutual association in the Registre de Commerce et des Societes, No. B14228, with its registered office at **16 Rue Notre Dame, L 2240 Luxembourg**. **The Shipowners' Protection Limited** is registered in England and Wales, No. 02067444, and is an appointed representative of The Shipowners' Mutual Protection and Indemnity Association (Luxembourg), Firm Ref No. 203957.

- Up to 1000 (inclusive) Gross Tons: 200 Turkish lira per ton.
- Between 1000 and 5000 (inclusive) Gross Tons: an additional 25 Turkish lira per ton.
- Over 5000 Gross Tons: an additional 5 Turkish lira per ton.

SPECIALLY PROTECTED AREAS

It has also been declared that the level of fines for marine pollution caused by vessels in a 'Specially Protected Area' will be doubled. The list of Specially Protected Areas is as follows and is subject to change by future Presidential Decrees:

1. Belek
2. Datça – Bozburun
3. Fethiye – Göcek
4. Foça
5. Gökova
6. Göksu Delta
7. Gölbaşı
8. Ihlara
9. Kaş – Kekova
10. Köyceğiz
11. Pamukkale
12. Patara
13. Tuz Lake
14. Uzungöl Lake
15. Saros Gulf
16. Finike - Deniz Altı Dağları
17. Salda Lake
18. Karaburun - Ildır Gulf
19. Marmara Sea and Prince's Islands (which includes all ports and anchorage areas within Istanbul)

GUIDANCE

As with all pollution fines in Turkey, the level of each fine is calculated according to the gross tonnage of the liable vessel and is irrespective of the amount of pollution. Further, the amounts stated above apply when the fine is issued against 'real persons' (e.g., the Master) in rare instances where the authorities are unable to identify the owners or the vessel is owned by a private individual. In most cases, the amounts will be **trebled** as the fine is issued directly against the 'institution, organisation or business' that owns the vessel. Fines paid within 30 days of being issued are reduced by 25%.

Members are referred to the Club's [2019 circular](#) for guidance on how to minimise their exposure. It is important to once again stress that Members should take prompt action to notify the authorities and the Club if a pollution incident occurs. For further guidance, please contact the Club's local [correspondents](#) or the [Claims Department](#).