

To whom it may concern

CCS Technical Information

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Notice on the rules as regards the administration of shipping companies by administering authorities

THE EUROPEAN COMMISSION HAS ADOPTED REGULATION IMPLEMENTING REGULATION (EU) 2023/2599 on 22 November 2023, laying down rules for the application of Directive 2003/87/EC of the European Parliament and of the Council as regards the administration of shipping companies by administering authorities in respect of a shipping company, which entered into force on 25 November 2023.

1. Overview of the regulation:

1) Where the organisation or person, such as the manager or the bareboat charterer, that has assumed the responsibility for the operation of the ship from the shipowner and that, has assumed responsibility for the obligations to comply with the national measures transposing Directive 2003/87/EC and the obligation to surrender allowances under Article 3gb and 12 of that Directive (the 'ETS obligations'), Member States shall ensure that this organisation or person has been duly mandated by the shipowner to comply with the ETS obligations.

2) The organisation or person shall provide its administering authority in respect of a shipping company with a document clearly indicating that it has been duly mandated by the shipowner to comply with the ETS obligations. The document shall be signed by both the shipowner and that organisation or person. If that document is a copy, this shall be certified as a true copy by a notary public or other similar person specified by the administering authority in respect of a shipping company. If the certified copy is issued outside the Member State of the administering authority in respect of a shipping company, the copy shall be legalised, except where otherwise provided for by national law.

3) The document shall include the information required by the regulation.

4) Where the organisation or person cannot provide its administering authority with the document required by regulation, the shipowner shall be considered as the entity responsible for ETS obligations, who shall provide the list of the ships in

respect of which the shipowner has assumed responsibility for ETS obligations and whose emissions fall within the scope of Directive 2003/87/EC, as well as their respective IMO ship identification number.

5) For the purpose of attributing a shipping company, the regulation laid down the rules and complementary data sources.

6) In the event of a change of administering authority in respect of a shipping company, the new administering authority in respect of a shipping company shall have access to all relevant information on that shipping company. The administering authority in respect of a shipping company responsible before the change shall have access to information concerning the period during which the shipping company was under its responsibility as appropriate.

7) The entities responsible for compliance with the obligations under Regulation (EU) 2015/757 and with the obligations under Directive 2003/87/EC must be clearly identified at all times. To this end, and with a view to ensuring coherence in administration and enforcement, Regulation (EU) 2015/757 provides that the same entity must be responsible for both.

2. Recommended actions by shipping company

1) Before 1 February 2024, a list specifying the administering authority in respect of a shipping company according to Directive 2003/87/EC shall be released. The company is recommended to identify the administering authority following article 3gf of Directive 2003/87/EC and this regulation, and submit the documents refer to ETS obligations to administering authority as soon as possible.

2) Check that the responsible entity for both ETS and MRV obligations in Thetis MRV system, and the ship in company effect date are correct.

Contact: CCS classed ship in service department, cdwork@ccs.org.cn

Attachment 1: REGULATION (EU) 2023/2599

Attachment 2: Directive 2003/87/EC