

L.N. 105 of 2025

**Merchant Shipping (Prevention of Air Pollution)
(Amendment) Regulation 2025**

(Made by the Secretary for Transport and Logistics under sections 3 and 3A of the Merchant Shipping (Prevention and Control of Pollution) Ordinance (Cap. 413))

1. Commencement

This Regulation comes into operation on 1 August 2025.

2. Merchant Shipping (Prevention of Air Pollution) Regulation amended

The Merchant Shipping (Prevention of Air Pollution) Regulation (Cap. 413 sub. leg. P) is amended as set out in sections 3 to 6.

3. Section 2 amended (interpretation)

(1) Section 2(1)—

Repeal the definition of *fuel oil*

Substitute

“*fuel oil* (燃油), in relation to a ship, means any fuel delivered to and intended for use on board the ship;”.

(2) Section 2(1)—

Add in alphabetical order

“*gas fuel* (氣體燃料) has the meaning given by Regulation 2 of Annex VI;

low-flashpoint fuel (低閃點燃料) has the meaning given by Regulation 2 of Annex VI;”.

4. Section 41 amended (application of this Division and interpretation)

After section 41(3)—

Add

“(3A) For the purposes of this Division, replacement by a marine diesel engine (being a regulated diesel engine) for a steam system is regarded as replacement by a regulated diesel engine for a non-identical regulated diesel engine.”.

5. Section 87 amended (duty to keep bunker delivery note and representative sample of fuel oil)

(1) Section 87(1)—

Repeal

“(excluding gas fuels)”.

(2) After section 87(2)—

Add

“(3) Subsection (1)(a) and (c) does not apply to a ship that uses—

- (a) low-flashpoint fuels; or
- (b) gas fuels.”.

6. Section 88 amended (duties of local supplier of fuel oil)

(1) Section 88(1)—

Repeal

“(excluding gas fuels)”.

(2) Section 88(1)—

Repeal paragraph (a)

Substitute

- “(a) prepare a bunker delivery note that contains—
- (i) if the fuel oil delivered is low-flashpoint fuel or gas fuel—the information referred to in Regulation 18.5 of Annex VI that is to be provided in accordance with that Regulation; or
 - (ii) if the fuel oil delivered is neither low-flashpoint fuel nor gas fuel—the information referred to in Regulation 18.5 of Annex VI;”.
- (3) Section 88(1)(d), after “and”—

Add

“, if the fuel oil delivered is neither low-flashpoint fuel nor gas fuel,”.

- (4) After section 88(3)—

Add

“(4) Subsection (1)(c) does not apply to a ship that uses—

- (a) low-flashpoint fuels; or
- (b) gas fuels.”.

Mable CHAN
Secretary for Transport and
Logistics

21 May 2025

Explanatory Note

This Regulation amends the Merchant Shipping (Prevention of Air Pollution) Regulation (Cap. 413 sub. leg. P) (*principal Regulation*) to give effect to the amendments made to Annex VI to the International Convention for the Prevention of Pollution from Ships, 1973 (*Annex VI*) by the International Maritime Organization Resolution MEPC.385(81).

2. Section 3 amends the existing definition of *fuel oil* in section 2 of the principal Regulation and adds new definitions of *gas fuel* and *low-flashpoint fuel* to that section 2.
3. Section 4 amends section 41 of the principal Regulation to provide that replacement by a marine diesel engine for a steam system on a ship is regarded as replacement by a regulated diesel engine for a non-identical regulated diesel engine.
4. Section 5 amends section 87 of the principal Regulation to provide that the requirements on the keeping of bunker delivery notes by the owners and the masters of ships are also applicable to a bunkering operation of gas fuels, and the requirements relating to representative sample of fuel oil are not applicable to low-flashpoint fuels and gas fuels.
5. Section 6 amends section 88 of the principal Regulation to require the local suppliers of low-flashpoint fuels and gas fuels to prepare bunker delivery notes in accordance with the requirements of Annex VI, with the relevant information to be provided in accordance with those requirements, and to provide that the requirements relating to representative sample of fuel oil are not applicable to low-flashpoint fuels and gas fuels.