**MINISTRY OF TRANSPORT, INFORMATION TECHNOLOGY AND COMMUNICATIONS**

**EXECUTIVE AGENCY “MARITIME ADMINISTRATION”**

**ORDER № 116**

Sofia, 16 January 2013

Implementing the amendments to Annex VI to the International Convention for the Prevention of Pollution from Ships (MARPOL 73/78), adopted by Resolution MEPC.203(62) of the Marine Environment Protection Committee of the International Maritime Organization, introducing new rules on the energy efficiency of ships on the basis of Article 362 of the Merchant Shipping Code, as amended and supplemented, in application of Article 9(1)(5) of the Rules of Procedure of the Executive Agency Maritime Administration;

**ORDER:**

1. *Area of application:*
   1. This order concerns:

* all shipowners and crew members of ships of 400 gross tonnage or more, flying the Bulgarian flag and carrying out overseas voyages, as well as for drilling and extraction platforms;
* all ships of 400 gross tonnage or more flying a foreign flag when present in the maritime spaces and ports of the Republic of Bulgaria;
* all employees in the Survey, Certification and Registration of Ships and Shipowners Unit at the Maritime Administration Directorates — Burgas and Varna, including inspectors performing port State control;
* all inspectors in the Departments “Control and Protection of the Marine Environment” and “Control and Protection of the Marine Environment, Search and Rescue” in the Directorates “Maritime Administration” — Burgas and Varna, carrying out State Environmental Control
  1. This order does not apply to military and border-police ships.

1. *Carrying out examinations and issuing a certificate:*
   1. All ships covered by paragraph 1 shall hold an *International Energy Efficiency Certificate (IEEC).* For Bulgarian vessels IEEC shall be issued as follows:

* for new vessels within the meaning of Annex VI of MARPOL 73/78, from 1 January 2013;
* for existing ships within the meaning of Annex VI of MARPOL 73/78, during the first interim or renewal survey for validation or issue of an *International Air Pollution Prevention Certificate (IAPP) carried out* after 1 January 2013.
  1. The International Energy Efficiency Certificate *(IEEC)* is valid only in combination with:
* the *Energy Efficiency Design Index (EEDI) referred to in the* certificate — the requirement applies to new ships, and
* ship *Energy Efficiency Management Plan (SEEMP) — the requirement applies* to all (new and existing) ships. The plan can be part of the *Safety Management System (SMS).* It is prepared by the shipowner and does not need approval from the Executive Agency Maritime Administration.
  1. International Energy Efficiency Certificate *(IEEC)* is issued once by the Maritime Administration Directorates — Burgas or Varna depending on the place of registration of the ship. The reissuance of the *IEEC* shall only be required in the event of a change of the flag under which the ship is sailing.

1. *Requirements for shipowners:*

Shipowners of Bulgarian vessels falling within the scope of this Order must supply their ships with *a Ship Energy Efficiency Management Plan (SEEMP)* to be submitted to the PORKK Department of the Maritime Administration Directorate — Burgas or Varna for inspection during the first interim or renewal survey carried out after 1 January 2013. The plan should be drawn up in accordance with the instructions described in the ‘*2012 Guidelines for the development of a Ship Energy Efficiency Management Plan’ — Resolution* MEPC.213(63) of 02.03.2012.

The Energy Efficiency Management Plan must be written in Bulgarian (for ships on local voyages) or in the declared and documented working language of the crew with English translation.

1. *Obligations of the employees in the “Survey, certification and registration of ships and shipowners” department*

After 01.01.2013 "when carrying out an interim or renewal inspection for certification or issuance of the International Air Pollution Prevention Certificate (IAPP) of Bulgarian ships, the staff of the PORKK department shall check the existence of a Ship Energy Efficiency Management Plan (SEEMP) and establish the Ship Energy Efficiency Constructive Index (EEDI) for new ships, or calculate the same for an existing ship, then draw up and issue the International Energy Efficiency Certificate (IEEC) in the format given in the PK 05-14.

1. *Obligations of port state control inspectors*

After 1 January 2013, inspectors shall check the existence and validity of the International Energy Efficiency Certificate (IEEC) and the presence of SEEMP developed in accordance with the requirements of Resolution MEPC.

1. *Entry into force:*
   1. This Order enters into force on 17 January 2013 and replaces Order No 116/21.12.2012.
   2. The same should be brought to the attention of the shipowners of ships flying the Bulgarian flag, the recognized organizations in accordance with Ordinance No 4, the shipping agents and the service providers in the departments PORKK and COMS/COMSTS in the Maritime Administration Directorates — Burgas and Varna. The order to be published on the website of the Executive Agency Maritime Administration.
2. *Enforcement:*

I entrust the Director of the Inspectorate Directorate and the Directors of DMA — Burgas and Varna with the monitoring of the implementation of this order.

**KDP SERGEI TZARNAKLIYSKI,**

*Executive Director*

*Executive Agency “Maritime Administration”*