

"Stop press... Stop press..."
Increased Pollution Fines for the New Year

Please find below the new rates for pollution fines for 2020.

Please also bear in mind the following important issues:

1. This increase is averaging the fine amounts in TRY by the USD exchange rate, ie the TRY amount converted to USD as per 1.1.2019 and 1.1.2020 is approximately same.
2. The Environmental Act has been also amended on 28.11.2018, which also provides that if the violation of the code, i.e. the pollution was caused by an organization, institution or a commercial entity, the fines as mentioned below are to be multiplied by three. Therefore, since all vessels are registered on a commercial entity, i.e. a company, one should take into account such fines always as "x 3".
3. In case the pollution is caused by dangerous goods, the fine will be multiplied by 10 of the amount as per category "C" below.
4. The Owners may take advantage of %25 discount if the fine is paid within 30 days after receipt of the fine letter/decision by the agent. In order to release the detained vessel promptly, provision a club letter (with an undertaking for payment within 30 days) is necessary.
5. Also another important point is that payment of the fine does not mean a waiver of the right to object against the fine (by launching a court case at the administrative court)
6. The issuance of the fine does not mean that it is the sole financial outcome of the pollution; the authority in some cases may also claims damages or asks security for possible damages (including third party damages)
7. According the Environmental Act, club letter's are acceptable, however in some cases such acceptance has to be negotiated and / or explained to authority. (rather in smaller ports where daily practice of shipping is less frequent.)



**Pollution Fine Tariff
(1 January 2020 – 31 December 2020)**

CATEGORY A: PETROLEUM PRODUCTS AND DERIVATIVES DISCHARGED BY TANKERS	2020 TARIFF
Up to 1,000 GT	TRY 606,67 per Gross Ton (TRY 1.820,01 per Gross Ton for companies)
Between 1,001 and 5,000 GT	An additional TRY 151,67 per Gross Ton (TRY 455.01 per Gross Ton for companies)
Over 5,000 GT	An additional TRY 15,16 per Gross Ton (TRY 45.48 per Gross Ton for companies)
CATEGORY B: DIRTY BALLAST DISCHARGED BY TANKERS	
Up to 1,000 GT	TRY 110,53 per Gross Ton (TRY 331.59 per Gross Ton for companies)
Between 1,001 and 5,000 GT	An additional TRY 22,05 per Gross Ton (TRY 66.15 per Gross Ton for companies)
Over 5,000 GT	An additional TRY 3,51 per Gross Ton (TRY 10.53 per Gross Ton for companies)
CATEGORY C: PETROLEUM PRODUCTS, PETROLEUM DERIVATIVES AND DIRTY BALLAST WATER DISCHARGED BY SHIPS OR OTHER VESSELS	
Up to 1,000 GT	TRY 303,34 per Gross Ton (TRY 910.02 per Gross Ton for companies)
Between 1,001 and 5,000 GT	An additional TRY 60,67 per Gross Ton (TRY 182.01 per Gross Ton for companies)
Over 5,000 GT	An additional TRY 15,16 per Gross Ton (TRY 45.48 per Gross Ton for companies)
CATEGORY D: GARBAGE, SEWAGE AND GRAY WATER DISCHARGED BY ALL SHIPS, TANKERS OR OTHER VESSELS	
Up to 1,000 GT	TRY 151,67 per Gross Ton (TRY 455.01 per Gross Ton for companies)
Between 1,001 and 5,000 GT	An additional TRY 30,34 per Gross Ton TRY 91.02 per Gross Ton for companies)
Over 5,000 GT	An additional TRY 15,16 per Gross Ton (TRY 45.48 per Gross Ton for companies)



THE BOSPHORUS ONLINE

Ulgener LC/LO, based in Istanbul, with its office right in the Shipping Center, where the most major Turkish ship holding groups have their headquarters, is a law firm dedicated mainly to shipping matters, with a wide scope including all kind of related issues, such as: P&I matters, such as cargo claims - disputes arising from bills of lading, crew claims, pollution, liens on vessels; as well as accidents, such as collisions, salvage, wreck removal and general average matters, etc. FD&D matters, such as disputes arising from voyage and time charterparties, i.e. forced freight & demurrage collection, liens on cargoes, etc. H&M, war and strike clauses and cargo insurance matters, such as salvage, general average adjustment, etc., also representing underwriters and providing legal advice regarding local and international law, collection of outstanding premiums on behalf of P&I Associations, Ship Finance - Sale & Purchase, as well as assisting foreign banks and other financial institutions, covering also mortgages and disputes arising out of mortgages, Enforcement of foreign arbitration and court awards, Advising shipowners and P&I Clubs regarding issues arising from Turkish as well as International maritime law, (legal correspondent of a P&I Club within International Pool) Also assisting owners for protection of their interests and avoiding conflicts on drafting charterparties, bills of lading, MOA's and other documentation, advising leading Turkish steel manufacturers for shipping related issues, Serving as legal advisers to Turkish Chamber of Shipping, also representing the Chamber at the Bimco Documentary Committee.

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