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## EU give breathing room on the IHM obligations until the 30th June 2021



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**The European Union (EU) has given some support on the obligations under the EU Ship Recycling Regulation to have the IHM on board by the 31st December 2020.**



Inventory of Hazardous Materials (IHM) is a document package that shows the quantities and locations of hazardous materials onboard a vessel. Once on board the IHM should be updated when changes occur on board until the end of life of the vessel.

The European Union (EU) has given some support on the obligations under the EU Ship Recycling Regulation to have the IHM on board by the 31st December 2020. This is due to the multiple challenges created by the Covid-19 pandemic.

The European Commission (EC) has suggested to EU member states to apply a harmonised approach for six months after the entry 31st December 2020 into application of the IHM-related obligations for existing EU flagged ships and non-EU flagged ships calling at EU ports or anchorages. On this basis Members will have up until 30<sup>th</sup> June 2021.

In this case the vessel may arrive at an EU port after 31<sup>st</sup> December 2020 without carrying on board a valid IHM, if the shipowner/master claim that this non-compliance is due to the Covid- 19 situation.

In this harmonised approach, the following guidance is provided:

1. In all cases of non-compliance, including a semi-completed IHM, the burden of proof is on the shipowner/ship master, who should provide evidence of all the measures taken to undertake the IHM work and obtain the required certification and documentation. Force-majeure is not an option.
2. Port State control (PSC) inspectors are advised to assess evidence provided on a case-by-case basis depending on the specific circumstances of the ship in question and decide accordingly. In case of acceptance, shipowners/ship masters have 4 months after the PSC inspection to complete the IHM.
3. If the agreed plans are changed owing to the Covid-19 travel and access restrictions, the shipowner/master shall gather sufficient written evidence from the IHM inspectors on why the IHM is not completed for checking by the next PSC inspector.

Guidelines on the enforcement of obligations under the EU Ship Recycling Regulation relating to the Inventory of Hazardous Materials of vessels operating in European waters (2020/C 349/01).

If you have any questions regarding Ship Recycling and the IHM please contact our Loss Prevention department.

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