

Ukraine - Fines for Dirty Ballast Water - Further Update

20th June 2018

The Club has published a number of articles previously on the situation in the Ukraine regarding access to vessels for ecological inspectors to check certification and take samples of segregated ballast water for analysis, and the imposition of fines where it is alleged that contaminated ballast water has been discharged:

9th June 2011 - [Ukraine - Fines for Dirty Ballast Water](#)

5th October 2015 - [Ukraine - Fines for Dirty Ballast Water - Updated](#)

30th September 2016 - [Ukraine - Fines for Dirty Ballast Water - Updated](#)

Our local correspondent, Dias Marine Consulting PC, Odessa have recently provided an update on the situation, advising of a change in the applicable regulations in March 2018. The latest change in the legislation allows ecological inspectors to board vessels and take ballast samples for analysis. In recent weeks there have been a number of cases where Masters have obstructed the inspectors, being unaware of the latest regulatory change, resulting in the inspectors becoming aggressive and subsequently imposing large fines.

In light of recent developments, Masters are advised to allow ecological inspectors access to their vessel to take ballast samples. It should be ensured that, so far as possible, representative samples of ballast water as would be discharged overboard are taken by the inspectors, with the location from where these are drawn, be it a tank or pipeline, being dependent on the ballast water management system and regime in use on board.

Dias advise, that when a fine has been imposed on a vessel, the best course of action is to pay the fine and file a counter claim after the departure of the vessel, with good prospects of a successful outcome.

Members requiring any further guidance are advised to contact the [Loss Prevention department](#).

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