

The purpose of the TP&I News is to provide the latest news for the shipowners, charterers, as well as any other maritime interests around the globe. Each issue of TP&I News will include a focused review section of several articles on a topic of current interest.<sup>1</sup>

## 1. IMO announces new world maritime theme on MARPOL evolution

The theme, which promotes discussions on the next phase of IMO's work to further protect the planet and the oceans, is also linked to the UN 2030 Agenda for Sustainable Development and the 17 Sustainable Development Goals (SDGs). These include affordable and clean energy (SDG 7); industry, innovation and infrastructure (SDG 9); climate action and sustainable use of the oceans, seas and marine resources (SDGs 13 and 14); and the importance of partnerships and implementation to achieve these goals (SDG 17).

Source: IMO



## 2. General information about Spanish Ports

Spain is the European Union country with the longest coastline. Its geographical location, being closest to the axis of one of the world's major maritime routes, is a strategic area in international shipping and a logistics platform in southern Europe.

The State-owned Spanish Port System includes 46 ports, 28 of general interest, managed by 28 Port Authorities, whose coordination and efficiency control corresponds to the government agency Puertos del Estado, a body answerable to the Ministry of Public Works that is responsible for implementing the government's port policy. The rest of the commercial ports, smaller, are managed by the several regional autonomous authorities.

Spanish ports handle nearly 60% of exports and 85% of imports, which account for 53% of Spanish foreign trade with the European Union and 96% with third countries.



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## 2.1. Local Legislation

Spanish Maritime law is mainly regulated by the following acts:

- Act 14/2014, of 24 July 2014, on Maritime Navigation (the Maritime Navigation Law (MNL). There is currently a draft law to amend the Consolidated Text of the State Ports and Merchant Marine Law (SPMML) and the MNL with the objective of resolving current important issues on the safety of life at sea, navigation and the protection of the marine environment, including the effectiveness of maritime and port authorities. It will also introduce several new features.
- The regulation of the structure and management of the state port system is based on Royal Legislative Decree 2/2011, of September 5, by which the Revised Text of the Law on State Ports and the Merchant Marine (TRLPEMM due to its Spanish initials) is approved. This text will be also modified when the above-mentioned new MLN draft Act will be enacted.

Additionally, as an EU Member State, regulations and directives issued by the European Union are applicable in Spain either directly or through transposing laws. Similarly, the case law of the Court of Justice of the European Union (CJEU) determines the modification and enforcement of domestic law.

Spain is also a party to the International Convention for the Unification of Certain Rules of Law relating to Bills of Lading and successive amendments (The Hague-Visby Rules). The Convention on Limitation of Liability for Maritime Claims 1976 (the LLMC Convention), the International Convention on Arrest of Ships 1999 (the Arrest Convention 1999), and other major maritime updated maritime Conventions have been ratified by Spain and are implemented in its legislation.

## 2.2. Port Traffic

Spanish ports have some important transshipment and cruise ports.

The biggest trigger for the increase in traffic has been the movement of solid bulk (+26.2%), and liquid bulk (+14.9%), although conventional general merchandise has also been given a boost (+19.2%), thus compensating the drop in general merchandise in containers (-4.4%).

Passenger traffic, which was already showing signs of recovery during the second half of 2021, continues to advance, although the 1.2 million passengers are still far from the 2 million reached in the first month of 2019 (pre-pandemic).

## 2.3. Covid-19 Measures

There are no longer mandatory quarantine periods on board vessels. If and when a COVID-19 positive case is detected on board, this needs to be reported to the Health Authorities accordingly (through the ship agents), but there are no mandatory isolation days for the crew on board, and the vessel can operate as usual. In any case, in case of any vessel/crew being affected with Covid, it is advised to obtain updated information of latest requirements, in case of any change.

## 2.4. Stowaways

No sanctions are imposed on vessels arriving in Spain with stowaways, but disembarkation will not be allowed except if correct documentation is presented. Repatriation is possible but very restricted and should be considered on a case-by-case basis.

## 2.5. Pollutions

In case of a vessel causing a pollution of sea/port waters, Spanish law is very strict and serious sanctions will be imposed, including the cleaning costs and payment to third parties being affected. An administrative sanctioning proceeding will be opened, and a guarantee will be required to allow the vessel to sail, not admitting negotiations.

**We thank to our correspondent, Rosana Velasco, Hispania P&I, for providing this information.**



## 3. Pakistan Update: Ships calling at Karachi and Port Qasim

The general situation for ships calling at Karachi and Port Qasim is considered normal and safe both during approaches and within the port area on the berths. The Maritime Security Agency of Pakistan maintains vigilance and patrolling in the territorial waters of Pakistan and NO incidents of piracy, or any other violent incidents have been reported till date. Within the port, there is strict security for entering the port and unconcerned persons cannot enter without proper permission.

There is compulsory pilotage for navigation through the channel and the pilot boards at the outer end of the channel.



**We thank to our correspondent, Capt. S. Hashim Mujtaba., Indemnity Marine (Pvt) Ltd., Karachi - Pakistan, for providing this information.**

Please also check our website for circulars of each month.

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