



Marine Notice No. 19 of 2022

Notice to all Ports, Harbourmasters, Shipowners, Agents, Shipmasters, Local Authorities and Yachtsmen

Amended 8 January 2024

Sanctions Russian Federation's military incursion into Ukraine

1. EU Member States have taken a decision to impose sanctions on Russia as set out in [Council Regulation \(EU\) 833/2014](#) (as amended), in response to the Russian Federation's military incursion into Ukraine, to restrict access to the ports and locks of European Member States including access to Irish ports and locks for vessels as set out in this Marine Notice.

2. All ports, harbourmasters and local authorities are directed to deny entry to Irish ports to the following vessels:
 - a) any ship registered under the flag of Russia;

 - b) any yacht, of 15 metres in length or more, which does not carry cargo and carrying no more than 12 passengers which is registered under the flag of Russia;

 - c) any recreational craft intended for sports and leisure purposes of hull length from 2.5m to 24m, regardless of the means of propulsion which is registered under the flag of Russia; and

 - d) any personal watercraft intended for sports and leisure purposes of less than 4m in hull length which uses a propulsion engine having a water jet pump as its primary source of propulsion and designed to be operated by a person or persons sitting, standing or kneeling on, rather than within the confines of, a hull, which is registered under the flag of Russia.

The requirements under this paragraph also apply to any such vessel that changed the registration or flag of the vessel from the Russian Federation to another state after 24 February 2022.

3. From 8 April 2023, the prohibition under paragraph 2 also applies to a vessel flagged in any state where that vessel has been certified by the Russian Maritime Register of Shipping. Therefore, any statutory certificates issued by the RMRS shall cease to be valid by 8 April 2023 if not already withdrawn by the Flag state.
4. Under Article 3ea(5) of EU Regulation 833/2014 as amended, the Competent Authority may allow a derogation for a sanctioned vessel (as detailed in paragraphs (2) and (3) above) to access a port or lock after having determined that the access is necessary for:
 - a) unless prohibited by Articles 3m or 3n of the Regulation, the purchase, import or transport of natural gas, oil, including refined petroleum products, as well as titanium, aluminium, copper, nickel, palladium and iron ore, as well as certain chemical and iron products as listed in Annex XXIV to the Regulation,
 - b) purchase, import or transport of pharmaceutical and medical products, agricultural and food products, including wheat and fertilisers whose import, purchase and transport is permitted under the Regulation,
 - c) transport of nuclear fuel and other goods strictly necessary for the functioning of civil nuclear capabilities.
5. From 24 July 2023, all ports, harbourmasters and local authorities are directed to refuse access to Irish ports and locks to any vessel that has undertaken ship-to-ship transfers, at any point of the voyage to an Irish port or lock, where it is suspected that the vessel is in breach of the prohibitions set out in Article 3m(1) and (2) and Article 3n(1) and (4) as summarised in paragraph 15 below. Furthermore, any vessel that does not notify the Irish Coast Guard at least 48 hours in advance of a ship-to-ship transfer to be undertaken with Ireland's Exclusive Economic Zone or within 12 nautical miles from the baseline of Ireland's coast, shall also be refused access to Irish ports and locks.
6. Where a harbourmaster or local authority refuses access to a vessel under paragraph 5, it shall notify the Department of Enterprise, Trade and Employment as the Competent Authority and the Department of Transport for information.
7. In addition to the prohibition outlined under paragraph 5, ports, harbourmasters and local authorities are also directed to refuse access to Irish ports and locks to any vessel which is suspected of illegally interfering with, switching off or otherwise disabling its shipborne automatic identification system at any point of the voyage to an Irish port or lock, when transporting crude oil or petroleum products subject to the prohibitions set out in Article 3m(1) and (2) and Article 3n(1) and (4).

8. The requirements under paragraphs (2), (3), (5) and (7) do not apply in the case of a vessel accessing a port for humanitarian purposes or when in need of assistance seeking a place of refuge, of an emergency port call for reasons of maritime safety, or for saving life at sea.

9. Importers who wish to seek a derogation in line with paragraph (4) for cargo to be shipped aboard:

(a) a vessel registered under the Russian Flag or who reregistered from the Russian Flag after 24 February 2022, or

(b) a vessel flagged in any state where that vessel has been certified by the Russian Maritime Register of Shipping,

should contact the relevant Government Department. The application requirements and contact details for relevant Departments are available through the following link: <https://enterprise.gov.ie/en/Publications/EU-Trade-Sanctions-in-Response-to-Situation-in-Ukraine-.html>. A copy of the form that the importer/ship's agent will need to complete and send to the relevant Department is attached at the Appendix to this notice for ease of reference.

10. Where an application is received for a derogation, the relevant Department will engage with the Competent Authority to determine whether the vessel may be issued with a derogation and will respond directly to the applicant. The Department of Transport will be informed of any derogations provided and will in turn notify the relevant port of details of the vessel granted a derogation.

11. Where a derogation has been provided to an applicant for any vessel registered under the flag of Russia or for a vessel that has been certified by the Russian Maritime Register of Shipping, the agent must contact the Marine Survey Office (MSO) in order to receive a single use code to allow the vessel's details to be entered onto SafeSeasIreland. Such a code will not be issued until written proof of such a derogation issued by the Competent Authority is available to the MSO.

12. Where a vessel contacts the port, harbour or local authority seeking to enter a port or lock for any of the reasons set out in paragraph (4), and the port, harbour or local authority has not been advised of a derogation regarding that vessel, the port, harbour or local authority should direct the vessel to the link above and advise them to contact the appropriate Department for approval.

13. Details of ships, including their flag can be found on the Electronic Quality Shipping Information System, Equasis: www.equasis.org. The Department of Transport will also provide assistance to Ports in identifying such vessels through SafeSeasIreland.

14. Shipowners and vessel operators are reminded of the requirements set out under Article 3j of Council Regulation (EU) 833/2014 where it is prohibited to purchase, import, or transfer, directly or indirectly, coal and other solid fossil fuels as listed in Annex XXII of the Regulation into the Union if they originate in Russia or are exported from Russia. The “purchase” and “transfer” are prohibited irrespective of the final destination, this includes goods that originate in Russia and are exported to a third country. This also applies to the prohibition for “financing and financial assistance” which covers the provision of insurance. Since the transfer/transport of coal to third countries is prohibited, the insurance of such transfer is also prohibited where the insurer is an EU operator. It is irrelevant if that transfer is performed by an EU or a non-EU operator. Further information can be found in the [FAQ](#) produced by the EU Commission.
15. Shipowners and vessel operators are also reminded of the requirements set out under Article 3m of Council Regulation (EU) 833/2014 where it is prohibited to purchase, import or transfer directly or indirectly, crude oil or petroleum products, as listed in Annex XXV of Regulation (EU) 833/2014 if they originate in Russia or are exported from Russia. Under Article 3n, it is also prohibited to provide, directly or indirectly, technical assistance, brokering services, financing or financial assistance or any other services related to this prohibition. Furthermore, under Article 3n the prohibition on technical assistance and financial services also applies in relation to the trade, brokering or transport, including through ship-to-ship transfers, to third countries of crude oil or petroleum products as listed in Annex XXV which originate in Russia, or which have been exported from Russia.
16. There is an exemption to the prohibitions detailed in paragraph 14 related to the trade, brokering and maritime transport to third countries of crude oil or petroleum products, which originate in or are exported from Russia, where those products are purchased at or below a pre-established price cap as set out in Annex XVIII to EU Regulation 833/2014. This exemption applies from 5 December 2022 for crude oil and from 5 February 2023 for petroleum products. It is the responsibility of shipowners and operators to secure an appropriate attestation from customers confirming that the products were purchased at or below the price cap. Such attestations must be retained for a period of five years. Details in relation to applicable timelines in addition to other exemptions are set out in the Regulation. In addition, EU guidance on this matter is available [here](#), which should be consulted to ensure compliance across the supply chain.

Note: Marine Notices are issued purely for maritime safety and navigation reasons and should not be construed as conferring rights or granting permissions.

Irish Maritime Administration,
Department of Transport,
Leeson Lane, Dublin 2, D02 TR60, Ireland.

11/04/2022

Amended 08/01/2024

Encl: Derogation Application Form

For any technical assistance in relation to this Marine Notice, please contact:

The Marine Survey Office, email: MSO@transport.gov.ie

For general enquiries, please contact the Maritime Safety Policy Division, email:

MaritimeSafetyPolicyDivision@transport.gov.ie

Written enquiries concerning Marine Notices should be addressed to:

Dept. of Transport, Maritime Safety Policy Division, Leeson Lane, Dublin 2, D02 TR60, Ireland.

email: MarineNotices@transport.gov.ie or visit us at: www.gov.ie/transport

Request for Derogation under Article 3ea(5) of Council Regulation (EU) No 833/2014 (as amended) concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine

Details of Applicant	
Company Name and Address:	
Contact Details:	

Information on Vessel and Cargo	
NOTES: <ol style="list-style-type: none"> ONLY CARGO SUBJECT TO DEROGATION UNDER ARTICLE 3ea(5) MAY BE OFFLOADED. THE AUTHORISATION, IF GRANTED, IS WITHOUT PREJUDICE TO OTHER SANCTIONS PROVISIONS THAT MAY APPLY. A NATURAL OR LEGAL PERSON WHO CONTRAVENES A PROVISION OF AN EU SANCTIONS REGULATION SHALL BE GUILTY OF AN OFFENCE AND LIABLE TO PROSECUTION. 	
Vessel Name:	
IMO Number:	
Call Sign:	
Type of Ship:	
MMSI Number:	
<p>Details of cargo, including quantities, CN codes, for which derogation is requested under Council Regulation (EU) No 883/2014</p> <p>(Important: Only cargo for which a derogation has been authorised by the Irish Competent Authority will be allowed to be offloaded on arrival at an Irish port. Any other cargo carried on the vessel cannot be unloaded at an Irish Port.)</p>	
<p>Specify derogation being sought under Article 3ea(5)</p> <p>(a), (b), (c) or (d)</p> <p>* see note</p>	
<p>Details of all other cargo on board including appropriate CN codes</p>	
Gross Tonnage:	
Net Tonnage	

Additional Vessel Details	
Proposed Port Arrival:	
Port of Origin:	
Last Port of Call:	
Flag State of Ship and date registered under current flag:	
Proposed Date and Time of Arrival:	
Vessel owner name and address:	
Operating company (ISM) name and address:	
Owning company registration number (if known):	
Name and contact details of agent:	

Alternative vessel options considered
<p>Provide details of measures undertaken to secure a vessel not registered under the flag of Russia, not re-registered from the Russian flag after 24 February 2022, or certified by the Russian Maritime Registry of Shipping to carry the relevant cargo.</p>

Statement of Necessity
<p>In submitting this application, I confirm that, having explored all alternative options as above, there is no feasible alternative at this time to making use of a vessel registered under the flag of Russia, not re-registered from the Russian flag after 24 February 2022, or certified by the Russian Maritime Registry of Shipping for the importation of this cargo.</p>

Declaration
<p>I have carried out all necessary due diligence to confirm that, no natural or legal person, entities or bodies, are directly, or indirectly associated with this transaction, including, but not restricted to, supplier of goods; brokers; agents; vessel owner; lessor and operator, is subject to economic sanctions, under any UN or EU sanctions regime, including but not limited to Article 2 of Council Regulation (EU) No 269/2014 of 17 March 2014 (as amended) concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine.</p> <p>Should it subsequently emerge that the transaction, or any of the parties to the transaction as outlined in the previous paragraph, is subject to economic sanctions under any UN or EU sanctions regime, including but not limited to Council Regulation (EU) 269/2014 (as amended), the Competent Authority reserves the right to suspend or revoke an authorisation granted under the application.</p>
<p><i>To be signed by importer</i></p>

Documentation required	
The following documentation must be submitted along with this form:	
<ol style="list-style-type: none"> 1. Ship's Certificate of Registration 2. Cargo Declaration 	
I make this solemn declaration believing the same to be true:	
<i>To be signed by importer</i>	
Name in Block Capitals:	
Title:	
Signature:	Date:
Capacity of Signatory	
Contact Details:	
Sharing of Data	
By signing this form, you accept that the data provided herein will be shared amongst relevant Government Departments, Agencies and ports.	

Note

* Under Article 3ea(5) of EU Regulation 833/2014 as amended, the Competent Authority may allow a derogation for a sanctioned vessel to access a port after having determined that the access is necessary for:

- a) the purchase, import or transport of natural gas, oil, including refined petroleum products, as well as titanium, aluminium, copper, nickel, palladium and iron ore, as well as certain chemical and iron products as listed in Annex XXIV to the Regulation,
- b) purchase, import or transport of pharmaceutical and medical products, agricultural and food products, including wheat and fertilisers whose import, purchase and transport is permitted under the Regulation,
- c) humanitarian purposes,
- d) transport of nuclear fuel and other goods strictly necessary for the functioning of civil nuclear capabilities,

ANNEX XXII

CN Code	Name of the good
2701	Coal; briquettes, ovoids and similar solid fuels manufactured from coal
2702	Lignite, whether or not agglomerated, excluding jet
2703 00 00	Peat (including peat litter), whether or not agglomerated
2704 00	Coke and semi-coke of coal, of lignite or of peat, whether or not agglomerated; retort carbon
2705 00 00	Coal gas, water gas, producer gas and similar gases, other than petroleum gases and other gaseous hydrocarbons
2706 00 00	Tar distilled from coal, from lignite or from peat, and other mineral tars, whether or not dehydrated or partially distilled, including reconstituted tars
2707	Oils and other products of the distillation of high temperature coal tar; similar products in which the weight of the aromatic constituents exceeds that of the non-aromatic constituents
2708	Pitch and pitch coke, obtained from coal tar or from other mineral tars

ANNEX XXIV

CN code	Name of the good
2810 00 10	Diboron trioxide
2810 00 90	Oxides of boron; boric acids (excluding diboron trioxide)
2812 15 00	Sulphur monochloride
2814 10 00	Anhydrous ammonia
2825 20 00	Lithium oxide and hydroxide
2905 42 00	Pentaerythritol "pentaerythrite"
2909 19 90	Ethers, acyclic and halogen, sulfo, nitro and nitroso derivatives thereof (excluding diethyl ether and tert-butyl ethyl ether (ethyl tertiary butyl ether, etbe))
3006 92 00	Waste pharmaceuticals
3105 30 00	Diammonium hydrogenorthophosphate (excluding those in tablets or similar forms, or in packages with a gross weight of <= 10 kg)
3105 40 00	Ammonium dihydrogenorthophosphate and mixtures thereof with diammonium hydrogenorthophosphate (excluding those in tablets or similar forms, or in packages with a gross weight of <= 10 kg).
3811 19 00	Anti-knock agents for petrol (excluding those based on lead compounds)
ex 7203	Direct reduced iron or other spongy iron
ex 7204	Ferrous scrap