

## **KENYA PORTS AUTHORITY (KPA) AND KENYA REVENUE AUTHORITY (KRA) ON BUNKERING AND SHIP TO SHIP STANDARD OPERATING PROCEDURES (SOP)**

### **Preamble**

Following the Presidential Stakeholders engagement session held with members of the Port Community at the Port of Mombasa on 29<sup>th</sup> July 2023, one of the action points for implementation as a presidential directive was the re-introduction of offshore bunkering and ship-to-ship processes.

Further reference is made to the letter dated 26<sup>th</sup> July 2022 under reference number ***ZZ/TS/GP/30/2022*** from the Cabinet Secretary, The National Treasury and Economic Planning.

### **Introduction**

In cognizance to this, KRA engaged in dialogue with Partner Government Agencies (KPA & KMA), ship agents and bunker suppliers to jointly develop Standard Operating Procedures (SOPs) to actualize these processes, which will accelerate growth of revenue by ensuring compliance.

The multi-agency team held various engagements on 3<sup>rd</sup>, 4<sup>th</sup> and 10<sup>th</sup> August 2023 where the following organizations were represented;

- a. Kenya Revenue Authority
- b. Kenya Ports Authority
- c. Kenya Maritime Authority
- d. M/s Seaforth Shipping Kenya Ltd
- e. M/s Sturrock Shipping (Kenya) Ltd
- f. M/s Nisomar Group (NSM)
- g. M/s Alba Petroleum Ltd
- h. M/s Fossil Supplies Ltd

## **Proposed procedures**

### **1. Bunkering within the Port Precinct**

- **KRA Procedures on Bunkering**

- a. The operator will participate for product allocation (AGO and Fuel Oil) at Vessel Scheduling Meeting (VSM) for incorporation in the import plan.
- b. The product shall be manifested for home consumption with the consignee as the barge operator
- c. When the import vessel arrives, the barge operator to request in writing for authority to transfer the product into the barge with supporting documents to the (KRA) Officer.
- d. The supporting documents will include; Notice of Intention (NOI) with quantities intended to be transferred, Manifest, Bill of Lading, Customs Declaration among other relevant documents
- e. The Officer will consider the application, grant authority where applicable and endorse on the NOI.
- f. Joint initial and final product measurements, flow meter readings, sealing of valves and supervision of the product transfer shall be done both barge and importing vessel.

- **KPA Procedures on Bunkering**

- a. Bunkering Officer receives Notice of intention from the bunkering barge/ supplying ship, duly stamped by KRA and records
- b. Bunkering Officer receives notification from the VTS Station when the Bunkering barge/supplying Ship is ready for bunkering operations
- c. Bunkering Officer assigns the Unit Staff in the shift to attend to bunkering operations
- d. Once on-board the Ship, the bunkering staff together with the vessel masters go through the bunkering safety checklist and any other relevant documentation
- e. Both Ships' ullaging/sounding is jointly carried out by the bunkering staff, Ships' crew and independent surveyors to determine the fuel quantities before bunkering

- f. Bunkering operations commence
- g. Both Ships' ullaging/sounding is jointly carried out by the bunkering staff, Ships' crew and independent surveyors to determine the fuel quantities after bunkering
- h. Joint bunkering report is prepared and signed by all parties involved
- i. Bunkering staff informs the VTS Station upon completion of bunkering operations

## **2. Ship to Ship Transshipment of Cargo (Petroleum Oil, Chemicals, Ethanol, LPG and Vegetable Oil)**

### **• KRA Procedures on of Ship to Ship**

- a. Mother ship to clearly manifest the cargo for transshipment
- b. Upon arrival, all parties to confirm quantities on board and agree on discharge instructions
- c. KPA and KRA to supervise the process of confirming the quantities transhipped and the Remaining-On-Board (ROB) quantities
- d. Ship Agents to lodge transshipment documents for cargo destined to foreign
- e. Cargo meant for home use to be declared as per procedure

### **• KPA Procedure on Ship to Ship**

- a. Bunkering Officer receives notification of intentions from agents
- b. Bunkering personnel record the notification
- c. Bunkering gets notified from control tower when the ships are available for the transfers
- d. Bunkering unit avails personnel in the shift to attend to the exercise
- e. Once on-board the ship the bunkering officer together with the vessel master go through the safety checklist and any other necessary documentation
- f. Bunkering commences once the hose connections is completed and capacities of amount on-board determined through ullage/sounding in mother ship and daughter ship
- g. Mother ship avails samples through continuous sampling.

- h. Upon successful completion, the team terminate the operation and informs control tower

### **3. Off - shore Bunkering**

- **KRA Procedure for Off-shore Bunkering**

- a. When the barge operator needs to supply a vessel off - shore, he shall request in writing for authority to supply the product into the calling vessel with supporting documents to the KRA Officer.
- b. The supporting documents include the NOI with quantities intended to be supplied and Customs Declaration among other relevant documents
- c. The Officer will consider the application, grant authority where applicable and endorse on the NOI
- d. Before departing from the port, joint initial product measurements, flow meter readings and sealing of valves shall be done on the barge
- e. The barge to get clearance to sail offshore
- f. KPA and KRA to monitor the barge and vessel movements offshore through modern technology and physical supervision when necessary
- g. Upon arrival at the port after completion of supply, confirmation of seals, joint final product measurements, flow meter readings and re-sealing of valves shall be done
- h. Barge operator to avail certificate of quantity/Delivery note endorsed by receiving vessel-confirming quantities supplied
- i. Barge operator lodges export entry with quantity supplied and presents it for processing to the KRA officer.

- **KPA Procedure on Off-shore bunkering**

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- b. Bunkering personnel record the notification
- c. Bunkering gets notified from control tower when the ships are available for the transfers
- d. Bunkering unit avails personnel in the shift to attend to the exercise

- e. Once on-board the ship the bunkering officer together with the vessel master go through the safety checklist and any other necessary documentation
- f. Bunkering commences once the hose connections is completed and capacities of amount on-board determined through ullage/sounding in mother ship and daughter ship
- g. Mother ship avails samples through continuous sampling.
- h. Upon successful completion, the team terminate the operation and informs control tower

### **Key Control Measures**

- i. All barges shall be inspected by Kenya Maritime Authority (KMA) for issuance of seaworthiness certificate
- ii. KPA to roll out Ship Inspection Report programme (SIRE) inspection for the tankers and barges
- iii. All barges shall install Automatic Identification System (AIS) and shall be switched on all the time
- iv. KRA, KPA and KMA to enhance capacity for monitoring AIS (Example - Subscribe to Fleetmon)
- v. KPA surveyors' outturn reports will be used
- vi. Offshore bunkering physical supervision to be done by multi-agency (KPA, KRA & Kenya Coast Guard Services) when necessary
- vii. Shipping lines to join Vessel Scheduling Meeting (VSM)
- viii. KPA to liaise with KPC on ship-to-ship transfers at KOT II
- ix. Shipping lines to engage KPA on introduction of bigger vessels for transshipment at Lamu Ports