

### **Article 3.03**

#### *Levy of the disposal charge*

*Amended by Resolution 2015-I-3*

- (1) The disposal charge for the first year shall be 7.5 euros (plus VAT) per 1000 litres of gas oil supplied. The volume of gas oil sold is the volume at 15°C.
- (2) The party liable for paying the disposal charge is the vessel operator.
- (3) The disposal charge shall be due when bunkering. As a transaction amount it must be in proportion to the quantity of gas oil dispensed.
- (4) The disposal charge is paid using the SPE-CDNI. The SPE-CDNI is operated by the national institutions.
- (5) The disposal charge payment process using the SPE-CDNI is based on the principle whereby the vessel operator pays an appropriate amount to a national institution, which will be used to pay for future outstanding disposal charges. The process comprises the following elements:
  - a) the opening of an ECO account by the vessel operator or his agent with the national institution of his choice;
  - b) the issuing by this national institution of one or a number of ECO cards providing access to the ECO account participating in the charge transaction;
  - c) the remittance by the vessel operator or his agent to the bank account of the national institution in question in favour of the relevant ECO account of a sufficient amount to pay the disposal charge;
  - d) the debiting of the disposal charge from the relevant ECO account when bunkering using an ECO card and the processing of the transaction by means of a mobile electronic terminal by the bunkering station. To this end, the boatmaster presents the ECO card to the bunkering station during the bunkering process.
- (6) In derogation to paragraph 4 the vessel operator shall pay the disposal charge by means of a written process in the following instances:
  - a) the SPE-CDNI is defective or out of operation;
  - b) the boatmaster fails to present an ECO card or the ECO card presented is invalid;
  - c) there is insufficient credit on the ECO account.
- (7) In the cases specified in paragraph 6, the bunkering station shall, within a period not exceeding seven calendar days, furnish the national institution of the country in which the bunkering has taken place with the information required to pay the disposal charge pertaining to the corresponding supply of gas oil. The national institution shall take the required measures to levy the outstanding charges. If required, it may assign the process to one of the other national institutions.

- (8) For transactions falling under (6)(b) and (c), the vessel operator shall be required to pay administrative charges to the creditor national institution; the amount of these charges shall be determined by the International Clearance and Coordination Body for all the Contracting Parties on a consistent basis.
- (9) In individual cases in which, from these national institutions' perspective, it is inappropriate to apply the process according to paragraphs 4 and 5 as regards convenience of payment, a national institution may enact individual exceptional regulations in relation to the supply of gas oil and the payment of the disposal charge. These exceptional regulations, which are to be notified to the International Clearance and Coordination Body, must otherwise comply with the provisions of this chapter.
- (10) The methods for this procedure are to be determined at the national level after coordination within the International Clearance and Coordination Body.