



Turkey – a case of undeclared bunker

Undeclared/excess bunkers can be considered a criminal act by Turkish customs officials with the ship's crew being accused of smuggling.

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A Member's ship was recently held in a Turkish port when customs officials identified a discrepancy between the declared and the actual figures of fuel oil remaining onboard. Upon arrival at the Turkish port, customs officials boarded the ship to search for illegal and prohibited goods and, since the bunkers onboard is also within the scope of such searches, took soundings of the fuel oil tanks to check the accuracy of the declared fuel oil figures. As the sounding figures indicated a possible excess (undeclared) fuel oil in the ship's tanks, an independent bunker survey was arranged. Subsequent calculations revealed that the ship did carry an excess of approximately 85 tonnes against the declared quantity of fuel oil.

At the time of writing, the Turkish authorities have issued a "confiscation order" and demanded the ship discharge the excess fuel oil. In addition, the Master has been brought onshore to provide a statement. Turkish authorities, under its Anti-Smuggling Law No. 5607, can consider a discrepancy between the declared figures and the figures established by a bunker survey as an act of smuggling of petroleum products. This can lead to criminal proceedings being brought against the Master and other members of the crew.

Recommendations

While the case described above has not yet been settled, its course of events is reportedly not uncommon. According to our local correspondents in Turkey, the trend of unannounced customs inspections, including scrutiny of the fuel oil remaining onboard, has increased in the recent months. Masters of ships calling Turkish ports are therefore advised to be particularly vigilant and attentive when filling in the customs declaration. Specifically, the fuel oil remaining onboard must be carefully calculated and measured before being declared to Turkish customs. It is also important that all relevant crew members are made aware that undeclared bunkers is an issue in Turkish ports and that a discrepancy between the declared figures and the figures established by a bunker survey can bring about serious consequences for the crew.

For additional information and advice, please refer to the following information received from our Turkish correspondents:

- *Declaration of bunker figures on board vessels in Turkish ports*
by Vitsan Mümessillik ve Musavirlik A.S.

- *Turkey – enforcement for excess bunker quantities*
by Kalimbassieris Maritime Denizcilik A.S.

We are also grateful to our correspondent Vitsan Mümessillik ve Musavirlik A.S. for their assistance in preparing this alert.

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