



Kiribati Ship Registry

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MARINE CIRCULAR 35/2016

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TO : Ship Owners, Ship Managers, Ship Operators, Charterers, Ship Masters, Classification Societies and the Shipping Community

SUBJECT : Ballast Water Management Convention

PURPOSE

This Circular serves to notify all parties concerned of the entry into force on 8 September 2017 of the Ballast Water Management Convention (BWMC), the requirements and schedule of compliance.

APPLICATION

This Circular applies to all Kiribati flagged ships operating in the aquatic environment, and includes submersibles, floating craft, floating platforms, floating storage units (FSUs) and floating production, storage and offloading (FPSO) units.

The BWMC shall not apply to:

- (i) ships not designed or constructed to carry ballast water;
- (ii) ships operating within Kiribati waters, subject to prior Administration approval;
- (iii) ships operating only in waters under jurisdiction of another Party under the latter party's authorization;
- (iv) ships operating in waters under the jurisdiction of one Party and on the high seas, except for ships not granted an authorization pursuant to above paragraph (iii), unless such Party determines that the discharge of ballast water from such ships, would impair or damage their environment, human health, property or resources, or those of adjacent other States;
- (v) any warships, naval auxiliary or other ships owned or operated by a State and used only on government non-commercial service; and
- (vi) permanent ballast water in sealed tanks on ships that is not subject to discharge.

CONTENT

1. General Requirements

1.1. Upon entry into force of the BWMC on 8 September 2017, ships are required to be provided with:

- 1.1.1. a ship-specific BWM Plan approved by the Recognized Organization (RO) on behalf of this Administration (Regulation B-1);
- 1.1.2. a Ballast Water Record Book on board (Regulation B-2);
- 1.1.3. a system to manage the ship's ballast water on every voyage by either performing ballast water exchange in accordance with Regulation D-1, or treating it using an approved ballast water treatment system in accordance with Regulation D-2 (Regulation B-3 and IMO Resolution A.1088(28)); and
- 1.1.4. an International Ballast Water Management Certificate (IBWMC).

- 1.2. The Convention specifies two standards for the discharge of ballast water. The standard stipulated in Regulation D-1 covers ballast water exchange, while the standard in Regulation D-2 covers performance standard for ballast water treatment using a type-approved BWM system.

For existing ships constructed before 8 September 2017, either D-1 or D-2 standard can be implemented upon entry into force. Upon entry into force, existing ships will be required to comply with at least Regulation D-1 during the transitional period from entry into force to the International Oil Pollution Prevention Certificate (IOPPC) Renewal Survey, but ultimately by the vessel's first IOPPC Renewal Survey after 8 September 2017, all ships must comply with Regulation D-2.

New ships constructed on or after 8 September 2017 must comply with Regulation D-2.

- 1.3. Table summarizing implementation scheme as per IMO Resolution A.1088(28):

Keel Laid	Compliance of Regulation		Compliance Date with respect to IOPPC
	On or after 8 Sep 2017	By First IOPPC Renewal Survey after 8 Sep 2017	
Before 8 September 2017	D-1 or D-2	D-2	First Renewal Survey after 8 Sep 2017
On or after 8 September 2017	D-2	D-2	At Delivery

2. Survey and Certification Requirements

- 2.1. Ships of 400 gross tonnage and above to which this Convention applies, excluding floating platforms, FSUs and FPSOs, shall be subjected to the survey and certification referred to in Article 7 of BWMC and as specified in regulations under Annex Section E of BWMC.
- 2.2. Notwithstanding the above paragraph 2.1, Mobile Offshore Units (MOUs) should comply with the provisions of the Convention and should be surveyed and issued with an IBWMC, according to Regulations E-1 and E-2 of the Convention, as applicable.
- 2.3. Applicable ships shall undertake an initial survey and be issued with an IBWMC.
- 2.4. Marine Environment Protection Committee (MEPC) Circular BWM.2/Circ.40 dated 8 October 2012, provides for the early issuance of an IBWMC prior to 8 September 2017, provided the certificate is annotated to state that the validity begins from 8 September 2017, combined with a Statement issued to the Company when the BWM Plan was received thereby allowing the vessel to trade for three months with an unapproved BWM Plan on board. Similarly, BWM Plan approved in accordance with IMO Resolution A.868 (20) should remain valid until the Plan requires revision due to the installation of a BWM system.
- 2.5. Ballast Water Management systems must be approved by the RO on behalf of this Administration in accordance with IMO Guidelines (Regulation D-3 Approval requirements for Ballast Water Management systems and IMO Resolution MEPC.174(58) Guidelines for approval of BWM system (G8)).

3. De-coupling of IOPP Renewal Survey

- 3.1. In view that neither the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 (MARPOL), nor the survey guidelines under the Harmonized System of Survey and Certification (HSSC) forbid carrying out renewal surveys in advance, this Administration has no objection for vessels that wish to decouple the IOPP renewal survey and carry it out before 8th September 2017 so as to have more time for compliance to the D-2 performance standard.
- 3.2. This Administration shall, on a case-to-case basis, authorize the de-coupling of the IOPP renewal survey and issuance of a new IOPPC for vessels who wish to carry this out before 8th September 2017.
- 3.3. Ship owners/operators should submit requests for the above to this Administration to technical@kiribaship.com
- 3.4. No special authorization is required from this Administration if the vessel wishes to the advance completion of ALL statutory renewal surveys before 8th September 2017.

4. Exemptions (Regulation A-4)

On a case-by-case basis, the Administration may grant exemptions from the BWMC requirements to ships operating in waters under the jurisdiction of Kiribati and that are:

- 4.1. engaged on a voyage or voyages between specified ports or locations;
- 4.2. operating exclusively between specified ports or locations; and
- 4.3. that do not mix ballast water or sediments other than between the ports or locations specified in paragraphs 4.1 and 4.2.

5. Type-Approved BWM Systems

- 5.1. As of April 2016, it was reported that 65 BWM systems have been type-approved to comply with D-2 standards.
- 5.2. For an IMO list of type-approved BWM systems, please refer to MEPC Circular BWM.2/Circ.34/Rev.4 or as updated.

6. Conclusion

- 6.1. Ship owners/operators are urged to approach the vessel's RO for assistance to commence preparing for compliance with BWMC.
- 6.2. The following considerations are suggested:
 - 6.2.1. identify the due date of IOPPC Renewal Surveys and arrange the implementation schedule, survey and certification for the vessels.
 - 6.2.2. contact BWM system vendors to request information on models of BWM systems;
 - 6.2.3. refer to IMO website for update on status of IMO type-approved BWM systems; and
 - 6.2.4. identify BWM system that is suitable for the vessel's design and operation.

Yours sincerely,

Deputy Registrar
Kiribati Ship Registry