

MARINE ENVIRONMENT PROTECTION  
COMMITTEE  
71st session  
Agenda item 4

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**HARMFUL AQUATIC ORGANISMS IN BALLAST WATER**

**Completion of the International Ballast Water Management Certificate**

**Submitted by IACS**

**SUMMARY**

*Executive summary:* This document discusses and provides a draft unified interpretation on how the International Ballast Water Management Certificate should be completed

*Strategic direction:* 1

*High-level action:* 1.1.2

*Output:* 1.1.2.3

*Action to be taken:* Paragraph 10

*Related documents:* MEPC 70/WP.5 and MEPC 70/18

**Introduction**

1 It is expected that when the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004 (BWM Convention), enters into force on 8 September 2017, ships will be expected to carry an International Ballast Water Management Certificate (certificate) as required by regulation E-2 of the Convention.

2 The following information regarding "Details of Ballast Water Management Method(s) Used" is to be provided on the certificate:

"Method of Ballast Water Management used .....

Date installed (if applicable) .....

Name of manufacturer (if applicable) ....."

## Background

3 During the Intersessional Working Group on the Review of Guidelines (G8) that met prior to MEPC 70, it was recognized that there could be ballast water management systems (BWMS) that are delivered onboard a ship, but not commissioned in accordance with section 8 of resolution MEPC.174(58) or resolution MEPC.279(70).

4 In the plenary consideration of the report of the Intersessional Working Group (MEPC 70/WP.5), the Committee noted, inter alia, that, with regard to the draft MEPC resolution on the adoption of the 2016 Guidelines (G8), the words "to be installed" could be interpreted in different ways. The Committee instructed the Ballast Water Review Group (BWRG) to take account of this comment in its review of the draft MEPC resolution on adoption of the 2016 Guidelines (G8). The Committee subsequently agreed to the insertion of operative paragraph 6 of resolution MEPC.279(70) on *2016 Guidelines for approval of ballast water management systems (G8)*, which states:

"6 AGREES that, for the purpose of operative paragraphs 4 and 5 of this resolution, the word "installed" means the contractual date of delivery of the ballast water management system to the ship. In the absence of such a date, the word "installed" means the actual date of delivery of the ballast water management system to the ship;"

## Discussion

5 IACS considers that the meaning of the term "installed" as understood in terms of completing the certificate (see paragraph 2 above) and as understood "for the purpose of" applying the 2016 Guidelines (G8) (see above paragraph 4), are different.

6 It is understood that once the BWMS is installed on board and commissioned, it is expected that verification in terms of the initial survey will be undertaken in accordance with the "(BI)" requirements of BWM.2/Circ.7, including:

"(BI) 1.1.2.17 confirming that if applicable the ballast water management recording device(s) are operable and that there is a sufficient supply of consumables for the recording device(s) on board (regulation D-3/note, this survey requirement is relevant only when the performance standard according to regulation D-2 is applicable);

(BI) 1.1.2.18 confirming the satisfactory installation and operation of the ballast water management system, including any audible or visual alarms (regulation D-3/note, this survey requirement is relevant only when the performance standard according to regulation D-2 is applicable);"

7 This poses a challenge if the date that the BWMS was "installed", as understood in accordance with paragraph 4 above, is inserted on the certificate.

8 However, if the commissioning date is used on the certificate, a BWMS meeting section 8 of the Guidelines (G8) (resolution MEPC.174(58) or resolution MEPC.279(70), as applicable) may be seen to have been installed after the deadline (28 October 2020) as understood by applying operative paragraph 6 of resolution MEPC.279(70).

### **Proposal**

9 IACS has developed a draft unified interpretation to clarify the above issues as shown in the annex to this document.

### **Action requested of the Committee**

10 The Committee is invited to consider the comments and analysis provided above and the draft unified interpretation as provided in the annex to this document and take action as appropriate.

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**ANNEX**

**DRAFT BWM CIRCULAR**

**"Date installed" in relation to "Method of Ballast Water Management used" in the International Ballast Water Management Certificate**

1 The Marine Environment Protection Committee, at its seventy-first session (3 to 7 July 2017), approved a unified interpretation regarding the term "Date installed" in the International Ballast Water Management Certificate, as set out in the annex.

2 Member Governments are invited to bring this circular to the attention of all parties concerned.

**ANNEX**

**"Date installed" in relation to "Method of Ballast Water Management used" in the appendix to the international ballast water management certificate**

1 For the purpose of completing the International Ballast Water Management Certificate (certificate), the date when commissioning takes place in accordance with section 8 of the Guidelines (G8) (MEPC.174(58) or MEPC.279(70), as applicable) should be used.

2 Notwithstanding the above, it should be noted that the deadline for installing a ballast water management system as per resolution MEPC.279(70) on the *2016 Guidelines for approval of ballast water management systems* (G8) are provided in the resolution as follows:

"6 AGREES that, for the purpose of operative paragraphs 4 and 5 of this resolution, the word "installed" means the contractual date of delivery of the ballast water management system to the ship. In the absence of such a date, the word "installed" means the actual date of delivery of the ballast water management system to the ship;"

3 Consequently, two dates, i.e. the contractual date of delivery and the date following commissioning and operation in relation to installing a ballast water management system may exist.

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