



Merchant Shipping Directorate



IMPLEMENTATION OF THE INTERNATIONAL BALLAST WATER MANAGEMENT CONVENTION

Merchant Shipping Notice 138

*Notice to Shipowners, Ship Operators, Managers, Masters,
Owners' Representatives and Recognised Organisations*

The Merchant Shipping Directorate would like to inform all those concerned that Malta ratified the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004 (Convention). The Convention was transposed into the Laws of Malta through the Merchant Shipping (Ballast Water Management Convention) Regulations, 2017.

Upon entry into force of the Convention and of the Merchant Shipping (Ballast Water Management) Regulations, 2017, as from the 8 September 2017, all Maltese ships engaged on international voyages falling under the scope of the Convention shall comply with the provisions of the Convention and the said Regulations.

Maltese ships to which the Convention applies shall manage their ballast water and sediments to a certain standard and according to an approved ship-specific Ballast Water Management Plan (BWM Plan). The BWM Plan should at least contain the elements specified in regulation B-1 of the Convention and be developed in line with the Guidelines for Ballast Water Management and Development of Ballast Water Management Plans (G4).

Recalling IMO Circular BWM.2/Circ.40 on Issuance of Ballast Water Management Certificates prior to entry into force of the BWM Convention and Ballast Water Management Plans approved according to the previous Resolution A.868 (20), this Administration would like to reaffirm its intention to apply the solutions contained therein so as to facilitate the fair and consistent implementation of the Convention.

In view of the impracticability related to excessive workload, BWM.2/Circ.40 provides the possibility for vessels to trade with an unapproved BWM Plan on board for up to three months after the entry into force of the Convention combined though with a statement issued to the Company when the BWM Plan has been received for approval. Notwithstanding the above, ship-owners are encouraged to submit BWM Plans for approval, as soon as possible. Furthermore, any BWM Plans, approved in accordance with the previous Resolution A.868 (20) or the latest Resolution MEPC.127 (53), should remain valid until the BWM plan requires revision due to the installation of a Ballast Water Management System (BWMS) in accordance with the revised B3 regulation.

As from 8 September 2017, ships to which regulation E-1 of the Convention applies should carry on board an International Ballast Water Management Certificate in the form provided in Appendix I to the Convention, valid for five years subject to annual, intermediate and renewal surveys and issued after a successful completion of an initial survey. Any Statement/Document

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Transport Malta is the Authority for Transport in Malta set up by Act XV of 2009



of Compliance issued prior to the entry into force of the Convention shall be administratively replaced with an International Ballast Water Management Certificate.

In addition, ships to which the Convention applies shall have on board a Ballast Water Record Book in accordance with regulation B-2 which shall at least contain the information specified in Appendix II to the Convention.

The compliance dates with the Ballast Water Exchange Standard of regulation D-1 and the Ballast Water Performance Standard of regulation D-2 are determined in regulation B-3 of the Convention and the Draft MEPC resolution on implementation of the BWM Convention MEPC 71/WP.11/Rev.1, superseding IMO Resolution A.1088(28).

Existing ships shall comply with the D-2 standard upon completion of:

1) the first renewal survey of the International Oil Pollution Prevention (IOPP) Certificate pursuant to MARPOL, Annex I on or after the 8 September 2017, providing that this survey takes place on or after 8 September 2019, or that the vessel has undertaken the said survey on or after 8 September 2014 but prior to 8 September 2017 or ;

2) the second IOPP renewal survey on or after 8 September 2017, providing that the first IOPP renewal survey on or after 8 September 2017 takes place before 8 September 2019, and the vessel has not undertaken an IOPP renewal survey on or after 8 September 2014 but prior to 8 September 2017.

Ships constructed before 8 September 2017 to which the renewal survey does not apply, shall comply with the D-2 standard not later than 8 September 2024.

Ships constructed on or after 8 September 2017, shall comply with the D-2 standard upon completion date of build.

Ships using a BWMS shall carry on board a Type Approval certificate, in line with the applicable Guidelines for Approval of Ballast Water Management Systems (G8). BWMSs used on Maltese ships should have been Type Approved in accordance with the procedures contained in the IMO Guidelines Resolution MEPC.174 (58) or MEPC.279(70), as applicable, i.e. Procedure for approval of ballast water management system (G8) and MEPC.169 (57) - Procedure for approval of ballast water management systems that make use of Active Substances (G9).

The Merchant Shipping (Ballast Water Management) Regulations, 2017, may be downloaded from: <http://justiceservices.gov.mt/DownloadDocument.aspx?app=lp&itemid=28635&l=1>

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