



# REPUBLIC OF THE MARSHALL ISLANDS

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## TECHNICAL CIRCULAR

**Circular Number: 25      Revision: 0      Page: 1 of 3      Date: 30 December 2016**

### **Ballast Water Management (BWM) Convention**

#### **1.0 Introduction**

1.1 This Technical Circular is to promulgate the Republic of the Marshall Islands (RMI) Maritime Administrator (the “Administrator”) policies on the BWM Convention specifically with respect to:

- .1 survey and certification of:
  - a. ships less than 400 gross tonnage pursuant to Regulation E-1 paragraph 2;
  - b. floating platforms, Floating Storage Units (FSUs), and Floating Production, Storage and Offloading (FPSO) Units; and
  - c. classed and unclassified pleasure craft of any size;
- .2 the early renewal survey of the International Oil Pollution Prevention (IOPP) Certificate and decoupling of this from other statutory surveys and certificates which are covered in IMO Assembly Resolution [A.883\(21\)](#), *Global and Uniform Implementation of the Harmonized System of Survey and Certification (HSSC)*, in light of IMO Assembly Resolution [A.1088\(28\)](#) containing a reference to the IOPP renewal survey; and
- .3 issuance of the International Ballast Water Management (IBWM) Certificate prior to entry into force of the Convention on 08 September 2017.

1.2 See also RMI Marine Guideline, [2-14-1](#), *Ballast Water Management*.

#### **2.0 Survey and certification**

2.1 *Vessels less than 400 gross tonnage*

In accordance with BWM Convention Regulation E-1, Regulation 2, the Administrator had determined that all vessels less than 400 gross tonnage shall be surveyed and certified.

- .1 Compliance with the requirements for pleasure craft shall be assessed on a case-by-case basis in consultation with the Administrator, taking into consideration IMO Resolution [MEPC.123\(53\)](#), *Guidelines for Ballast Water Management Equivalent Compliance (G3)*, as appropriate.

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- .2 Survey and certification of offshore support vessels shall generally follow section E of the BWM Convention, taking into consideration IMO Circulars [BWM.2/Circ.44](#), *Options for ballast water management for Offshore Support Vessels in accordance with the BWM Convention* and [BWM.2/Circ.52](#), *Guidance on entry or re-entry of ships into exclusive operation within waters under the jurisdiction of a single Party*.
- .3 Vessels that are not pleasure craft or support vessels may also apply the optional methods of compliance laid out in BWM .2/Circ.44 and shall undergo survey and certification generally following section E of the BWM Convention accordingly.

### 2.2 *Floating platforms, FSUs, and FPSO Units*

- .1 Floating platforms, FSUs and FPSOs are included within the BWM Convention's definition of a ship. Therefore, like other ships, they will require an IBWM Certificate after successful survey in accordance with Convention Regulations E-1 and E-2, as applicable, unless they are covered by the exclusions, exemptions, exceptions, or equivalencies set out respectively in Article 3 – *Application* (paragraph 2), Regulation A-3 - *Exceptions* (paragraph 4 and 5), Regulation A-4 – *Exemptions* and Regulation A-5 - *Equivalent compliance*.
- .2 Floating platforms, FSUs and FPSOs may not need ongoing certification because they operate in a single location. BWM.2/Circ.52 should be considered with the re/positioning and dry-docking voyages of these ship types.

### 2.3 *Classed and Unclassed Pleasure Craft of any Size*

- .1 Classed pleasure craft to which the convention applies must be surveyed and certified by a Classification Society. Unclassed pleasure craft of any size to which the BWM Convention applies must be surveyed and certified by an Appointed Representative (AR).

2.4 The Administrator's policy is that, regardless of gross tonnage, if the ship requires an IBWM Certificate then this may only be issued after a survey has been satisfactorily completed. For additional guidance see also IMO Circular [BWM.2/Circ.7](#), *Interim Survey Guidelines for the purpose of the International Convention for the Control and Management of Ships' Ballast Water and Sediments under the Harmonized System of Survey and Certification*.

2.5 Recognized Organization (ROs) are to note that some ships, such as Mobile Offshore Units (MOUs), including Mobile Offshore Drilling Units (MODUs), may not need ongoing certification because they operate in a single location. See IMO Circular [BWM.2/Circ.52](#), *Guidance on entry or re-entry of ships into exclusive operation within waters under the jurisdiction of a single Party*, should be applied for these ship types.

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### **3.0 IOPP Renewal Survey**

- 3.1 The Administrator allows for early renewal and decoupling of the IOPP renewal survey from other statutory surveys and certificates covered in IMO Assembly Resolution [A.883\(21\)](#). No special authorization from the Administrator is required to carry out an early IOPP renewal survey, or to issue the new certificate.
- 3.2 In line with International Convention of the Prevention of Pollution from Ships (MARPOL) I regulation 10, paragraph 7, the Administrator authorizes ROs to issue certificates that are not dated from the date of expiry of the existing certificate. In all cases, the new certificate shall be valid to a date not exceeding five (5) years from the date of completion of the renewal survey.
- 3.3 In cases of early renewal of the IOPP Certificate, ROs are instructed to:
- .1 follow IMO Assembly Resolution [A.1104\(29\)](#), *Survey Guidelines Under the Harmonized System of Survey and Certification (HSSC), 2015*, and in particular, Annex 3, Section 1 which contains the detailed requirements for MARPOL Annex 1 surveys; and
  - .2 apply MARPOL I, regulations 9 (*Form of certificate*) and 10 (*Duration and validity of certificate*).
- 3.4 The IOPP certificate expiry date can be recoupled with other certificates by performing a further renewal survey and assigning a validity date to the new certificate which aligns with the other certificates. In all cases, the new certificate shall be valid to a date not exceeding five (5) years from the date of completion of the IOPP renewal survey.
- 3.5 In order for the IOPP renewal survey to not trigger BWM Convention D-2 compliance, then the renewal survey must be completed before 08 September 2017.

### **4.0 Issuance of the IBWM Certificate Prior to 08 September 2017**

- 4.1 Noting that the BWM Convention is set to enter into force on 08 September 2017, ROs are instructed, upon satisfactory completion of the required survey, to issue an IBWM Certificate, taking into account the provisions of IMO Circular [BWM.2/Circ.40](#), *Issuance of Ballast Water Management Certificates prior to entry into force of the BWM Convention and Ballast Water Management Plans approved according to Resolution A.868(20)*.
- 4.2 The validity of such certificates shall commence upon the date of entry into force and remain valid for a period not exceeding five (5) years, subject to successful completion of the required periodical surveys.