



REPUBLIC OF CROATIA
**Ministry of the Sea, Transport
and Infrastructure**
Maritime Safety Directorate



CLASS: 342-01/17-03/01
REG NO: 530-04-1-1-17-2
Zagreb, 31 August 2017

Ref. Code: CIRC-MMPI-006, Rev.1

Title: Entry into force of the International Convention for the Control and Management of Ship's Ballast Water and Sediments, 2004 (BWM Convention)

Subject: Implementation of the BWM Convention

Reference: IMO documents: BWM/CONF/36, BWM.2/Circ.40, Res. MEPC.123(53), MEPC 71/WP.11/Rev.1

1. General

The purpose of this circular is to inform all interested parties about the intentions of the Ministry of the Sea, Transport and Infrastructure (MSTI) with respect to implementation of the BWM Convention when it comes into force.

Croatia ratified this Convention on 29 June 2010. The Convention will enter into force on 8 September 2017.

All ships on international voyages of 400 GT and above to which this Convention applies, have to carry an International Ballast Water Management Certificate (IBWM Certificate).

2. Application

2.1 Ships means a vessel of any type whatsoever operating in the aquatic environment, including submersibles, floating craft, floating platforms, floating storage units (FSUs) and floating production, storage and offloading (FPSOs) units.

2.2 The BWM Convention does not apply to:

- ships not designed or constructed to carry ballast water;
- ships engaged in voyages exclusively within waters under the jurisdiction of the Republic of Croatia;
- ships that only operate in waters under the jurisdiction of one Party and on high seas, subject to a written authorization of that Party for such exclusion;
- warships, naval auxiliary or other ships owned or operated by a State provided they are used only on government non-commercial service;
- ships with permanent ballast water in sealed tanks and therefore not subject to discharge at any time.

- 2.3 Regulation A-5 on equivalent compliance allows a simplified application of the BWM Convention for pleasure craft (craft for own use and commercial craft), used solely for recreation or competition or craft used primarily for search and rescue, less than 50 m in length overall (overall length means the length of the hull excluding bowsprits, booms, bumpkins, pulpits, etc.), and with a maximum ballast water capacity of 8 cubic meters, providing that uptake and discharge of ballast water are in compliance with Res. MEPC.123(53), *Guidelines for ballast water management equivalent compliance (G3)*.

3. Implementation dates

The Marine Environment Protection Committee of the IMO, at its 71st meeting (MEPC 71), reached a compromise on the implementation dates for Ballast Water Treatment System according to discharge standard D-2 of the Ballast Water Management Convention (MEPC 71/WP.11/Rev.1).

The renewal survey is the renewal survey for the ship associated with the International Oil Pollution Prevention Certificate (IOPP, as previously agreed by the Assembly in resolution A.1088(28)).

- 3.1 New ships to which the Convention applies, with a keel laying date on or after 8 September 2017, shall comply with the discharge standard D-2 on delivery.
- 3.2 Existing ships to which the Convention applies, with a keel laying date before 8 September 2017, shall comply with the discharge standard D-2 by the dates outlined below:
- 3.2.1 Where a ship has completed an IOPP renewal survey prior to 8 September 2014 and the IOPP renewal survey has not been de-harmonized, compliance with the D-2 standard shall be demonstrated by not later than the second scheduled IOPP renewal survey after 8 September 2014, but in any case, prior to 8 September 2024.
- 3.2.2 Where a ship has completed either a scheduled or de-harmonized IOPP renewal survey on or after 8 September 2014, but prior to 8 September 2017, compliance with the D-2 standard shall be demonstrated by the first scheduled or de-harmonized IOPP renewal survey after 8 September 2017.
- 3.3 In case of a ship with keel laying date between 8 September 2014 and 8 September 2017, the initial IOPP survey shall be considered as an IOPP renewal survey for the application of the provisions of paragraphs 3.2.1 and 3.2.2 above.
- 3.4 A ship to which the BWM Convention applies (see 2.1 above) that is not required to have an IOPP Certificate shall comply with the discharge standard D-2 by not later than 8 September 2024.

4. De-harmonization of the IOPP Certificate from the harmonized survey and certification scheme

As many doubts have been expressed by various related parties regarding the performance, availability of BWTSSs, available resource for installation (i.e. dry docks), the MSTI will allow the companies to de-harmonize the IOPP Certificate from the harmonized survey and certification scheme (Res.A.1104(29) - HSSC Guidelines).

Until entry into force of the BWM Convention the IOPP Certificates may be renewed before their regular renewal time window in order to have more time for retrofitting a BWTS during 5-year validity of the new IOPP.

5. IOPP renewal surveys

- 5.1** Where the IOPP renewal survey is completed early and de-harmonized with the remaining renewal surveys, it is recommended that the IOPP renewal be re-harmonized with the remaining renewal surveys not later than their expiry dates after expiration of de-harmonized IOPP Certificate.
- 5.2** Where renewal surveys are completed more than 3 months before the expiry date of the existing statutory certificates, the new statutory certificates shall be valid for 5 years and harmonized with the date of completion of the last renewal survey to be completed.
- 5.3** In all cases where the company wishes to complete the IOPP renewal survey early, the Recognised Organisation (RO) shall advise the MSTI, who will decide as appropriate.

6. Required measures when D-1 standard is applied

In the transitional period from 8 September 2017 until the renewal survey described in paragraph 3, all ships from 400 GT and above have to fulfil D-1 Ballast Water exchange standard confirmed by the International BWM Certificate, after which time they shall meet the standard described in regulation D-2.

For the exchange of ballast water in deep seas during voyages between ports the following is necessary:

- approved Ballast Water Management Plan for the exchange of ballast water
- documentation of the ballast water exchange in the Ballast Water Record Book
- initial survey for ballast water exchange on board.

Until the agreement between the Republic of Croatia and the Italian Republic regarding the exemption from the BWM Convention will have been achieved, Croatian ships on voyages to and from Italian Republic should maintain the current ballast management practice.

7. Required measures when D-2 standard is applied

After the renewal survey described in paragraph 3 the ship shall meet the standard described in regulation D-2. The ballast water on board has to be treated by an approved BWTS. Existing ships, which do not yet have such an installation, will have to fit the installation (retrofit). In addition the following is necessary:

- approved BWM Plan modified for the treatment on board
- approved technical documentation for a BWTS installation
- BWTS Operation Manual
- documentation of the ballast water treatment in the Ballast Water Record Book
- initial survey for ballast water treatment on board.

8. Issuance of the International Ballast Water Management Certificate (IBWMC)

With reference to IMO circular BWM.2/Circ.40, in order to facilitate the smooth entry into force of the Convention's requirements, IBWMC can be issued prior to the entry into force of the Convention and once the conditions for entry into force (EIF) have been met, which will contain the following statement "The validity of this certificate begins from (EIF date)".

Where Statements of Compliance have been issued they will be replaced by IBWMC following the above process, provided no changes have occurred on board.

MSTI recommends all companies to contact the RO at the earliest opportunity in order:

- to complete the initial survey for BWM Convention in due time before 8 September

2017 and

- to ensure (in case of retrofits of BWTS) that the existing ballast water piping system is suitable for the chosen BWTS Plant.

9. IMO documents relevant for implementation of the BWM Convention

Relevant IMO documents in its up-to-date versions are available on the link:

<http://www.imo.org/en/ourwork/environment/ballastwatermanagement/pages/bwmconventionandguidelines.aspx>

10. USCG requirements

It is to be noted that the United States (U.S.) is not a Party to the BWM Convention. Up-to-date requirements for vessels operating in U.S. waters may be found on the Homeport section of the USCG website, link below:

<https://homeport.uscg.mil/mycg/portal/ep/home.do>

Revision history

- Rev. 1** – New paragraph 2 added, paragraphs 3 to 7 revised following developments at MEPC 71 (3 to 7 July 2017)

