



MARITIME AND PORT AUTHORITY OF SINGAPORE

PORT MARINE NOTICE NO. 120 OF 2017

07 Sep 2017

Shipping Community

UPDATE ON THE IMPLEMENTATION OF THE BALLAST WATER MANAGEMENT CONVENTION (BWMC), 2004

1. The International Convention for the Control and Management of Ships Ballast Water and Sediments (the Convention) will enter into force on 8 September 2017. Singapore is a party to the Convention and “The Prevention of Pollution of the Sea (PPS) (Amendment) Act 2017” gives effect to it.
2. The Convention is applicable to ships of any type whatsoever operating in the aquatic environment and includes submersibles, floating craft, floating platforms, floating storage units (FSUs) and floating production storage and offloading units (FPSOs)¹, except for the ships that meet the criteria specified in Article 3.2² of the Convention.
3. All ships of 400 GT and above to which the Convention applies calling the port of Singapore are required to carry the following on board:
 - a) International Ballast Water Management Certificate (IBWMC) for ships flying the flag of countries party to the Convention; or
Documentary evidence such as Statement of Compliance for ships flying the flag of countries that are not party to the Convention;
 - b) An approved Ballast Water Management Plan (BWMP); and

¹ BWM.2/Circ.46 - Application of the BWM Convention to Mobile Offshore Units 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, Mobile offshore units including Mobile Offshore Drilling Units should be surveyed and issued with an IBWMC, according to regulations E-1 and E-2 of the Convention, as applicable

² These include ships not constructed to carry ballast water, ships with permanent ballast in sealed tanks, ships that operate only in waters under the jurisdiction of a Party to the Convention or under the jurisdiction of one Party and on the high seas.

c) Ballast Water Record Book (BWRB).

4. Ships less than 400 GT are required to ensure that the relevant provisions of the Convention are complied with when calling the port of Singapore.
5. Ships operating solely within Singapore port limits need not comply with the Convention.
6. Ships which are required to carry onboard IBWMC / documentary evidence must have onboard IBWMC / documentary evidence prior leaving port.

BALLAST WATER MANAGEMENT

7. Applicable ships calling Singapore are required to comply with the standards that at least meet the requirements of regulation D1 (Ballast Water Exchange Standards) till such time regulation D2 (Ballast Water Performance Standards) is applicable.
8. In the event the ship required to meet the requirements of regulation D1 could not do so because Ballast Water Exchange (BWE) is not possible³; or the master reasonably decides that such exchange would threaten the safety of the ship, its crew or its passengers; or equipment failure; or any other extraordinary conditions, the reason(s) is to be entered in the ships BWRB. Such records will be verified when ships are subjected to port State control inspections.
9. The ship master is required to report to the Maritime and Port Authority of Singapore if the ship is not able to comply with any of the requirements of the Convention, except when BWE is not possible or discharge of Ballast Water and Sediments is necessary for the purpose of ensuring the safety of a ship in emergency situations or saving life at sea. Unmanaged ballast water is not to be discharged⁴ within Singapore port waters. Master of the ship is to ensure that relevant conditions as per BWM.2/Circ.62 are complied with.
10. The owner, the master and other person-in-charge of the ship shall each be guilty of an offence under the "Prevention of Pollution of the Sea (Ballast Water management Regulations), 2017" if relevant requirements of the Regulations are not complied with.

BALLAST WATER SEDIMENT RECEPTION FACILITIES

11. Shipowners, ship managers, operators and ship masters are to liaise directly with the shipyards with cleaning or repair services of ballast water tanks for the use of ballast water sediment reception facilities when such arrangement is required.

PORT CLEARANCE SUBMISSION

12. With effect from 8 Sep 2017, all applicable ships of 400 GT and above are required to submit the following for EPC :

³ Reference BWM.2/Circ.63

⁴ Except when Regulation A3 (Exceptions) apply

- a) International Ballast Water Management Certificate (IBWMC); or
- b) Statement of Compliance (SoC); or
- c) Documentary evidence from the Administration or the Class of the ship that the Convention does not apply.

13. The submission can be done via :

- a) From the period from 8 Sep 2017 to 30 Sep 2017 – please submit to MPA through email mpa_ibwmc@mpa.gov.sg
- b) With effect from 1 Oct 2017- please submit/upload through MARINET, similar as other ship's certificates.

For clarification of this Port Marine Notice, please contact Ms Caroline at 6325-2487 or Ms Jamie Chow at 6325-2474.

ENCL: a) BWM.2 Circ 46
b) BWM.2 Circ 52
c) BWM.2 Circ 62
d) BWM.2 Circ 63

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BWM.2/Circ.46
31 May 2013

**INTERNATIONAL CONVENTION FOR THE CONTROL AND MANAGEMENT
OF SHIPS' BALLAST WATER AND SEDIMENTS, 2004**

Application of the BWM Convention to Mobile Offshore Units

1 The Marine Environment Protection Committee, at its sixty-fifth session (13 to 17 May 2013), approved the circular on Application of the BWM Convention to Mobile Offshore Units, as set out in the annex.

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

ANNEX

APPLICATION OF THE BWM CONVENTION TO MOBILE OFFSHORE UNITS

International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004

Article 1.12 "Ship means a vessel of any type whatsoever operating in the aquatic environment and includes submersibles, floating craft, floating platforms, FSUs and FPSOs."

Regulation A-3

Exceptions

"The requirements of regulation B-3, or any measures adopted by a Party pursuant to article 2.3 and section C, shall not apply to:

- .5 the discharge of ballast water and sediments from a ship at the same location where the whole of that ballast water and those sediments originated and provided that no mixing with unmanaged ballast water and sediments from other areas has occurred. If mixing has occurred, the ballast water taken from other areas is subject to ballast water management in accordance with this annex."

INTERPRETATION

At the location of operation

1 Preload tanks – for preloading of self-elevating units' (SEU) leg foundation, seawater is taken on board into the preload tanks. This seawater may be discharged, without management, at the same location provided that no mixing with unmanaged seawater and sediments from other areas has occurred.

2 Column stabilized units (CSU) – at its location of operation, seawater is taken on board the CSU into the ballast tanks to achieve the required operational draft. The seawater and sediment in the ballast tanks may be discharged, without management, at the same location provided that no mixing with unmanaged seawater and sediments from other areas has occurred.

3 Management of residual seawater and sediment in preload tanks of SEUs and ballast tanks of CSUs – residual seawater and sediments in the tanks should be managed if these tanks are to be ready for a different area of operation. A possible method for management is by means of internal recirculation. Other methods of ballast water management capable of achieving the D-2 standard are also acceptable.

Transit to other areas

4 SEUs and CSUs take on board ballast water and discharge it for transit to other areas. The transit ballast water and sediments remaining in the preload and operational ballast tanks of the mobile offshore units may be treated by an appropriately approved internal circulation method. Other methods of ballast water management, capable of providing the same level of protection to the environment, human health, property or resources as described in regulations B-3.1 to B-3.5, may also be acceptable.

Regulation D-2
Ballast Water Performance Standard

"1 Ships conducting ballast water management in accordance with this regulation shall discharge less than 10 viable organisms per cubic metre greater than or equal to 50 micrometres in minimum dimension and less than 10 viable organisms per millilitre less than 50 micrometres in minimum dimension and greater than or equal to 10 micrometres in minimum dimension; and discharge of the indicator microbes shall not exceed the specified concentrations described in paragraph 2.

2 Indicator microbes, as a human health standard, shall include:

- .1 Toxicogenic *Vibrio cholerae* (O1 and O139) with less than 1 colony-forming unit (cfu) per 100 millilitres or less than 1 cfu per 1 gram (wet weight) zooplankton samples;
- .2 *Escherichia coli* less than 250 cfu per 100 millilitres;
- .3 Intestinal Enterococci less than 100 cfu per 100 millilitres."

INTERPRETATION

Internal circulation method

5 Treatment of any residual seawater, and sediments as well as any transit ballast water using a ballast water management system, approved in accordance with the Convention, incorporating internal circulation may be accepted. This method does not treat the ballast water during the uptake or discharge cycles, but would treat the water only after it has been pumped into the tanks. Other methods of ballast water management, capable of providing the same level of protection to the environment, human health, property or resources as described in regulations B-3.1 to B-3.5, may also be acceptable. If the ballast water management system employs Active Substances, measures such as neutralization may be needed prior to final discharge of the managed ballast water.

Regulation E-1
Surveys

"1 Ships of 400 gross tonnage and above to which this Convention applies, excluding floating platforms, FSUs and FPSOs, shall be subject to surveys specified below:

2 The Administration shall establish appropriate measures for ships that are not subject to the provisions of paragraph 1 in order to ensure that appropriate provisions of this Convention are complied with."

INTERPRETATION

6 Mobile offshore units should comply with the provisions of the Convention and should be surveyed and issued with an International Ballast Water Management Certificate, according to regulations E-1 and E-2 of the Convention, as applicable.

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BWM.2/Circ.52/Rev.1
27 July 2017

**INTERNATIONAL CONVENTION FOR THE CONTROL AND MANAGEMENT
OF SHIPS' BALLAST WATER AND SEDIMENTS, 2004**

**Guidance on entry or re-entry of ships into exclusive operation within waters
under the jurisdiction of a single Party**

- 1 The Marine Environment Protection Committee, at its sixty-sixth session (31 March to 4 April 2014), approved the *Guidance on entry or re-entry of ships into exclusive operation within waters under the jurisdiction of a single Party* (BWM.2/Circ.52).
- 2 The Marine Environment Protection Committee, at its seventy-first session (3 to 7 July 2017) approved the revised *Guidance on entry or re-entry of ships into exclusive operation within waters under the jurisdiction of a single Party*, as set out in the annex.
- 3 Member Governments are invited to bring the annexed Guidance to the attention of all parties concerned.
- 4 This circular supersedes BWM.2/Circ.52.

ANNEX

GUIDANCE ON ENTRY OR RE-ENTRY OF SHIPS INTO EXCLUSIVE OPERATION WITHIN WATERS UNDER THE JURISDICTION OF A SINGLE PARTY

Background

1 Article 3 of the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004 (the Convention), identifies the ships to which the Convention applies and does not apply. Article 3.1 of the Convention includes all ships entitled to fly the flag of a Party, and ships not entitled to fly the flag of a Party, but which operate under the authority of a Party, except as provided otherwise in the Convention.

2 Articles 3.2(b) to 3.2(d) set out conditions under which the Convention does not apply to a ship of a Party that operates only in waters under the jurisdiction of that Party, or another Party, or in such waters and on the high seas, respectively. Such ships should be subject to the appropriate national policies, strategies or programmes for Ballast Water Management of the Party or Parties established pursuant to article 4.2.

3 Ships operating pursuant to articles 3.2(b) to 3.2(d) that cease to operate exclusively in the relevant waters lose their exclusion from the Convention, which then fully applies to them on an ongoing basis, except as provided in this Guidance.

Purpose

4 The purpose of this Guidance is to provide advice on entry or re-entry into exclusive operation pursuant to articles 3.2(b) to 3.2(d), which will assist Administrations with respect to a number of situations, including:

- .1 ships (e.g. mobile offshore units) that may be assigned to extended operations in waters under the jurisdiction of a single Party following an international voyage or voyages; and
- .2 ships which operate usually within waters under their jurisdiction, but which may occasionally need to leave these waters and return (e.g. to visit a dry-dock). Such ships may consider that regulations A-4, B-3.6 and B-3.7 provide options that are particularly attractive for short-term compliance with the Convention.

5 The provisions of this Guidance that pertain to entry into exclusive operation do not apply to a ship that is launched into the waters of the Party within which it is constructed until it requires an International Ballast Water Management Certificate.

Guidance

6 Subject to the conditions of articles 3.2(b) to 3.2(d) concerning the environment, human health, property and resources, the application of the Convention to a ship of a Party may cease:

- .1 pursuant to article 3.2(b), if the ship enters or re-enters into exclusive operation in waters under the jurisdiction of that Party;

- .2 pursuant to article 3.2(c), if the ship enters or re-enters into exclusive operation in waters under the jurisdiction of another Party, subject to the authorization of the latter Party for such cessation; and
- .3 pursuant to article 3.2(d), if the ship enters or re-enters into exclusive operation in waters under the jurisdiction of one Party and on the high seas, unless the ship has not been granted an authorization pursuant to article 3.2(c).

7 Before ceasing application of the Convention to a ship referenced in paragraph 4, the Administration (and authorizing Party, if applicable) should verify that the ship:

- .1 is in compliance with the Convention and holds a valid International Ballast Water Management Certificate, if required to do so;
- .2 has fully discharged all ballast water, including any residual ballast water, and has completely removed and disposed of all sediments, in accordance with the Convention and the ship's approved Ballast Water Management plan;
- .3 has a procedure in its approved Ballast Water Management plan for thoroughly cleaning its ballast water tanks, piping and equipment that is satisfactory to the Administration (and authorizing Party, if applicable); and
- .4 has carried out the procedure described in subparagraph 7.3 above, to the satisfaction of the Administration (and authorizing Party, if applicable).

8 Upon cessation of the application of the Convention to a ship, any International Ballast Water Management Certificate issued to the ship should be withdrawn.

9 A ship referred to in paragraph 3 on a single voyage may be granted an exemption under regulation A-4 on the condition that the ship performs ballast water exchange in accordance with regulations B-4 and D-1 and an approved Ballast Water Management plan. The requirements of regulation A-4.1.4 should be addressed to the satisfaction of the countries of origin and destination of the ship.

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BWM.2/Circ.62
26 July 2017

**INTERNATIONAL CONVENTION FOR THE CONTROL AND MANAGEMENT OF SHIPS'
BALLAST WATER AND SEDIMENTS, 2004**

Guidance on contingency measures under the BWM Convention

1 The Marine Environment Protection Committee, at its seventy-first session (3 to 7 July 2017), approved *Guidance on contingency measures under the BWM Convention* to support ships and port States to apply sound and practical measures in situations where a ship is unable to manage its ballast water as required, as set out in the annex.

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

ANNEX

GUIDANCE ON CONTINGENCY MEASURES UNDER THE BWM CONVENTION

Definition

1 *Contingency measure* means a process undertaken on a case-by-case basis after a determination that ballast water to be discharged from a ship is not compliant, in order to allow ballast water to be managed such that it does not pose any unacceptable risks to the environment, human health, property and resources.

Purpose

2 The goal of this Guidance is to support ships and port States to apply sound and practical measures in the case of a ship unable to manage ballast water in accordance with its approved Ballast Water Management plan to meet the D-1 or D-2 standard, with a view to ensuring the protection of the marine environment and ship, safety and minimizing any impacts on the continuity of port and ship operations.

Implementation of contingency measures

3 In the case of non-compliant ballast water, communication between the ship and the port State should occur. The ship and the port State should consider the following as possible contingency measures:

- .1 actions predetermined in the Ballast Water Management plan of the ship;
- .2 discharging ballast water to another ship or to an appropriate shipboard or land-based reception facility, if available;
- .3 managing the ballast water or a portion of it in accordance with a method acceptable to the port State;
- .4 ballast water exchange carried out to an approved plan in accordance with regulation B-4 to meet the standard in regulation D-1. The ship and the port State should consider the potential disruption to the cargo handling operation plan of the ship and the potential impact to relating parties including port operators and cargo owners; or
- .5 operational actions, such as modifying sailing or ballast water discharge schedules, internal transfer of ballast water or the retention of ballast water on board the ship. The port State and the ship should consider any safety issues and avoid possible undue delays.

4 Having considered all of the options in paragraph 3 above, the ballast water may be discharged in the port or any suitable area, as acceptable to the port State. Port State consideration may include environmental, safety, operational and logistical implications of allowing or disallowing the discharge. The discharge of ballast water is subject to any conditions of the port State.

5 The port State should report information on the use of contingency measures in accordance with the experience-building phase (EBP) associated with the BWM Convention (resolution MEPC.290(71)).

6 In any case, the ship is required to do its best to correct malfunction of the Ballast Water Management system as soon as possible and submit its repair plan to the port State control authorities and the flag State.

7 The port State, the flag State and the ship should work together to agree on the most appropriate solution to allow for the discharge of ballast water found to be non-compliant.

8 The ship and the port State should take appropriate measures, bearing in mind that ballast water sampling is still under development, as noted in the *Guidance on ballast water sampling and analysis for trial use in accordance with the BWM Convention and Guidelines (G2)* (BWM.2/Circ.42/Rev.1) and the agreement on non-penalization during the EBP (MEPC.290(71)).

Review

9 The guidance on contingency measures should be kept under review in the light of experience gained through the EBP.

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BWM.2/Circ.63
27 July 2017

**INTERNATIONAL CONVENTION FOR THE CONTROL AND MANAGEMENT OF SHIPS'
BALLAST WATER AND SEDIMENTS, 2004**

**Application of the Convention to ships operating in sea areas where ballast water
exchange in accordance with regulations B-4.1 and D-1 is not possible**

1 The Marine Environment Protection Committee, at its seventy-first session (3 to 7 July 2017), approved guidance on *Application of the BWM Convention to ships operating in sea areas where ballast water exchange in accordance with regulations B-4.1 and D-1 is not possible*, as set out in the annex.

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

ANNEX

APPLICATION OF THE BWM CONVENTION TO SHIPS OPERATING IN SEA AREAS WHERE BALLAST WATER EXCHANGE IN ACCORDANCE WITH REGULATIONS B-4.1 AND D-1 IS NOT POSSIBLE

1 The purpose of this circular is to provide guidance on the application of the BWM Convention to ships operating in sea areas where ballast water exchange in accordance with regulation B-4.1 and D-1 is not possible. This guidance is only applicable to ships which are not required to meet the ballast water performance standard prior to its implementation schedule in accordance with regulation B-3.

2 The Committee recommends that, until the date a ship is required to meet the ballast water performance standard described in regulation D-2 (D-2 standard) in accordance with regulation B-3, a ship operating in a sea area where ballast water exchange in accordance with regulation B-4.1 and D-1 is not possible:

- .1 should not be required to meet the D-2 standard;
- .2 should not be required to meet the D-2 standard regardless if the ship does not comply with regulation B-3.6 (Discharge to a ballast water reception facility), B-3.7 (Other methods) or A-4 (Exemptions) of the BWM Convention;
- .3 should not be required to proceed under regulation B-3.6, B-3.7 or A-4 of the BWM Convention; and
- .4 should record the reasons why ballast water exchange was not conducted in accordance with regulation B-4.5.

3 In cases where the port State has established designated areas for ballast water exchange in accordance with regulation B-4.2, regulation B-4.2 should be implemented as referred to in paragraph 10.3 of the *Guidelines on designation of areas for ballast water exchange* (G14) (resolution MEPC.151(55)):

- .1 the ship should comply with the terms of use for those areas provided by the port State. In case no terms of use are provided, the ship should not be required to deviate from its intended voyage, or delay the voyage, in order to conduct ballast water exchange; and
- .2 when a ship does not have sufficient time to carry out the exchange for all of its ballast water complying with the standard in regulation D-1, the ship, taking into account the Ballast Water Management plan, should comply with the terms of use for those areas provided by the port State in accordance with paragraph 10.3 of the Guidelines (G14).