



**MARITIME AND PORT AUTHORITY OF SINGAPORE
SHIPPING CIRCULAR
NO. 10 OF 2019**

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01st July 2019

Applicable to: Shipowners, ship managers, operators, Masters of Singapore-registered ships, Recognised Organisations (ROs), ship agents in Singapore, ballast water management equipment manufacturers and shipyards

**INCORPORATION OF CONTINGENCY MEASURES INTO BALLAST WATER
MANAGEMENT PLAN**

1. This circular is to inform the industry on the “Amendments to the Guidelines for ballast water management and development of ballast water management plans (G4)” (*Resolution MEPC.306(73)*).
2. Regulation B-1 of the Ballast Water Management (BWM) Convention requires each ship to have on board and implement a Ballast Water Management Plan (BWMP). Such a plan shall be approved by the Administration taking into account guidelines developed by the International Maritime Organization (IMO). The Marine Environment Protection Committee (MEPC) had previously adopted, by resolution MEPC.127(53), the Guidelines for ballast water management and development of ballast water management plans (G4).
3. MEPC 73, had adopted resolution MEPC.306(73), to amend resolution MEPC.127(53). The amendments incorporate a new paragraph 4.3 in part B of the G4 guidelines. The new para 4.3 provides for contingency measures¹ which are recommended to be included in the BWMP.
4. SRS managers are required to incorporate ship-specific “contingency measures” into the BWMP, which should subsequently be submitted to the RO for approval.
5. The RO is requested to verify that such “contingency measures” are incorporated in the BWMP of applicable SRS at the earliest opportunity but not later than the date when the D2 becomes mandatory for the ship. For existing SRS certified for D2 only, the contingency measures are to be incorporated in the BWMP by the

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.

next scheduled survey of the BWM Convention. Any change of Flag survey which is conducted out of scheduled-survey due range, shall not be regarded as the next scheduled survey. If a change of Flag survey is conducted within the survey due range and the BWMP does not have “contingency measures” incorporated in accordance to this circular, an application for temporary acceptance is to be submitted to MPA via the RO.

6. The inclusion of the “contingency measures” in the BWMP is also applicable for SRS of less than 400 GT, floating platforms, floating storage units (FSUs) and Floating Production Storage and Offloading Units (FPSOs) by 8 September 2024 or upon installation of BWMS onboard. SRS falling under this category should present an approved BWMP as required by the Convention for verification by the RO during the next statutory survey. This Administration is to be informed immediately by the RO if any applicable SRS is observed without an approved BWMP onboard.

7. The “contingency measures” developed shall take into account IMO BWM.2/Circ.62 on “Guidance on contingency measures under the BWM Convention”. SRS managers are advised to include as many practical and safe contingency measures in the BWMP as possible, so that the Master can be guided accordingly in the event of a BWMS failure.

8. All proposed “contingency measures” including ballast water exchange if considered, is to be approved to the satisfaction of the RO’s. The “contingency measures” shall be a part of the BWMP. The complete BWMP (if already approved earlier) need not be reapproved and the ship specific “contingency measures” could be approved as an appendix or an addendum to the BWMP.

9. Having ship-specific “contingency measures” incorporated in the BWMP does not permit a SRS to discharge unmanaged ballast water without authorisation of the port Authority. Discharge of unmanaged ballast water from SRS is only permitted if authorised by the port Authority. The port Authority shall also be informed of the defective BWMS.

10. Any queries to this circular should be directed to Mr Ranabir Chakravarty at 63756210 or email: shipping@mpa.gov.sg

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Encl:

- a) [Resolution MEPC.306\(73\)](#) - Amendments to the Guidelines for ballast water management and development of ballast water management plans (G4)
- b) [BWM.2/Circ.62](#) - Guidance on contingency measures under the BWM Convention

RESOLUTION MEPC.306(73)
(adopted on 26 October 2018)

**AMENDMENTS TO THE GUIDELINES FOR BALLAST WATER MANAGEMENT AND
DEVELOPMENT OF BALLAST WATER MANAGEMENT PLANS (G4)**
(RESOLUTION MEPC.127(53))

THE MARINE ENVIRONMENT PROTECTION COMMITTEE,

RECALLING Article 38(a) of the Convention on the International Maritime Organization concerning the functions of the Marine Environment Protection Committee conferred upon it by international conventions for the prevention and control of marine pollution from ships,

RECALLING ALSO that the International Conference on Ballast Water Management for Ships held in February 2004 adopted the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004 (the Ballast Water Management Convention) together with four Conference resolutions,

NOTING that regulation A-2 of the Ballast Water Management Convention requires that discharge of ballast water shall only be conducted through ballast water management in accordance with the provisions of the Annex to the Convention,

NOTING FURTHER that regulation B-1 of the Annex to the Ballast Water Management Convention provides that each ship shall have on board and implement a ballast water management plan approved by the Administration, taking into account Guidelines developed by the Organization,

NOTING FURTHER that, at its fifty-third session, the Committee adopted, by resolution MEPC.127(53), the *Guidelines for ballast water management and development of ballast water management plans* (G4),

HAVING CONSIDERED, at its seventy-third session, proposed amendments to the Guidelines (G4),

- 1 ADOPTS amendments to the *Guidelines for ballast water management and development of ballast water management plans*, as set out in the annex to the present resolution;
 - 2 INVITES Governments to apply the Guidelines, as amended, as soon as possible;
 - 3 AGREES to keep the Guidelines, as amended, under review.
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ANNEX

**AMENDMENTS TO THE GUIDELINES FOR BALLAST WATER MANAGEMENT AND
DEVELOPMENT OF BALLAST WATER MANAGEMENT PLANS (G4)**

1 Paragraph 4.3 is added in part B:

"4.3 The ballast water management plan may include contingency measures developed taking into account guidelines developed by the Organization*."

* Refer to the *Guidance on contingency measures under the BWM Convention* (BWM.2/Circ.62, as may be amended).

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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.
