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BWM.2/Circ.29/Rev.1
26 September 2011

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

**Clarification regarding the application dates contained in regulation B-3
of the BWM Convention**

1 The Marine Environment Protection Committee, at its sixty-first session (27 September to 1 October 2010), approved the amendments to BWM.2/Circ.19 regarding the clarification on the application dates of the ballast water performance standard contained in regulation B-3.1 of the BWM Convention.

2 In considering further clarification on the application schedule of the D-2 standard with regard to ships described in regulation B-3.4, the Marine Environment Protection Committee, at its sixty-second session (11 to 15 July 2011), agreed to add new explanatory text relevant to such ships to Circular BWM.2/Circ.29 and to disseminate the expanded circular as BWM.2/Circ.29/Rev.1. The expanded clarification is set out in the annex.

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

ANNEX

CLARIFICATION REGARDING THE APPLICATION DATES CONTAINED IN REGULATION B-3 OF THE BWM CONVENTION

1 Regulation B-3.1 of the Ballast Water Management Convention provides:

"A ship constructed before 2009:

- .1 with a ballast water capacity of between 1,500 and 5,000 cubic metres, inclusive, shall conduct ballast water management that at least meets the standard described in regulation D-1 or regulation D-2 until 2014, after which time it shall at least meet the standard described in regulation D-2;
- .2 with a ballast water capacity of less than 1,500 or greater than 5,000 cubic metres shall conduct ballast water management that at least meets the standard described in regulation D-1 or regulation D-2 until 2016, after which time it shall at least meet the standard described in regulation D-2."

2 Regulation B-3.2 of the Ballast Water Management Convention provides:

"A ship to which paragraph 1 applies shall comply with paragraph 1 not later than the first intermediate or renewal survey, whichever occurs first, after the anniversary date of delivery of the ship in the year of compliance with the standard applicable to the ship."

3 The "anniversary date of delivery of the ship in the year of compliance" specified in regulation B-3.2, refers to years 2014 and 2016 indicated in regulation B-3.1. Consequently, ships with a ballast water capacity between 1,500 m³ and 5,000 m³, inclusive, are required to comply with the D-2 standard not later than the first intermediate or renewal survey, whichever occurs first, after the anniversary date of delivery of the ship in 2014 under regulation B-3.1.1; and ships with a ballast water capacity of less than 1,500 or greater than 5,000 m³ are required to comply with D-2 standard not later than the first intermediate or renewal survey, whichever occurs first, after the anniversary date of delivery of the ship in 2016 under regulation B-3.1.2.

4 Regulation B-3.4 of the BWM Convention provides:

"A ship constructed in or after 2009, but before 2012, with a ballast water capacity of 5,000 cubic metres or more shall conduct ballast water management in accordance with paragraph 1.2."

5 For purposes of implementation, regulation B-3.4 should be interpreted such that ships constructed during or after 2009, but before 2012, with a ballast water capacity of 5,000 cubic metres or more would be required to comply with the D-2 standard not later than the first intermediate or renewal survey, whichever occurs first, after the anniversary date of delivery of the ship in 2016.