

MARINE ENVIRONMENT PROTECTION
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HARMFUL AQUATIC ORGANISMS IN BALLAST WATER

Draft MEPC resolution on implementation of the BWM Convention

Note by the Secretariat

The Committee approved draft amendments to regulation B-3, for circulation in accordance with article 19 of the BWM Convention immediately after the entry into force of the Convention, with a view to their adoption at MEPC 72. The text of the draft amendments, together with the associated draft MEPC resolution on determination of the date referred to in regulation B-3.

**DRAFT AMENDMENTS TO REGULATION B-3 OF
THE BWM CONVENTION AND ASSOCIATED DRAFT MEPC RESOLUTION**

Regulation B-3 is replaced with the following:

"Regulation B-3

Ballast Water Management for Ships

- 1 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 the renewal survey described in paragraph 10, 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 the renewal survey described in paragraph 10 after which time it shall at least meet the standard described in regulation D-2.

- 2 A ship constructed in or after 2009 and before 8 September 2017 with a ballast water capacity of less than 5,000 cubic metres shall conduct Ballast Water Management that at least meets the standard described in regulation D-2 from the date of the renewal survey described in paragraph 10.
- 3 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.
- 4 A ship constructed in or after 2012 and before 8 September 2017 with a ballast water capacity of 5,000 cubic metres or more shall conduct Ballast Water Management that at least meets the standard described in regulation D-2 from the date of the renewal survey described in paragraph 10.
- 5 A ship constructed on or after 8 September 2017 shall conduct Ballast Water Management that at least meets the standard described in regulation D-2.
- 6 The requirements of this regulation do not apply to ships that discharge ballast water to a reception facility designed taking into account the Guidelines developed by the Organization for such facilities.
- 7 Other methods of Ballast Water Management may also be accepted as alternatives to the requirements described in paragraphs 1 to 5, provided that such methods ensure at least the same level of protection to the environment, human health, property or resources, and are approved in principle by the Committee.
- 8 A ship constructed before 8 September 2017 to which the renewal survey described in paragraph 10 does not apply, shall conduct Ballast Water Management that at least meets the standard described in regulation D-2 from the date decided by the Administration, but not later than 8 September 2024.
- 9 A ship subject to paragraphs 2, 4 or 8 will be required to comply with either regulation D-1 or regulation D-2, until such time as it is required to comply with regulation D-2.
- 10 Notwithstanding regulation E-1.1.2, the renewal survey referred to in paragraphs 1.1, 1.2, 2 or 4 is:
 - .1 the first renewal survey as determined by the Committee following the date of entry into force of the Convention if:
 - .1 this survey is completed on or after 8 September 2019; or
 - .2 this survey is completed on or after 8 September 2014 but prior to 8 September 2017;
 - .2 the second renewal survey as determined by the Committee following the date of entry into force of the Convention if the first renewal survey following the date of entry into force of the Convention is completed prior to 8 September 2019, provided that the conditions of paragraph 10.1.2 are not met."

**DRAFT MEPC RESOLUTION ON DETERMINATION OF THE DATE REFERRED
TO IN REGULATION B-3, AS AMENDED, OF THE BWM CONVENTION**

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 (the Committee) conferred upon it by international conventions for the prevention and control of marine pollution from ships,

NOTING resolution MEPC.[...(..)], by which it adopted, inter alia, amendments to the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004 (the BWM Convention),

NOTING ALSO that regulation B-3.10 of the BWM Convention, as amended, states that the Committee shall determine the date of the renewal survey for which paragraphs 1.1, 1.2, 2 and 4 of regulation B-3 of the BWM Convention shall apply,

DETERMINES that the renewal survey in regulation B-3.10 of the BWM Convention is the renewal survey for the ship associated with the International Oil Pollution Prevention Certificate pursuant to the International Convention for the Prevention of Pollution from Ships, 1973 as modified by the Protocol of 1978 (MARPOL), Annex I, after the date of entry into force of the BWM Convention.
