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## **INFORMATION BULLETIN No. 165**

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### **International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004 (Ballast Water Management Convention)**

#### **Guidance and Instructions for Bahamas Recognised Organisations, Bahamas Approved Nautical Inspectors, Ship Owners, Managers and Masters**

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#### **1. Purpose**

- 1.1. This Bulletin provides information on the key requirements of the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004 (often referred to as the Ballast Water Management Convention or BWM Convention).
- 1.2. References to Articles and Regulations in this Bulletin are references to the BWM Convention unless stated otherwise.

#### **2. Application**

- 2.1. In general, the BWM Convention applies to any ship designed or constructed to carry ballast water.
- 2.2. Ballast water is defined as water "taken on board a ship to control trim, list, draught, stability or stresses of the ship" (Article 1.2). The presence of "ballast water capacity" on a ship triggers the application of the BWM Convention.
- 2.3. The BWM Convention does not apply to:
  - i. Ships not designed or constructed to carry ballast water (Article 3.2(a));
  - ii. Ships operating only in waters under the jurisdiction of their Flag State, unless discharge of ballast water is considered to be a threat to the environment, human health, property or resources, or those of adjacent or other States (Article 3.2(b));

- iii. Ships operating only in waters (or between the high seas and such waters) under the jurisdiction of another State which is a Party to the Convention, subject to authorisation of the Coastal State (Articles 3.2(c) and (d));
- iv. Warships, naval auxiliaries or other ships owned or operated by a State and on governmental non-commercial service (Article 3.2(e)); and
- v. Ships using permanent ballast in sealed tanks, not subject to discharge (Article 3.2(f)).

### **3. Status of the Convention**

- 3.1. The BWM Convention was adopted on 13 February 2004.
- 3.2. The entry into force requirements were met on 08 September 2016, therefore the Convention will enter into force on **08 September 2017**.
- 3.3. The Bahamas ratified the Convention on 08 June 2017 and the Convention will apply to Bahamian ships as of the entry into force date.

### **4. Background**

- 4.1. The BWM Convention aims at preventing, minimising and ultimately eliminating the different risks arising from the transfer of harmful aquatic organisms (e.g. Zebra mussels) and pathogens (e.g. microbes such as vibrio cholera). It requires ships to control and manage ballast water and sediments.
- 4.2. The BWM Convention consists of 22 Articles and supporting regulations. The regulations are divided in to five sections (A to E).
- 4.3. Section D of the regulations outline the standards for ballast water management and contains the two regulations commonly referred to as the "D-1 standard" and the "D-2 standard":
  - i. Regulation D-1: Standards for ballast water exchange;
  - ii. Regulation D-2: Standards for the discharge of treated ballast water (i.e. for ballast water treatment systems).
- 4.4. The BWM Convention is supplemented by a set of 14 Guidelines, adopted by the International Maritime Organization (IMO) as Marine Environmental Protection Committee (MEPC) Resolutions. Although recommendatory by nature, these Guidelines were developed to support the uniform

implementation of the Convention and are widely implemented. They cover several topics including development of Ballast Water Management Plans (G4), ballast water exchange (G6), type approval of Ballast Water treatment systems (G8) and other subjects.

- 4.5. In addition to the 14 Guidelines, IMO has issued several resolutions, guidelines and circulars related to the implementation of the BWM Convention.
- 4.6. A list of the current resolutions, guidelines and circulars is available on the IMO website by [clicking here](#); this list is also provided in the [Annex](#) to this Bulletin for reference.

## **5. Exceptions, exemptions and equivalent compliance**

- 5.1. While the general scope of application covers virtually any ship provided with ballast tanks, the BWM Convention also provides for possible exceptions, exemptions or equivalent compliance methods, each with specific criteria and conditions to be met.
- 5.2. Regulation A-3 on Exceptions refers to possible circumstances where the discharge requirements cannot be met, such as:
  - i. Exceptional situations, such as emergency situations, following damage to the ship or its equipment, or for avoiding or minimising pollution events;
  - ii. Uptake and discharge on the high seas of the same ballast water;
  - iii. Discharge of ballast water at the same location where the whole of that ballast water originated (no mixing with waters from different origins).
- 5.3. Regulation A-4 on Exemptions refers to the possibility for the Administration of a State Party to the Convention to grant exemptions to certain ships, in waters under its jurisdiction. This means that the Bahamas Maritime Authority (BMA) can only issue exemptions to ships that are in Bahamian waters<sup>1</sup>.
- 5.4. The following conditions apply to exemptions:
  - i. The ship operates exclusively between specified ports or locations;
  - ii. A risk assessment is performed, based on the IMO *G7 Guidelines for risk assessment under regulation A-4*, before the exemption request;

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<sup>1</sup> "Bahamian waters" means all areas of water subject to the jurisdiction of The Bahamas, and includes territorial waters, internal waters and archipelagic waters (s.2, Merchant Shipping Act (Ch.268))

- iii. The exemption can be granted for a maximum of five years, with intermediate review.
  - iv. An exemption can apply to an individual ship or a group of similar ships.
- 5.5. Regulation A-5 on equivalent compliance refers to a simplified application of the Convention for pleasure craft used solely for recreation or competition or craft used primarily for search and rescue services, of less than 50 metres in length overall and with a maximum Ballast Water capacity of 8m<sup>3</sup> (see G3 Guidelines).

## **6. Ballast Water Management Requirements**

- 6.1. Upon entry into force of the Convention on 08 September 2017, all ships to which the Convention applies shall only conduct discharge of ballast water that has been exchanged (standard D-1) or treated (standard D-2), in accordance with the timeline outlined below. Ballast water exchange (D-1) is a compliant measure until regulation D-2 applies for a specific ship.
- 6.2. The implementation dates (regulation B-3) for standards D-1 and D-2 were originally set in the expectation that the Convention would have been ratified much earlier, but new implementation dates have been recently agreed by IMO at MEPC 71.
- 6.3. New ships to which the Convention applies, with a keel laying date on or after 08 September 2017, shall comply with the discharge standard D-2 on delivery.
- 6.4. Existing ships to which the Convention applies, with a keel laying date before 08 September 2017, shall comply with the discharge standard D-2 by the dates outlined below:
- 6.4.1. Where a ship has completed an IOPP renewal survey prior to 08 September 2014 and the IOPP renewal survey has not been de-harmonised, compliance with the D-2 standard shall be demonstrated by not later than the second scheduled IOPP renewal survey after 08 September 2014, but in any case, prior to 08 September 2024.
  - 6.4.2. For ships referred to in 6.4.1, where the IOPP renewal survey is planned to be de-harmonised on or after 08 September 2017, compliance with the D-2 standard shall be demonstrated on completion of the IOPP renewal survey;

- 6.4.3. Where a ship has completed either a scheduled or de-harmonised IOPP renewal survey on or after 08 September 2014, but prior to 08 September 2017, compliance with the D-2 standard shall be demonstrated by the first scheduled or de-harmonised IOPP renewal survey after 08 September 2017;
- 6.4.4. In case of a ship with keel laying date between 08 September 2014 and 08 September 2017, the initial IOPP survey shall be considered as an IOPP renewal survey for the application of the provisions of paragraphs 6.4.1 to 6.4.3 above.
- 6.4.5. For the purposes of the application of paragraphs 6.4.1 to 6.4.3:
- i. A scheduled IOPP renewal survey is considered to be a survey performed in accordance with the provisions of Regulation 6.2 of MARPOL Annex I, and in line with Assembly Resolution A.1104(29) *Survey Guidelines Under the Harmonized System of Survey and Certification (HSSC) 2015*;
  - ii. A de-harmonised IOPP renewal survey is considered to be a renewal survey performed earlier than the one described in paragraph i above
- 6.5. A ship to which the Convention applies that is not required to have an IOPP Certificate (generally ships of below 400 GT) shall comply with the discharge standard D-2 by not later than 08 September 2024.
- 6.6. To illustrate the determination of the D-2 standard compliance dates, some Bahamas Recognised Organisations have published guidance to help owners to plan the installation of ballast water treatment systems:
- For ships classed with ABS such information can be found [here](#);
- For ships classed with BV such information can be found [here](#);
- For ships classed with DNVGL such information can be found [here](#);
- For ships classed with IRS such information can be found [here](#);
- For ships classed with LR such information can be found [here](#);
- For ships classed with Class NK such information can be found [here](#);
- For ships classed with RINA such information can be found [here](#).
- 6.7. Regulation D-1 (ballast water exchange) remains valid and applicable until a ship is required to comply with regulation D-2.
- 6.8. Ballast water treatment systems (BWTS), used for compliance with regulation D-2, shall be type approved by a Bahamas Recognised Organisation, in accordance with the IMO G8 or G9 Guidelines.

- 6.9. Ballast water treatment systems that have been approved by another Administration, in accordance with the G8 or G9 Guidelines, will be considered for acceptance by the BMA on a case-by-case basis.
- 6.10. The discharge of untreated ballast water to an adequate reception facility ashore is considered as a compliant method. However, it should be noted that the number of ballast water reception facilities available worldwide is still very limited.

## **7. IOPP renewal surveys**

- 7.1. The BMA has received numerous requests to bring the IOPP renewal survey for some ships forward (i.e. to "de-harmonise" the IOPP renewal survey).
- 7.2. The BMA has no objection to the early renewal and de-harmonisation of the IOPP renewal survey from the remaining statutory surveys and the issue of a new IOPP Certificate, valid to not more than 5 years from the date of completion of the IOPP renewal survey.
- 7.3. In all cases where the owner wishes to complete the IOPP renewal survey early, the Recognised Organisation shall inform the BMA.
- 7.4. Where the IOPP renewal survey is completed early and de-harmonised with the remaining statutory renewal surveys, the IOPP renewal should be re-harmonised with the remaining renewal surveys at the earliest possible date.
- 7.5. Where the IOPP renewal survey is completed early and de-harmonised with the remaining statutory surveys, the IOPP renewal shall be completed before 08 September 2017, otherwise the ship shall comply with the D-2 standard on the date of completion of the renewal survey.
- 7.6. Where de-harmonisation of IOPP renewal survey is being considered, the owner should take into account the provisions of paragraph 6.4 above, bearing in mind that in certain cases the early completion (de-harmonisation) of the IOPP renewal survey may shorten the time to demonstrate compliance with the D-2 standard.
- 7.7. [Where de-harmonisation of the IOPP renewal survey has already taken place and the owner wishes to reharmonise the IOPP renewal survey with its original date, the owner should contact the Recognised Organisation requesting reharmonisation. The Recognised Organisation is to advise the](#)

names of ships which have had their original IOPP Certificates reinstated to the BMA.

## **8. Surveys, certification and documentary requirements**

- 8.1. Upon entry into force of the Convention on 08 September 2017, existing and new build ships are required to have the following documents on board:
- i. A Ballast Water Management Plan (regulation B-1 and Guidelines G4), approved by the Recognised Organisation which classes the ship;
  - ii. A Ballast Water Record Book<sup>2</sup> (regulation B-2); and
  - iii. An International Ballast Water Management Certificate (or Statement of Compliance), issued after survey (regulation E-1), for all ships of 400 gross tonnage and above, excluding floating platforms, FSUs and FPSOs (see paragraph 9).
- 8.2. Ballast water management plans that have already been approved in accordance with Resolution A.868(20)<sup>3</sup>, which was superseded by Resolution MEPC.127(53)<sup>4</sup> in 2005, remain valid until the plan requires revision due to the installation of a ballast water treatment system (see BWM.2/Circ.40). Ballast water management plans are to be approved by the Recognised Organisation that classes the ship.
- 8.3. Statutory surveys for the International Ballast Water Management Certificate are to be performed in accordance with the Guidelines in IMO Circular BWM.2/Circ.7.
- 8.4. Bahamas Recognised Organisations shall issue International Ballast Water Management Certificates to Bahamian ships on completion of the first survey under Regulation E-1 that takes place on or after 09 June 2017, as outlined in BWM.2/Circ.40.
- 8.5. Bahamian ships that have been satisfactorily surveyed for compliance with the Convention before 08 June 2017 may have been issued with a Statement of Compliance with the Ballast Water Management Convention, valid for a maximum of five years.
- 8.6. Statements of Compliance with the Ballast Water Management Convention that have been issued to Bahamian ships by Bahamas Recognised

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<sup>2</sup> Ballast Water Record Books are available for purchase from the BMA – see BMA Information Bulletin No.152

<sup>3</sup> A.868(20) *Guidelines for the Control and Management of Ships' Ballast Water to Minimize the Transfer of Harmful Aquatic Organisms and Pathogens (November 1997)*

<sup>4</sup> MEPC.127(53) *Guidelines for Ballast Water Management and Development of Ballast Water Management Plans (G4) (July 2005)*

Organisations shall be replaced directly with International Ballast Water Management Certificates at the first survey under Regulation E-1 that takes place on or after 09 June 2017, with the expiry date being no later than that on the existing Statement of Compliance.

- 8.7. The transitional arrangements described in paragraph 8.6 will apply for a period of 15 months, i.e. until 08 September 2018.
- 8.8. The BMA recommends that a copy of this Bulletin is retained in the ship's certificate file until an International Ballast Water Management Certificate has been issued.

## **9. FPSOs, FSUs and floating offshore platforms**

- 9.1. The Convention applies to FPSOs, FSUs and offshore platforms. Whilst Regulation E-1 (Surveys) is not applicable to these types of unit, to ensure that the applicable provisions of the Convention are complied with, as required by Regulation E-1.2, The Bahamas requires these units to be surveyed and issued with a Statement of Compliance.
- 9.2. Paragraph 9.1 does not apply where an exclusion, exception, exemption or equivalence is in place for the unit.
- 9.3. Article 1.1 of the Convention defines the Administration as the Government of the coastal State for floating platforms engaged in exploration and exploitation of its natural resources, which includes FPSOs and FSUs. Operators of such units are therefore advised to consult the coastal State in which the unit is operating to establish their requirements in respect of the Convention.
- 9.4. Further guidance on the application of the BWM Convention to mobile offshore units can be found in IMO Circular BWM.2/Circ.46.

## **10. United States of America**

- 10.1. The United States Coast Guard has issued guidance on its Ballast Water Management Program. Please refer to Marine Safety Information Bulletin 13-15 ([click here](#)), Coast Guard Policy Letter No.13-01, Revision 2 ([click here](#)), Marine Safety Information Bulletin 010/16 ([click here](#)) and Marine Safety Information bulletin 003/17 ([click here](#)).



## **11. Further development**

11.1. This Bulletin will be further revised to take account of future developments.

## **12. Revision History**

Rev.3 (05 September 2017) – Paragraph 7.7 amended for “recoupling” IOPP Certificates

Rev.2 (11 August 2017) – Addition of link to RINA advice in paragraph 6.6

Rev.1 (09 August 2017) – Revision of paragraphs 6, 7 & 11 following developments at MEPC71 (new text shown in blue)

Rev.0 (09 June 2017) – First issue

**GUIDELINES AND GUIDANCE DOCUMENTS RELATED TO THE IMPLEMENTATION  
OF THE INTERNATIONAL CONVENTION FOR THE CONTROL AND MANAGEMENT  
OF SHIPS' BALLAST WATER AND SEDIMENTS, 2004**

**Table 1:** List of Guidelines for the uniform implementation of the BWM Convention

Resolution	Title	Status
MEPC.152(55)	Guidelines for sediment reception facilities (G1)	
MEPC.173(58)	Guidelines for ballast water sampling (G2)	
MEPC.123(53)	Guidelines for ballast water management equivalent compliance (G3)	
MEPC.127(53)	Guidelines for ballast water management and development of ballast water management plans (G4)	
MEPC.153(55)	Guidelines for ballast water reception facilities (G5)	
MEPC.124(53)	Guidelines for ballast water exchange (G6)	
MEPC.162(56)	Guidelines for risk assessment under regulation A-4 of the BWM convention (G7)	
MEPC.174(58)	Guidelines for approval of ballast water management systems (G8)	Revokes MEPC.125(53)
MEPC.279(70)	2016 Guidelines for approval of ballast water management systems (G8)	Supersedes MEPC.174(58)
MEPC.169(57)	Procedure for approval of ballast water management systems that make use of active substances (G9)	Revokes MEPC.126(53)
MEPC.140(54)	Guidelines for approval and oversight of prototype ballast water treatment technology programmes (G10)	
MEPC.149(55)	Guidelines for ballast water exchange design and construction standards (G11)	
MEPC.209(63)	2012 Guidelines on design and construction to facilitate sediment control on ships (G12)	Revokes MEPC.150(55)
MEPC.161(56)	Guidelines for additional measures regarding ballast water management including emergency situations (G13)	
MEPC.151(55)	Guidelines on designation of areas for ballast water exchange (G14)	

**Table 2:** List of other resolutions and guidelines related to the implementation of the BWM Convention

Resolution	Title	Status
MEPC.252(67)	Guidelines for port State control under the BWM Convention	
MEPC.253(67)	Measures to be taken to facilitate entry into force of the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004	
MEPC.228(65)	Information reporting on type approved ballast water management systems	Revokes MEPC.175(58)
MEPC.206(62)	Procedure for approving other methods of ballast water management in accordance with regulation B-3.7 of the BWM Convention	
MEPC.188(60)	Installation of ballast water management systems on new ships in accordance with the application dates contained in the ballast water management convention (BWM Convention)	

Table 2 (continued)

MEPC.175(58)	Information reporting on type approved ballast water management systems	Revoked by MEPC.228(65)
MEPC.163(56)	Guidelines for ballast water exchange in the Antarctic treaty area	
A.1088(28)	Application of the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004	Revokes A.1005(25)

Table 3: List of BWM Circulars related to the implementation of the BWM Convention

Circular	Title	Status
BWM.2/Circ.52	Guidance on entry or re-entry of ships into exclusive operation within waters under the jurisdiction of a single Party	
BWM.2/Circ.46	Application of the BWM Convention to Mobile Offshore Units	
BWM.2/Circ.45	Clarification of "major conversion" as defined in regulation A-1.5 of the BWM Convention	
BWM.2/Circ.44	Options for ballast water management for Offshore Support Vessels in accordance with the BWM Convention	
BWM.2/Circ.43	Amendments to the Guidance for Administrations on the type approval process for ballast water management systems in accordance with Guidelines (G8) (BWM.2/Circ.28)	Supersedes BWM.2/Circ.28
BWM.2/Circ.42/Rev.1	Guidance on ballast water sampling and analysis for trial use in accordance with the BWM Convention and Guidelines (G2)	Supersedes BWM.2/Circ.42
BWM.2/Circ.40	Issuance of Ballast Water Management Certificates prior to entry into force of the BWM Convention and Ballast Water Management Plans approved according to resolution A.868(20)	
BWM.2/Circ.37	Information that should be made available in proposals for approval of ballast water management systems in accordance with the Procedure for approval of ballast water management systems that make use of Active Substances (G9)	
BWM.2/Circ.33	Guidance on scaling of ballast water management systems	
BWM.2/Circ.32	Applicability of the Ballast Water Management Convention to hopper dredgers	
BWM.2/Circ.29/Rev.1	Clarification regarding the application dates contained in regulation B-3 of the BWM Convention	Supersedes BWM.2/Circ.29
BWM.2/Circ.27	Framework for determining when a Basic Approval granted to one ballast water management system may be applied to another system that uses the same Active Substance or Preparation	
BWM.2/Circ.21	Engineering Questionnaire on Ballast Water Management Systems	
BWM.2/Circ.20	Guidance to ensure safe handling and storage of chemicals and preparations used to treat ballast water and the development of safety procedures for risks to the ship and crew resulting from the treatment process	

Table 3 (continued)

BWM.2/Circ.17	Guidance document on arrangements for responding to emergency situations involving ballast water operations	
BWM.2/Circ.13/ Rev.3	Methodology for information gathering and conduct of work of the GESAMP-BWWG	
BWM.2/Circ.13/ Rev.2	Methodology for information gathering and conduct of work of the GESAMP-BWWG	
BWM.2/Circ.13/ Rev.1	Methodology for information gathering and conduct of work of the GESAMP-BWWG	
BWM.2/Circ.8	Harmonized implementation of the Guidelines for approval of Ballast Water Management Systems (G8)	
BWM.2/Circ.7	Interim Survey Guidelines for the purpose of the International <b>Convention for the Control and Management of Ships' Ballast Water and Sediments</b> under the Harmonized System of Survey and Certification (resolution A.948(23))	

Note: all tables updated in April 2017. For a full list of resolutions and BWM circulars, please consult the [Index of IMO Resolutions](#) and the publically available [Circulars](#) at IMODOCS.