

ANNEX 8

RESOLUTION MEPC.102(48)

Adopted on 11 October 2002

**GUIDELINES FOR SURVEY AND CERTIFICATION
OF ANTI-FOULING SYSTEMS ON SHIPS**

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 the international conventions for the prevention and control of marine pollution,

RECALLING ALSO that the International Conference on the Control of Harmful Anti-fouling Systems for Ships, 2001, held in October 2001, adopted the International Convention on the Control of Harmful Anti-fouling Systems on Ships, 2001 (the AFS Convention) together with four Conference resolutions,

NOTING that Article 10 of the AFS Convention prescribes that ships shall be surveyed and certified in accordance with the regulations of Annex 4 of the Convention,

NOTING ALSO that regulation 1(4)(a) of Annex 4 of the AFS Convention refers to the guidelines to be developed by the Organization and Conference resolution 2 urges the Organization to develop these guidelines as a matter of urgency for them to be adopted before the entry into force of the Convention,

HAVING CONSIDERED the draft Guidelines for Survey and Certification of Anti-fouling Systems on Ships prepared by the Sub-Committee on Flag State Implementation at its tenth session,

1. ADOPTS the Guidelines for Survey and Certification of Anti-fouling Systems on Ships, as set out in the Annex to this resolution;
2. INVITES Governments to apply the Guidelines as soon as possible, or when the Convention becomes applicable to them; and
3. RECOMMENDS that the Guidelines be reviewed on a regular basis.

ANNEX

GUIDELINES FOR SURVEY AND CERTIFICATION OF ANTI-FOULING SYSTEMS ON SHIPS

1 General

1.1 Article 10 of the International Convention on the Control of Harmful Anti-fouling Systems on Ships, 2001, hereinafter referred to as “the Convention,” prescribes that ships shall be surveyed and certified in accordance with the regulations of Annex 4 of the Convention. The purpose of this document is to provide the Guidelines for Surveys and Certification of Anti-fouling Systems on Ships referred to in Regulation 1(4)(a) of Annex 4, hereinafter referred to as the “Guidelines”, that will assist the Administrations and recognized organizations, in the uniform application of the provisions of the Convention and assist companies, shipbuilders, manufacturers of anti-fouling systems, as well as other interested parties to understand the process of the surveys and issuance and endorsement of the certificates.

1.2 These Guidelines provide the procedures for survey to ensure that a ship’s anti-fouling system complies with the Convention, and those necessary for issuance and endorsement of an International Anti-fouling System Certificate. A guidance for compliant anti-fouling systems is given in the Appendix to this Annex.

1.3 These Guidelines apply to surveys of ships of 400 gross tonnage and above engaged in international voyages, excluding fixed or floating platforms, floating storage units (FSUs), and floating production storage and off-loading units (FPSOs), as specified in Regulation 1(1) of Annex 4 to the Convention.

1.4 The sole purpose of the survey activities described in these Guidelines is to verify compliance with the provisions of the Convention. Consequently, such surveys do not relate to any aspect not regulated by the Convention even if such aspects relate to the performance of an anti-fouling system on the hull of a ship, including the quality of workmanship during the application process.

1.5 In the event that a new survey method is developed, or in the event that the use of a certain anti-fouling system is prohibited and/or restricted, or in the light of experience gained, these Guidelines may need to be revised in the future.

2 Definitions

For the purposes of these Guidelines:

2.1 “Administration” means the Government of the State under whose authority the ship is operating. With respect to a ship entitled to fly a flag of a State, the Administration is the Government of that State. With respect to fixed or floating platforms engaged in exploration and exploitation of the sea-bed and subsoil thereof adjacent to the coast over which the coastal State exercises sovereign rights for the purposes of exploration and exploitation of their natural resources, the Administration is the Government of the coastal State concerned.

2.2 “Anti-fouling system” means a coating, paint, surface treatment, surface, or device that is used on a ship to control or prevent attachment of unwanted organisms.

2.3 “Company” means the owner of the ship or any other organization or person such as the manager or the bareboat charterer, who has assumed the responsibility for the operation of the ship from the owner of the ship and who, on assuming such responsibility, has agreed to take over all duties and responsibilities imposed by the International Safety Management (ISM) Code.

2.4 “Gross tonnage” means the gross tonnage calculated in accordance with the tonnage measurement regulations contained in Annex 1 to the International Convention on Tonnage Measurement of Ships, 1969, or any successor Convention.

2.5 “International voyage” means a voyage by a ship entitled to fly the flag of one State to or from a port, shipyard, or offshore terminal under the jurisdiction of another State.

2.6 “Length” means the length as defined in the International Convention on Load Lines, 1966, as modified by the Protocol of 1988 relating thereto, or any successor Convention.

2.7 “Ship” means a vessel of any type whatsoever operating in the marine environment and includes hydrofoil boats, air-cushion vehicles, submersibles, floating craft, fixed or floating platforms, floating storage units (FSUs) and floating production storage and off-loading units (FPSOs).

3 When are surveys required

3.1 An initial survey should be carried out:

- .1 for a newbuilding; or
- .2 for an existing ship, before the International Anti-fouling System Certificate required under Regulations 2 or 3 of Annex 4 to the Convention is issued for the first time.

3.2 In order to ease the burden on the companies and other parties, the initial survey of the anti-fouling system on existing ships may best be carried out in connection with a drydock survey.

3.3 A survey should be carried out whenever an anti-fouling system is changed or replaced. Such surveys should cover the same scope as in Section 5.2.

3.4 A major conversion affecting the anti-fouling system of a ship may be considered as a newbuilding as determined by the Administration.

3.5 Repairs generally do not require a survey. However, repairs affecting approximately twenty-five (25) percent or more of the anti-fouling system, should be considered as a change or replacement of the anti-fouling system.

3.6 A non-compliant anti-fouling system controlled under Annex I of the Convention, that undergoes repair must be repaired, or replaced with a compliant anti-fouling system.

4 Request for survey

4.1 Prior to any survey, a request for survey should be submitted by the Company to the Administration, or to a recognized organization along with the ship's data required in the International Anti-fouling System Certificate as listed:

- .1 Name of ship
- .2 Distinctive number or letters
- .3 Port of registry
- .4 Gross tonnage
- .5 IMO number

4.2 A request for survey should be supplemented by a declaration and supporting information from the anti-fouling system manufacturer, confirming that the anti-fouling system applied, or intended to be applied to the ship is in compliance with the requirements of the Convention (with an identification of the version of the Convention referred to). Such declaration should provide the following information contained in the Record of Anti-Fouling System, as can be found in Appendix 1 to Annex 4 of the Convention:

- .1 Type of anti-fouling system¹
- .2 Name of anti-fouling system manufacturer
- .3 Name and colour of anti-fouling system
- .4 Active ingredient(s) and their Chemical Abstract Service Registry Number (CAS number(s))

Information required by the surveyor regarding compliance of product with the Convention should be found in a declaration from the anti-fouling system manufacturer which may be provided on the anti-fouling system container and/or on supportive documentation (such as Material Safety Data Sheets (MSDSs), or similar). A link between the supportive documentation and the relevant container should exist.

5 Conduct of surveys

5.1 Surveys for newbuildings

- .1 As part of the survey, it should be verified that the anti-fouling system specified by the documentation submitted with the request for survey complies with the Convention. The survey should include verification that the anti-fouling system applied is identical to the system specified in the request for survey.

¹ Examples of suitable wording could be: Organotin-free self polishing type, Organotin-free ablative type, Organotin-free conventional, Biocide-free silicon type paint, others. In the case of an anti-fouling system containing no active ingredients, the words 'biocide-free' should be used.

- .2 Taking into account experience gained and the prevailing circumstances, the verification required by paragraph 5.1.1 should include one or more of the following tasks, as deemed necessary to verify compliance:
 - (a) Checking that the product identification on anti-fouling system containers used during the application process is identical to the system specified in the request for survey.
 - (b) Sampling of the anti-fouling system.
 - (c) Testing of the anti-fouling system.
 - (d) Other checks conducted on site.
- .3 The verification tasks set out in paragraph 5.1.2 should be conducted at any time, either before, during, or after the anti-fouling system has been applied to the ship, as deemed necessary to verify compliance. No checks or tests must affect the integrity, structure or operation of the anti-fouling system.

5.2 Surveys of existing ships intending to apply a new anti-fouling system

- .1 If the existing anti-fouling system is confirmed by an International Anti-fouling System Certificate not to be controlled under Annex 1 of the Convention, the provisions described in paragraph 5.1 apply.
- .2 If the existing anti-fouling system is declared not to be controlled under Annex 1 of the Convention, without being documented by an International Anti-Fouling System Certificate, a verification should be carried out to confirm that the anti-fouling system complies with the requirements of the Convention. This verification may be based on sampling and/or testing and/or reliable documentation, as deemed necessary based on experience gained and the existing circumstances. Documentation for verification could e.g. be MSDSs, or similar, a declaration of compliance from the anti-fouling system manufacturer, invoices from the shipyard and/or the anti-fouling system manufacturer. To verify the new anti-fouling system, the provisions described in paragraph 5.1 apply.
- .3 If the existing anti-fouling system has been removed, the removal should be verified in addition to the provisions described in paragraph 5.1.
- .4 If a sealer coat has been applied, a verification should be carried out to confirm that the name, type and colour of the sealer coat applied to the ship match those specified in the request for survey, and that the existing anti-fouling system has been covered with that sealer coat. Additionally the provisions described in paragraph 5.1 apply.
- .5 If the existing anti-fouling system is controlled under Annex 1 of the Convention, it should be removed according to sub-paragraph 5.2.3 or covered by a sealer coat according to sub-paragraph 5.2.4 not later than 1 January 2008. Prior to this date, the existing anti-fouling system may be over-coated with an anti-fouling system

not controlled under Annex 1 without removing or sealing the existing anti-fouling system. This option should be stated on the International Anti-Fouling System Certificate by ticking off the appropriate box. To verify the new anti-fouling system, the provisions described in paragraph 5.1 apply.

5.3 Surveys of existing ships requesting only an International Anti-fouling System Certificate

- .1 If the existing anti-fouling system is declared to be controlled under Annex 1 of the Convention (i.e. containing prohibited/regulated compounds), an International Anti-fouling System Certificate may be issued on request stating that the anti-fouling system will be removed, or covered with a sealer coat when directed by the Convention.
- .2 If the existing anti-fouling system is declared not to be controlled under Annex 1 of the Convention, a verification should be carried out to confirm that the anti-fouling system complies with the requirements of the Convention. This verification may be based on sampling and/or testing and/or reliable documentation, as deemed necessary based on experience gained and the existing circumstances. Such documentation could be MSDSs or similar, a declaration of compliance from the anti-fouling system manufacturer, invoices from the shipyard and/or the anti-fouling system manufacturer. If this information raises no reasonable doubt that the system applied is compliant with Annex 1 of the Convention, the International Anti-fouling System Certificate may be issued on this basis.

5.4 Surveys of ships prior to entry into force of the Convention

- .1 Prior to the Convention having entered into force, an Administration may conduct surveys of ships in accordance with these Guidelines, and may then issue a Statement of Compliance to this effect.
- .2 Ships capable of documenting full compliance with the Convention through such a statement of compliance may be issued, upon entry into force of the Convention, an International Anti-fouling System Certificate on that basis, subject to any additional requirements from the Administration.

6 Issuing or endorsing the International Anti-fouling System Certificate

6.1 The International Anti-fouling System Certificate along with the Record of Anti-fouling Systems should be:

- .1 issued upon satisfactory completion of the initial survey;
- .2 issued upon acceptance of another Party's International Anti-fouling System Certificate; or
- .3 endorsed upon satisfactory completion of a survey for change or replacement of an anti-fouling system.

APPENDIX

Guidance for compliant anti-fouling systems

For the purpose of compliance with Annex I of the Convention, small quantities of organotin compounds acting as a chemical catalyst (such as mono- and di- substituted organotin compounds) are allowed, provided that they are present at a level which does not provide a biocidal effect to the coating. On a practical level, when used as a catalyst, an organotin compound should not be present above 2,500 mg total tin per kg of dry paint.
