

INDEPENDENT STATE OF PAPUA NEW GUINEA



Marine Pollution (Ballast Water Control) Regulation

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INDEPENDENT STATE OF PAPUA NEW GUINEA



Marine Pollution (Ballast Water Control) Regulation [insert yr]

MADE by the Head of State, acting with, and in accordance with, the advice of the National Executive Council under the *Marine Pollution (Ballast Water Control) Act [insert year]*.

1. Interpretation

In this regulation, unless the contrary intention appears:

“**Act**” and “**the Act**” mean the *Marine Pollution (Ballast Water Control) Act*;

“**Ballast Water**” means water with its suspended matter taken on board a ship to control trim, list, draught, stability or stresses of the ship.

“**IMO**” means the International Maritime Organization as established by the *International Maritime Organization Convention, 1958*.

2. Ballast Water Management Levy

For the purposes of Section 13 of the Act the Ballast Water Management Levy payable by the owners of contributing vessels is prescribed as follows:

(a) for Subsection 13(4)(a) of the Act, **KX** per m³ of Ballast Water Capacity per year is prescribed; and

(b) for Subsection 13(4)(b) of the Act, **KX** per m³ of Ballast Water Capacity per port or terminal entry is prescribed.

3. Ballast Water Record Book

The Ballast Water Record Book referred to in Section 15 of the Act shall be in Form 1 of the Schedule.

4. Recognized Organizations and Approved Surveyors

- (1) This regulation prescribes the qualifications and criteria to be met by Recognized Organizations and Approved Surveyors under Subsection 23(3) of the Act.
- (2) A Recognized Organization shall:
 - (a) be a member of the International Association of Classification Societies; and
 - (b) comply with the requirements of IMO Assembly Resolutions A.789(19) and A.739(18).
- (3) An Approved Surveyor shall:
 - (a) have a qualification as a naval architect, marine engineer or deck officer that is recognised by the Authority; and
 - (b) have at least three years of experience as a marine surveyor employed by either a flag State maritime administration or a classification society that is a member of the International Association of Classification Societies, including experience of assessing compliance with the International Convention for the Control and Management of Ships' Ballast Water and Sediments; and
 - (c) be competent in the English language commensurate with the technical nature of their work; and
 - (d) have a professional record of good repute.
- (4) The Authority shall maintain a register of all Approved Surveyors, including records of the reasons for approval of each Approved Surveyor.
- (5) The Authority shall maintain effective quality controls over Approved Surveyors by means of:
 - (a) examination of survey reports; and
 - (b) activity monitoring, including regular assessments of an Approved Surveyor's:
 - (i) personal safety awareness;

- (ii) understanding and application of the relevant requirements of the International Convention for the Control and Management of Ships' Ballast Water and Sediments;
 - (iii) technical capabilities;
 - (iv) understanding of customer related requirements; and
 - (v) standards of reporting and communication.
- (6) An Approved Surveyor may be de-registered by the Authority at the Authority's discretion.

5. International Ballast Water Management Certificate

The International Ballast Water Management Certificate referred to in Section 24 of the Act shall be in Form 2 of the Schedule.

Schedule

Independent State of Papua New Guinea

Marine Pollution (Ballast Water Control) Regulation



Form 1: Ballast Water Record Book

As required under Section 15 of the *Marine Pollution (Ballast Water Control) Act*

Period From: To:

Name of Ship

IMO number

Gross tonnage

Flag

Total Ballast Water capacity (in cubic metres)

The ship is provided with a Ballast Water Management plan

Diagram of ship indicating ballast tanks:

1 Introduction

In accordance with regulation B-2 of the Annex to the International Convention for the Control and Management of Ships' Ballast Water and Sediments, a record is to be kept of each Ballast Water operation. This includes discharges at sea and to reception facilities.

2 Ballast Water and Ballast Water Management

“Ballast Water” means water with its suspended matter taken on board a ship to control trim, list, draught, stability, or stresses of a ship. Management of Ballast Water shall be in accordance with an approved Ballast Water Management plan and taking into account Guidelines¹ developed by the Organization.

3 Entries in the Ballast Water Record Book

Entries in the Ballast Water record book shall be made on each of the following occasions:

3.1 When Ballast Water is taken on board:

- .1 Date, time and location port or facility of uptake (port or lat/long), depth if outside port;
- .2 Estimated volume of uptake in cubic metres;
- .3 Signature of the officer in charge of the operation.

3.2 Whenever Ballast Water is circulated or treated for Ballast Water Management purposes:

- .1 Date and time of operation;
- .2 Estimated volume circulated or treated (in cubic metres);
- .3 Whether conducted in accordance with the Ballast Water Management plan;
- .4 Signature of the officer in charge of the operation.

3.3 When Ballast Water is discharged into the sea:

- .1 Date, time and location port or facility of discharge (port or lat/long);
- .2 Estimated volume discharged in cubic metres plus remaining volume in cubic metres;
- .3 Whether approved Ballast Water Management plan had been implemented prior to discharge;
- .4 Signature of the officer in charge of the operation.

3.4 When Ballast Water is discharged to a reception facility:

¹ Refer to the Guidelines for the control and management of ships' ballast water to minimize the transfer of harmful aquatic organisms and pathogens adopted by the Organization by resolution A.868(20).

- .1 Date, time, and location of uptake;
 - .2 Date, time, and location of discharge;
 - .3 Port or facility;
 - .4 Estimated volume discharged or taken up, in cubic metres;
 - .5 Whether approved Ballast Water Management plan had been implemented prior to discharge;
 - .6 Signature of officer in charge of the operation.
- 3.5 Accidental or other exceptional uptake or discharges of Ballast Water:
- .1 Date and time of occurrence;
 - .2 Port or position of the ship at time of occurrence;
 - .3 Estimated volume of Ballast Water discharged;
 - .4 Circumstances of uptake, discharge, escape or loss, the reason therefore and general remarks;
 - .5 Whether approved Ballast Water Management plan had been implemented prior to discharge;
 - .6 Signature of officer in charge of the operation.
- 3.6 Additional operational procedure and general remarks.

4 Volume of Ballast Water

The volume of Ballast Water onboard should be estimated in cubic metres. The Ballast Water record book contains many references to estimated volume of Ballast Water. It is recognized that the accuracy of estimating volumes of ballast is left to interpretation.

RECORD OF BALLAST WATER OPERATIONS

SAMPLE BALLAST WATER RECORD BOOK PAGE

Name of Ship:

Distinctive number or letters

Date	Item (number)	Record of operations/signature of officers in charge

Signature of master

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Marine Pollution (Ballast Water Control) Regulation



Form 2: International Ballast Water Management Certificate

As required under Section 24 of the *Marine Pollution (Ballast Water Control) Act*

Issued under the provisions of the International Convention for the Control and Management of Ships' Ballast Water and Sediments (hereinafter referred to as "the Convention") under the authority of the Government of Papua New Guinea.

by
(full designation of the competent person or organization authorized under the provisions of the Convention)

Particulars of ship

Name of ship

Distinctive number or letters

Port of registry

Gross Tonnage

IMO number

Date of Construction

Ballast Water Capacity (in cubic metres)

Details of Ballast Water Management Method(s) Used

Method of Ballast Water Management used

Date installed (if applicable)

Name of manufacturer (if applicable)

The principal Ballast Water Management method(s) employed on this ship is/are:

- in accordance with regulation D-1 of the Convention.
- in accordance with regulation D-2 of the Convention.
(describe)
- the ship is subject to regulation D-4 of the Convention.

THIS IS TO CERTIFY:

- 1 That the ship has been surveyed in accordance with regulation E-1 of the Annex to the Convention; and
- 2 That the survey shows that Ballast Water Management on the ship complies with the Annex to the Convention.

This certificate is valid until subject to surveys in accordance with regulation E-1 of the Annex to the Convention.

Completion date of the survey on which this certificate is based: dd/mm/yyyy

Issued at
(Place of issue of certificate)

.....
(Date of issue)

.....
Signature of authorized official issuing the certificate)

(Seal or stamp of the authority, as appropriate)

ENDORSEMENT FOR ANNUAL AND INTERMEDIATE SURVEY(S)

THIS IS TO CERTIFY that under a survey required by regulation E-1 of the Annex to the Convention the ship was found to comply with the relevant provisions of the Convention:

Annual survey: Signed
(Signature of duly authorized official)

Place

Date.....

(Seal or stamp of the authority, as appropriate)

Annual*/Intermediate survey*: Signed
(Signature of duly authorized official)

Place

Date.....

(Seal or stamp of the authority, as appropriate)

Annual*/Intermediate survey* : Signed
(Signature of duly authorized official)

Place

Date.....

(Seal or stamp of the authority, as appropriate)

Annual survey: Signed
(Signature of duly authorized official)

Place

Date.....

(Seal or stamp of the authority, as appropriate)

* Delete as appropriate

**ANNUAL / INTERMEDIATE SURVEY
IN ACCORDANCE WITH REGULATION E-5.8.3 OF THE CONVENTION.**

THIS IS TO CERTIFY that, at an annual / intermediate* survey in accordance with regulation E-5.8.3 of the Annex to the Convention, the ship was found to comply with the relevant provisions of the Convention:

Signed
(Signature of authorized official)

Place

Date.....

(Seal or stamp of the authority, as appropriate)

**ENDORSEMENT TO EXTEND THE CERTIFICATE IF VALID
FOR LESS THAN 5 YEARS WHERE REGULATION E-5.3 OF THE
CONVENTION APPLIES**

The ship complies with the relevant provisions of the Convention, and this Certificate shall, in accordance with regulation E-5.3 of the Annex to the Convention, be accepted as valid until.....

Signed
(Signature of authorized official)

Place

Date.....

(Seal or stamp of the authority, as appropriate)

* Delete as appropriate

**ENDORSEMENT WHERE THE RENEWAL SURVEY HAS BEEN
COMPLETED AND REGULATION E-5.4 OF THE CONVENTION APPLIES**

The ship complies with the relevant provisions of the Convention and this Certificate shall, in accordance with regulation E-5.4 of the Annex to the Convention, be accepted as valid until

Signed
(Signature of authorized official)

Place

Date.....

(Seal or stamp of the authority, as appropriate)

**ENDORSEMENT TO EXTEND THE VALIDITY OF THE CERTIFICATE
UNTIL REACHING THE PORT OF SURVEY OR FOR A PERIOD OF GRACE
WHERE REGULATION E-5.5 OR E-5.6 OF THE CONVENTION APPLIES**

This Certificate shall, in accordance with regulation E-5.5 or E-5.6* of the Annex to the Convention, be accepted as valid until

Signed
(Signature of authorized official)

Place

Date.....

(Seal or stamp of the authority, as appropriate)

* Delete as appropriate

**ENDORSEMENT FOR ADVANCEMENT OF ANNIVERSARY DATE
WHERE REGULATION E-5.8 OF THE CONVENTION APPLIES**

In accordance with regulation E-5.8 of the Annex to the Convention the new Anniversary date is

Signed
(Signature of authorized official)

Place

Date.....

(Seal or stamp of the authority, as appropriate)

In accordance with regulation E-5.8 of the Annex to the Convention the new Anniversary date is

Signed
(Signature of duly authorized official)

Place

Date.....

(Seal or stamp of the authority, as appropriate)