



Technical Circular

No.: 099/2017

Date: 08th August 2017

To whomsoever it may concern

Subject: Panama Policy Reg. Ballast Water Management Convention, 2004.

1. Panama Maritime Authority has issued revised Merchant Marine Circular MMC-345 (copy attached) providing guidance and instructions to ensure compliance with the Ballast Water Management Convention 2004 taking into account the decision of the Marine Environmental Protection Committee (MEPC session 71) on the approval of the draft amendments to regulation B-3 of the BWM Convention.
2. Republic of Panama has submitted to IMO the accession of the Ballast Water Management Convention 2004 (BWMC), on 19 October 2016 and the Convention will enter into force on 8 September 2017.
3. On entry into force of BWMC:
 - i. **All Panamanian flagged ships** with dedicated ballast water tanks or spaces, will be required to comply with the following requirements:
 - a. Ballast Water Management Plan approved by Panama Administration.
 - b. Ballast Water Record Book.
 - ii. **Panamanian flagged ships of 400 GT and above (excluding floating platforms, FSUs and FPSOs at the location of operation)** will in addition to above documents, be required to carry on board an International Ballast Water Management Certificate (IBWM Certificate).
 - iii. Mobile Offshore Units including Mobile Offshore Drilling Units will be required to be surveyed and issued with an IBWM Certificate according to regulations E-1 and E-2 of the Convention, as applicable.
4. **Ballast Water Management Systems (BWMS):**
 - i. Panama Administration will accept the Ballast Water Management Systems, Type approved by other Administrations, provided it's been approved in accordance with the Guidelines on the Type Approval process for BWMS (Resolution MEPC.174 (58) or Resolution MEPC.279 (70) as applicable).



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- ii. Ships involved in voyages that include ports in the United States or its jurisdictional waters will be required to be fitted with BWMS accepted by the USCG.
- iii. An additional survey during sea trials of a Ballast Water Management Systems (BWMS) would be required to confirm the operation and efficacy of the system.
- iv. MEPC at its 71st session approved draft amendments to regulation B-3 of the Ballast Water Management Convention. The changes supersede the implementation schedule contained within IMO Res.A.1088 (28).

The new implementation schedule for compliance with the D-2 standard is as follows:

- New ships constructed on or after 8 September 2017 shall comply with D-2 standard on delivery.
- Existing ships (constructed prior 8 September 2017) shall comply with the D-2 discharge standard as under:
 - a) By the first IOPP renewal survey: this applies when the first renewal survey of the ship takes place on or after 8 September 2019; or
 - b) By the first IOPP renewal survey after 8 September 2017: this applies when a renewal survey has been completed on or after 8 September 2014 but prior to 8 September 2017.
 - c) By the second renewal survey: this applies if the first renewal survey after 8 September 2017 takes place before 8 September 2019. In this case, compliance must be by the second renewal survey (provided that the previous renewal survey has not been completed in the period between 8 September 2014 and 8 September 2017).
- An existing ship to which the IOPP renewal survey under MARPOL Annex I does not apply i.e. Oil tankers of less than 150 GT and other ships of less than 400 GT shall meet the D-2 standard not later than 8 September 2024.

5. Ballast Water Management Plan (BWMP):

- i. BWMP will be evaluated, revised and approved by Segumar Panama in accordance with IMO Resolution MEPC.127 (53).
- ii. To apply for the approval, ship-owners and ship operators should access the following link: <http://certificates.amp.gob.pa/certificates> from March 15, 2017. The link will allow users to upload the ship's BWMP.

- iii. From 15 March 2017, Panama Administration will issue an electronic BWMP Statement of Fact to the Company, valid for three (3) months, upon receipt of the BWMP for review and approval. BWMP will be approved electronically and electronic copy to be placed on board and available for inspection at all times. Statement of Fact will only be issued until 8 September 2017.
- iv. Ships not fitted with a BWMS or ships fitted with a BWMS which has been subject to modification should review and update their BWMP upon installation or modification. In these cases BWMP should be submitted to the Administration for re-approval.
- v. Ballast Water Management Plans, previously approved in accordance with Resolution A.868 (20), will remain valid until the plan requires revision due to the installation of a BWMS.
- vi. BWMP as per the guideline on Resolution MEPC.127 (53) will only be evaluated and endorsed by the Panama Administration.

6. International Ballast Water Management Certificate (IBWMC):

- i. IRS as Recognized Organization is authorized to perform surveys required by the Convention (Regulation E-1) and to issue an Interim International Ballast Water Management Certificate valid for a period of maximum five (5) months, after satisfactory completion of the correspondent initial or renewal survey.
- ii. Initial Survey (in connection with Certificates issued for the first time), may be performed prior to the entry into force of the Convention. In such cases an Interim Certificate will be issued along with annotation of the Certificate to state that validity (maximum five months) begins from the entry-into force date (08 Sept 2017).
- iii. The ship's survey to issue the IBWMC for the first time is allowed to be carried out in conjunction with the annual survey of the statutory certificates.
- iv. The Full Term International Ballast Water Management Certificate (IBWMC) will be issued by Segumar Offices (including branch offices) after receiving through the electronic system, copy of the following documents:
 - Short term or Provisional Certificate or Statement of Compliance issued by IRS;
 - Survey Report; and
 - Approved BWMP*.

* - At this stage, plan should be approved by Panama Administration and therefore approval copy or the correspondent Statement of Fact should be available in their record. However, in case of those ships with an approved BWMP by a RO as per the guidelines of Resolution A.868 (20), evidence of such approval shall be uploaded on Segumar E-app (e.g. Cover page of the BWMP reflecting approval as per Res.A.868 (20)).

7. Special Considerations:

- i. Panama Maritime Authority vide MMC-342 had authorized on a case by case basis, the de-harmonization of the IOPP Certificate from the HSSC system of the statutory certificates before the implementation date of BWMC (8th Sept 2017) in order to postpone the installation of a Ballast Water Management System.

However, considering the outcomes of the session 71 of the MEPC, the Administration has informed that MMC-342 will be amended in order to follow the resolutions reached at the International Maritime Organization.

Ship owners/ operators and masters are advised to be guided by above.

Enclosure:

1. Panama Merchant Marine Circular, MMC-345.

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