



TUVALU SHIP REGISTRY

Singapore Operations Office:

10 Anson Road #25-16, International Plaza, Singapore 079903

Tel: (65) 6224 2345 Fax: (65) 6227 2345

Email: info@tvship.com Website: www.tvship.com

MARINE CIRCULAR

MC-16/2012/1

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FOR: Ship Owners, Ship Managers, Ship Operators, Ship Masters, Ship Officers, Classification Societies

SUBJECT: IMO PERFORMANCE STANDARDS FOR PROTECTIVE COATING (PSPC)

DEFINITIONS:

The following abbreviations stand for:

- "GT" – Gross Tonnage as determined under the provisions of the ITC 69 and shown on the International Tonnage Certificate (based on ITC 69) of the ship
- "IMO" – International Maritime Organization
- "MEPC" – Maritime Environment Protection Committee (IMO)
- "MSC" – Maritime Safety Committee (IMO)
- "PSPC" – Performance Standard for Protective Coatings as defined by IMO Resolution MSC.215(82)
- "RO" – Recognized Organization as defined by IMO Resolution A.789(19).
- "SOLAS" – International Convention for the Safety of Life at Sea (SOLAS), 1974, as amended

The term "Administration" shall mean the Tuvalu Ship Registry.

PURPOSE:

This marine circular seeks to inform the Administration's position with regard to the Unified Interpretation of the Application of Regulations Governed by the Building Contract Date, The Keel Laying Date and the Delivery Date for the requirements of SOLAS II-1/3-2 Convention (PSPC) and related matters.

APPLICATION:

The Protective coatings of dedicated seawater ballast tanks in all types of ships over 500 GT, and double-side skin spaces of bulk carriers of 150 metres in length and over, becomes mandatory in accordance to SOLAS II-1/3-2 and IMO has set three (3) different dates to activate the new coating standard:

- (a) The building contract is placed on or after 1 July 2008 or;
- (b) In the absence of a building contract, the keels of which are laid or which are at a similar stage of construction on or after 1 January 2009; or
- (c) The Delivery date of which is on or after 1 July 2012.

REFERENCES:

- (a) IMO Resolution MSC.215(82), Performance Standard for Protective Coatings for Dedicated Seawater Ballast Tanks in all types of ships and Double-side skin spaces of Bulk Carriers
- (b) IMO Resolution MSC.215(82), Adoption of Amendments to the International Convention for the Safety of Life at Sea, 1974, as amended
- (c) IMO MSC.1/Circ.1247, Interpretation of SOLAS II-1/3-2 concerning the term "Unforeseen Delay in Delivery of Ships"

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1. Background

IMO, on 8 December 2006, adopted a Performance Standard for Protective Coatings (PSPC). This new coating standard applies to ballast water tanks on newbuildings in all types of ships and is settled in IMO

Resolution MSC.215(82). The IMO PSPC has been made mandatory through an amendment in SOLAS through Page 3 of IMO Resolution MSC.216(82) Page 3 and is therefore a statutory requirement.

2. Interpretation of the IMO Implementation Dates

This Administration, with a view of providing more specific guidance for the application of the PSPC will follow the guidance for the unified interpretation of the application of Regulations as indicated in the MSC-MEPC.5/Circ./4 detailed as follows:

- 2.1. If a building contract signing date occurs on or after 1 July 2008, then the applicable vessel must comply with the PSPC requirements;
- 2.2. Only in the absence of a building contract does the keel laying date criteria apply. This means that in the absence of a building contract, vessels which keel laid occurs on or after 1 January 2009 must comply with the PSPC requirements; and
- 2.3. Regardless of the building contract or the keel laying date, if the vessel's delivery date occurs on or after 1 July 2012, then the vessel must comply with the PSPC requirements.

3. Delay in Delivery Date due to Unforeseen Circumstances

- 3.1. Notwithstanding the above, this Administration understands that there will be cases of vessels with a scheduled delivery date prior to 1 July 2012, but is however delivered after 1 July 2012 due to unforeseen circumstances beyond the control of the shipbuilder and owner.
- 3.2. In such cases, such vessels may apply to this Administration to be treated as a vessel that is delivered before 1 July 2012. In order to approve the request for this special consideration, the following documents shall be submitted in electronic format to this Administration at technical@tvship.com:
 - 3.2.1. a report by the owner providing the reasons for delay; and
 - 3.2.2. a formal request through submission of Form EX (which can be downloaded from www.tvship.com).
- 3.3. Applications received by the Administration shall be reviewed and considered on a case-by-case basis.
- 3.4. Vessels who have received approval from this Administration shall inform the RO to have the delivery date annotated on the Passenger Ship Safety Certificate (in the case of Passenger vessels), or Cargo Ship Safety Construction Certificate (in the case of all other vessels), be footnoted to indicate that the vessel's delivery date is accepted by this Administration under the unforeseen delay in delivery provisions as interpreted in IMO MSC.1/Circ.1247.

4. Relevant Annexes

- Annex I** : IMO Resolution MSC.215(82), Performance Standard for Protective Coatings for Dedicated Seawater Ballast Tanks in all types of ships and Double-side skin spaces of Bulk Carriers
- Annex II** : IMO Resolution MSC.215(82), Adoption of Amendments to the International Convention for the Safety of Life at Sea, 1974, as amended
- Annex III** : IMO MSC.1/Circ.1247, Interpretation of SOLAS II-1/3-2 concerning the term "Unforeseen Delay in Delivery of Ships"

Yours sincerely,

Deputy Registrar
Tuvalu Ship Registry