



TUVALU SHIP REGISTRY

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MARINE CIRCULAR

MC-3/2008/1

3/2015

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

SUBJECT: ANTI-FOULING SYSTEMS CONVENTION

DEFINITIONS:

The following abbreviations stand for:

- “AFS” – Anti-fouling Systems
- “AFSC” – Anti-fouling Systems Certificate
- “FPSO” – Floating Production Storage and Off-loading Unit
- “FSU” – Floating Storage Unit
- “GT” – Gross Tonnage in accordance to ITC 69
- “IMO” – International Maritime Organization
- “ITC 69” – International Convention on the Tonnage Measurement of Ships, 1969
- “MEPC” – Marine Environment Protection Committee (IMO)
- “PSC” – Port State Control
- “RO” – Recognized Organization as defined by IMO Resolution A.789(19).

The following terms shall mean:

- “Administration” – Tuvalu Ship Registry
- “ship” – 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, FSUs and FPSOs.

PURPOSE:

This marine circular serves to provide the requirements of the AFS Convention that this Administration has acceded to on 2 December 2005. The AFS Convention enters into force for ships registered under Tuvalu on 17 September 2008. Under the terms of the AFS Convention, the use of harmful anti-fouling systems on ships is prohibited and/or restricted.

REFERENCES:

- (a) International Convention on the Control of Harmful Anti-Fouling Systems on Ships, 2001
- (b) IMO Resolution MEPC.102(48) – Guidelines for Survey and Certification of Anti-Fouling Systems on Ships
- (c) Commission Regulation (EC) No 536/2008

APPLICATION:

The AFS Convention applies to all Tuvalu flagged ships.

CONTENTS:

1. Retroactive Provision 1

The AFS Convention contains a retroactive provision, whereby as of 1 January 2003, all ships shall not have applied or reapplied any anti-fouling system containing organotin compounds which act as a biocide.

2. Retroactive Provision 2

2.1. Additionally, the AFS Convention stipulates that effective 1 January 2008, ships (except fixed or floating platforms, FSUs and FPSOs that have been constructed prior to 1 January 2003 and that have not been dry-docked on or after 1 January 2003) shall not bear any anti-fouling system containing organotin compounds on the hull or external surfaces. Alternatively, if the non-compliant system has not been removed, a barrier or sealer coating which prevents leaching of such non-compliant systems shall have been applied.

2.2. However, as the entry into force date for the AFS Convention occurs after the dates contained in Annex 1 of the AFS Convention, this Administration recognizes that:

2.2.1. the 1 January 2003 effective date for Retroactive Provision 1 above moves forward to the entry into force date of 17 September 2008; and

2.2.2. the 1 January 2008 implementation date for Retroactive Provision 2 above moves forward to the entry into force date of 17 September 2008.

2.3. It should be noted, however, that ships can be subject to regional jurisdiction or requirements upon entering the waters of certain States. Such is the case for any ship entering an EU port or offshore terminal. As of 3 July 2008, PSC of EU Member States are required under EU Regulation No 536/2008, reference (c), to check for documentation demonstrating compliance with the requirements of the AFS Convention for vessels entering a port or offshore terminal under their jurisdiction. Shipowners and operators are advised to be aware of such requirements in advance of any such intended port call, and may be required to obtain a Statement of Compliance for the AFS Convention prior to the entry into force date.

3. Survey and Certification Requirements

3.1. Ships of 400 GT and above engaged on international voyages, excluding fixed or floating platforms, FSUs and FPSOs, are subject to the survey requirements of Regulation 1 and certification requirements of Regulation 2 of Annex 4 of the AFS Convention.

3.2. Additionally, ships of 24 meters or more in length, but less than 400 GT engaged on international voyages, excluding fixed or floating platforms, FSUs, and FPSOs, are required to carry a Declaration of Anti-Fouling System in accordance with Regulation 5 of Annex 4 of the AFS Convention (Sample of Declaration of Anti-Fouling System can be found below in Appendix I of this circular.

4. Recognized Organizations (ROs)

In accordance with Regulation 1(4) of Annex 4 of the AFS Convention, the Survey and Certification functions of the AFS Convention are fully delegated to the ROs authorized to act on behalf of the Administration.

5. Initial Survey and Certification

5.1. An Initial Survey for issuance of an AFSC shall be carried out before the ship is put into service, or when the anti-fouling system is changed or replaced, on or after the entry into force date of 17 September 2008.

5.2. When the compliant anti-fouling system was applied prior to the entry into force date, the ship shall undertake the Initial Survey and Certification no later than 16 September 2010 (two years after the entry into force date).

5.3. It is recommended that the Initial Survey for existing ships is conducted in conjunction with a dry-docking survey.

6. Surveys of Ships Prior to Entry into Force of the AFS Convention

6.1. Prior to the AFS Convention having entered into force, the Administration authorized ROs to conduct surveys of ships in accordance with these Guidelines for compliance, establish a Record of Anti-fouling Systems, and issue a Statement of Compliance to this effect.

6.2. Ships capable of documenting full compliance with the AFS Convention through such a Statement of Compliance and having up-to-date Record of Anti-fouling Systems may, upon entry into force of the AFS Convention, be issued an AFSC by the ship's RO.

7. Repairs

Repairs to existing anti-fouling systems which affect more than twenty-five percent (25%) of the system shall be considered a change or replacement of the anti-fouling system. Furthermore, any repairs to an existing anti-fouling system must be repaired or replaced with a compliant anti-fouling system.

8. Changes

8.1. An AFSC, once issued, ceases to be valid when the associated anti-fouling system is changed or replaced and not properly endorsed accordingly, or when the ship transfers to the flag of another State.

8.2. In the case of the transfer of a ship into the registry, the Administration may issue a new AFSC based on the certificate issued by the previous administration, provided the previous administration is a Party to the Convention, the Record of Anti-fouling Systems is up-to-date and the certificate was valid at the time of the transfer. Otherwise, an Initial Survey will be required for the issuance of a new AFSC.

Yours sincerely,

Deputy Registrar
Tuvalu Ship Registry

TUVALU SHIP REGISTRY
DECLARATION ON ANTI-FOULING SYSTEM

Drawn up under the

International Convention on the Control of Harmful Anti-Fouling Systems on Ships

Name of Ship	Distinctive Number or Letters	Port of Registry
Length	Gross Tonnage	IMO Number (if applicable)

I declare that the anti-fouling system used on this ship complies with Annex 1 of the Convention.

(Date)

(Signature of owner or owner's authorised agent)

Endorsement of anti-fouling system(s) applied

Types(s) of anti-fouling system(s) used and date(s) of application:

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(Date)

(Signature of owner or owner's authorised agent)

Types(s) of anti-fouling system(s) used and date(s) of application:

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(Date)

(Signature of owner or owner's authorised agent)

Types(s) of anti-fouling system(s) used and date(s) of application:

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(Date)

(Signature of owner or owner's authorised agent)