



Maritime and Coastguard Agency

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## **UK Accession to the International Convention on the Control of Harmful Anti-Fouling Systems**

**Notice to all Shipowners, Masters, Owners and Skippers of Fishing Vessels, Owners and Skippers of Yachts, Floating Storage Units, Floating Production Storage and Off Loading Units, Ship Builders and Ship Repairers, Classification Societies and Marine Surveyors etc**

*This notice should be read in conjunction with:*

*Statutory Instrument (SI) 2009 No.2796 The Merchant Shipping (Anti-Fouling Systems) Regulations 2009,  
MGN 398 Guidance on the Merchant Shipping (Anti-Fouling Systems) Regulations 2009,  
Regulation (EC) No 782/2003 of The European Parliament and of the Council of 14th April 2003 on the prohibition of organotin compounds on ships, and  
The International Convention on the Control of Harmful Anti-Fouling Systems on Ships.*

*This MIN expires 14 July 2011*

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### **Summary**

Update on the UK's accession to the International Convention on the Control of Harmful Anti-Fouling Systems on Ships, and the effect on certificates that need to be carried.

## **1. Introduction & Background**

1.1 The Secretary of State for Foreign and Commonwealth Affairs signed and deposited the Instrument of Accession to the International Convention on control of Harmful Anti-Fouling Systems on Ships ("the Convention") with the Secretary General of the International Maritime Organization (IMO), on 7th June 2010.

1.2 In accordance with Article 18(3) of the Convention, the accession of the United Kingdom of Great Britain and Northern Ireland to this Convention takes effect three months after the date of the deposit of the Instrument of Accession.

1.3 The Convention will therefore come into effect for the UK on 7th September 2010.

1.4 The EC Regulation on the prohibition of organotin compounds on ships ("the EC Regulation") has had effect since May 2003. The Merchant Shipping (Anti-Fouling Systems) Regulations 2009 ("the UK Regulations") implemented the EC Regulation for the UK so far as was necessary, with effect from 1st December 2009. These UK Regulations provide the legal framework for the offences and penalties which will be used to enforce the provisions of the EC Regulation in the UK.

1.5 One of the purposes of the EC Regulation was to put Member States in the best possible position to ratify the Convention. With both the EC Regulation and the UK Regulations in place, the UK Government was satisfied that the UK would be able to comply with its obligations in international law under the Convention, and so it has now been possible for the UK to accede to the Convention.

## **2. Survey & Certification**

2.1 All UK ships which require certification under the EC Regulation and UK Regulations (see MGN 398 for further details) will need to replace their current certificates and Statements of Compliance with a full International Certificate which refers to the Convention. The current certificates carried by UK ships refer only to the EC Regulation, and must be replaced to reflect that the UK has acceded to the Convention. Arrangements should be made by ship owners prior to 7th September 2010 to obtain the new Certificate, as this will need to be carried on board UK ships as from 7th September 2010.

2.2 The requirement for this full International Certificate applies to a ship regardless of whether it is engaged in international voyages or only on domestic voyages.

2.3 The Survey and Certification of AFS has been delegated to the following UK Recognised Classification Societies:

- American Bureau of Shipping;
- Bureau Veritas;
- Nippon Kaiji Kyokai;
- Det Norske Veritas;
- Germanischer Lloyd;
- Lloyds Register; and
- RINA.

## More Information

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