



Office of
Deputy Commissioner
of Maritime Affairs

THE REPUBLIC OF LIBERIA
LIBERIA MARITIME AUTHORITY

Marine Notice

AFS-001
Rev. 06/12

TO: ALL SHIPOWNERS, OPERATORS, MASTERS AND OFFICERS OF MERCHANT SHIPS, AGENTS, LIBERIAN AUDITORS AND RECOGNIZED ORGANIZATIONS

SUBJECT: International Convention on the Control of Harmful Anti-fouling Systems on Ships, 2001

Reference:

- (a) **Anti-fouling Systems Convention, 2001**
- (b) **MEPC Resolution 195(62)**
- (c) **MEPC Resolution 208(62)**
- (d) **MEPC Resolution 104(49)**
- (e) **Commission Regulation (EC) No 536/2008**

Supersedes: Marine Notice AFS-001, dated 9/08

PURPOSE:

The purpose of this note is to advise that the Republic of Liberia is a Party to the International Convention on the Control of Harmful Anti-fouling Systems on Ships, 2001 (AFS Convention) and to provide information on the Liberian Flag State Administration's actions for implementation.

The AFS Convention entered into force on 17 September 2008.

APPLICABILITY:

The AFS Convention applies to all registered ships regardless of tonnage. Under the AFS Convention "ship" means 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, floating storage units (FSUs) and floating production storage and off-loading units (FPSOs).

1.0 DEFINITIONS:

1.1 Administration: the Government of the State under whose authority the ship is operating. With respect to a ship entitled to fly a flag of a State, the Administration is the Government of that State. With respect to fixed or floating platforms engaged in exploration and exploitation of the sea-bed and subsoil thereof adjacent to the coast over which the coastal State exercises sovereign rights for the purposes of exploration and

exploitation of their natural resources, the Administration is the Government of the coastal State concerned.

- 1.2 Anti-fouling System: A coating, paint, surface treatment, surface, or device that is used on a ship to control or prevent attachment of unwanted organisms.
- 1.3 International voyage: A voyage by a ship entitled to fly the flag of one State to or from a port, shipyard, or offshore terminal under the jurisdiction of another State.
- 1.4 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, floating storage units (FSUs) and floating production storage and off-loading units (FPSOs).

2.0 REQUIREMENTS:

- 2.1 Under the AFS Convention, ships are not permitted to apply or re-apply organotin compounds which act as biocides in their anti-fouling systems; ships either shall not carry such compounds on their hulls or external parts or surface or, in the case of ships that already carry such compounds on their hulls, will have to apply a coating that forms a barrier to prevent them leaching from the underlying non-compliant anti-fouling systems.
- 2.2 It is expected that as of 17 September 2008, ships should be in compliance and:
 - a. shall not bear non-compliant anti-fouling systems on their hulls or external parts or surfaces; or
 - b. shall bear a coating that forms a barrier to such compounds leaching from the underlying non-compliant anti-fouling systems.
- 1.3.1 This does not apply to fixed and floating platforms, FSUs, and FPSOs that have been constructed prior to 1 January 2003 and that have not yet been in dry-dock since that date.

3.0 Survey and Certification

- 3.1 Ships of above 400 gross tonnage engaged in international voyages, excluding fixed and floating platforms, FSUs and FPSOs, are required to carry on board a valid International Anti-fouling System Certificate along with a Record of Anti-fouling Systems verifying compliance with the convention.
- 3.2 An initial survey shall be carried out for a new building or for an existing ship, before the International Anti-fouling System Certificate is issued for the first time.
- 3.3 A survey should also be carried out when the anti-fouling system is changed or replaced. While repairs generally do not require a survey, repairs that affect more than twenty-five percent (25%) of the anti-fouling system should be considered a change or replacement.
- 3.4 A non-compliant anti-fouling system controlled under annex 1 of the Convention, that undergoes repair must be repaired, or replaced with a compliant anti-fouling system.
- 3.5 The Administration has delegated Survey and Certification functions to the Recognized

Organizations (ROs) authorized to act on its behalf in accordance with Regulation 1(4) of Annex 4 of the AFS Convention.

- 3.6 Ships of 24 meters or more in length, but less than 400 gross tonnage engaged on international voyages, excluding fixed or floating platforms, FSUs, and FPSOs, are required to carry on board a Declaration of Anti-Fouling System signed by the owner or the owner's authorized agent in accordance with Regulation 5 of Annex 4 of the AFS Convention. The Declaration shall be accompanied by documentation, such as paint receipt or a contractor invoice, or contain an appropriate endorsement (Refer to *Annex 2* for the form of the Declaration). A copy of the Declaration shall be sent to the Administration's Technical Department at: technical@liscr.com.

4.0 Validity of Certificates

The International Anti-fouling System Certificate ceases to be valid when the anti-fouling system is changed or replaced or is not endorsed in accordance with the AFS convention or upon transfer of the ship to the flag of another State.

5.0 Inspection of Anti-Fouling Systems on Ships

- 5.1 A ship to which this Convention applies may, in any port, shipyard, or offshore terminal of a Party, be inspected by officers authorized by that Party for the purpose of determining whether the ship is in compliance with this Convention. Unless there are clear grounds for believing that a ship is in violation of this Convention, any such inspection shall be limited to:
- (a) verifying that, where required, there is onboard a valid International Anti-fouling System Certificate or a Declaration on Anti-fouling System; and/or
 - (b) a brief sampling of the ship's anti-fouling system that does not affect the integrity, structure, or operation of the anti-fouling system taking into account guidelines developed by the Organization.* However, the time required to process the results of such sampling shall not be used as a basis for preventing the movement and departure of the ship.
- 5.2 If there are clear grounds to believe that the ship is in violation of this Convention, a thorough inspection may be carried out taking into account guidelines in MEPC Resolution MEPC 208(62).
- 5.3 If the ship is detected to be in violation of this Convention, the Party carrying out the inspection may take steps to warn, detain, dismiss, or exclude the ship from its ports. A Party taking such action against a ship for the reason that the ship does not comply with this Convention shall immediately inform the Administration of the ship concerned.
- 5.4 The European Union has adopted Commission Regulation (EC) no 536/2008, which calls for such action. Shipowners and operators should make every effort to ensure that their ships are able to demonstrate compliance in order to avoid delays or barring from the waters of a Party State.

6.0 Transfer of Flag

The Administration may issue a new International Anti-fouling System Certificate for a ship transferring into the registry 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 is valid at the time of the transfer. This Administration may request, on a case by case basis in accordance with the AFS convention, that the previous Administration provide a copy of the previously issued certificate and relevant survey reports.

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