



**REPUBLIC OF
THE MARSHALL ISLANDS**
MARITIME ADMINISTRATOR

Marine Notice

No. 2-011-28

Rev. Dec/2023

**TO: ALL SHIPOWNERS, OPERATORS, MASTERS AND OFFICERS OF
MERCHANT SHIPS, AND RECOGNIZED ORGANIZATIONS**

SUBJECT: Anti-fouling Systems Convention

- References:**
- (a) **AFS Convention**, *International Convention on the Control of Harmful Anti-fouling Systems on Ships, 2001*, 2023 Edition
 - (b) **MODU Code (2009)**, *Code for the Construction and Equipment of Mobile Offshore Drilling Units, 2009*
 - (c) **IMO Resolution [MEPC.331\(76\)](#)**, *Amendments to the International Convention on the Control of Harmful Anti-Fouling Systems on Ships, 2001*, adopted 17 June 2021
 - (d) **IMO Resolution [MEPC.356\(78\)](#)**, *2022 Guidelines for brief sampling of anti-fouling systems on ships*, adopted 10 June 2022
 - (e) **IMO Resolution [MEPC.357\(78\)](#)**, *2022 Guidelines for inspection of anti-fouling systems on ships*, adopted 10 June 2022
 - (f) **IMO Resolution [MEPC.358\(78\)](#)**, *2022 Guidelines for survey and certification of anti-fouling systems on ships*, adopted 10 June 2022

PURPOSE

This Marine Notice implements the International Convention on the Control of Harmful Anti-Fouling Systems on Ships (AFS Convention).

This Notice supersedes version Aug/2022. Section 4.0 has been amended to provide a reference to where guidance on anti-fouling system installation and maintenance may be found.

BACKGROUND

The AFS Convention entered into force 17 September 2008. Under its terms the use of harmful anti-fouling systems on ships is prohibited or restricted. The Republic of the Marshall Islands (RMI), as a party to the AFS Convention, deposited its instrument of accession with the IMO on 09 May 2008.

DEFINITIONS

Anti-fouling system (AFS) means a coating, paint, surface treatment, surface or device that is used on a ship to control or prevent attachment of organisms.

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 platforms¹, floating storage units (FSUs), and floating production storage and off-loading units (FPSOs).”

APPLICABILITY

The Republic of the Marshall Islands (RMI) Maritime Administrator (“the Administrator”) applies the AFS Convention to all ships registered in the RMI.

REQUIREMENTS

1.0 Controls on the Use of Harmful Anti-Fouling Systems

Anti-Fouling System	Control Measures	Application	Effective date
Organotin compounds which act as biocides	Ships must not apply or re-apply such compounds	All ships	1 January 2003
	Ships either: (1) must not bear such compounds on their hulls or external parts or surfaces ² ; or (2) must bear a coating that forms a barrier to such compounds leaching from the underlying non-compliant anti-fouling systems	All ships except: fixed and floating platforms, FSUs, and FPSOs that have been constructed prior to 1 January 2003 and that have not been in dry-dock on or after 1 January 2003	1 January 2008
Cybutryne	Ships must not apply or re-apply anti-fouling systems containing this substance	All ships	1 January 2023
	Ships bearing an anti-fouling system that contains this substance in the external coating layer of their hulls or external parts or surfaces on 1 January 2023 must either: (1) remove the anti-fouling system; or (2) apply a coating that forms a barrier to this substance leaching from the underlying non-compliant anti-fouling system	All ships except: (1) fixed and floating platforms, FSUs, and FPSOs that have been constructed prior to 1 January 2023 and that have not been in dry-dock on or after 1 January 2023; (2) ships not engaged in international voyages; and (3) ships of less than 400 gross tonnage (GT) engaged in international voyages, if accepted by the coastal State(s)	At the next scheduled renewal of the anti-fouling system after 1 January 2023, but no later than 60 months following the last application to the ship of an anti-fouling system containing cybutryne

1. The Administrator recognizes that MOUs or Units as defined in [MI-293](#) are included in these terms.

2. A non-exhaustive list of external parts or surfaces includes: rudders, rudder fittings, propulsion systems, cooling systems, and anchoring equipment.

2.0 Survey and Certification Requirements

2.1 The International Anti-Fouling System Certificate (IAFSC) must be:

- .1 issued to ships of 400 GT and above engaged on international voyages, excluding fixed or floating platforms, FSUs, and FPSOs, that are subject to AFS Convention requirements for survey and certification in Annex 4.
- .2 re-issued for all ships listing the compliance options for controlled anti-fouling systems, including cybutryne, not later than 1 January 2025. See IMO Resolution [MEPC.331\(76\)](#).

2.2 Declaration of Anti-Fouling System

- .1 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.
- .2 The International Anti-Fouling System Certificate (IAFSC) or Declaration of Anti-Fouling System, 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.

3.0 Recognized Organizations

The AFS Convention's survey and certification functions are fully delegated to the Administrator's Recognized Organizations (ROs) in accordance with Regulation 1(4) of Annex 4 of the AFS Convention. See MG [2-11-15](#).

4.0 Repairs

Repairs to existing anti-fouling systems which affect more than 25% of the system must 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 system³.

3. For guidance on reinstalling, reapplying, or repairing the AFS, refer to section 6 of IMO Resolution [MEPC.378\(80\)](#), *2023 Guidelines for the Control and Management of Ship's Biofouling to Minimize the Transfers of Invasive Aquatic Species*, adopted 7 July 2023.

5.0 Transfer of Flag

- 5.1 For a ship transferring into the registry, the RO may issue a new IAFSC based on the certificate issued by the previous administration, provided:
- .1 the previous administration is a Party to the Convention;
 - .2 the Record of Anti-fouling Systems is up to date; and
 - .3 the certificate was valid at the time of the transfer.
- 5.2 Otherwise, an initial survey will be required for the issuance of a new IAFSC.

6.0 Enforcement by Port State Control

- 6.1 Article 11 of the AFS Convention provides for inspection of ships and detection of violations. Ships to which the Convention applies may be inspected in any port, shipyard or offshore terminal of a Party. See IMO Resolution [MEPC.357\(78\)](#) for further guidance on inspections and actions that may be taken by port State control.
- 6.2 Unless there are clear grounds for believing that a ship is in violation of the AFS Convention, inspectors are limited to:
- .1 verifying that there is a valid IAFSC or Declaration of Anti-fouling System on board;
 - .2 a brief sampling of the ship's anti-fouling system that does not affect the integrity, structure or operation of the anti-fouling system. See IMO Resolution [MEPC.356\(78\)](#) for guidance on sampling.