

Gibraltar Merchant Shipping (Safety, etc.)
GIBRALTAR MERCHANT SHIPPING (ANTI-FOULING SYSTEMS)
REGULATIONS 2012

1995-13

Subsidiary
2012/196

Subsidiary Legislation made under s. 118.

**GIBRALTAR MERCHANT SHIPPING (ANTI-FOULING
SYSTEMS) REGULATIONS 2012**

(LN. 2012/196)

Commencement **30.10.2014** (*LN. 2014/178*)

| Amending enactments | Relevant current provisions | Commencement date |
|------------------------|--------------------------------|----------------------|
|------------------------|--------------------------------|----------------------|

Transposing:

Regulation (EC) No 782/2003

Regulation (EC) No 536/2008

EU Legislation/International Agreements involved:

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SCHEDULE 2

**DECLARATION ON ANTI-FOULING SYSTEM FOR SHIPS OF 24
METERS OR MORE IN LENGTH, BUT LESS THAN 400 GROSS
TONNAGE**

In exercise of the powers conferred on it by section 118 of the Gibraltar Merchant Shipping (Safety, etc.) Act, 1993 and all other enabling powers, the Government, for the purposes of implementing in Gibraltar Regulation (EC) No 782/2003 of the European and of the Council of 14th April 2003 on the prohibition of organotin compounds on ships as amended and provided for by Commission Regulation (EC) No 536/2008 of 13 June 2008, and the International Convention on the Control of Harmful Anti-fouling Systems on ships, 2001, has made the following Regulations:

**PART 1
PRELIMINARY**

Title and commencement.

1. These Regulations may be cited as the Gibraltar Merchant Shipping (Anti-Fouling Systems) Regulations 2012 and come into operation on the day appointed by the Minister by notice in the Gazette.

Interpretation.

2.(1) In these Regulations—

“Administration” means the Maritime Administrator;

“AFS-Convention” means the International Convention on the control of harmful anti-fouling systems on ships, 2001;

“AFS-Certificate” means the certificate issued to ships in conformity with the provisions of Annex 4 to the AFS Convention or, during the interim period, a certificate issued in accordance with the format laid down in Schedule 1 to these Regulations, when it is issued by the Maritime Administrator or by a recognised organisation;

“AFS-Declaration” means a declaration drawn up under the provisions of Annex 4 to the AFS-Convention or, during the interim period, a declaration signed by the owner or the owner's authorised agent and drawn up in accordance with the format laid down in Schedule 2 to these Regulations;

“anti-fouling system” means a coating, paint, surface treatment, surface, or device that is used on a ship to control or prevent attachment of unwanted organisms;

“BGTW” means British Gibraltar Territorial Waters which is the area of sea, the sea bed and subsoil within the seaward limits of the

territorial sea adjacent to Gibraltar under British sovereignty and which, in accordance with the United Nations Convention on the Law of the Sea 1982, currently extends to three nautical miles and to the median line in the Bay of Gibraltar;

“Certifying Authority” means the Maritime Administrator or any organisation that is a recognised organisation within the meaning of regulation 2(1) of the Gibraltar Merchant Shipping (Organisations for Inspection, Survey and Certification of Ships) Regulations, 2002;

“EC Regulation” means 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;

“EEA State” means an EC Member State, Norway, Iceland or Liechtenstein;

“European AFS-Statement of Compliance” means a document recording compliance with Annex 1 to the AFS-Convention, issued by a recognised organisation;

“Gibraltar ship” means a ship registered accordance with the provisions of the Gibraltar Merchant Shipping (Registration) Act, 1993;

“gross tonnage” means the gross tonnage calculated in accordance with the tonnage measurement regulations contained in Annex 1 to the International Convention on Tonnage Measurement of Ships, 1969, or any successor Convention;

“IMO” means the International Maritime Organization;

“inspector” means a person appointed under section 56 of the Gibraltar Merchant Shipping (Safety, etc.) Act, 1993;

“interim period” means the period beginning on 1 July 2003 and ending on the date of entry into force of the AFS Convention in respect of Gibraltar;

“length” shall have the meaning assigned to it by regulation 2(1) of the Gibraltar Merchant Shipping (Load Lines) Regulations 2004;

“Maritime Administrator” means the person appointed under section 3 of the Gibraltar Merchant Shipping (Safety, etc.) Act, 1993;

“master” includes every person (except a pilot) having command or charge of a ship and, in relation to a fishing vessel, means the skipper;

“operates under the authority of” has the same meaning as in Article 3(1)(b) of the EC Regulation (which provides for the scope of application of the Regulation);

“owner”, in relation to a ship, includes any person or organisation, including a manager, or a charterer on bareboat charter terms, who has assumed responsibility for the operation of the ship from the owner; and in this definition “bareboat charter terms” means the hiring of the ship for a stipulated period on terms which give the charterer possession and control of the ship, including the right to appoint the master and crew;

“recognised organisation” means a body or organisation which is recognised in accordance with the provisions of the Gibraltar Merchant Shipping (Organisations for Inspection, Survey and Certification of Ships) Regulations 2011;

“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);

“surveyor of ships” means a person who is appointed as a surveyor of ships under section 52 of the Gibraltar Merchant Shipping (Safety, etc.) Act, 1993; and

“voyage” includes an excursion, and is to be taken to commence when a ship leaves its berth or anchorage.

(2) In the application of these Regulations to—

- (a) an air-cushion vehicle, a reference to the master of a ship includes a reference to the captain of that air-cushion vehicle; and
- (b) a platform, a reference to the master of a ship includes a reference to the manager of that platform.

Application of these Regulations.

3.(1) Subject to subregulation (2) and to the provisions of individual regulations, these Regulations apply to any ship which—

- (a) is a Gibraltar ship;
- (b) is registered in another EEA State and is in BGTW;
- (c) is neither a Gibraltar ship nor registered in an EEA State, but which operates under the authority of the Maritime Administrator in BGTW; or
- (d) does not fall within paragraph (a), (b) or (c), but which enters the port of Gibraltar.

(2) These Regulations do not apply to—

- (a) a warship;
- (b) a naval auxiliary; or
- (c) a ship owned or operated by a State and used, for the time being, only on government non-commercial service.

PART 2

SURVEYS AND CERTIFICATION REQUIREMENTS FOR ANTI-FOULING SYSTEMS

Surveys and certification.

4.(1) Ships of 400 gross tonnage and above, excluding fixed or floating platforms, FSUs, and FPSOs, shall, as from 1 July 2003, be subject to the following—

- (a) an initial survey before the ship is put into service or when the ship is for the first time in a dry-dock for the application of anti-fouling systems; and
- (b) a survey when the anti-fouling systems are changed or replaced and such surveys shall be endorsed on the certificate required under subregulation (5).

(2) The survey shall be such as to ensure that the ship's anti-fouling system fully complies with Articles 4 and 5 of the EC Regulation.

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(3) Surveys shall be carried out by officers duly authorised by the Maritime Administrator or by a surveyor nominated for the purpose by the Maritime Administrator, or by a recognised organisation acting on behalf of the Maritime Administrator-

(4) Unless provided otherwise in these Regulations, the Maritime Administrator shall for the surveys referred to in subregulation (1), follow the requirements laid down in Annex 4 to the AFS-Convention, as well as the guidelines for surveys and certification of anti-fouling systems on ships annexed to Resolution MEPC 102 (48), adopted on 11 October 2002 by the Marine Environment Protection Committee of the IMO.

(5) After completion of a survey referred to in subregulation (1)(a) or (b), the Maritime Administrator shall issue—

(a) a certificate in accordance with the format laid down in Schedule 1 for the interim period; and

(b) an AFS-Certificate once the interim period is over.

(6) The Maritime Administrator may rely upon an European AFS-Statement of Compliance for the demonstration of compliance with the requirements of Articles 4 and 5 of the EC Regulation and a certificate referred to in subregulation (5) shall replace this AFS- Statement at the latest a year after the date referred to in subregulation (1).

(7) The Maritime Administrator shall require that a ship referred to in subregulation (1) carries a certificate issued in accordance with subregulation (5).

(8) The Maritime Administrator shall, for the purposes of the certification referred to in subregulation (5), follow the requirements laid down in Annex 4 to the AFS-Convention.

(9) For the purposes of subregulation (3)—

(a) an officer “duly authorised by the Maritime Administrator” means a surveyor of ships; and

(b) “a surveyor nominated for the purpose” means a surveyor appointed by the Certifying Authority.

(10) For the purposes of subregulation (5), the function of issuing or endorsing an AFS-Certificate or other certificate referred to in that subregulation is to be carried out by the Maritime Administrator or the Certifying Authority as the case may.

Bar to putting a ship into service for the first time, etc.

5.(1) This regulation applies in relation to a ship which—

- (a) is referred to in regulation 3(1); and
- (b) is of 400 gross tonnage or above,

but does not apply in relation to a fixed or floating platform, a floating storage unit or a floating production storage and off-loading unit.

(2) A ship shall not be put into service for the first time unless the requirements set out in subregulation (4) are met.

(3) Where—

- (a) a ship was put into service for the first time on or after 1st July 2003 but before the date on which these Regulations come into force; or
- (b) a ship's anti-fouling systems have been changed or replaced on or after 1st July 2003,

the ship shall not proceed on any voyage, or if it is already on a voyage, continue on a voyage, unless the requirements set out in subregulation (4) are met.

(4) The requirements referred to in subregulations (2) and (3) are that—

- (a) the ship has been surveyed in accordance with regulation 4;
- (b) there is in force in relation to the ship an AFS-Certificate or other certificate referred to in regulation 4(5); and
- (c) that an AFS-Certificate or other certificate is carried on board the ship.

Requirement for carrying on board the ship an AFS-Declaration.

6.(1) This regulation applies in relation to a ship which—

- (a) is referred to in regulation 3(1); and
- (b) is of less than 400 gross tonnage but of 24 metres or more in length,

but does not apply in relation to a fixed or floating platform, a floating storage unit or a floating production storage and off-loading unit.

(2) A ship shall not proceed on any voyage, or if it is already on a voyage, continue on a voyage, unless there is carried on board the ship an AFS-Declaration, and that AFS-Declaration—

- (a) is accompanied by appropriate documentation, such as a paint receipt or a contractor's invoice; or
- (b) contains an appropriate endorsement.

Arbitration.

7.(1) If an applicant is dissatisfied for any reason with the outcome of a survey carried out for the purposes of regulation 4(1), the applicant may serve a written notice on the responsible person within 21 days of receiving notification of that outcome—

- (a) stating that there is a dispute between them; and
- (b) requesting that the dispute be referred to a single arbitrator.

(2) An arbitrator referred to in subregulation (1) must be appointed by agreement between the applicant and the responsible person.

(3) No person is to be an arbitrator under this regulation unless that person is—

- (a) a person who holds a certificate of competency as—
 - (i) a Class 1 Deck Officer, or
 - (ii) a Class 1 Marine Engineer Officer;
- (b) a person who holds a certificate of competency equivalent to a certificate referred to in paragraph (a);
- (c) a naval architect;
- (d) a qualified person;
- (e) a person with special experience of shipping matters, or of the fishing industry, or of activities carried on in ports; or

(f) a member of the Chartered Institute of Arbitrators.

(4) An arbitrator appointed under this regulation has the powers of an inspector conferred by section 56 of the Gibraltar Merchant Shipping (Safety, etc) Act 1993.

(5) The rules for arbitration set out in this subsection apply unless alternative procedures are agreed between the applicant and the responsible person before the commencement of arbitration proceedings—

(a) the arbitration procedures shall follow those used in a Court of Law, that is both parties will argue their case in turn, may call witnesses and question other witnesses;

(b) lawyers need not be used to represent the parties and submissions may be made to the arbitrator in writing in lieu of attending the arbitration hearing;

(c) if both parties agree, the arbitrator may consult an expert, or call for an expert's report, upon any matter relevant to the dispute, or invite an expert to attend the hearing as an assessor;

(d) the arbitrator may visit the ship, or any establishment, in connection with the hearing if this is considered to be necessary; and

(e) the arbitrator's decision, and the reasons for the decision, will be made in writing and will be binding on both parties.

(6) In this regulation—

(a) “applicant” means a person who makes an application for a survey required by the EC Regulation;

(b) “qualified person” means a person who is a barrister or solicitor in Gibraltar of at least 10 years’ standing; or

(c) “responsible person” means the Certifying Authority responsible under regulation 4(5) for the issue or endorsement of the AFS-Certificate or other certificate in connection with which the survey is carried out.

Cancellation of a certificate.

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8.(1) This regulation applies in relation to an AFS-Certificate or other certificate issued by, or at the request of, the Government of Gibraltar under regulation 4.

(2) The Maritime Administrator may cancel a certificate where he has reason to believe that—

- (a) the certificate was issued on the basis of false or erroneous information; or
- (b) since any survey required under the EC Regulation, any coating referred to in Article 5 of the EC Regulation (which refers to coatings forming a barrier to organotin compounds leaching from underlying non-compliant anti-fouling systems) and borne by the ship has sustained damage or is otherwise deficient.

(3) The Maritime Administrator may require that a certificate which has expired or has been cancelled is to be surrendered within such time and in such manner as he may in writing direct.

(4) No person shall—

- (a) intentionally alter a certificate;
- (b) intentionally make a false certificate;
- (c) knowingly or recklessly provide false information in connection with any survey required by the EC Regulation;
- (d) with intent to deceive, use or lend a certificate or permit a certificate to be used by another person; or
- (e) fail to surrender a certificate when required to do so under subregulation (3).

Availability of certificates and other documents.

9.(1) An AFS-Certificate or other certificate referred to in regulation 5(4)(c) must be readily available for examination at all times on board every ship to which regulation 5 applies.

(2) An AFS-Declaration and the appropriate documentation or endorsement referred to in regulation 6(2) must be readily available for examination at all times on board every ship to which regulation 6 applies.

PART 3**INSPECTIONS, DETENTIONS AND OFFENCES****General provisions on inspection of ships.**

10.(1) Subject to subregulation (5), for the purposes of checking compliance with the provisions of the EC Regulation and these Regulations—

- (a) a surveyor of ships;
- (b) an inspector; or
- (c) any person appointed by the Minister, either generally or in a particular case, to exercise powers under section 55 of the Gibraltar Merchant Shipping (Safety, etc.) Act, 1993,

may at all reasonable times go on board a ship to which these Regulations apply and inspect the ship and its equipment or any part thereof, any articles on board and any document carried in the ship in pursuance of the EC Regulation.

(2) The powers in sections 55 and 56 of the Gibraltar Merchant Shipping (Safety, etc.) Act, 1993 to inspect a ship and its equipment, any part of the ship, any articles on board and any document carried in the ship, are limited to one or both of the following—

- (a) verifying whether the ship holds a valid AFS-Certificate or an AFS-Declaration,
- (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,

except where there are clear grounds for believing that the ship is in violation of the EC Regulation or these Regulations.

Inspection of ships following a Government request.

11.(1) An inspector may inspect a ship to which these Regulations apply if—

- (a) the ship is in the port or shipyard or an offshore terminal in Gibraltar; and
- (b) the Maritime Administrator receives—

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- (i) a request for an investigation from the Government of a Party to the AFS-Convention, and
- (ii) sufficient evidence that the ship is operating or has operated in violation of the AFS-Convention.

(2) The Maritime Administrator must send a report of the investigation, in the case of a ship which is not a Gibraltar ship, to—

- (a) the Government who requested the investigation; and
- (b) the Government of the State under whose authority the ship is operating (if that State is not the Gibraltar).

General provisions on detention.

12.(1) Where a surveyor of ships has clear grounds for believing that, in relation to a ship to which these Regulations apply—

- (a) an AFS-Certificate, or other certificate referred to in regulation 4(5), is required to have been issued in respect of the ship but has not been issued, or has been issued but is not valid;
- (b) an AFS-Declaration is required to be carried on board the ship, but is not carried;
- (c) where an AFS-Declaration is required to be carried, appropriate documentation referred to in regulation 6(2)(a) is not carried on board the ship, and the AFS-Declaration does not contain an appropriate endorsement; or
- (d) an offence under regulation 14 is being committed in respect of the ship,

the ship is liable to be detained until a surveyor of ships is satisfied that it can proceed to sea without presenting an unreasonable threat of harm to the marine environment.

(2) But a person having powers to detain a ship may permit a ship which is liable to be detained under subregulation (1) to proceed to sea for the purpose of proceeding to the nearest appropriate repair yard.

(3) Where a surveyor of ships has clear grounds for believing that an offence under regulation 14(2) has been committed in respect of a ship (but subregulation (1) does not apply), the ship is liable to be detained.

(4) The power under this regulation to detain a ship may only be exercised if the ship in question is in the port or shipyard or at an offshore terminal in Gibraltar.

(5) Where a ship is liable to be detained under this regulation, the person detaining the ship must serve on the master of the ship a detention notice which—

- (a) states the grounds for the detention; and
- (b) requires the terms of the notice to be complied with until the ship is released.

(6) Where a ship other than a Gibraltar ship is detained, the Maritime Administrator shall immediately notify in writing

- (a) the Gibraltar Port Authority;
- (b) the Government's immigration authority and the Customs Department;
- (c) the master, the owner or operator of the ship;
- (d) the Administration of the flag State or the State where the ship is registered or its diplomatic representative in Gibraltar or the United Kingdom; and
- (e) the surveyor or recognized organization responsible for the issue of the certificates.

(7) Where a ship is detained under subregulation (3), a person having power to detain the ship must, at the request of the owner or master, immediately release the ship—

- (a) if no case is instituted for an offence under regulation 14(2) within the period of seven days beginning with the day on which the ship is detained;
- (b) if any case for an offence under that regulation, having been instituted within that period, is concluded without the owner or master being convicted;
- (c) if either—
 - (i) the sum of £30,000 is paid to the Government by way of security, or

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- (ii) security which, in the opinion of the Maritime Administrator, is satisfactory and is for an amount not less than £30,000 is given to the Government,

by or on behalf of the owner or master; or

- (d) where the owner or master is convicted of an offence under that regulation, if any costs or expenses ordered to be paid by that person, and any fine imposed on that person, have been paid.

(8) The Government shall repay any sum paid in pursuance of subregulation (7)(c) or release any security so given—

- (a) if no case for an offence under regulation 14(2) is instituted within the period of seven days beginning with the day on which the sum is paid; or
- (b) if any case for that offence, having been instituted within that period, is concluded without the owner or master being convicted.

(9) Where a sum has been paid, or security has been given, by any person in pursuance of subregulation (7)(c) and the owner or master is convicted of an offence under regulation 14(2), the sum so paid or the amount made available under the security must be applied as follows—

- (a) first in payment of any costs or expenses ordered by the court to be paid by the owner or master; and
- (b) next in payment of any fine imposed by the court,

and any balance must be repaid to the first-mentioned person.

Appeals.

13.(1) In the case of any dispute or complaint with regard to any decision made by the Maritime Administrator in carrying out its duties under these Regulations, the owner or operator of a ship or his representative in Gibraltar or the company may, within 7 days, make an appeal to the Minister and the Minister must dispose of the appeal as soon as possible in writing by giving reasons for his decision.

- (2) On an appeal under subregulation (1), the Minister must either—

(a) confirm the decision made by the Maritime Administrator or confirm it with such modifications as he thinks fit; or

(b) cancel it.

(3) A second appeal may be made to the Supreme Court and only on a point of law.

(4) An appeal under subregulation (3) must be made within 21 days from the decision made under subregulation (1) and the Court must give an expedited hearing to that appeal.

(5) An appeal to the Minister or to the Court shall not suspend the operation of a notice of detention of a ship.

Offences and penalties.

14.(1) Subregulations (2) and (3) apply in relation to a ship referred to in regulation 3(1) except that subregulation (3) does not apply in relation to a fixed or floating platform, a floating storage unit or a floating production, storage and off-loading unit, which was constructed before 1st July 2003 and has not been in dry-dock on or after 1st July 2003.

(2) Where a contravention of Article 4 of the EC Regulation occurs on or after the date on which these Regulations come into operation, the owner and master of the ship in question commits an offence.

(3) Where a contravention of Article 5(2) of the EC Regulation occurs or continues after the date on which these Regulations come into operation, the owner and master of the ship in question commits an offence.

(4) Any contravention of-

(a) regulation 5(2) and (3), 6(2), or 9 is an offence by the owner and the master of the ship; and

(b) regulation 8(4) is an offence by the person in question.

(5) An offence committed under this regulation is punishable-

(a) on summary conviction by a fine not exceeding level 5 on the standard scale; or

(b) on conviction on indictment by a fine.

Offences committed due to the act or default of another person.

15. Where an offence under regulation 14 is committed, or would be committed save for the operation of regulation 17, by any person due to the act or default of some other person, that other person is also guilty of the offence, and a person may be charged with and convicted of an offence by virtue of this regulation whether or not proceedings are taken against the first mentioned person.

Offences by body corporate.

16.(1) Where a body corporate is guilty of an offence under regulation 14 and that offence is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate or a person who was purporting to act in any such capacity, that person as well as the body corporate is guilty of an offence and liable to be proceeded against and punished accordingly.

(2) Where the affairs of a body corporate are managed by its members, subregulation (1) applies in relation to the acts and defaults of a member in connection with that person's functions of management as if that person were a director of the body corporate.

Defences.

17. In any proceedings for an offence under regulation 14, it is a defence for the person charged to prove that that person took all reasonable steps and exercised all due diligence to ensure that the requirement in question was complied with.

SCHEDULE 1

Regulations 2(1) and 4(5)

**FORMS OF THE CERTIFICATE AND RECORD FOR ANTI-FOULING
SYSTEMS**

The international certificate and the record of anti-fouling systems shall be drawn up in the form set out below.

Where these forms are used only for ships that are not submitted to the surveys and certification requirements of paragraph 1 of Annex 4 of the AFS-Convention, references to the AFS-Convention may be deleted.

INTERNATIONAL ANTI-FOULING SYSTEM CERTIFICATE

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(This certificate shall be supplemented by a record of anti-fouling systems)

(Official seal) (State)

Issued under the provisions of [the International Convention on the control of harmful anti-fouling systems on ships and] (1) Regulation (EC) No 782/2003 of the European Parliament and of the Council of 14 April 2003 on the prohibition of organotin compounds on ships

under the authority of the Government of

(name of the State/Gibraltar) (Gibraltar is a British Overseas Territory)

by

..... (person or organisation authorised)

When a certificate has been previously issued, this certificate replaces the certificate dated.....

Particulars of ship (2)

Name of ship:

Distinctive number of letters:

Port of registry:

Gross tonnage:

IMO number(3):

An anti-fouling system controlled under [Annex 1 to the Convention and] (1) Regulation (EC) No 782/2003 has not been applied during or after construction of this ship []

An anti-fouling system controlled under [Annex 1 to the Convention and] (1) Regulation (EC) No 782/2003 has been applied on this ship previously, but has been removed by..... (insert name of the facility) on

(1) May be deleted for ships that are not submitted to the surveys and certification requirements of regulation I of Annex 4 to the AFS-Convention.

(2) Alternatively, the particulars of the ship may be placed horizontally in boxes.

(3) In accordance with the Ship Identification Number Scheme adopted by the International Maritime Organization.

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(date).....
..... []

An anti-fouling system controlled under [Annex 1 to the Convention and] (1) Regulation (EC) No 782/2003 has been applied on this ship previously, but has been covered with a sealer coat applied by (insert name of the facility) on (date)

..... []

An anti-fouling system controlled under [Annex 1 to the Convention and] (1) Regulation (EC) No 782/2003 has been applied on this ship prior to 1 January 2003, but must be removed or covered with a sealer coat prior to 1 January 2008.....

.....

THIS IS TO CERTIFY THAT-

- (a) the ship has been surveyed in accordance with [Regulation 1 of Annex 4 to the Convention and] (1) Regulation (EC) No 782/2003 of the European Parliament and of the Council of 14 April 2003 on the prohibition of organotin compounds on ships; and
(b) the survey shows that the anti-fouling system on the ship complies with the applicable requirements of [Annex 1 to the Convention and] (1) Regulation (EC) No 782/2003 of the European Parliament and of the Council of 14 April 2003 on the prohibition of organotin compounds on ships.

Issued at: .

(Place of issue of Certificate)

.....
.....

(Date of issue)

(Signature of authorised official issuing the Certificate)

(1) May be deleted for ships that are not submitted to the surveys and certification requirements of regulation I of Annex 4 to the AFS-Convention.

(1) May be deleted for ships that are not submitted to the surveys and certification requirements of regulation I of Annex 4 to the AFS-Convention.

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Date of completion of the survey on the basis of which this certificate is issued: .

RECORD OF ANTI-FOULING SYSTEMS

This Record shall be permanently attached to the International Anti-Fouling System Certificate.

Particulars of ship:

Name of ship:

Distinctive number or letters:

IMO number:

Details of anti-fouling system(s) applied

Type(s) of anti-fouling system(s) used:

Date(s) of application of anti-fouling system(s):

Name(s) of company(ies) and facility(ies)/location(s) where applied:

Name(s) of anti-fouling system manufacturer(s):

Name(s) and colour(s) of anti-fouling system(s):

Active ingredient(s) and their Chemical Abstracts Service
Registry Number (CAS number(s)):

Type(s) of sealer coat, if applicable:

Name(s) and colour(s) of sealer coat applied, if applicable:

Date of application of sealer coat:

THIS IS TO CERTIFY that this record is correct in all respects.

Issued at:

(Place of issue of record)

(Date of issue)

(Signature of authorised official issuing the record)

Endorsement of the Records⁽¹⁾

(1) This page of the Record shall be reproduced and added to the Record as considered necessary by the administration.

THIS IS TO CERTIFY that a survey required in accordance with [Regulation 1(1)(b) of Annex 4 to the Convention and] ⁽¹⁾ point 2.1 of Annex I to Regulation (EC) No 782/2003 of the European Parliament and of the Council of 14 April 2003 on the prohibition of organotin compounds on ships found that the ship was in compliance with the [Convention and the Regulation] ⁽²⁾

Details of antifouling system(s) applied

Type(s) of anti-fouling system(s) used:

Date(s) of application of anti-fouling system(s):

Name(s) of company(ies) and facility(ies) location(s) where applied:

.....

Name(s) of anti-fouling system manufacturer(s):

Name(s) and colour(s) of anti-fouling system(s):

Active ingredient(s) and their CAS number(s):

Type(s) of sealer coat, if applicable:

Name(s) and colour(s) of sealer coat applied, if applicable:

Date of application of sealer coat:

Signed:

(Signature of authorised official issuing the Record)

Place:

Date ⁽³⁾:

(Seal or stamp of the authority)

(2) May be deleted for ships that are not submitted to the surveys and certification requirements of regulation I of Annex 4 to the AFS-Convention.

(3) Date of completion of the survey on the basis of which this endorsement is made.

SCHEDULE 2

Regulation 2(1)

**DECLARATION ON ANTI-FOULING SYSTEM FOR SHIPS OF 24
METERS OR MORE IN LENGTH, BUT LESS THAN 400 GROSS
TONNAGE**

Drawn up under Regulation (EC) No. 782/2003 of the European Parliament and of the Council of 14 April 2003 on the prohibition of organotin compounds 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 Articles 4 and 5 of Regulation (EC) No. 782/2003 of the European Parliament and of the Council of 14 April 2003 on the prohibition of organotin compounds on ships.

.....
(Date)
(Date)

.....
(Signature of owner or owner's authorised agent)

Endorsement of anti-fouling system(s) applied

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

.....
(Date)

.....
(Signature of owner or owner's authorised agent)

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

.....
(Date)

.....
(Signature of owner or owner's authorised agent)

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

1995-13

Gibraltar Merchant Shipping (Safety, etc.)

**GIBRALTAR MERCHANT SHIPPING (ANTI-FOULING SYSTEMS)
REGULATIONS 2012**

**Subsidiary
2012/196**

.....
(Date)

.....
(Signature of owner or owner's authorised agent)