



STATUTORY INSTRUMENTS

**S.I. No. 82 of 2008**

---

SEA POLLUTION (CONTROL OF ANTI-FOULING SYSTEMS ON  
SHIPS) REGULATIONS 2008

**(Prn. A8/0406)**

S.I. No. 82 of 2008

SEA POLLUTION (CONTROL OF ANTI-FOULING SYSTEMS ON  
SHIPS) REGULATIONS 2008

ARRANGEMENT OF REGULATIONS

*Regulation*

1. Citation and commencement
2. Interpretation
3. Application
4. Controls on anti-fouling systems
5. Controls of Schedule 1 waste materials
6. Scientific and Technical Research and Monitoring
7. Communication and exchange of information
8. Survey and certification
9. Inspections of ships and detection of violations
10. Undue delay or detention of ships

SCHEDULES

SCHEDULE 1

CONTROLS ON ANTI-FOULING SYSTEMS

SCHEDULE 2

REQUIRED ELEMENTS FOR AN INITIAL PROPOSAL

SCHEDULE 3

REQUIRED ELEMENTS OF A COMPREHENSIVE PROPOSAL

SCHEDULE 4

SURVEYS AND CERTIFICATION REQUIREMENTS FOR ANTI-FOULING SYSTEMS

S.I. No. 82 of 2008

SEA POLLUTION (CONTROL OF ANTI-FOULING SYSTEMS ON SHIPS) REGULATIONS 2008

I, NOEL DEMPSEY, Minister for Transport, in exercise of the powers conferred on me by sections 10, 11, 12, 14 (each as amended by the Sea Pollution (Miscellaneous Provisions) Act 2006 (No. 29 of 2006)), 15 and 17 of the Sea Pollution Act 1991 (No. 27 of 1991), and for the purpose of giving effect to the International Convention on the Control of Harmful Anti-fouling Systems on Ships 2001, hereby make the following regulations:

*Citation and commencement*

1. These Regulations may be cited as the Sea Pollution (Control of Harmful Anti-fouling Systems on Ships) Regulations 2008 and shall come into operation as set out in Schedule 1.

*Interpretation*

2. (1) In these Regulations except where the context otherwise requires—

“Act” means the Sea Pollution Act 1991;

“AFS Certificate” means an International Anti-fouling System Certificate;

“AFS Convention” means the International Convention on the Control of Harmful Anti-fouling Systems done at London on 5 October 2001, including the Annexes and Appendices to it;

“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;

“harbour authority” has the meaning assigned to it by the Sea Pollution Act 1991;

“Marine Notice” means a Notice described as such, issued by the Minister for Transport, as may be amended or replaced from time to time;

“Minister” means the Minister for Transport;

“Organization” means the International Maritime Organization;

“Party” means a State which has ratified the International Convention on the Control of Harmful Anti-fouling Systems on Ships, 2001;

“qualified person” means a surveyor of ships or a recognized organization;

*Notice of the making of this Statutory Instrument was published in  
“Iris Oifigiúil” of 4th April, 2008.*

“recognized organization” means an organization recognized by the Commission of the European Communities under Article 4 of Council Directive 94/57/EC<sup>1</sup>, as amended, and by the Minister under European Communities (Ship Inspection and Survey Organisations) Regulations 2003 (S.I. No. 301 of 2003);

“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” means a surveyor of ships or other competent person appointed under section 20 of the Act for the purposes of section 17 of the Act.

(2) A word, expression, term or symbol which is used in these Regulations and which is also used in the AFS Convention has, unless the context otherwise requires, the same meaning in these Regulations as it has in the AFS Convention.

#### *Application*

3. (1) Subject to section 4 of the Act and unless otherwise specified, these Regulations apply to—

- (a) ships entitled to fly the flag of the State,
- (b) ships not entitled to fly the flag of the State, but which operate under the authority of the State, and
- (c) ships that enter a port, shipyard, or offshore terminal in the State, but do not fall within subparagraph (a) or (b).

(2) These Regulations do not apply to any warships, naval auxiliary, or other ships owned or operated by the State and used, for the time being, only on government non-commercial service. Such ships shall, however, endeavour to ensure compliance with these Regulations insofar as is reasonable and practical.

#### *Controls on Anti-Fouling Systems*

4. The following are, as appropriate, prohibited and restricted in accordance with the requirements specified in Schedule 1:

- (a) the application, re-application, installation, or use of harmful anti-fouling systems on ships referred to in Regulation 3(1)(a) or (b); and
- (b) the application, re-application, installation or use of such systems on ships referred to in Regulation 3(1)(c), whilst in any port, shipyard, or offshore terminal in the State.

<sup>1</sup>OJ No. L319, 12.12.94, p.20

*Controls of Schedule 1 Waste Materials*

5. Persons in charge of shipyards or ship repair facilities are required to ensure that any waste from the application or removal of an anti-fouling system specified in Schedule 1 is collected, handled, treated and disposed of in a safe and environmentally sound manner to protect human health and the environment.

*Scientific and Technical Research and Monitoring*

6. Such bodies within the State as are engaged in scientific and technical research shall take all reasonable measures to, as appropriate, either or both—

- (a) promote and facilitate research on, and
- (b) bear in mind the possible implications of the research they are carrying out on,

the effects of anti-fouling systems as well as the monitoring of such effects and shall report to the Minister on developments at such intervals as the Minister may determine. In particular, such research should, where appropriate, include observation, measurement, sampling, evaluation and analysis of the effects of anti-fouling systems, and should be developed, where appropriate, in accordance with programmes adopted by international organisations.

*Communication and Exchange of Information*

7. (1) A person authorized in that behalf by the Minister shall communicate to the Organization a list detailing the specific powers and responsibilities of the nominated surveyors or recognized organizations which are authorized to act in the administration of matters relating to the control of anti-fouling systems in accordance with the AFS Convention for circulation to the other Parties for the information of their officers.

(2) In the case of any anti-fouling system approved, registered or licensed in the State, the Minister may require the manufacturers of such anti-fouling system to provide, to any Party which requests it, relevant information on which the decision to approve, register or license was based, including information provided in relation to the required elements for an initial proposal as set out in Schedule 2 and the required elements of a comprehensive proposal as set out in Schedule 3, both of which are referred to in Article 6 of the AFS Convention, or other information suitable for making an appropriate evaluation of the anti-fouling system. However, no information shall be provided that is protected by law.

*Survey and Certification*

8. (1) Ships which are entitled to fly the flag of the State, or which operate under its authority, shall be surveyed and certified in accordance with the provisions of Annex 4 to the AFS Convention, the text of which is set out in Schedule 4, subject to the payment of such fee (if any) as may be prescribed in relation to survey and certification by a surveyor.

(2) Surveyors appointed by the Minister under section 20 of the Act shall be appointed for the purpose of implementing these Regulations.

*Inspections of Ships and Detection of Violations*

9. (1) A ship to which these Regulations apply may, in any port, shipyard, or offshore terminal in the State, be inspected by a qualified person for the purpose of determining whether the ship is in compliance with these Regulations. Unless there are clear grounds for believing that a ship is in violation of these Regulations, any such inspection shall be limited to either or both of the following:

- (a) verifying that, where required, there is onboard a valid AFS Certificate or a Declaration on anti-fouling system, and
- (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 the Organization's current guidelines or any amended such guidelines as notified by Marine Notice. 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.

(2) If there are clear grounds for believing that the ship is in violation of these Regulations, a thorough inspection, in accordance with paragraph (1)(b), may be carried out.

(3) If it is established that the ship is in violation of these Regulations, the qualified person responsible for the inspection shall inform the Minister, and the Minister shall take such steps as he or she considers appropriate to warn, detain, exclude or require the ship to depart from any port in the State.

(4) A ship that is registered in another state that is a Party may, when in a port, shipyard, or offshore terminal in the State, upon request by another Party and where there is sufficient evidence that a ship is operating or has operated in violation of the AFS Convention, be subject to inspection by officers duly authorized by the Minister for the purpose of enforcing compliance with these Regulations.

*Undue Delay or Detention of Ships*

10. A harbour authority shall make all possible efforts to avoid a ship being unduly detained or delayed under Regulation 9.

## SCHEDULE 1

Regulations 1, 4, 5

## CONTROLS ON ANTI-FOULING SYSTEMS

Anti-fouling system	Control measures	Application	Effective date
Organotin compounds which act as biocides in anti-fouling systems	Ships shall not apply or re-apply such compounds	All ships	Day after these Regulations are made
Organotin compounds which act as biocides in anti-fouling systems	Ships either: (1) shall not bear such compounds on their hulls or external parts or surfaces; or (2) shall 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)	Day after these Regulations are made

## SCHEDULE 2

## REQUIRED ELEMENTS FOR AN INITIAL PROPOSAL

- (1) An initial proposal shall include adequate documentation containing at least the following:
- (a) identification of the anti-fouling system addressed in the proposal: name of the anti-fouling system; name of active ingredients and Chemical Abstract Services Registry Number (CAS number), as applicable; or components of the system which are suspected of causing the adverse effects of concern;
  - (b) characterization of the information which suggests that the anti-fouling system or its transformation products may pose a risk to human health or may cause adverse effects in non-target organisms at concentrations likely to be found in the environment (e.g., the results of toxicity studies on representative species or bioaccumulation data);
  - (c) material supporting the potential of the toxic components in the anti-fouling system, or its transformation products, to occur in the environment at concentrations which could result in adverse effects to non-target organisms, human health, or water quality (e.g., data on persistence in the water column, sediments and biota; the release rate of toxic components from treated surfaces in studies or under actual use conditions; or monitoring data, if available);
  - (d) an analysis of the association between the anti-fouling system, the related adverse effects and the environmental concentrations observed or anticipated; and
  - (e) a preliminary recommendation on the type of restrictions that could be effective in reducing the risks associated with the anti-fouling system.
- (2) An initial proposal shall be submitted in accordance with rules and procedures of the Organization.

## SCHEDULE 3

Regulation 7.

## REQUIRED ELEMENTS OF A COMPREHENSIVE PROPOSAL

(1) A comprehensive proposal shall include adequate documentation containing the following:

- (a) developments in the data cited in the initial proposal;
- (b) findings from the categories of data set out in paragraphs (3)(a), (b) and (c), as applicable, depending on the subject of the proposal and the identification or description of the methodologies under which the data were developed;
- (c) a summary of the results of studies conducted on the adverse effects of the anti-fouling system;
- (d) if any monitoring has been conducted, a summary of the results of that monitoring, including information on ship traffic and a general description of the area monitored;
- (e) a summary of the available data on environmental or ecological exposure and any estimates of environmental concentrations developed through the application of mathematical models, using all available environmental fate parameters, preferably those which were determined experimentally, along with an identification or description of the modelling methodology;
- (f) an evaluation of the association between the anti-fouling system in question, the related adverse effects and the environmental concentrations, either observed or expected;
- (g) a qualitative statement of the level of uncertainty in the evaluation referred to in subparagraph (f);
- (h) a recommendation of specific control measures to reduce the risks associated with the anti-fouling system; and
- (i) a summary of the results of any available studies on the potential effects of the recommended control measures relating to air quality, shipyard conditions, international shipping and other relevant sectors, as well as the availability of suitable alternatives.

(2) A comprehensive proposal shall also include information on each of the following physical and chemical properties of the component(s) of concern, if applicable:

- melting point;
- boiling point;
- density (relative density);
- vapour pressure;

- water solubility / pH / dissociation constant (pKa);
- oxidation / reduction potential;
- molecular mass;
- molecular structure; and
- other physical and chemical properties identified in the initial proposal.

(3) For the purposes of paragraph (1)(b) above, the categories of data are:

(a) Data on environmental fate and effect:

- modes of degradation / dissipation (e.g., hydrolysis / photodegradation / biodegradation);
- persistence in the relevant media (e.g., water column / sediments / biota);
- sediments / water partitioning;
- leaching rates of biocides or active ingredients;
- mass balance;
- bioaccumulation, partition coefficient, octanol / water coefficient; and
- any novel reactions on release or known interactive effects.

(b) Data on any unintended effects in aquatic plants, invertebrates, fish, seabirds, marine mammals, endangered species, other biota, water quality, the seabed, or habitat of non-target organisms, including sensitive and representative organisms:

- acute toxicity;
- chronic toxicity;
- developmental and reproductive toxicity;
- endocrine disruption;
- sediment toxicity;
- bioavailability / biomagnification / bioconcentration;
- food web / population effects;
- observations of adverse effects in the field / fish kills / strandlings / tissue analysis; and
- residues in seafood.

These data shall relate to one or more types of non-target organisms such as aquatic plants, invertebrates, fish, birds, mammals and endangered species.

(c) Data on the potential for human health effects (including, but not limited to, consumption of affected seafood).

(4) A comprehensive proposal shall include a description of the methodologies used, as well as any relevant measures taken for quality assurance and any peer review conducted of the studies.

## SCHEDULE 4

*Regulation 8.*

[TEXT OF ANNEX 4 TO AFS CONVENTION]

## SURVEYS AND CERTIFICATION REQUIREMENTS FOR ANTI-FOULING SYSTEMS

**REGULATION 1**

## Surveys

(1) Ships of 400 gross tonnage and above referred to in article 3(1)(a) engaged in international voyages, excluding fixed or floating platforms, FSUs, and FPSOs, shall be subject to surveys specified below:

- (a) an initial survey before the ship is put into service or before the International Anti-fouling System Certificate (Certificate) required under regulation 2 or 3 is issued for the first time; and
- (b) a survey when the anti-fouling systems are changed or replaced. Such surveys shall be endorsed on the Certificate issued under regulation 2 or 3.

(2) The survey shall be such as to ensure that the ship's anti-fouling system fully complies with this Convention.

(3) The Administration shall establish appropriate measures for ships that are not subject to the provisions of paragraph (1) of this regulation in order to ensure that this Convention is complied with.

(4) (a) As regards the enforcement of this Convention, surveys of ships shall be carried out by officers duly authorized by the Administration or as provided in regulation 3(1), taking into account guidelines for surveys developed by the Organization\*. Alternatively, the Administration may entrust surveys required by this Convention either to surveyors nominated for that purpose or to organizations recognized by it.

(b) An Administration nominating surveyors or recognizing organizations<sup>†</sup> to conduct surveys shall, as a minimum, empower any nominated surveyor or recognized organization to:

- (i) require a ship that it surveys to comply with the provisions of Annex 1; and
- (ii) carry out surveys if requested by the appropriate authorities of a port State that is a Party to this Convention.

\*See the Guidelines for survey and certification of anti-fouling systems on ships adopted on 11 October 2002 under resolution MEPC.102(48).

<sup>†</sup>Refer to guidelines adopted by the Organization by resolution A.739(18), as may be amended by the Organization, and the specifications adopted by the Organization by resolution A.789(19), as may be amended by the Organization.

- (c) When the Administration, a nominated surveyor, or a recognized organization determines that the ship's anti-fouling system does not conform either to the particulars of a Certificate required under regulation 2 or 3, or to the requirements of this Convention, such Administration, surveyor or organization shall immediately ensure that corrective action is taken to bring the ship into compliance. A surveyor or organization shall also in due course notify the Administration of any such determination. If the required corrective action is not taken, the Administration shall be notified forthwith and it shall ensure that the Certificate is not issued or is withdrawn as appropriate.
- (d) In the situation described in subparagraph (c), if the ship is in the port of another Party, the appropriate authorities of the port State shall be notified forthwith. When the Administration, a nominated surveyor, or a recognized organization has notified the appropriate authorities of the port State, the Government of the port State concerned shall give such Administration, surveyor, or organization any necessary assistance to carry out their obligations under this regulation, including any action described in article 11 or 12.

## REGULATION 2

### Issue or Endorsement of an International Anti-fouling System Certificate

- (1) The Administration shall require that a ship to which regulation 1 applies is issued with a Certificate after successful completion of a survey in accordance with regulation 1. A Certificate issued under the authority of a Party shall be accepted by the other Parties and regarded for all purposes covered by this Convention as having the same validity as a Certificate issued by them.
- (2) Certificates shall be issued or endorsed either by the Administration or by any person or organization duly authorized by it. In every case, the Administration assumes full responsibility for the Certificate.
- (3) For ships bearing an anti-fouling system controlled under Annex 1 that was applied before the date of entry into force of a control for such a system, the Administration shall issue a Certificate in accordance with paragraphs (2) and (3) of this regulation not later than two years after entry into force of that control. This paragraph shall not affect any requirement for ships to comply with Annex 1.
- (4) The Certificate shall be drawn up in the form corresponding to the model given in Appendix 1 to this Annex and shall be written at least in English, French, or Spanish. If an official language of the issuing State is also used this shall prevail in the case of the dispute or discrepancy.

**REGULATION 3**

## Issue or Endorsement of an International Anti-fouling System Certificate by Another Party

(1) At the request of the Administration, another Party may cause a ship to be surveyed and, if satisfied that this Convention has been complied with, it shall issue or authorize the issue of a Certificate to the ship and, where appropriate, endorse or authorize the endorsement of that Certificate for the ship, in accordance with this Convention.

(2) A copy of the Certificate and a copy of the survey report shall be transmitted as soon as possible to the requesting Administration.

(3) A Certificate so issued shall contain a statement that it has been issued at the request of the Administration referred to in paragraph (1) and it shall have the same force and receive the same recognition as a Certificate issued by the Administration.

(4) No Certificate shall be issued to a ship which is entitled to fly the flag of a State which is not a Party.

**REGULATION 4**

## Validity of an International Anti-fouling System Certificate

(1) A Certificate issued under regulation 2 or 3 shall cease to be valid in either of the following cases:

(a) if the anti-fouling system is changed or replaced and the Certificate is not endorsed in accordance with this Convention; and

(b) upon transfer of the ship to the flag of another State. A new Certificate shall only be issued when the Party issuing the new Certificate is fully satisfied that the ship is in compliance with this Convention. In the case of a transfer between Parties, if requested within three months after the transfer has taken place, the Party whose flag the ship was formerly entitled to fly shall, as soon as possible, transmit to the Administration a copy of the Certificates carried by the ship before the transfer and, if available, a copy of the relevant survey reports.

(2) The issue by a Party of a new Certificate to a ship transferred from another Party may be based on a new survey or on a valid Certificate issued by the previous Party whose flag the ship was entitled to fly.

**REGULATION 5**

## Declaration on Anti-fouling System

- (1) The Administration shall require a ship of 24 metres or more in length, but less than 400 gross tonnage engaged in international voyages and to which article 3(1)(a) applies (excluding fixed or floating platforms, FSUs, and FPSOs) to carry a Declaration signed by the owner or owner's authorized agent. Such Declaration shall be accompanied by appropriate documentation (such as a paint receipt or a contractor invoice) or contain appropriate endorsement.
- (2) The Declaration shall be drawn up in the form corresponding to the model given in Appendix 2 to this Annex and shall be written at least in English, French, or Spanish. If an official language of the State whose flag the ship is entitled to fly is also used, this shall prevail in the case of a dispute or discrepancy.

**APPENDIX 1 TO ANNEX 4**  
*MODEL FORM OF INTERNATIONAL ANTI-FOULING SYSTEM*  
*CERTIFICATE*

**INTERNATIONAL ANTI-FOULING SYSTEM CERTIFICATE**  
(This certificate shall be supplemented by a Record of Anti-Fouling Systems)

*(Official seal)*

*(State)*

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

*under the authority of the Government of*

.....  
*(name of the State)*

*by*

.....  
*(person or organization authorized)*

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

*Particulars of ship<sup>1</sup>*

Name of ship .....

Distinctive number or letters .....

Port of registry .....

Gross tonnage .....

IMO number<sup>2</sup> .....

An anti-fouling system controlled under Annex 1 has not been applied during or after construction of this ship .....

An anti-fouling system controlled under Annex 1 has been applied on this ship previously, but has been removed by ..... *(insert name of the facility)* on ..... *(date)* .....

An anti-fouling system controlled under Annex 1 has been applied on this ship previously, but has been covered with a sealer coat applied by ..... *(insert name of the facility)* .....  on ..... *(date)* .....

<sup>1</sup>Alternatively, the particulars of the ship may be placed horizontally in boxes.

<sup>2</sup>In accordance with the IMO Ship Identification Number Scheme adopted by the Organization with Assembly resolution A.600(15).

An anti-fouling system controlled under Annex 1 was applied on this ship prior to ..... (date)<sup>3</sup>, but must be removed or covered with a sealer coat prior to ..... (date)<sup>4</sup> ..... □

THIS IS TO CERTIFY THAT:

1 the ship has been surveyed in accordance with regulation 1 of Annex 4 to the Convention; and

2 the survey shows that the anti-fouling system on the ship complies with the applicable requirements of Annex 1 to the Convention.

Issued at .....  
(Place of issue of Certificate)

.....  
(Date of issue)

.....  
(Signature of authorized official issuing the Certificate)

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

<sup>3</sup>Date of entry into force of the control measure.

<sup>4</sup>Date of expiration of any implementation period specified in article 4(2) or Annex 1.

MODEL FORM OF RECORD OF ANTI-FOULING SYSTEMS

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 Abstract Services Registry Number(s) (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 authorized official issuing the record)

**Endorsement of the Records<sup>5</sup>**

THIS IS TO CERTIFY that a survey required in accordance with regulation 1(1)(b) of Annex 4 to the Convention found that the ship was in compliance with the Convention

*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 .....

Names(s) of anti-fouling system(s) manufacturer(s) .....

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

Active ingredient(s) and their Chemical Abstract Services Registry Number(s) (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 authorized official issuing the Record)

Place: .....

Date<sup>6</sup>: .....

(Seal or stamp of the authority)

<sup>5</sup>This page of the Record shall be reproduced and added to the Record as considered necessary by the Administration.

<sup>6</sup>Date of completion of the survey on which this endorsement is made.

**APPENDIX 2 TO ANNEX 4**

*MODEL FORM OF DECLARATION ON ANTI-FOULING SYSTEM*

**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 authorized 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 authorized agent)

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

.....  
(Date) (Signature of owner or owner's authorized agent)

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

.....  
(Date) (Signature of owner or owner's authorized agent)



GIVEN under my Official Seal,  
28 March 2008

NOEL DEMPSEY  
Minister for Transport.

## EXPLANATORY NOTE

*(This note is not part of the Instrument and does not purport to be a legal interpretation.)*

These Regulations give effect to the International Convention on the Control of Harmful Anti-fouling Systems on Ships (AFS Convention), which was adopted by an International Conference on the Control of Harmful Anti-Fouling Systems for Ships, convened by the International Maritime Organization (IMO) from 1st to 5th October 2001.

This Convention prohibits the use of harmful organotins in anti-fouling paints used on ships and establishes a mechanism to prevent the potential future use of other harmful substances in anti-fouling systems.

These Regulations provide for the surveying and, if appropriate, subsequent certification of all ships entitled to fly the flag of the State, or which operate under its authority wherever they may be. All other ships may be subject to inspection when they are in the territorial waters of the State.

Section 29 of the Sea Pollution Act, 1991 provides for penalties for breaches of these Regulations.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ón  
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,  
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,  
nó tríd an bpost ó  
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,  
AONAD 20 PÁIRC MIONDÍOLA COIS LOCHA, CLÁR CHLAINNE MHUIRIS,  
CONTAE MHAIGH EO,  
(Teil: 01 - 6476834/37 nó 1890 213434; Fax: 01 - 6476843 nó 094 - 9378964)  
nó trí aon díoltóir leabhar.

---

DUBLIN  
PUBLISHED BY THE STATIONERY OFFICE  
To be purchased directly from the  
GOVERNMENT PUBLICATIONS SALE OFFICE  
SUN ALLIANCE HOUSE, MOLESWORTH STREET, DUBLIN 2,  
or by mail order from  
GOVERNMENT PUBLICATIONS, POSTAL TRADE SECTION,  
UNIT 20 LAKESIDE RETAIL PARK, CLAREMORRIS, CO. MAYO,  
(Tel: 01 - 6476834/37 or 1890 213434; Fax: 01 - 6476843 or 094 - 9378964)  
or through any bookseller.

---

€4.57



Wt. (B26015). 385. 4/08. Cahill. Gr. 30-15.