



**Australian Government**  
**Australian Maritime Safety Authority**

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AMSA MO 2013/13

**Marine Order 98 (Marine pollution — anti-fouling systems) 2013**

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I, Mick Kinley, Acting Chief Executive Officer of the Australian Maritime Safety Authority, make this Order under section 24 of the *Protection of the Sea (Harmful Anti-fouling Systems) Act 2006*.

22 July 2013

**Mick Kinley**  
Acting Chief Executive Officer

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## Division 1 Preliminary

### 1 Name of Order

This Order is *Marine Order 98 (Marine pollution — anti-fouling systems) 2013*.

### 2 Commencement

This Order commences on the day after it is registered.

### 3 Repeal of *Marine Orders Part 98, issue 1*

*Marine Orders Part 98, issue 1* is repealed.

### 4 Purpose

This Marine Order:

- (a) gives effect to those provisions of the Convention that provide for controls on anti-fouling systems and for the survey, inspection and certification of ships for those systems; and
- (b) prescribes survey and certification requirements and forms to be used to report happenings.

### 5 Definitions

In this Order:

**AMSA** means the Australian Maritime Safety Authority established by the *Australian Maritime Safety Authority Act 1990*.

**anti-fouling system** has the meaning given by the Convention.

*Note 1* Some terms used in this Order are defined in *Marine Order 1 (Administration) 2011*, including:

- AFS Act
- IMO

*Note 2* Other terms used in this Order are defined in the AFS Act, including:

- anti-fouling certificate
- Australian ship
- Convention
- foreign ship
- master
- owner
- ship

*Note 3* The AFS Act adopts the Convention definition of **ship** which includes fixed or floating platforms, floating storage units (FSUs) and floating production storage and off-loading units (FPSOs).

*Note 4* For information on obtaining copies of IMO documents mentioned in this Order — see AMSA's website at <http://www.amsa.gov.au>. These documents may also be purchased from the IMO — see the IMO website at <http://www.imo.org/publications>.

### 6 Application

This Order applies to an Australian ship.

*Note* Parts 1, 2, 4 and 5 of the AFS Act apply to foreign ships. See the AFS Act for further information about the obligations, responsibilities and inspection powers mentioned in the Act that affect foreign ships.

Section 7

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## Division 2 Documents

### 7 Issue and endorsement of anti-fouling certificates

- (1) For subsection 10(1) of the AFS Act, an anti-fouling certificate for an Australian ship must be in accordance with Form MO 98/1 in Schedule 1.
- (2) For subsection 10(2) of the AFS Act, an endorsement of an anti-fouling certificate for an Australian ship must be in accordance with 'Endorsement of the Records' in Form MO 98/1 in Schedule 1.

*Note* Form MO98/1 is also available on AMSA's website: <http://www.amsa.gov.au>.

- (3) For paragraph 25(c) of the AFS Act, a survey mentioned in section 10 of the Act must be carried out in accordance with the *2010 Guidelines for survey and certification of anti-fouling systems on ships* adopted by IMO Resolution MEPC.195(61).

### 8 Cancellation of anti-fouling certificates — service of notices

For paragraphs 12(3)(b) and 12(5)(c) of the AFS Act, notice must be served by email, fax or post.

### 9 Notices of happenings for Australian ships

For paragraph 14(1)(c) of the AFS Act, notice of a happening must be in accordance with Form MO 98/2 in Schedule 1.

*Note 1* Subsection 14(1) of the AFS Act provides that the master and owner each commit an offence if notice is not given within 7 days after the happening.

*Note 2* Form MO98/2 is also available on AMSA's website: <http://www.amsa.gov.au>.

### 10 Anti-fouling declaration

For the definition of *anti-fouling declaration* in subsection 15(5) of the AFS Act, the declaration must be in accordance with Form MO 98/3 in Schedule 1.

*Note* Form MO98/3 is also available on AMSA's website: <http://www.amsa.gov.au>.

**Schedule 1 Forms**

(sections 7, 9 and 10)

**1 Form MO 98/1****AUSTRALIA**

MO-98/1

**Certificate Number****INTERNATIONAL ANTI-FOULING SYSTEM CERTIFICATE**

Issued under the  
INTERNATIONAL CONVENTION ON THE CONTROL OF HARMFUL ANTI-FOULING SYSTEMS ON SHIPS,  
under the authority of the Government of Australia  
by

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

*Particulars of ship*

<i>Name of ship</i>		<i>IMO Number</i> 1
<b>Gross tonnage</b>	<i>Distinctive number or letters</i>	<i>Port of registry</i>

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 ..... on .....

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 ..... on .....

An anti-fouling system controlled under Annex 1 was applied on this ship prior

to .....<sup>2</sup>, but must be removed or covered with a sealer coat prior to .....<sup>3</sup>

**THIS IS TO CERTIFY THAT:**

- the ship has been surveyed in accordance with regulation 1 of Annex 4 to the Convention; and
- 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 authorised official issuing the certificate)

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

(Seal or stamp of the authority as appropriate)

<sup>1</sup> In accordance with the IMO Ship Identification Number Scheme adopted by the Organization by resolution A.600(15)

<sup>2</sup> Date of entry into force of the control measure.

<sup>3</sup> Date of expiration of any implementation period specified in article 4(2) or Annex 1.

**Certificate Number**

**RECORD OF ANTI-FOULING SYSTEMS**

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

*Particulars of ship*

<i>Name of ship</i>	<i>Distinctive number or letters</i>	<i>IMO Number</i>

**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 the 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 certificate)*

*(Date of issue)*

*(Signature of authorised official issuing the certificate)*

MO-9811 (05/2008)

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### Endorsement of the Records<sup>4</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 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 the 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 .....

Issued at

*(Place of issue of certificate)*

*(Date of issue)*<sup>5</sup>

*(Signature of authorised official issuing the certificate)*

*(Seal or stamp of the authority)*

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<sup>4</sup> This page of the Record must be reproduced and added to the Record as considered necessary by the Administration.

<sup>5</sup> Date of completion of the survey on which this endorsement is made.

**2 Form MO 98/2**



Australian Government  
Australian Maritime Safety Authority

**NOTICE OF ALTERATION OR DAMAGE TO AN AUSTRALIAN SHIP**

MO98/2

*Marine Order 98 (Marine Pollution — Anti-fouling Systems) 2013*

To: Manager, Ship Inspection and Registration  
Australian Maritime Safety  
Authority GPO Box 2181,  
Canberra ACT 2601 **email:**  
[reports@amsa.gov.au](mailto:reports@amsa.gov.au)  
**Fax:** (02) 6297 5058

**Particulars to be Notified**

Name of ship	IMO number	Official number (if any)
<input type="text"/>	<input type="text"/>	<input type="text"/>
Home port/port of registry	Call sign	
<input type="text"/>	<input type="text"/>	
Name of owner(s) or agent		
<input type="text"/>		
Address of principal place of business of owner or agent in Australia		
<input type="text"/>		

Date of issue and reference number of International Anti-fouling Certificate

Date of issue	Reference number
<input type="text"/>	<input type="text"/>

Nature and extent of alteration or damage to the ship (including date(s) on which the damage occurred and the date(s) on which repairs or alterations, as the case may be, were commenced and completed)

Nature and extent of alteration or damage to the ship	Location of ship when alteration or damage occurred	Date alteration or damage occurred	Date repairs/alterations commenced	Date repairs/alterations completed
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Name and address of person or corporation effecting alteration or repairs

Reason(s) for, or cause(s) of, alteration or repairs

Particulars of changes in the construction of the ship

Additional information (if any) affecting the compliance of the ship with the provisions of the Convention

Signature of master or owner

Date

AMSA 254 (8/08)



**3 Form MO 98/3**

Australian Government  
Australian Maritime Safety Authority

## DECLARATION ON ANTI-FOULING SYSTEM

Drawn up under the  
International Convention on the Control of Harmful Anti-Fouling Systems on Ships

**Particulars of ship**

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.*

Signature of owner or owner's authorised agent

Date

**Endorsement of anti-fouling system(s) applied**

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

Signature of owner or owner's authorised agent

Date

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


Signature of owner or owner's authorised agent

Date

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

Signature of owner or owner's authorised agent

Date

AMSA 239 (10/07)

**Note**

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.