
4 ALBERT EMBANKMENT
LONDON SE1 7SR
Telephone: +44 (0)20 7735 7611 Fax: +44 (0)20 7587 3210

BWM.2/Circ.59
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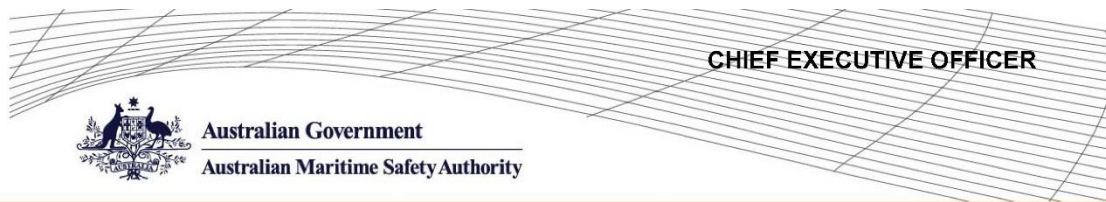
**INTERNATIONAL CONVENTION FOR THE CONTROL AND MANAGEMENT
OF SHIPS' BALLAST WATER AND SEDIMENTS, 2004**

Communication received from the Government of Australia

1 A communication has been received from the Government of Australia regarding the introduction of new requirements for ballast water management on ships engaged in international voyages.

2 At the request of the Government of Australia, the above-mentioned communication, annexed hereto, is circulated to Member States for their information.

ANNEX



Mr Kitack Lim
Secretary-General
International Maritime Organisation
4 Albert Embankment
London SE1 7SR
UNITED KINGDOM

Dear Secretary-General

I am writing to inform you that the Australian government is introducing new requirements for ballast water management on ships engaged in international voyages under the *Biosecurity Act 2015* (Biosecurity Act), which will commence on 16 June 2016. The Biosecurity Act contains a standalone ballast water chapter which has been drafted to implement the International Convention for the Control and Management of Ships' Ballast Water and Sediments (BWM Convention).

From 16 June 2016, Australia will accept the use of ballast water management systems which have received Type Approval through the IMO process, in addition to currently accepted ballast water management methods such as ballast water exchange. Ships which use a ballast water treatment system will need to carry an approved ballast water management plan, and be surveyed and issued with a Ballast Water Management Certificate in accordance with the BWM Convention requirements.

Under the new requirements, ballast water exchange must take place outside 12nm from the nearest land and will not be permitted within 12nm of the outer edge of the Great Barrier Reef or part of the Torres Strait, as defined in Regulation A-1.6 of the Annex of the BWM Convention.

Further information on Australia's ballast water management arrangements is included in the attached Annex. I would be grateful if you could please circulate this information to IMO Member States.

Yours sincerely

MICK KINLEY

15 June 2016

Att. (1)

82 Northbourne Avenue, Braddon ACT 2601
GPO Box 2181, Canberra ACT 2601
p +61 (0)2 6279 5039
f +61 (0)2 6279 5813
e ceo@amsa.gov.au





Australian Government
**Department of Agriculture
and Water Resources**

ADVICE TO THE SHIPPING INDUSTRY: BALLAST WATER EXCHANGE

The *Biosecurity Act 2015* (Biosecurity Act) will replace the *Quarantine Act 1908*. The Biosecurity Act contains a standalone ballast water chapter which has been drafted to implement the International Convention for the Control and Management of Ships' Ballast Water and Sediments (BWM Convention). The Biosecurity Act received royal assent on 16 June 2015 and will commence on 16 June 2016.

Under the Biosecurity Act, ballast water exchange will remain an acceptable method of ballast water management until such time as the BWM Convention is in force and a schedule for the phasing out of exchange is implemented.

The Biosecurity (Acceptable Ballast Water Exchange Area) Declaration 2016, an instrument under the Biosecurity Act, identifies the area outside 12nm *from the nearest land* as an acceptable location for ballast water exchange. *From the nearest land* has the same meaning as in regulation A-1.6 of the Annex to the BWM Convention, which off the north-eastern coast of Australia, is measured from a line drawn around the outer edge of the Great Barrier Reef and part of the Torres Strait region. Therefore, ballast water must be exchanged at least 12NM from this area to meet the Australian requirements. This area is shown in the image below.

The text of Regulation A-1.6 of the Annex to BWM Convention is also provided below.

For Reference: Ballast Water Management Convention, 2004; Regulation A-1.6:
From the nearest land means from the baseline from which the territorial sea of the territory in question is established in accordance with international law except that, for the purposes of the Convention, *from the nearest land* off the north-eastern coast of Australia shall mean from a line drawn from a point on the coast of Australia in

latitude 11 00' S, longitude 142 08' E
to a point in latitude 10 35' S, longitude 141 55' E
thence to a point latitude 10 00' S, longitude 142 00' E
thence to a point latitude 9 10' S, longitude 143 52' E
thence to a point latitude 9 00' S, longitude 144 30' E
thence to a point latitude 10 41' S, longitude 145 00' E
thence to a point latitude 13 00' S, longitude 145 00' E
thence to a point latitude 15 00' S, longitude 146 00' E
thence to a point latitude 17 30' S, longitude 147 00' E
thence to a point latitude 21 00' S, longitude 152 55' E
thence to a point latitude 24 30' S, longitude 154 00' E
thence to a point on the coast of Australia
in latitude 24 42' S, longitude 153 15' E.

T +61 2 6272 3933
F +61 2 6272 5161

18 Marcus Clarke Street
Canberra City ACT 2601

GPO Box 858
Canberra ACT 2601

agriculture.gov.au
ABN 24 113 085 695

Image: Map of North-eastern Australia showing areas that are acceptable for ballast water exchange within the Australian Exclusive Economic Zone.

