

Isle of Man Ship Registry

Manx Shipping Notice

Anti-fouling Systems Convention

Ref. MSN 047 (Rev.2)

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1. Introduction

This MSN explains the AFS Convention and how the Convention impacts Isle of Man registered ships and foreign ships visiting an Isle of Man port.

Anti-fouling systems are used to keep the hulls of ships clean and free from fouling organisms to enable them to travel faster through the water and consume less fuel. Certain compounds with anti-fouling potential have been scientifically proven to have detrimental effects on the marine environment and the AFS Convention places controls on these.

2. Application

The Isle of Man (IOM) [Merchant Shipping \(Control of Harmful Anti-Fouling Systems\) Order 2014](#) implementing the AFS Convention entered into operation on 1 April 2014 and the Convention was extended to the IOM on 21 May 2014.

The Isle of Man AFS Order applies to -

- a. all Isle of Man registered ships, including fixed or floating platforms, floating storage units (FSUs) and floating production storage and off-loading units (FPSOs);
- b. foreign registered ships visiting IOM ports; and
- c. fixed or floating platforms engaged in the exploration and exploitation of the seabed and subsoil in Isle of Man territorial waters.

The AFS Order does not apply to warships, naval auxiliary or other ships owned or operated by a State and used only on government non-commercial services.

For vessels of less than 24 metres in length (mainly recreational craft and fishing vessels operating locally from IOM ports) there are no formal survey and certification requirements. The AFS Order prohibits such vessels from using anti-fouling systems that are not compliant with the AFS Convention. All anti-fouling systems available on the Island comply with the AFS Convention due to the REACH Enforcement Regulations 2008 (Application) Order 2010, which prohibits the importation of the products that are controlled within the AFS Convention to the IOM.



3. Ship Operator's Responsibility

It is the responsibility of the operator to ensure ships comply with the requirements of the AFS Order and it is prohibited for a ship to go to sea without a valid International AFS Certificate or Declaration on AFS (Refer to section 5 & 6). Non-compliance is an offence under the IOM AFS Order.

"Operator" in relation to a ship means the owner or any other person who has assumed responsibility for the operation of the ship from the owner and who on assuming that responsibility has agreed to take over all the duties and responsibilities imposed by the AFS Convention.

4. Controls on Anti-fouling Systems

Ship operators have a duty to ensure that if any ships they operate have an anti-fouling system it must meet the criteria set out in the table below. Ships must be maintained to the criteria to ensure continued compliance with the requirements.

Anti-fouling system	Control measures	Application
Organotin compounds which act as biocides in anti-fouling systems	Ships shall not apply or re-apply such compounds	All IOM Registered ships / All ships in IOM ports
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 (for fixed and floating platforms, FSUs, and FPSOs see Section 10)
Cybutryne CAS No. 28159-98-0	Ships shall not apply or reapply antifouling systems containing this substance	All IOM Registered ships / All ships in IOM ports
Cybutryne CAS No. 28159-98-0	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 shall either: (1) remove the anti-fouling system; or (2) apply a	All IOM Registered ships / All ships in IOM ports 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-



	<p>coating that forms a barrier to this substance leaching from the underlying non-compliant anti-fouling system</p>	<p>dock on or after 1 January 2023;</p> <p>(2) ships not engaged in international voyages; and</p> <p>(3) ships of less than 400 gross tonnage engaged in international voyages, if accepted by the coastal State(s).</p> <p>Effective from 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</p>
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5. Survey Requirements - Ships of 400gt and over

Ships of 400gt and over operating on international voyages (excluding fixed or floating platforms, FSUs and FPSOs) must be surveyed; on successful completion of the survey, an International AFS Certificate will be issued. The survey requirements are as follows -

- a. an initial survey before the ship is put into service or when the ship is for the first time in dry dock for the application of an anti-fouling system; and
- b. a survey when the anti-fouling system is changed or replaced, undertaken to enable the endorsement of the International AFS Certificate.

All surveys should be carried out in accordance with IMO Resolution MEPC.358(78) – 2022 Guidelines for Survey and Certification of Anti-fouling Systems on Ships.

Repairs do not generally require a survey. However, repairs affecting approximately 25% or more of the anti-fouling system are considered by the IOM to be a change or replacement of the anti-fouling system. An anti-fouling system that undergoes such a repair must be updated or replaced with an anti-fouling system that is compliant with the AFS Convention.

The survey and certification of anti-fouling systems for vessels of 400gt and over has been delegated to the Recognised Organisations stated in [MSN 020](#).

When a ship transfers flag to the IOM Ship Registry a new International AFS Certificate may be issued based on the certificate issued by the previous Administration; if the record of anti-fouling is up to date, the certificate was valid at the time of transfer and the previous Administration is a Party to the AFS Convention. Where those criteria have not been met an initial survey must be carried out prior to the issue of a new International AFS Certificate.



6. Documentation Requirements - Ships of 24 metres or more in length but less than 400gt

Ships of 24 metres or more in length but less than 400gt (excluding fixed or floating platforms, FSUs and FPSOs) do not require a survey but must carry a Declaration on Anti-fouling System signed by the owner or authorised agent. The Declaration must be accompanied by appropriate documentation supporting the fact that the anti-fouling system is compliant with the AFS Convention; for example, a paint receipt or contractor invoice, or the endorsement section on the Declaration must be completed. Appendix 1 provides the model form for the Declaration on Anti-fouling System.

7. Enforcement

In addition to the offences in paragraph 3, a ship which fails to comply with the AFS Order may have its AFS certification withdrawn until any deficiencies raised have been rectified, which may result in the vessel's sailing being delayed.

During International Safety Management inspections or Large Commercial Yacht Code Compliance inspections, the IOM surveyor will check the International AFS Certificate or Declaration on AFS (whichever is applicable) to ensure the ship complies with the AFS Convention.

8. Ships with no Anti-fouling Systems

On the International AFS Certificate or Declaration on AFS, the part headed 'Details of anti-fouling system(s) applied' or 'Type(s) of anti-fouling system(s) used' should be filled out stating the ship does not have an anti-fouling system.

9. Fixed or Floating Platforms, FSUs or FPSOs

The AFS Convention applies to any fixed or floating platform, FSU or FPSO. They are therefore prohibited from having compounds controlled within the AFS Convention applied and from bearing such compounds. However, the survey and certification regime does not apply to fixed or floating platforms, FSUs or FPSOs.

All fixed or floating platforms, FSUs and FPSOs should have some form of documentary evidence readily available on board to demonstrate compliance with the AFS Convention.

10. Port State Control - Inspection and Detention

The application, re-application, installation or use of non-IMO compliant anti-fouling systems is not permitted in an IOM port or shipyard. A foreign ship may be inspected in an IOM port or shipyard in accordance with IMO Resolution MEPC.357(78) for the purpose of determining whether the ship is in compliance with the AFS Convention. Unless there are clear grounds for believing that a ship is in violation of this Convention, any such inspection shall be limited to -

- a. verifying that, where required, there is onboard a valid International AFS Certificate or a Declaration on AFS; and/or
- b. a brief sampling of the anti-fouling system taken in line with [MEPC.356 \(78\) – '2022 Guidelines for Brief Sampling of Anti-Fouling Systems on Ships'](#) that does not affect the integrity, structure or operation of the anti-fouling system. Where this is required, the



IOM will request the ship's operator to arrange for a sample to be taken, which will be witnessed by an IOM or Classification Society surveyor. The sample will be analysed by an accredited laboratory or facility and the results will be presented back to the surveyor. 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.

If the ship is detected to be in violation of the AFS Convention, the IOM Ship Registry may take steps to warn, detain, dismiss, or exclude the ship from an IOM port. The Ship Registry shall also inform the Administration of the ship concerned that the ship does not comply with the convention and give details of any further action taken.

11. More Information

- International Convention on the Control of Harmful Anti-fouling Systems on ships, 2001 (AFS Convention)
- [Merchant Shipping \(Control of Harmful Anti-fouling Systems\) Order 2014 \("AFS Order"\)](#)
- REACH Enforcement Regulations 2008 (Application) Order 2010 (SD 306/10)
- IMO Resolution [MEPC.356 \(78\) – '2022 Guidelines for Brief Sampling of Anti-Fouling Systems on Ships'](#)
- IMO Resolution [MEPC.357\(78\); 2022 Guidelines for Inspection of Anti-Fouling Systems on Ships](#)
- IMO Resolution [MEPC.358\(78\); 2022 Guidelines for Survey and Certification of Anti-Fouling Systems on Ships](#)

Most regulations and notices are available on the Isle of Man Government website: www.iomshipregistry.com or by contacting marine.survey@gov.im

Please note - The Isle of Man Ship Registry cannot give Legal Advice. Where this document provides guidance on the law it should not be regarded as definitive. The way the law applies to any particular case can vary according to circumstances - for example, from vessel to vessel. You should consider seeking independent legal advice if you are unsure of your own legal position.



APPENDIX 1

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.

.....
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(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

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(Date)

(Signature of owner or owner's authorised agent)

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

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(Date)

(Signature of owner or owner's authorised agent)

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

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(Date)

(Signature of owner or owner's authorised agent)

