

CIRCULAR No. 59 | Rev.2

PORTUGUESE MARITIME ADMINISTRATION

SUBJECT | Anti-Fouling Systems - Prohibition of organotin compounds on ships

To | Owners, Shipowners Associations, Companies, Operators, Recognized Organizations and Ship Inspectors, Masters and Skippers of ships and vessels flying the Portuguese Flag and Shipyards

DISCLAIMER | This document is for information only and is not intended to interpret or replace the legal referenced documents published by official sources

REFERENCES | The International Convention on the Control of Harmful Anti-Fouling Systems on Ships, AFS Convention, adopted on 5 October 2001, which entered in force on 17 September 2008; Decree No 26/2018, of 12 of December, which introduces the AFS Convention into our national legal system¹; Decree-Law No 264/98, of 19 of August, in its updated version; Resolution MEPC.331(76) of 17 June 2021.

1. OBJECTIVE

The aim of the present circular is the dissemination, information and clarification, to all its addressees, about the application of the AFS Convention and the achievement and maintenance of the applicable certification, as well as the changes introduced in the form of the International Anti-fouling Systems Certificate with the entry into force, on 1 January 2023, of the amendments to the AFS Convention.

2. INTRODUCTION

The International Convention on the control of harmful anti-fouling systems on ships, known as the Convention, aims to reduce or eliminate, for the marine environment and human health, the harmful effects of organotin compounds which act as active biocides in anti-fouling systems

¹ Portugal approved for accession the AFS Convention through Decree-Law no. 26/2018, of 12 December; the deposit of the Convention with the International Maritime Organization (IMO) was made on 8 January 2019, and it entered into force on 8 April of that year, as per Notice no. 11/2019, of 11 March.

This Circular is a controlled document. In case of printing or downloading, it becomes an uncontrolled document. It is Users responsibility to check its up to date status, through DGRM official website at [Circulars](#)



CIRCULAR No. 59 | Rev.2

PORTUGUESE MARITIME ADMINISTRATION

on ships. Portugal has been a Party to the AFS Convention since January 2019 and the Convention entered into force in Portugal on 8 April 2019.

3. SCOPE OF APPLICATION

The AFS-Convention applies to:

- a) Ships entitled to fly the Portuguese flag;
- b) Ships not entitled to fly the Portuguese flag, but which operate under the authority of Portugal;
- c) Ships that enter a port, shipyard, or offshore terminal of Portugal, but do not fall within subparagraph a) or b).

The Convention does not apply to warships, naval auxiliary units or other ships owned or operated by Portugal and used exclusively, for the time being, on government non-commercial service.

4. CERTIFICATION

4.1 INTERNATIONAL ANTI-FOULING SYSTEM CERTIFICATE

Ships of 400 gross tonnage² and above should be issued with an International Anti-Fouling System Certificate in accordance with regulation 2 of Annex 4 of the AFS-Convention, as amended, after performing the surveys described under heading 5. Surveys, to which a Record of Anti-fouling Systems will be associated.

4.1.1 2021 AMENDMENTS TO THE AFS CONVENTION

The amendments to the AFS Convention adopted at the 76th session of the Marine Environment Protection Committee (MEPC) described in resolution MEPC.331(76) of 17 June 2021 focused on Annex 1, Control of anti-fouling systems, Annex 4, Survey and certification requirements for anti-fouling systems, and on the certificate form itself, with the current text of Regulation 2(3) of Annex 4 of the 2001 Convention being replaced by the following:

² As calculated in accordance with the tonnage measurement rules contained in Annex 1 to the International Convention on Tonnage Measurement of Ships, 1969, or any successor convention.



CIRCULAR No. 59 | Rev.2**PORTUGUESE MARITIME ADMINISTRATION**

"(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 (1) and (2) 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."

The form of the certificate was also changed reflecting this amendment. Annex I of this circular presents the new form in force.

4.2 AFS DECLARATION

Ships of 24 metres or more in length³ but less than 400 gross tonnage will be required to carry a Declaration on Anti-fouling System in accordance with regulation 5 of Annex 4 of the AFS Convention as amended, which shall be 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, or the declaration issued by the manufacturer of the anti-fouling system applied.

DGRM makes available for completion the Declaration on Anti-fouling System, which may be downloaded in the Maritime Administration Circulars area on the DGRM website at <https://www.dgrm.pt/web/guest/circulares>.

After completion of the Declaration, it has to be signed by the Owner or the owner's Agent and as applicable be stamped with the company seal and sent in digital format to DGRM to the email shown at the end of this circular.

4.3 AFS CERTIFICATE OR DECLARATION LOST OF VALIDITY

Both the AFS Certificate and the Declaration are issued without a due date. However, these documents lose their validity in any of the following situations:

- a) When, due to any change or replacement of the anti-fouling system and the Certificate or the Declaration, as appropriate, have not been properly endorsed;
- b) Upon transfer of a ship to another's State flag. In this case, a new Certificate will only be issued when, the issuing State of a new Certificate which is Part to the AFS

³ As defined in the 1966 International Convention on Load Lines, as amended by the 1988 Protocol, or any successor convention.



CIRCULAR No. 59 | Rev.2**PORTUGUESE MARITIME ADMINISTRATION**

Convention considers the vessel is fully compliant with the Convention.

4.4 AFS CERTIFICATE AND DECLARATION AVAILABILITY

Both the AFS Certificate and the Declaration should, as applicable, be always available on board for consultation by the Authorities.

4.5 EXCEPTIONS

No International Certificate or Declaration of Anti-fouling Systems is required for fixed or floating platforms, FSUs (floating storage units) and FPSOs (floating production, storage and transfer units).

5. SURVEYS**5.1 FOR THE ISSUANCE OF THE AFS CERTIFICATE**

Ships of AB \geq 400 in international voyages, with the exception of fixed or floating platforms, FSUs and FPSOs, are subject to the following surveys:

- 5.1.1. An initial survey before the ship is put into service or before the first issuance of an International Anti-Fouling System Certificate; and
- 5.1.2. A survey when the anti-fouling systems are changed or replaced, with these surveys to be endorsed on the Record of Anti-Fouling Systems which are annexed to the International Anti-Fouling System Certificate.

The surveys are performed by DGRM's Flag State inspectors, or by inspectors of another State which is Part to the AFS Convention, or by a RO that has signed a written agreement with the Government of Portugal⁴ for the delegation of statutory tasks.

5.2. SURVEYS PERFORMED BY DGRM'S FLAG INSPECTORS (FLAG ADMINISTRATION)

The application for the surveys in 5.1 above is done in the Bmar platform in www.bmar.pt, under Categoria do Pedido: **Embarcações** with the Tipo de Pedido: **Vistorias**. The information about the type of survey is given in page 3 of the application (Caracterização) and on page 4 (Anexos) the ownership title of the ship or vessel as well as any other documents which may be

⁴ DGRM provides information on the framework and generic model of the agreement to be signed between the Maritime Administration and the Recognised Organisations on its website at <https://www.dgrm.pt/web/guest/or>.



CIRCULAR No. 59 | Rev.2**PORTUGUESE MARITIME ADMINISTRATION**

considered important, like for instance the certificate of the application of the paints, should be added.

5.3. SURVEYS PERFORMED BY THIRD COUNTRIES MARITIME AUTHORITIES WHICH ARE PART TO THE AFS CONVENTION

The Portuguese Maritime Administration (DGRM) may, on those cases where it is not possible to perform the surveys described in 5.1 by Portuguese Flag State Inspectors, delegate these surveys on a third country Maritime Authority, as long as the State concerned is Part to the International Convention on the Control of Harmful Anti-Fouling Systems on Ships. The application for the surveys to be held by a third country Maritime Authority may be done by the owner/company in the Bmar platform in www.bmar.pt, under Categoria do Pedido: **Embarcações** with the Tipo de Pedido: **Vistorias**. The information about the type of survey and the ship or vessel's location is given in page 3 of the application (Caracterização) and on page 4 (Anexos) the ownership title of the ship or vessel as well as any other documents which may be considered important, like for instance the certificate of the application of the paints, should be added. DGRM will ask the third country Maritime Authority the surveys and their scope and may, if so necessary, ask for the endorsement of the Certificates.

5.4. SURVEYS PERFORMED BY ROS**5.4.1. SHIPS OR VESSELS REGISTERED IN THE NATIONAL REGISTRY (CONVENTIONAL)**

The Portuguese Maritime Administration (DGRM) may, in all those cases where it is not feasible to undergo the surveys described in 5.1 above by DGRM's Flag State Inspectors, delegate these surveys to any of the ROs which have signed a written agreement with the Portuguese Maritime Administration⁵.

The application for the surveys to be held by ROs may be done by the owner/company in the Bmar platform in www.bmar.pt, under Categoria do Pedido: **Embarcações** with the Tipo de Pedido: **Vistorias**. The information about the type of survey and the ship or vessel's location as well as which RO will assume the survey should be given in page 3

⁵ Only the Recognised Organisations listed in Circular no. 34, available at <https://www.dgrm.pt/web/guest/circulares>, are authorised by the Portuguese State to carry out the acts provided for in Decree-Law no. 13/2012 of 20 January, or any successor legislation.



CIRCULAR No. 59 | Rev.2

PORTUGUESE MARITIME ADMINISTRATION

of the application (Caracterização) and on page 4 (Anexos) the ownership title of the ship or vessel as well as any other documents which may be considered important, like for instance the certificate of the application of the paints, should be added. DGRM will instruct the RO as to the surveys and their scope and may, if so necessary, instruct the RO on the conditions to be verified for the endorsement of the AFS Certificate, when applicable.

5.4.2 SHIPS REGISTERED IN THE MADEIRA INTERNATIONAL REGISTRY OF SHIPS

As to ships and vessels registered in the International Registry of Ships of Madeira, all applications are directly addressed to the ROs, as for these vessels ROs have full delegation of the statutory tasks, as indicated in the signed agreements.

6. TRANSFER OF FLAG TO THE PORTUGUESE FLAG

When a ship or vessel is transferred to the Portuguese flag, a new Certificate will only be issued when the Portuguese Maritime Administration, which issues the new Certificate, considers that the ship fulfils the requirements of the Convention.

If the ship to be transferred to the Portuguese flag comes from a State Party to the AFS Convention and if so requested during in the three months after the transfer, the Maritime Administration of the losing flag shall transmit to the Portuguese Maritime Administration, as soon as possible, a copy of the Certificates held by the ship before the transfer and, if available, a copy of the relevant survey reports.

The issuance of a new AFS Certificate by the Portuguese Maritime Administration to a ship transferred from another flag that is also a Party to the Convention may be based either on a new survey or on a valid Certificate issued by the flag the ship was authorised to fly (the losing flag).

6.1 SHIPS OR VESSELS REGISTERED IN THE NATIONAL REGISTRY (CONVENTIONAL)

The application for the issuance of certificates should be done by the shipowner/company via the Bmar platform at www.bmar.pt, under Categoria do Pedido: **Embarcações** with the Tipo de Pedido: **Documentos para Embarcações**, adding, on page 4 of the application (Anexos), the



CIRCULAR No. 59 | Rev.2***PORTUGUESE MARITIME ADMINISTRATION***

ownership title of the ship or vessel and a copy of the reports and valid certificates issued by the previous flag.

6.2 SHIPS REGISTERED IN THE MADEIRA INTERNATIONAL REGISTRY OF SHIPS

As to ships and vessels registered in the International Registry of Ships of Madeira, all applications are directly addressed to the ROs, as for these vessels ROs have full delegation of the statutory tasks, as indicated in the signed agreements.

Lisbon, 07/10/2024

The General Director of Natural Resources, Safety and Maritime Services

More information

Directorate-General for Natural Resources, Safety and Maritime Services

Avenida Brasília 1449 - 030 Lisboa, Portugal

Tel.: +351 213 035 700

Website Address: <https://www.dgrm.pt/en/>

Email: dsam.secretariado@dgrm.pt


© PORTUGUESE MARITIME ADMINISTRATION COPYRIGHT 2022



CIRCULAR No. 59 | Rev.2

PORTUGUESE MARITIME ADMINISTRATION

ANNEX I

 REPÚBLICA PORTUGUESA THE PORTUGUESE REPUBLIC	CERTIFICADO INTERNACIONAL DE SISTEMA ANTIVEGETATIVO INTERNATIONAL ANTI-FOULING SYSTEM CERTIFICATE N.º / Nr. AFS n.º / ano
---	--

(O presente certificado deve ser complementado por um Registo de Sistemas Antivegetativos)
(This certificate shall be supplemented by a Record of Anti-fouling Systems)

Emitido de acordo com a Convenção Internacional relativa ao Controlo dos Sistemas Antivegetativos Nocivos nos Navios, sob a autoridade do Governo da República Portuguesa pela DIREÇÃO-GERAL DE RECURSOS NATURAIS, SEGURANÇA E SERVIÇOS MARÍTIMOS

Issued under the International Convention on the Control of Harmful Anti-Fouling Systems on Ships under the authority of the Government of the Portuguese Republic by DIREÇÃO-GERAL DE RECURSOS NATURAIS, SEGURANÇA E SERVIÇOS MARÍTIMOS.

Caso exista um Certificado anterior, este Certificado substitui o certificado com data de: / /
When a Certificate has been previously issued, this Certificate replaces the certificate dated:

Nome do Navio <i>Name of ship</i>	Distintivo do Navio em Número ou Letras <i>Distinctive number or letters</i>	Porto de Registo <i>Port of registry</i>	Arqueação Bruta <i>Gross tonnage</i>	Número IMO <i>IMO number</i>

- O navio não foi objeto da aplicação de qualquer sistema antivegetativo controlado que contém compostos organoestânicos que atuam como biocidas, em conformidade com o Anexo 1 da Convenção, durante ou após a sua construção.

An anti-fouling system controlled under Annex 1 to the Convention containing organotin compounds which act as biocides has not been applied during or after construction of this ship.

- O navio não foi objeto da aplicação de qualquer sistema antivegetativo controlado que contém Cybutrine, em conformidade com o Anexo 1 da Convenção, durante ou após a sua construção.

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

- O navio foi anteriormente objeto da aplicação de um sistema antivegetativo controlado que contém compostos organoestânicos que atuam como biocidas, em conformidade com o Anexo 1 da Convenção, o qual foi removido por (nome da instalação) em (dd/mm/aaaa).

An anti-fouling system controlled under Annex 1 to the Convention containing organotin compounds which act as biocides has been applied on this ship previously, but has been removed by (insert name of the facility) on (dd/mm/yyyy).

- O navio foi anteriormente objeto da aplicação de um sistema antivegetativo controlado que contém Cybutrine, em conformidade com o Anexo 1 da Convenção, o qual foi removido por (nome da instalação) em (dd/mm/aaaa).

An anti-fouling system controlled under Annex 1 to the Convention containing Cybutrine has been applied on this ship previously, but has been removed by (insert name of the facility) on (dd/mm/yyyy).

- O navio foi anteriormente objeto da aplicação de um sistema antivegetativo controlado que contém compostos organoestânicos que atuam como biocidas, em conformidade com o Anexo 1 da Convenção, ao qual foi aplicado um revestimento isolante por (nome da instalação) em (dd/mm/aaaa).



CIRCULAR No. 59 | Rev.2**PORTUGUESE MARITIME ADMINISTRATION**

An anti-fouling system controlled under Annex 1 to the Convention containing organotin compounds which act as biocides has been applied on this ship previously, but has been covered with a sealer coat applied by (insert name of the facility) on(dd/mm/yyyy)

- O navio foi anteriormente objeto da aplicação de um sistema antivegetativo controlado que contém *Cybutrine*, em conformidade com o Anexo 1 da Convenção, ao qual foi aplicado um revestimento isolante por (nome da instalação) em (dd/mm/aaaa).

An anti-fouling system controlled under Annex 1 to the Convention containing Cybutrine has been applied on this ship previously, but has been covered with a sealer coat applied by (insert name of the facility) on (dd/mm/yyyy).

- O navio foi anteriormente objeto da aplicação de um sistema antivegetativo controlado que contém *Cybutrine*, em conformidade com o Anexo 1 da Convenção, mas não se encontra no exterior do casco ou quaisquer outras partes externas em 1 de janeiro de 2023.

An anti-fouling system controlled under Annex 1 to the Convention containing Cybutrine has been applied on this ship previously, but is not in the external coating layer of the hull or external parts or surfaces on 1 January 2023.

- O navio foi objeto da aplicação de um sistema antivegetativo controlado que contém *Cybutrine*, em conformidade com o Anexo 1 da Convenção, antes de 1 de janeiro de 2023, o qual deve ser removido ou ao qual deve ser aplicado um revestimento isolante até (dd/mm/aaaa).

An anti-fouling system controlled under Annex 1 to the Convention containing Cybutrine has been applied on this ship prior to 1 January 2023, but must be removed or covered with a sealer coat prior to(dd/mm/yyyy).

Certifica-se:

THIS IS TO CERTIFY THAT:

1 - O navio foi vistoriado de acordo com a regra 1 do Anexo 4 à Convenção; e

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

2 - A vistoria comprova que o sistema antivegetativo do navio cumpre com as prescrições aplicáveis do anexo 1 à Convenção.

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

Emitido em:

Issued at:

(Local de emissão do Certificado)
(Place of issue of the Certificate)

Aos:

dd / mm / aaaa
(Data de emissão)
(Date of issue)

.....
(Assinatura da pessoa autorizada a emitir o Certificado)

(Signature of authorized official issuing the Certificate)

Data de conclusão da vistoria com base na qual o presente Certificado é emitido: **dd / mm / aaaa.**

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

NOTA: Registos dos Sistemas Antivegetativos n.º **AFR n.º / ano**

Note: Record of Anti-Fouling Systems nr.

