CIRCULAR	Number 039
SUBJECT	**Ballast Water Management Convention** **Compliance and certification**
FROM	Office of the Maritime Administrator Vanuatu International Shipping Registry
TO	Owners, operators, managers and masters of Vanuatu-flagged vessels; Special Agents and Recognized Organizations
DRAFT DATE	5 November 2026
ADMINISTRATIVE EFFECT	Upon publication
IN FORCE FOR VANUATU	16 January 2026
STATUS	Approved

Authority. Issued by the Maritime Administrator in the exercise of applicable functions under the Maritime Act [CAP 131], as amended in 2025. Read this circular with the Convention, its amendments in force and applicable VISR instructions.

1. Background and purpose

Ships take ballast water into their tanks to maintain stability, trim and safe operating conditions. That water can contain small organisms and pathogens. When released in another location, these may harm the local marine environment, fisheries and human health. Sediments left in ballast tanks can also carry organisms. Ballast water management is intended to prevent that transfer while keeping the ship safe.

The International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004 (BWM Convention) establishes the international rules for managing this risk. Vanuatu deposited its instrument of accession on 16 October 2025, and the Convention entered into force for Vanuatu on 16 January 2026. (IMO status of conventions, 30 October 2026, BWM Convention entry for Vanuatu)

VISR previously notified the fleet and its Recognized Organizations (ROs) of that entry into force and instructed them to convert applicable Statements / Documents of Compliance into Convention certificates. This circular brings the main operational, documentation and certification requirements together in one practical notice. It supplements the earlier instructions and retains their conversion deadline. (VISR Fleet Safety Letter of 2 December 2025 — conversion of SOC/DOC to certificates)

Owners and operators must now verify that each vessel meets the requirements applicable to its arrangements and operations. The reporting period in section 8 is an administrative deadline for providing information to VISR. It does not postpone an existing compliance obligation.

2. Which vessels are concerned?

The Convention generally applies to Vanuatu-flagged ships designed or constructed to carry ballast water, subject to its express exclusions. This can include cargo ships, tankers, fishing vessels and offshore vessels; the vessel's trading description alone does not determine whether it is covered. (BWM Convention, articles 1 and 3)

Ships not designed or constructed to carry ballast water are excluded. Permanent ballast water kept in sealed tanks and never discharged is also excluded. If other tanks carry dischargeable ballast, those arrangements still need to be assessed. Owners relying on an exclusion must provide VISR with the supporting particulars and drawings.

Restricted operating areas can affect application, but the conditions in article 3 must be satisfied. A vessel operating only in another Party's waters requires that Party's authorization for the relevant exclusion. Owners must not assume that coastal service, a short voyage or infrequent ballasting automatically removes their obligations. Refer uncertain cases to VISR before relying on an exclusion.

The 400 gross tonnage threshold concerns the Convention's standard survey and certification regime; it is not a general exemption from ballast water management. Vessels below 400 GT, and floating platforms, floating storage units (FSUs) and floating production, storage and offloading units (FPSOs), must be referred to VISR for the appropriate verification arrangements where the Convention applies. (Regulation E-1.1–2.)

3. The discharge standard: D-1 and D-2 explained

D-1 means exchanging ballast water at sea under prescribed conditions. D-2 sets limits on the organisms and indicator microbes that may remain in discharged ballast water. In practice, most ships meet D-2 by using an approved ballast water management system (BWMS) that treats the water.

The normal international transition to D-2 was completed by 8 September 2024. Vanuatu's later accession does not restart that transition. Unless a valid exclusion, exception, exemption or permitted alternative applies, owners must demonstrate compliance with D-2; exchange alone is not a routine substitute for treatment. (Regulations B-3 and D-2; IMO resolution MEPC.297(72))

Using fresh water or water described as potable does not, by itself, establish an exemption or prove compliance with the discharge standard. Any alternative arrangement must have a documented basis and be accepted through the applicable procedures. Discharge to a suitable reception facility and other permitted methods must satisfy the relevant Convention conditions. (Regulations B-3.6–7.)

4. The approved plan, equipment and crew

Each vessel concerned must carry and follow a ship-specific Ballast Water Management Plan approved by VISR or its duly authorized RO. The plan must reflect the actual tanks, piping, treatment arrangements, safe operating procedures, contingency measures, sediment disposal and coordination with port authorities. It must identify the officer responsible and be available in the required language. Keep it current when arrangements or procedures change. (Regulations B-1, B-5 and B-6)

Where a BWMS is used, owners must ensure that its approval is appropriate, it is maintained in working order and it operates within its approved limits. Keep operating instructions, maintenance and alarm records available, provide necessary spares and consumables, and train the crew in normal operation and contingency procedures. An installed system or a valid certificate alone is not evidence that every discharge complies. (Regulations D-3 and E-1.)

When preparing or revising a plan, consult VISR or the RO on the 2026 IMO guidelines. Those guidelines do not bring future Convention amendments into force early, and owners should confirm whether an existing approved plan needs updating. (IMO resolution MEPC.409(84), 2026 Guidelines (G4))

5. Records to keep on board

Use the revised Ballast Water Record Book format that took effect internationally on 1 February 2025. Record required operations without delay, including uptake, discharge, exchange or treatment, reception-facility transfers, exceptional events, system failures and sediment removal. Include the required ballast tank diagram. Entries must be complete and authenticated by the responsible officer and master as required. (Regulation B-2 and revised appendix II, IMO resolution MEPC.369(80))

A paper book may continue to be used. If an electronic record book is used, it must be approved by the Administration; an ordinary spreadsheet or unapproved software is insufficient. The Convention amendments on electronic record books took effect internationally on 1 October 2025. Owners must retain evidence of the approval and ensure that records can be produced for inspection. (Regulations A-1 and B-2, IMO resolution MEPC.383(81))

Retain the records on board for at least two years after the last entry, followed by at least three years under the company's control. Keep the approved plan, current certificate where required, survey endorsements, equipment approvals and any applicable exemption or alternative-arrangement documentation readily available. (Regulation B-2.2 and section E.)

6. Certificates, surveys and conversion of existing documents

Ships of 400 GT and above to which the Convention applies, excluding floating platforms, FSUs and FPSOs, are subject to the surveys in regulation E-1 and must hold the International Ballast Water Management Certificate (IBWMC). Arrange the applicable initial, annual, intermediate, renewal and additional surveys with the authorized RO, and keep the certificate properly endorsed. For other covered vessels, obtain VISR's instructions on the appropriate evidence of compliance. (Regulations E-1, E-2 and E-5)

Under VISR's Fleet Safety Letter of 2 December 2025, existing Statements/Documents of Compliance (SOC/DOC) are to be converted to the corresponding IBWMC, as applicable. Conversion may be completed without a shipboard inspection at an appropriate time on or after 16 January 2026, but no later than the next annual survey. Owners must confirm with their RO that this has been completed, or establish the applicable forthcoming survey deadline. (VISR Fleet Safety Letter — existing conversion instructions)

The option to convert documents without attendance does not waive a survey otherwise due, cure a deficiency or remove an applicable commissioning-test requirement. Any vessel still carrying only an SOC/DOC after its conversion deadline must be reported to VISR and the RO immediately for corrective action.

Commissioning testing verifies that an installed BWMS works as intended on the particular ship. Owners must arrange it where required by regulation E-1 for the relevant installation and survey. It is distinct from the manufacturer's type approval. The RO must verify the applicable requirement and supporting test report; this circular does not require a new test solely because an existing compliant document is being converted. (Regulation E-1.1.1 and E-1.1.5, as amended by MEPC.325(75))

ROs are requested to identify outstanding conversions and material deficiencies, advise the owners of the action required and keep VISR informed. Surveys, plan approval and certification must remain within the scope of the RO's authorization.

7. Failures, exceptional situations and port requirements

If a defect or accident substantially affects ballast water compliance, notify VISR and the responsible RO promptly. If the ship is in another Party's port, notify the appropriate port authority immediately. Before any planned discharge that may not comply, provide the relevant authorities with the facts and agree the lawful contingency arrangements. A system failure does not automatically permit untreated discharge or substitution of exchange for D-2 compliance. (Regulations E-1.7 and A-2)

The master must act to protect the ship and life at sea in an emergency. Regulation A-3 provides specific exceptions, including necessary emergency safety operations. Record the circumstances and report promptly; do not delay necessary emergency action while awaiting routine administrative approval. The exception must fit the actual circumstances.

Route-specific exemptions under regulation A-4 require the appropriate Party or Parties' approval, a risk assessment and compliance with all applicable conditions. They are time-limited, subject to review and recorded in the record book. A flag document alone cannot dispense with another State's requirements. Owners must also check destination-port reporting, discharge and additional local requirements before arrival.

8. Action required from owners and operators

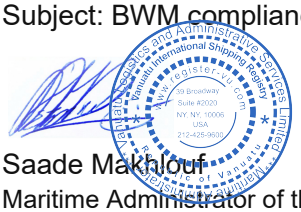
Within 30 calendar days after publication of this circular, submit a vessel-by-vessel compliance confirmation to VISR's Technical Department. Coordinate with the responsible RO and include the following information or supporting documents. A fleet schedule may be used for multiple vessels.

Item	Information to provide
Vessel and application	Name, IMO number or official number, GT, ballast capacity and operating area. Identify any claimed exclusion and provide its supporting basis.
Compliance method	BWMS make/model and approval details, or the documented basis of another permitted method. Include any relevant exemption and its scope and expiry.
Certificate and surveys	Current IBWMC and endorsements, RO, expiry and next survey due. If still holding an SOC/DOC, state the conversion deadline and arrangements.
Plan and records	Plan approval details; confirmation that the current record-book format is used; electronic-book approval, if applicable; commissioning evidence where required.
Outstanding action	Any defect, missing approval, overdue survey or other gap, together with immediate safeguards, responsible contact and proposed corrective action.

Report material non-compliance immediately; do not wait for the 30-day submission deadline. A proposed correction date is not permission to continue a non-compliant operation. Owners remain responsible for maintaining compliance and ensuring that masters and relevant personnel receive this circular.

Send to: technical@register-vu.com | **Copy:** compliance@register-vu.com

Subject: BWM compliance confirmation — [vessel name / IMO number]



Saade Makhlouf
Maritime Administrator of the Republic of Vanuatu
Vanuatu International Shipping Registry