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BWM.3/Circ.1
21 September 2017

**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 Australia's implementation of the BWM Convention and ballast water exchange requirements.
- 2 At the request of the Government of Australia, the above-mentioned communication, annexed hereto, is circulated to Member States for their information.

ANNEX



CHIEF EXECUTIVE OFFICER

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

Dear Secretary General

I am writing to inform the International Maritime Organization (IMO) and interested Member States of updates to BWM.2/Circ.59 regarding Australia's implementation of the International Convention for the Control and Management of Ships' Ballast Water and Sediments (BWM Convention) and Australia's ballast water exchange requirements.

The Australian government introduced new legislation that, from 8 September 2017, implements the BWM Convention. From this date, the *Biosecurity Act 2015*, as amended by the *Biosecurity Amendment (Ballast Water and Other Measures) Act 2017*, prescribes how ballast water should be managed in Australian seas. This legislation, together with the *Biosecurity (Ballast Water and Sediment) Determination 2017*, implements the requirements of Regulation B-4 (Ballast Water Exchange) of the BWM Convention.

In line with Regulation B-4, Australia's requirements include that ship's conducting ballast water exchange must do so, wherever possible, at least 200 nautical miles from the nearest land and in water at least 200 metres in depth. In cases where this is not possible, ballast water exchange must be conducted at least 50 nautical miles from the nearest land and in water at least 200 metres in depth. In cases where this is not possible, ballast water exchange must be conducted at least 12 nautical miles from the nearest land, and in water at least 50 metres in depth.

In the case of North-eastern Australia, as advised in BWM.2/Circ.59, Australia's ballast water exchange requirements apply from the outer edge of the Great Barrier Reef and part of the Torres Strait.

Further information relating to Australia's ballast water requirements is available from www.agriculture.gov.au/ballast

It would be appreciated if you could please circulate this information to IMO Member States.

Yours sincerely

MICK KINLEY

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