

INTERNATIONAL MARITIME ORGANIZATION  
4 ALBERT EMBANKMENT  
LONDON SE1 7SR

Telephone: 020 7587 3152  
Fax: 020 7587 3210



IMO

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Ref. T5/1.22

BWM.2/Circ.3  
7 February 2006

**INTERNATIONAL CONVENTION FOR THE CONTROL  
AND MANAGEMENT OF SHIPS' BALLAST WATER  
AND SEDIMENTS, 2004**

**Additional information on Brazilian national legislation  
on ballast water managements for ships**

A communication has been received from the Administration of Brazil concerning additional information on Brazilian national legislation on ballast water managements for ships.

At the request of the Administration of Brazil, the above-mentioned communication annexed hereto is circulated to Member States for their information and future action as appropriate.

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ANNEX



BRAZILIAN NAVY  
BRAZILIAN PERMANENT REPRESENTATION TO THE INTERNATIONAL  
MARITIME ORGANIZATION

170 Upper Richmond Road, Putney  
London -- SW15 2SH  
Tel: 0208 246 4431/88/86, Fax: 0208 246 4495  
e-mail: [BrazilianRepresentation.IMO@mar.org.uk](mailto:BrazilianRepresentation.IMO@mar.org.uk)

REF: BWMNatLeg

London, UK, 25 January 2006.

The Secretary-General  
International Maritime Organization  
4 Albert Embankment  
London  
SE1 7SR

Subject: Mandatory National Legislation pertaining to requirements for Ballast Water

Sir,

The Brazilian Permanent Representation presents its compliments and, in addition to our letter dated 28 July 2005, would like to inform you that, owing to the fact that a few ships have had some difficulties to be in compliance with the requirements for Ballast Water Exchange adopted by the National Legislation, the Brazilian Maritime Authority decided to postpone the enforcement of this requirement until 30<sup>th</sup> June 2006.

In this respect, I would be grateful if you could kindly arrange for the information enclosed at annex to be circulated to all IMO Member States.

Please accept, Sir, the assurance of my highest consideration,

A stylized handwritten signature in black ink.

MIGUEL ANGELO DAVENA  
Admiral  
Permanent Representative  
Head of the Representation



ANNEX

**ADDITIONAL INFORMATION ON BRAZILIAN NATIONAL LEGISLATION ON  
BALLAST WATER MANAGEMENT FOR SHIPS**

Through BWM.2/Circ.1 dated 22<sup>nd</sup> September, 2005, IMO issued a communication to Member States containing the summary of the Brazilian National Legislation on Ballast Water Management for Ships.

In that respect, the Brazilian Maritime Authority (BMA) has noticed that most ships are in compliance with the above mentioned rules, whereas only a few have experienced some difficulty in having the BWM Plan approved by its Flag Administration or their recognized Classification Societies.

Thus, in order to grant those ships, and others that might be in the same situation, additional time to be in conformity with that specific point, the Brazilian Maritime Authority issued an Administrative Act (Portaria n ° 1/DPC) on 4<sup>th</sup> January 2006 postponing its enforcement until 30<sup>th</sup> June 2006.

From 4<sup>th</sup> January, 2006 until 30<sup>th</sup> June, 2006, the Brazilian Maritime Authority will accept a BWM plan approved by the shipowner, which means that "a ship carrying ballast water must have a BWM plan".