



## Client Alert 5-2022

March 31, 2022

# Canada Ballast Water Regulations Submitting Ballast Water Reporting Forms

## **A. BACKGROUND**

On June 1, 2018, Transport Canada released updates to the Canadian Ballast Water Reporting Form (BWRF) via Ship Safety Bulletin 07/2018. This contained links to download BWRFs for vessels with up to 20/30/50 ballast tanks and guidance on filling out and submitting these forms to the relevant office via email or fax.

With the recent release of [Ship Safety Bulletin 07/2022](#), the **previously-issued Ship Safety Bulletin 07/2018 has been rescinded**. Bulletin 07/2022 contains updated information to vessels for submitting the Canadian Ballast Water Reporting Form (BWRF) and explains the requirements of section 24 of the [Ballast Water Regulations \(BWR\)](#) which address the way in which the Master of a vessel that is bound for a port, offshore terminal or anchorage area in Canada must submit a duly completed BWRF and relevant documents to Transport Canada Marine Safety and Security (TCMSS).

## **B. COMPLIANCE REQUIREMENTS**

A BWRF must be submitted for all ballast tanks, regardless of their condition, even when a vessel does not plan to discharge ballast while in waters under Canadian jurisdiction. The preferred method of submission is via email.

### **I. When to submit a BWRF:**

- a. If the duration of the voyage before entering waters under Canadian jurisdiction is less than 24 hours, as soon as practicable before entering, but no later than the time of departure from the last port of call.
- b. If the duration of the segment of the voyage before entering waters under Canadian jurisdiction is less than 96 hours but more than 24 hours, at least 24 hours before entering.
- c. At least 96 hours before entering waters under Canadian jurisdiction.

In exceptional circumstances, if a vessel cannot submit the form and documents via email, the local agent should be contacted for assistance in reaching Transport Canada Marine Safety & Security (TCMSS).

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### **ECM Corporate Headquarters**

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Wilton, CT 06897, USA

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Fax: 1.203.857.0428 website: [www.ecmmaritime.com](http://www.ecmmaritime.com)

## II. Acceptable BWRF format:

TCMSS will only accept the latest version of the BWRF, which can be downloaded using the following links:

- [85-0512-AE](#) (PDF, 324 KB) (20 tanks)
- [85-0512-BE](#) (PDF, 342 KB) (30 tanks)
- [85-0512-CE](#) (PDF, 336 KB) (50 tanks)

The work instructions for filling out a BWRF are available via the following link:  
[Completion of the Canadian Ballast Water Reporting Form](#)

## III. Submission of BWRF:

A duly completed BWRF and the required documents must be submitted electronically via email to the appropriate address indicated below and must include the vessel name, IMO number, name of the first Canadian port of call and estimated date/time of arrival in the subject line.

Please make sure your submission includes:

- Copy of all pages of the International Ballast Water Management Certificate, or an equivalent document (as per section 23 of the Regulations);
- Copy of all pages of the International Oil Pollution Prevention (IOPP) Certificate or its interim and supplements, and
- Other relevant documents/certificates as requested by TCMSS

### Where to email or fax your completed form

If the vessel is proceeding to	Email the BWRF to	Or fax the BWRF to
Canada's East Coast, Great Lakes Basin, Quebec and Ontario region	<a href="mailto:atlanticballastwater@tc.gc.ca">atlanticballastwater@tc.gc.ca</a>	+1 902-426-6657
The Canadian Arctic (North of 60N), Hudson Bay, Ungava Bay and James Bay	<a href="mailto:atlanticballastwater@tc.gc.ca">atlanticballastwater@tc.gc.ca</a>	+1 902-426-6657
Canada's West Coast, including the Western Arctic	<a href="mailto:pacballastwater@tc.gc.ca">pacballastwater@tc.gc.ca</a>	+1 604-666-9177

#### IV. Acknowledgement of receipt:

Once the form has been submitted, the vessel will receive an automated email message to confirm that TCMSS has received the BWRF. If a vessel needs to update or make a change to the BWRF or related documents after submission, reporting the change should be in accordance with the instructions provided via the [Completion of the Canadian Ballast Water Reporting Form](#) link.

#### V. Retention of records:

The Master or Operator must keep on board a copy of each BRWF for at least 24 months after it is submitted.

**For more detailed information, please refer to Ship Safety Bulletin 07/2022 via the link provided on page 1 or refer to the copy in the Appendix to this Alert.**

Please direct all enquiries to [ecm@ecmmaritime.com](mailto:ecm@ecmmaritime.com).

*\*All previously-issued Client Alerts can be viewed in the password-protected Member Section of our website [www.ecmmaritime.com](http://www.ecmmaritime.com)*

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### **APPENDIX**

- **Canada Ship Safety Bulletin 07/2022**



# SHIP SAFETY BULLETIN

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We issue Ship Safety Bulletins for the marine community. Visit our Website at [www.tc.gc.ca/ssb-bsn](http://www.tc.gc.ca/ssb-bsn) to view existing bulletins and to sign up to receive e-mail notices of new ones.



**Subject: Instructions for submitting Canadian Ballast Water Reporting form (BWRF)**

This bulletin replaces Ships Safety Bulletin No. [07/2018](#)

## Purpose

This bulletin explains the requirements of section 24 of the *Ballast Water Regulations (BWR)*: which addresses the way in which the master of a vessel that is bound for a port, offshore terminal or anchorage area in Canada must submit duly completed Ballast Water Reporting Form (BWRF) and relevant documents to Transport Canada, Marine Safety and Security (TCMSS).

## Scope

This bulletin applies to masters of any vessel that is subject to the *Ballast Water Regulations (The Regulations)*, and bound for a port, offshore terminal, or anchorage area in Canada.

## Background

The *Regulations* gives effect to Canada’s international obligations under the *International Convention for the Control and Management of Ships’ Ballast Water and Sediments, 2004* (The Convention), which entered into force in September 2017; further protect waters under Canadian jurisdiction from the introduction and spread of aquatic invasive species organisms and pathogens by Canadian and foreign vessels, and maintain foundational requirements from the former regulations that can still be applied to the amended regime, such as reporting requirements.

### Keywords:

1. Ballast Water Regulations
2. Ballast Water
3. Ballast Water Reporting Form
4. International Ballast Water Management Certificate

### Questions concerning this Bulletin should be addressed to:

AMSE	Transport Canada
	Marine Safety and Security
	Tower C, Place de Ville
	330 Sparks Street, 11 <sup>th</sup> Floor
	Ottawa, Ontario K1A 0N8

Contact us at: [marinesafety-securitemaritime@tc.gc.ca](mailto:marinesafety-securitemaritime@tc.gc.ca) or 1-855-859-3123 (Toll Free).



All ballast water must be managed according to the regulations.  
Reporting how vessels manage their ballast water helps protect the environment.

## **What you need to know**

You must submit a BWRF for all ballast tanks, regardless of their ballast tank conditions, and even you don't plan to discharge ballast while in water under Canadian jurisdiction.

## **Before submitting your form**

The submission of the BWRF will depend on when the vessel enters Canadian waters.

## **When to submit your form**

The BWRF and documents must be submitted as follow:

- a) if the duration of the segment of the voyage before entering waters under Canadian jurisdictions is less than 24 hours, as soon as practicable before entering waters under Canadian jurisdictions but no later than the time of departure from the last port of call.
- b) if the duration of the segment of the voyage before entering waters under Canadian jurisdictions is less than 96 hours but more than 24 hours, at least 24 hours before entering waters under Canadian jurisdictions; or
- c) At least 96 hours before entering waters under Canadian jurisdictions.

① In exceptional circumstances If you can't submit the form and documents via email please contact your Marine Agent for help and reaching out TCMSS

## **How to submit your form**

TCMSS will only accept the latest version of the form.

You must download the latest version of the BWRF using the following links:

[85-0512-AE](#) (20 tanks)

[85-0512-BE](#) (30 tanks)

[85-0512-CE](#) (50 tanks)

The work instructions for filling BWRF are available in the document titled – [Completion of the Canadian Ballast Water Reporting Form](#) - at the following link.

① Due to changes on the updated Ballast Water Reporting Form and accompanied instruction you are requested to always refer to the current working instructions when completing the BWRF.

A duly completed BWRF and required documents must be submitted electronically via email to the appropriate address indicated below and must include the vessel name, IMO vessel number, name of the first port of call and estimated date/time of arrival in the subject line.

Please make sure your submission includes:

- Copy of all pages of the International Ballast Water Management Certificate, or an equivalent document (as per section 23 of the *Regulations*);
- Copy of all pages of the International Oil Pollution Prevention Certificate or its interim and supplements, and
- Other relevant documents/certificates as it might be requested by TCMSS

### Where to email or fax your completed form

If the vessel proceed to	Email your form to	Or fax your form to
<b>Canada's East Coast, Great Lakes Basin, Quebec or Ontario region</b>	<a href="mailto:atlanticballastwater@tc.gc.ca">atlanticballastwater@tc.gc.ca</a>	902-426-6657
<b>The Canadian Arctic (north of 60° N), Hudson Bay, Ungava Bay or James Bay</b>	<a href="mailto:atlanticballastwater@tc.gc.ca">atlanticballastwater@tc.gc.ca</a>	902-426-6657
<b>Canada's West Coast, including the western Arctic</b>	<a href="mailto:pacballastwater@tc.gc.ca">pacballastwater@tc.gc.ca</a>	604-666-9177

### Failure to Comply

It is the responsibility of the master of the vessel to ensure that all BWRF and required documents provided to TCMSS are complete and accurate. Masters of vessels subject to the *Regulations* failing to submit, or submitting incomplete or inaccurate BWRF and documents, risk subjecting their vessel to administrative and control actions such as, but not limited to administrative monetary penalties, inspection, detention, redirection, or expulsion from Canadian waters, in addition the master may be fined under the administrative monetary penalty regime.

## **After you submit your form**

You'll receive an automated email message to confirm that TCMSS has received your BWRF. If you need to update or make a change to your form or related document after you've submitted it, report the change according to work instructions set out in the in the document titled – *[Completion of the Canadian Ballast Water Reporting Form](#)* - at the following link.

All reasonable measures must be taken by the master of a vessel, whenever a change occurs in the BWRF and/or documents previously provided to TCMSS, to ensure:

- a) the change is reported in accordance with the work instructions set out in the in the document titled – *[Completion of the Canadian Ballast Water Reporting Form](#)* - at the following link: and
- b) in the case of a change that has occurred after the vessel has entered Canadian waters, that change is reported before the vessel's first interface with a port, offshore terminal, or anchorage area in Canada

## **Keeping of forms**

The master or operator must keep on board a copy of each BRWF for at least 24 months after it is submitted.

## **Questions?**

If you have any questions regarding this Ship Safety Bulletin, please email the Environmental Protection Group at: [PollPrevCanada-PrevPollCanada@tc.gc.ca](mailto:PollPrevCanada-PrevPollCanada@tc.gc.ca)