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MINISTRY OF TRANSPORT AND COMMUNICATION  
DEPARTMENT OF MARINE ADMINISTRATION

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**Directive ( 2 / 2023)**

**CONTROL AND MANAGEMENT OF SHIPS' BALLAST WATER AND SEDIMENTS**

**Applicable to: Shipowners, Ship Operators and Managers, Masters of Ships, Flag State Surveyors, Recognized Organizations and Port State Control Officers**

The Department of Marine Administration (DMA) issues this directive relating to "Control and Management of Ships' Ballast Water and Sediments" in the exercise of the power conferred by sub-section (b) of section 294 B of the Myanmar Merchant Shipping Act.

1. (a) This Directive shall apply to the following ships:
  - (i) all Myanmar ships, wherever such ships may be;
  - (ii) ships not entitled to fly the flag of Myanmar, but which operates under the authority of Myanmar; and
  - (iii) ships that enter a port, shipyard, off-shore terminal or ships within the Myanmar waters.
- (b) This Directive shall not apply to the following ships:
  - (i) ships not designed or constructed for carriage of ballast water;
  - (ii) ships which only operate in Myanmar waters and on the High Seas, unless determines that the discharge of Ballast water from such ships would impair or damage their environment, human health, property or resources, or those of adjacent or other States;
  - (iii) ships of other contracting Party to International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004 (BWM Convention) which only operate in waters under the jurisdiction of Myanmar, subject to the authorization of the DMA for such exclusion;
  - (iv) any warship, naval auxiliary or other ship owned or operated by the government and used, for the time being, only on government non-commercial service however, the ship owner or operator of these ships shall carry out operations in accordance with the provisions of BWM Convention, by adopting reasonable and appropriate measures without affecting the efficiency and ability to work; and
  - (v) ships with permanent ballast water in sealed tanks.

2. In regard to the control and management of the ship's ballast water and sediments subject to paragraph 1(a), concerned masters of ships, shipowners, ship operators and managers, flag State surveyors, Recognized Organizations and port State control officers shall comply with the provisions of the attached International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004 in Annex A, Resolution MEPC.287 in Annex B, Resolution MEPC. 288 (71) in Annex C, Guidance in BWM.2/Circ.70 /Rev.1 in Annex D and Guideline in Resolution (A) 1156 (32) in Annex E accordingly.
3. All ships referred to in paragraph 1(a), control and management of ships' ballast water and sediments containing harmful aquatic organisms and pathogens shall be carried out by the ballast water exchange method or ballast water treatment method.
4. (a) Every ship referred to in paragraph 1 (a) shall have on board a ballast water management plan.
  - (b) For the development of the plan referred to sub-paragraph (a), every Myanmar ship shall comply with the ballast water management standards as may be prescribed by the DMA, and the plan shall be verified and approved by the DMA taking into account the Guidelines developed by the International Maritime Organization (IMO).
  - (c) Every Foreign ship visiting Myanmar waters, ports or offshore terminals shall comply with the ballast water management standards as may be prescribed by the DMA.
  - (d) The owner and master of a ship shall ensure that officers and crew are familiar with their duties in the implementation of ballast water management particularly to their individual duties in ballast water management plan.
5. All ships referred to in paragraph 1 (a), shall not exchange ballast water at the prohibited area designated by the Ministry of Transport and Communications.
6. Every ship referred to in paragraph 1 (a) shall have on board a ballast water record book available for inspection at all times. Such record may be carried out by an electronic record system.
7. The DMA may grant exemptions and exception, in relation to the control and management of ship's ballast water and sediments, in accordance with the provisions of the BWM Convention.
8. (a) The DMA or recognized organization shall conduct surveys of Myanmar ships of 400 gross tonnage and above engaged on international voyages and near coastal voyages in accordance with the provisions of the annexes of paragraph 2 and issue the ballast water management certificate.
  - (b) The DMA shall establish appropriate measures for control and management of ships' ballast water and sediments for Myanmar ships engaged on international voyages and near coastal voyages that are excluded in sub-paragraph (a).
9. All ships referred to in paragraph 1 (a), coming to Myanmar water are required to report the ship's ballast water information, as may be prescribed, to the DMA minimum of 24 hours prior to entering Myanmar waters.

10. The DMA shall take the necessary actions to ensure that the ships referred to in paragraph 1 (a), comply with this Directive.



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