
Changes to legislation: There are outstanding changes not yet made to Regulation (EC) No 782/2003 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

ANNEX I

Surveys and certification requirements for anti-fouling systems on ships flying the flag of a Member State

1. Surveys
 - 1.1. Ships of 400 gross tonnage and above, excluding fixed or floating platforms, FSUs, and FPSOs, shall, as from 1 July 2003, be subject to the following:
 - (a) an initial survey before the ship is put into service or when the ship is for the first time in a dry-dock for the application of anti-fouling systems; and
 - (b) a survey when the anti-fouling systems are changed or replaced. Such surveys shall be endorsed on the certificate required under point 2.1.
 - 1.2. The survey shall be such as to ensure that the ship's anti-fouling system fully complies with Articles 4 and 5 of this Regulation.
 - 1.3. Surveys shall be carried out by officers duly authorised by the administration of the Member State, or of another Member State, or of a party to the AFS-Convention, or by a surveyor nominated for the purpose by one of those administrations, or by a recognised organisation acting on behalf of the administration.
 - 1.4. Unless provided otherwise in this Regulation, Member States shall for the surveys referred to in point 1.1 follow the requirements laid down in Annex 4 to the AFS-Convention, as well as the guidelines for surveys and certification of anti-fouling systems on ships annexed to Resolution [F1MEPC.102(48)], adopted on 11 October 2002 by the Marine Environment Protection Committee of the IMO.

Textual Amendments

F1 Substituted by [Commission Regulation \(EC\) No 536/2008 of 13 June 2008 giving effect to Article 6\(3\) and Article 7 of Regulation \(EC\) No 782/2003 of the European Parliament and of the Council on the prohibition of organotin compounds on ships and amending that Regulation.](#)

2. Certification
 - 2.1. After completion of a survey referred to in point 1.1(a) or (b), a Member State which is not yet a Party to the AFS-Convention shall issue a certificate in accordance with the format laid down in Annex II. A Member State which is a Party to the AFS-Convention shall issue an AFS-Certificate.
 - 2.2. A Member State may rely upon an AFS-Statement of Compliance for the demonstration of compliance with the requirements of Articles 4 and 5 of this Regulation. A certificate referred to in point 2.1 shall replace this AFS-Statement at the latest a year after the date referred to in point 1.1.
 - 2.3. Member States shall require that a ship referred to in point 1.1 carries a certificate issued in accordance with point 2.1.
 - 2.4. Member States shall, for the purposes of the certification referred to in point 2.1, follow the requirements laid down in Annex 4 to the AFS-Convention.

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Changes and effects yet to be applied to the whole legislation item and associated provisions

- Annex 1 para. 1(3) substituted by [S.I. 2019/311 reg. 8\(10\)\(b\)\(i\)](#)
- Annex 1 para. 2(1) substituted by [S.I. 2019/311 reg. 8\(10\)\(c\)\(i\)](#)
- Annex 1 heading words substituted by [S.I. 2019/311 reg. 8\(10\)\(a\)](#)
- Annex 1 para. 1(4) words substituted by [S.I. 2019/311 reg. 8\(10\)\(b\)\(ii\)](#)
- Annex 1 para. 2(2) words substituted by [S.I. 2019/311 reg. 8\(10\)\(c\)\(ii\)](#)
- Annex 1 para. 2(3) words substituted by [S.I. 2019/311 reg. 8\(10\)\(c\)\(iii\)](#)
- Annex 1 para. 2(4) words substituted by [S.I. 2019/311 reg. 8\(10\)\(c\)\(iv\)](#)
- Art. 2(6) words substituted by [S.I. 2019/311 reg. 8\(2\)\(a\)](#)
- Art. 2(7) words inserted by [S.I. 2019/311 reg. 8\(2\)\(b\)\(i\)](#)
- Art. 2(7) words substituted by [S.I. 2019/311 reg. 8\(2\)\(b\)\(ii\)](#)
- Art. 2(9) words inserted by [S.I. 2019/311 reg. 8\(2\)\(c\)\(i\)](#)
- Art. 2(9) words inserted by [S.I. 2019/311 reg. 8\(2\)\(c\)\(ii\)](#)
- Art. 2(11)(12) inserted by [S.I. 2019/311 reg. 8\(2\)\(d\)](#)
- Art. 3(1)(b) words inserted by [S.I. 2019/311 reg. 8\(3\)\(b\)](#)
- Art. 3(1)(c) words inserted by [S.I. 2019/311 reg. 8\(3\)\(c\)](#)
- Art. 3(1)(za) inserted by [S.I. 2019/311 reg. 8\(3\)\(a\)](#)
- Art. 6(1)(c) omitted by [S.I. 2019/311 reg. 8\(5\)\(a\)\(iii\)](#)