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Shipping Guidance Notice – 151
IMO Resolution MEPC 372(80)
GUIDELINES FOR THE USE OF ELECTRONIC RECORD BOOKS UNDER THE BWM CONVENTION
(To be read in conjunction with SGN 150)

To: Recognised Organisations, Ship Owners, Operators, Master's and Crew

1. Introduction

1.1. This Shipping Guidance Notice (SGN) provides details of the Gibraltar Maritime Administration's requirements in conjunction with the Red Ensign Group (REG) of Flags, in respect of the use and approval of electronic Ballast Water Record books.

1.2. Regulation B-2 of the Ballast Water Management (BWM) Convention makes provision for Ballast Water Record Books to be maintained in an electronic format.

1.3. The Regulation further requires that BWM electronic record books are to be approved by the Administration taking into account the guidelines developed by the Organisation, which are contained within IMO Resolution MEPC 372(80).

1.4. The Red Ensign Group (REG) - has published Unified Interpretation REG-UI 007 to advise of the REG decision regarding the acceptance of Electronic Record Books under Ballast Water Management Convention as listed in IMO Resolution MEPC 372(80).

1.5. REG-UI 007 is appended to this SGN.

2. Application

2.1. Gibraltar registered ships to which the BWM Convention applies, wishing to maintain electronic Ballast Water Record books.

Steve Gomez
Chief Surveyor (Ag)

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Red Ensign Group

Unified Interpretation

REG-UI 007

BALLAST WATER MANAGEMENT, Electronic Record Books

Notice to all Maritime Authorities, Recognised Organisations, Equipment Manufacturers, Ship Owners, Ship Operators, Ship Managers, Ships' Officers and Surveyors.

This Unified Interpretation should be read with Resolution MEPC 372(80) Guidelines for the Use of Electronic Record Books under Ballast Water Management.

This REG -UI remains extant until rescinded

Summary

This Red Ensign Group -Unified Interpretation (REG-UI) has been published to advise of the REG decision regarding the acceptance of Electronic Record Books under Ballast Water Management Convention as listed in IMO Resolution MEPC 372(80).

1. Introduction

1.1 This REG-UI applies to operators of the Red Ensign Group (REG) registered ships who wish to use an electronic Ballast Water Record Book and recording requirements under the International Convention for the Control and Management of Ships' Ballast Water and Sediments.

1.2 Where the REG Administrations have published individual guidance to supplement this REG-UI, this is listed in paragraph 4. Further Reading.

2. Approval of electronic Ballast Water Management record books

2.1 If a client wishes to use an electronic record book, they must ensure the following procedure has been followed:

2.1.1 The generic system must have been approved by a REG authorised Recognised Organisation (RO) or member of the REG (in most cases this will be by a RO); and

2.1.2 The RO classing the ship and issuing the ship International Ballast Water Management Certificate or Statement of Compliance as applicable must be contacted in order to arrange for the system to be accepted for use onboard the ship. The RO will verify the system has been installed correctly on the ship, including anything ship specific such as back-up systems. If satisfied the system is acceptable, the ship's RO will issue a Declaration of electronic Ballast Water Management Record Book to the ship. This Declaration must be retained onboard as evidence that the system has been accepted.

3. Electronic signatures, storage of data and offline records

3.1 MEPC 372(80) requires electronic signatures, storage data and offline records to be determined by the Administration. This Administration's policy on these areas is as follows:

3.1.1 Electronic Signatures:

3.1.1.1 MEPC 372(80)) requires electronic signatures applied to an electronic record book to meet authentication standards, as adopted by the Administration.

3.1.1.2 There are many different standards for electronic signatures and a standard has to be chosen that ensures the signature is secure and tamper-proof.

3.1.1.3 This REG requirements are for electronic signatures to meet the requirements of Article 26 of the European eIDAS Regulations for advanced electronic signatures. The advanced standard serves two main purposes. It makes it possible to verify if:

1. the signer of the document is known and trusted (authenticity); and
2. the document has been altered since being signed (to prevent tampering).

3.1.1.4 Notwithstanding 3.1.1.3 above, the REG is aware that not all available products in respect of Ballast Water Management electronic record books operate on an "online" mode, and as such there may be limitations in terms of the incorporation of third party eDIAS advanced electronic signatures. For such products, the REG requires that provisions are incorporated whereby electronic signatures meet the general structure of eDIAS Article 26 whereby the electronic signature:

1. It is uniquely linked to the signatory;
2. It is capable of identifying the signatory;
3. It is created using electronic signature creation data that the signatory can, with a high level of confidence, use under their sole control;
4. The management of the signature and signatory ID is maintained by a suitable and clearly identified administrator (e.g. Vessel Master or onshore Manager); and,
5. It is linked to the data signed therewith in such a way that any subsequent change in the data is detectable and authorised.

3.1.1.5 Once a logbook entry has been made and signed using an electronic signature, it shall not be possible for another user to amend or delete the entry. In order to achieve this, an advanced electronic signature must meet the requirements of 3.1.1.4, points 1 to 5.

3.1.1.6 For the purposes of this REG-UI, electronic signatures will have the same legal effect as described within eDIAS Article 25.

3.1.1.7 The company submitting their electronic Ballast Water Management record book for approval, must be able to demonstrate to the RO carrying out the approval, that the above requirements have been met.

3.1.2 Storage of data and offline records:

3.1.2.1 MEPC 372(80) requires the electronic record book to have an appropriate method for backing up data and data recovery if the system were to fail or not be available from the ship's network. Paragraph 4.4.4 states:

"*This offline record may be provided in any format deemed appropriate by the Administration and should be digitally signed by the master."*

3.1.2.2 The REG's policy is that companies must determine their offline storage requirements and back up facilities which must ensure the information is stored for the minimum time period required by the Ballast Water Management Convention. This will be reviewed as part of the overall approval process. Any digital signatures used shall also be in compliance with the eIDAS advanced standard.

4. Further Reading

4.1 Recommended further reading in reference to Electronic Record books:

4.1.1 IMO:

4.1.1.1 Resolution MEPC 372(80): Guidelines for the use of electronic record books under Ballast Water Management;

4.1.2 EU:

4.1.2.1 eIDAS: Regulation (EU) on electronic identification and trust services for electronic transactions in the internal market adopted on 23 July 2013; and

4.1.3 Individual REG Administration guidance, as may be amended:

4.1.3.1 UK: **UK: MSN 1908 (M+F) Amendment 1** – The Merchant Shipping (Control and Management of Ships' Ballast Water and Sediments) Regulations 2022. https://www.gov.uk/government/publications/msn-1908-mf-amendment-1-the-merchant-shipping-control-and-management-of-ships-ballast-water-and-sediments-regulations-2022.
UK MIN 609 (M+F) Amendment 2 Implementation of Electronic Certificates. https://www.gov.uk/government/publications/min609-mf-amendment-2-implementation-of-electronic-certificates

4.1.3.2 Bermuda: **Guidance Notice 2019-017** Electronic Log Books, refers https://bsma.bm/merchant-shipping-notices/

4.1.3.3 British Virgin Islands: https://bvimaritime.vg/MORE-INFORMATION/Notices/Marine-Circulars

4.1.3.4 Cayman Islands: https://www.cishipping.com/policy-advice

4.1.3.5 Gibraltar: https://www.gibraltarship.com/

4.1.3.6 Isle of Man: https://www.iomshipregistry.com/notices-legislation/tans/

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