

Issuer:	Minister of Economic Affairs and Communications
Type:	regulation
In force from:	23.10.2011
In force until:	05.02.2022
Translation published:	16.06.2020

Procedure for Applying for, Issue and Revocation of International Anti-Fouling System Certificates

Passed 17.10.2011 No. 98

The Regulation is established on the basis of subsection 44²(7) of the Maritime Safety Act.

§ 1. Scope of regulation

(1) This Regulation provides for the procedure for applying for, issue and revocation of international anti-fouling system (hereinafter *AFS*) certificates (hereinafter *Certificate*).

(2) This Regulation is applied to unclassified ships with a gross tonnage of 400 or more, flying the flag of Estonia, regardless of the nature of their voyage.

(3) This Regulation shall not apply to any warship, naval auxiliary or other ship used only on government non-commercial service.

§ 2. Applying for Certificate

(1) To apply for the Certificate, an operator shall lodge an application in the format specified in Annex 1 to this Regulation and the information and the supporting documents specified in Annex 2 to this Regulation with the Maritime Administration.

(2) If a prior survey regarding compliance with the requirements of Regulation (EC) No 782/2003 of the European Parliament and of the Council on the prohibition of organotin compounds on ships (OJ L 115, 9.5.2003, p. 1–11) (hereinafter *survey*) is required for the issue of the Certificate, the application shall be lodged with the Maritime Administration five working days prior to docking the ship.

(3) Upon transfer of a ship to the flag of Estonia, the operator shall apply for the issue of the Certificate from the Maritime Administration not later than within three months after the day of transfer of the ship to the flag of Estonia.

§ 3. Issue of Certificate

(1) Prior to issuing the Certificate, the Maritime Administration shall verify the compliance of the AFS with the requirements of International Convention on the Control of Harmful Anti-fouling Systems on Ships and of Regulation (EC) No 782/2003 of the European Parliament and of the Council.

(2) The Maritime Administration shall issue the Certificate or make a decision on refusal to issue the Certificate within five working days after verification of the ship's compliance with the requirements.

(3) The Certificate with the Record of Anti-Fouling Systems shall be issued to ships which have undergone the initial survey conducted by the Maritime Administration before the ship was put into service or first-time issue of the AFS Certificate.

(4) If the AFS is modified or replaced, the ship which has undergone the survey conducted by the Maritime Administration shall receive the Endorsement of the Records. Repairs to the extent of over 25% shall be deemed equal to the modification or replacement of the AFS.

(5) If a paint manufacturer supervises the installation of the AFS and submits a written report on the course of the process of installation to the Maritime Administration, the Maritime Administration may deem it to be equal to the survey of the ship.

§ 4. Term and revocation of Certificate

(1) The term of the Certificate given to a ship is indefinite.

(2) The Certificate is revoked in accordance with the conditions specified in the International Convention on the Control of Harmful Anti-fouling Systems on Ships.

(3) The Maritime Administration shall immediately inform the operator about revocation of the Certificate.

Juhan Parts
Minister

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Secretary General

[Annex 1](#) Format of application

[Annex 2](#) Information supported by documentary evidence for applying for the AFS Certificate