

DRAFT

MINISTRY OF PORTS, SHIPPING AND WATERWAYS

NOTIFICATION

New Delhi, the _____ 2026

G.S.R. _ (E). -*In the exercise of powers conferred by section 143 of the Merchant Shipping Act 2025 (24 of 2025), and in supersession of the Merchant Shipping (Control of Anti-Fouling System) Rules, 2016, except as respects things done or omitted to be done before such supersession, the Central Government, hereby makes the following Rules under clauses (b), (c), (e), (g), (h) and (i) of sub-section (2) of section 143, namely*

- 1. Short title and commencement.** – (1) These rules may be called the **Merchant Shipping (Control of Anti-fouling System) Rules, 2026**.
(2) They shall come into force on the date of their publication in the Official Gazette.
- 2. Application.** - Unless otherwise provided, these rules apply to;
 - (a) Indian vessel and every other vessel registered in India or operate under the authority of India, except fishing vessels or sailing vessels or vessels whose net tonnage is less than 15 and is engaged solely in the coasting trade of India, wherever they may be; and
 - (b) vessels other than Indian vessels while in any port, shipyard, offshore terminal, anchorage, or waters under the jurisdiction of India.
- 3. Definitions.** – (1) In these rules, unless the context otherwise requires, –
 - (a) "Act" means the Merchant Shipping Act, 2025 (24 of 2025);
 - (b) "Administration" means—
 - (i) the Government of India under whose authority the vessel is operating;
 - (ii) with respect to a ship entitled to fly a flag of any other country, the Government of that country; and

with respect to floating platforms engaged in exploration and exploitation of the seabed and subsoil thereof adjacent to Indian coast over which Government of India exercises sovereign rights for the purposes of exploration and exploitation of its natural resources (including Floating Storage Units and Floating Production Storage and Offloading Units), the Government of India;

- (c) anti-fouling system" means a coating, paint, surface treatment, surface, or device that is used on a vessel to control or prevent attachment of unwanted organisms;
- (d) Committee means the Marine Environment Protection Committee of the Organisation
- (e) "Convention" means the International Convention on the Control of Harmful Anti-fouling Systems on Ships, 2001' as amended from time to time by the Organisation and as in force for India;
- (f) "International voyage" means a *voyage from or to a port or place in India to or from a port or place outside India or between any ports outside India*;
- (g) "length" means the length as defined in the International Convention on Load Lines, 1966, as modified by the Protocol of 1988 relating thereto, or any successor Convention as ratified or acceded to or adopted by the Government of India;
- (h) "Organization" means the International Maritime Organization;
- (i) "recognised organisation" means any organisation recognised by the Director General of Maritime Authority;
- (j) "recognised organisation" means any organisation recognised by the Director General of Maritime Authority;
- (k) Schedule means the *schedule appended to these rules*

- (2) All other terms and abbreviations, which are used in these Rules and are defined in the Act, Convention or applicable codes, shall have the meanings as defined in the Act, Convention or applicable codes

4. **Controls on anti-fouling systems.** - (1) Every vessel to which these rules apply, shall comply with the requirements set forth in Schedule 1;
- (2) including the applicable standards and requirements as prescribed from time to time as well as effective measures to ensure that such vessels comply with the requirements, as may be specified by the Director General from time to time.
- (3) The applicable control measures referred to in sub rule (1) of this rule shall be as provided in Annex 1 of the Convention, which are specified in the Table appended in Schedule 1 of these Rules.

4. **Procedure for survey and certification.**- (1) vessels of 400 gross tonnage and above engaged in international voyages or plying along the coast of India, shall be subject to surveys as specified below:
 - (a) an initial survey, before the vessel has been put into service, or before the International Anti-Fouling System Certificate or, as the

case may be, the Indian Anti-Fouling System Certificate is issued for the first time; and

(b) a survey, when the anti-fouling systems have been changed or replaced, and such change or replacement has been endorsed on the International Anti-Fouling System Certificate or, as the case maybe, the Indian Anti-Fouling System Certificate.

(2) The surveys referred to in sub-rule (1) shall be such as to ensure that the vessel's anti-fouling system is in accordance with and fully complies with the provisions of the Act and these rules.

(3) (a) The surveys of the vessels referred to in sub-rule (1) shall be carried out by officers authorized by the Director General or by recognised organisations.

(b) The Director General shall authorise the surveyor or the recognised organisations to conduct surveys so as to –

(i) verify whether the vessels comply with the provisions of rule 3; and

(ii) carry out surveys, if requested by the appropriate authorities of a port State that is a Party to the Convention.

(c) When the Director General or a recognised organisation determines that the vessel's anti-fouling system does not confirm either to the particulars of the International Anti-Fouling System Certificate, or the Indian Anti-Fouling System Certificate, or to the provisions of the Act or these rules, the surveyor or the recognised organisation shall immediately ensure that corrective action is taken to bring the vessel into compliance, and the surveyor or the recognised organisation shall notify the Director General of any such determination.

(d) If the corrective action referred to in clause(c) is not complied with, the Director General shall be informed in writing by the surveyor or the recognised organization forthwith and the International Anti-Fouling System Certificate or the Indian Anti-Fouling System Certificate shall not be issued or if already issued, the respective certificate shall, by order, be withdrawn by the Director General.

(e) In a situation specified in clause(c) of sub rule (3), if the vessel is in the port of another Party, the appropriate authorities of the port State and Director General shall be informed forthwith in writing by the surveyor or recognized organisation.

(f) If, on receipt of a report from a surveyor or other person authorised to inspect a vessel, the Director-General is satisfied that any provision of this Part has been contravened by such vessel within the coastal waters, the Director-General or any officer authorised by him in this behalf, may—

- (i) detain the vessel until the causes of such contravention are removed to the satisfaction of the Director-General or the officer authorised by him; and
- (ii) levy penalty on such vessel as specified in Section 281:

Provided that where the Director-General deems it necessary, he may request the Indian Navy or the Coast Guard for preventing the vessel from proceeding to sea and the Indian Navy or the Coast Guard, as the case may be, shall take action as requested by the Director-General.

(g) On receipt of information from the Government of any country to which the Convention applies that a vessel has contravened any provision of the Convention, the Central Government may, if it deems it necessary so to do, request such Government to furnish further details of the alleged contravention and, if satisfied that sufficient evidence is available, conduct investigation of the alleged violations and take appropriate measures in respect thereof.

5. Issue or endorsement of an International Anti-Fouling System Certificate or Indian Anti-Fouling System Certificate. — (1) The Director General or a recognized organization shall require, after the successful completion of a survey in accordance with rule 4, to issue or endorse:

- (a) International Anti-Fouling System Certificate to an Indian vessel or other vessels entitled to fly Indian flag or operating under its authority, which is of 400 gross tonnage and above and engaged in an international voyage; and
- (b) Indian Anti-Fouling System Certificate to a ship Indian vessel entitled to fly Indian flag which are of 400 gross tonnage and above, with appropriate conditions as applicable for each type of vessel and not engaged in international voyage and are required to be registered under this Act, as the case may be.

(2) The Certificate and record shall be drawn up in the form corresponding to the model given in Second Schedule or, as the case may be, in Third Schedule 3 appended to this Rules.

6. Issue or Endorsement of an International Anti-Fouling System Certificate by Director General or another country which is party to Convention. —

(1) At the request of the Director General of Shipping, the Government of a country to which the Convention applies or vice versa, may cause a vessel to be

surveyed and, if satisfied, shall issue or authorise the issue of the International Anti-Fouling System Certificate to the vessel and, where appropriate, endorse or authorise the endorsement of the International Anti-Fouling System Certificate for the vessel in accordance with the Convention.

- (2) Upon complying with sub rule (1) of this rule, a copy of the Certificate and a copy of the survey report shall be transmitted as soon as possible to the Director General, or to the Government of another country which is party to the Convention, as the case may be.
- (3) The certificate so issued shall contain a statement that it has been issued at the request, of the Director General, or of the Government of another country which is party to the Convention, as the case may be.

7. Validity of an International Anti-Fouling System Certificate or Indian Anti-Fouling System Certificate. –(1) The International Anti-Fouling System Certificate or the Indian Anti-Fouling System Certificate issued under rule 5, or the International Anti-Fouling System Certificate issued under rule 6, shall cease to be valid in the following cases, namely:

- (a) if the anti-fouling system is changed or replaced and the certificate is not endorsed in accordance with the provisions of these rules; and
- (b) upon transfer of the vessel to the flag of another State.

(2) The issue of a new certificate to a vessel transferred from another flag shall be based on a valid certificate issued by the previous flag.

8. Declaration on anti-fouling system.– (1) A vessel of 24 meters or more in length, but less than 400 gross tonnage, engaged in international voyages (excluding fixed or floating platforms, floating storage units, and floating production storage and off-loading units), shall be required to carry a declaration signed by the owner or owner's authorised agent, and such declaration shall be accompanied by appropriate documentation (such as a paint receipt or a contractor invoice) or contain appropriate endorsement.

(2) The declaration referred in sub rule (1) shall be drawn up in the form corresponding to the model given in Third Schedule to this Rule.

9. Procedure for control of waste anti-fouling materials.– The waste from the application or removal of anti-fouling system are collected ,handled, treated and disposed of in a safe and environmentally sound manner in accordance with Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 as notified by the Central Government in the Ministry of Environment and Forests, vide notification number S.O. 2265 dated the 24th September, 2016 and any subsequent amendments in relation to this.

10. Fees. -The fees which may be levied for survey, inspection and certification under these rules shall be as specified in the Fifth Schedule to this Rule.

11. Penalty: Whoever contravenes any provisions of these rules shall be punished in accordance with the provisions contained under Section 281 of the Act.

FIRST SCHEDULE

TABLE

Anti-fouling system	Control measures	Application	Effective date
Organotin compounds which act as biocides in anti-fouling systems	vessel shall not apply or re-apply such compounds	All vessels	1 st January, 2003.
Organotin compounds which act as biocides in anti-fouling systems	vessels either,- (1) shall not bear such compounds on their hulls or	All vessels (except fixed and floating platforms, floating storage units, and floating production storage and offloading units that have been constructed prior to the	1 st January 2008

	external parts or surfaces; or (2) shall bear a coating that forms a barrier to such compounds leaching from the underlying non-compliant anti-fouling systems	1 st January, 2003 and that have not been in dry-docked on or after the 1 st January, 2003).	
Cybutryne CAS No. 28159-98-0	vessels shall not apply or re-apply anti-fouling systems containing this substance	All vessels	1 January 2023
Cybutryne CAS No. 28159-98-0	vessels bearing an anti-fouling system that contains this substance in the external coating layer of their hulls or external parts or surfaces on 1 January	All ships except: (1) fixed and floating platforms, FSUs, and FPSOs that have been constructed prior to 1 January 2023 and that have not been in dry-dock on or after 1 January 2023; (2) vessels not engaged in International voyages; and (3) vessels of less than 400 gross tonnage engaged in International voyages, if Accepted by the coastal	At the next scheduled renewal of the anti-fouling system after 1 January 2023, but no later than 60 months following the last application to the vessel of an anti-fouling

	<p>2023 shall either:</p> <p>(1) remove the anti-fouling system;</p> <p>or</p> <p>(2) apply a coating that forms a barrier to this substance leaching from the underlying non-compliant anti-fouling system</p>	<p>State(s)</p>	<p>system</p>
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SECOND SCHEDULE

[See sub-rule (2) of the rule 5]

INTERNATIONAL ANTI-FOULING SYSTEM CERTIFICATE

(This certificate shall be supplemented by a Record of Anti-fouling Systems)

Issued under the International Convention on the Control of Harmful Anti-Fouling Systems on vessels under the authority of the Government of

(name of the State)

by.....

(Person or organization authorized)

When a Certificate has been previously issued, this Certificate replaces the certificate dated.....

Particulars of vessel¹⁾

Name _____ of
vessel.....

Distinctive letters..... number or

Port of registry.....

Gross tonnage.....

An anti-fouling system controlled under Annex 1 containing:

been applied during or after construction of this ship	applied on this ship previously, but has been removed by	applied on this ship previously, but has been covered with a sealer coat applied by	applied on this ship previously, but is not in the external coating layer of the hull or external parts or surfaces on	applied on this ship prior to
Organotin compounds which	<input type="checkbox"/> <i>(insert name of the facility)</i> on $(dd/mm/yyyy)$ <input type="checkbox"/> <i>(insert name of the facility)</i> on 	Not applicable	Not applicable

act as biocid es			(dd/mm/yyyy) <input type="checkbox"/>		
Cybutry ne	<input type="checkbox"/> <i>(insert name of the facility)</i> on (dd/mm/yyyy) <input type="checkbox"/> <i>(insert name of the facility)</i> on (dd/mm/yyyy) <input type="checkbox"/>	1 January 2023 <input type="checkbox"/>	1 January 2023, but must be removed or covered with a sealer coat prior to (dd/mm/y yy) <input type="checkbox"/>

THIS IS TO CERTIFY THAT: (1) the vessel has been surveyed in accordance with regulation 1 of Annex 4 to the Convention; and

(2) the survey shows that the anti-fouling system on the vessel complies with the applicable requirements of Annex 1 to the Convention.

Issued at.....

(Place of issue of Certificate)

.....
(Date of issue) (Signature of authorised official issuing the Certificate)

Date of completion of the survey on which this certificate is issued:
.....

- 1) *Alternatively, the particulars of the vessel may be placed horizontally in boxes.*
- 2) *In accordance with International Maritime Organisation Ship Identification Number Scheme adopted by the Organisation by resolution A.600(15).*
- 3) *Date of entry into force of the control measure.*
- 4) *Date of expiration of any implementation period specified in article 4(2) or Annex 1 to the Convention.*

RECORD OF ANTI-FOULING SYSTEMS

This Record shall be permanently attached to the International Anti-Fouling System Certificate.

Particulars of vessel

Name of vessel:

.....
Distinctive number or letters:

.....
IMO number:

Details of anti-fouling system(s) applied

Type(s) of anti-fouling system(s) used.....

.....
Date(s) of application of anti-fouling system(s).....

.....
Name(s) of company(ies) and facility(ies)/location(s) where applied.....

.....

Name(s) of anti-fouling system
manufacturer(s).....

Name(s) and colour(s) of anti-fouling system(s).....

.....
Active ingredient(s) and their Chemical Abstract Services Registry Number(s) (CAS number(s))
.....

.....
Type(s) of sealer coat, if
applicable.....

Name(s) and colour(s) of sealer coat applied, if applicable

.....
Date of application of sealer coat

THIS IS TO CERTIFY that this Record is correct in all respects.

Issued
at.....
(Place of issue of Record)

.....
(Date of issue) (Signature of authorized official issuing the Record)

Endorsement of the Records ⁵

THIS IS TO CERTIFY that a survey required in accordance with regulation 1(1)(b) of Annexe 4 to the convention found that the vessel was in compliance with the Convention

Details of anti-fouling system(s) applied

Type(s) of anti-fouling system(s)
used.....

.....
Date(s) of application of anti-fouling system(s).....

Name(s) of company(ies) and facility(ies) location(s) where applied.....

.....

Name(s) of anti-fouling system(s) manufacturer(s).....

.....

Name(s) and colour(s) of anti-fouling system(s).....

.....

Active ingredient (s) and their Chemical Abstract Services Registry Number(s)(CAS number(s)).....

.....

Type(s) of sealer coat, if applicable.....

.....

Name(s) and colour(s) of sealer coat applied, if applicable

.....

.....

Date of application of sealer coat.....

Signed:

(Signature of authorised official issuing the Record)

Place:

Date:⁶

(Seal or stamp of the authority)

5 This page of record shall be reproduced and added to the Record as considered necessary by the Administration

6 Date of completion of the survey on which this endorsement is made.

THIRD SCHEDULE

[See sub-rule (2) of the rule 5]

INDIAN ANTI-FOULING SYSTEM CERTIFICATE

(This certificate shall be supplemented by a Record of Anti-fouling Systems)

Issued under Merchant Shipping (Control of Anti Fouling System) Rules, 2015 on Ships
under the authority of the Government of India

by

.....
(Person or organisation authorised)

When a Certificate has been previously issued, this Certificate replaces the certificate dated.....

Particulars of vessel¹⁾

Name of
vessel.....

Distinctive number or
letters.....

Port of registry.....

Gross tonnage.....

IMO Number²⁾
.....

An anti-fouling system controlled under Annex 1 containing:

Has not been applied during or after construction of this ship	Has been applied on this ship previously, but has been removed by	Has been applied on this ship previously, but has been covered with a sealer coat applied by	Has been applied on this ship previously, but is not in the external coating layer of the hull or external parts	Was applied on this ship prior to

				or surfaces on	
Organotin compounds which act as biocides	<input type="checkbox"/> (insert name of the facility) on (dd/mm/yyyy) <input type="checkbox"/> (insert name of the facility) on (dd/mm/yyyy) <input type="checkbox"/>	Not applicable	Not applicable
Cybutryne	<input type="checkbox"/> (insert name of the facility) on (dd/mm/yyyy) <input type="checkbox"/> (insert name of the facility) on (dd/mm/yyyy) <input type="checkbox"/>	1 January 2023	1 January 2023, but must be removed or covered with a sealer coat prior to (dd/mm/yyyy) <input type="checkbox"/>

THIS IS TO CERTIFY THAT:

1 the vessel has been surveyed in accordance with rule 4 of the Merchant Shipping (Control of Anti-Fouling System) Rules, 2015; and

2 the survey shows that the anti-fouling system on the vessel complies with the applicable requirements of Merchant Shipping (Control of Anti-Fouling System) Rules, 2015

Issued at.....

(Place of issue of Certificate)

.....

(Date of issue) (Signature of authorized official issuing the Certificate)

Date of completion of the survey on which this certificate is issued:

.....

- 1) *Alternatively, the particulars of the vessel may be placed horizontally in boxes.*
- 2) *In accordance with IMO ship Identification Number Scheme adopted by the Organisation by resolution A.600(15).*
- 3) *Date of entry into force of the control measure.*
- 4) *Date of expiration of any implementation period specified in article 4(2) or Annex 1 to the convention*

RECORD OF ANTI-FOULING SYSTEMS

This Record shall be permanently attached to the Indian Anti-Fouling System Certificate.

Particulars of vessel

Name of vessel:

.....

Distinctive number or letters:

.....

IMO number:

Details of anti-fouling system(s) applied

Type(s) of anti-fouling system(s) used.....

.....

Date(s) of application of anti-fouling system(s).....

Name(s) of company(ies) and facility(ies)/location(s) where applied.....

.....

Name(s) of anti-fouling system manufacturer(s).....

Name(s) and colour(s) of anti-fouling system(s).....

.....

Active ingredient(s) and their Chemical Abstract Services Registry Number(s) (CAS number(s))

.....

.....

Type(s) of sealer coat, if applicable.....

.....

Name(s) and colour(s) of sealer coat applied, if applicable

.....

.....

Date of application of sealer coat

.....

THIS IS TO CERTIFY that this Record is correct in all respects.

Issued
at.....
(Place of issue of Record)

.....

(Date of issue) (Signature of authorised official issuing the Record)

Endorsement of the Records

THIS IS TO CERTIFY that a survey required in accordance with rule4 (1)(b) of the Merchant Shipping (Control of Anti-Fouling System) Rules, 2015found that the vessel was in compliance with the Convention.

Details of anti-fouling system(s) applied

Type(s) of anti-fouling system(s) used.....

.....

Date(s) of application of anti-fouling system(s).....

Name(s) of company(ies) and facility(ies) location(s) where applied.....

.....

Name(s) of anti-fouling system(s) manufacturer(s).....

.....

Name(s) and colour(s) of anti-fouling system(s).....

.....

Active ingredient (s) and their Chemical Abstract Services Registry Number(s)(CAS number(s)).....

.....

Type(s) of sealer coat, if applicable.....

.....

Name(s) and colour(s) of sealer coat applied, if applicable

.....

.....

Date of application of sealer coat.....

Signed:

(Signature of authorised official issuing the Record)

Place:

Date:5.....

(Seal or stamp of the authority)

5 Date of completion of the survey on which this endorsement is made.

FOUTH SCHEDULE

[See sub-rule (2) of the rule 8]

**MODEL FORM OF DECLARATION ON ANTI-FOULING SYSTEM **WHILE
ENGAGED IN INTERNATIONAL VOYAGE****

DECLARATION ON ANTI-FOULING SYSTEM

Drawn up under the International Convention on the Control of Harmful Anti-Fouling Systems on Vessels.

Name of vessel.....

Distinctive number or letters.....

Port of registry.....

Length.....

Gross tonnage.....

IMO number (if applicable).....

I declare that the anti-fouling system used on this vessel complies with Annex 1 of the Convention.

.....
(Date) (Signature of owner or owner's authorized agent)

Endorsement of anti-fouling system(s) applied Type(s) of anti-fouling systems(s) used and date(s) of application.....

.....
.....
(Date) (Signature of owner or owner's authorized agent)

Type(s) of anti-fouling system(s) used and date(s) of application.....

.....
.....
(Date) (Signature of owner or owner's authorized agent)

Type(s) of anti-fouling system(s) used and date(s) of application.....

.....
....
.....
(Date) (Signature of owner or owner's authorized agent)

FIFTH SCHEDULE

(See rule 10)

FEES

Serial nos	Description of survey, inspection and certification	Fee to be levied (Rupees)
(1)	(2)	(3)
1.	Gross Tonnage of vessels up to 500 tons	
	Initial Survey and any subsequent survey for endorsement	10,000
2.	Gross Tonnage of vessels 501 to 20,000 tons	
	Initial Survey and any subsequent survey for endorsement	30,000
3	Gross Tonnage of vessels 20001 to tons 30000 tons	
	Initial Survey and any subsequent survey for endorsement	40,000
4	Gross Tonnage of vessels 30001 to tons 50000 tons	
	Initial Survey and any subsequent survey for endorsement	50,000
5	Gross Tonnage of vessels 50001 to tons 100000 tons	
	Initial Survey and any subsequent survey for endorsement	60.000
6	Gross Tonnage of vessels 100000 tons and above	
	Initial Survey and any subsequent survey for endorsement	70,000
7	Issuance of certificate	3,000

8	Issuance of endorsement	2,000
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