

Here you find the most frequently asked questions related to the German flag, arranged according to the subjects addressed by this Website

Flag - Register

- Do I need to rebuild a ship at a change of flag?

With a good and safe ship no major modifications are necessary. In the nautical and technical field there are only a few additional European safety requirements that go beyond the international standard. Equivalent alternative solutions are possible as well. In individual cases, the transitional arrangements for the implementation of the German and European safety standards can be agreed upon. A listing of the ship's safety standards under German flag can be found on our changing flag pages.

- Who can help me find the appropriate person in the authorities when changing flag?

On the right-hand side of our changing flag pages are the respective "related contacts" with the contact details of the appropriate contact person and/or authority. In addition, the button "Contact details" in the top right-hand corner of this website allows an index-search by topic for the competent contact persons.

Crew

- What is the difference between the Maritime Labour Convention (MLC) and the German Maritime Labour Act (Seearbeitsgesetz)?

The Maritime Labour Convention (MLC) is a treaty under international law to define minimum standards for working and living conditions of seafarers on a global scale. The Maritime Labour Act is the German law which implements the international standard in national legislation.

- What has to be included in a seafarer's employment agreement for it to be consistent with the Maritime Labour Convention and the Maritime Labour Act?

The minimum contents of a seafarer's employment agreement are established in § 28 of the Maritime Labour Act. For guidance, we have developed a specimen employment agreement for the German flag.

- Who is responsible for the approval of private seafarer recruitment and placement services?

Private seafarer recruitment and placement services are supervised by the state in which they are headquartered. Recruitment and placement services need to be licensed by that state only. Seafarer recruitment and placement services based in Germany need a licence by the ship safety division of the BG-Verkehr. Further information can be found under "Recruitment of Seafarers".

- How is a ship under the German flag to be manned?

Manning varies as do ships. According to the German Safe Manning Regulation the master has to be a citizen of an EU or EEA State, there is however no general requirement regarding the minimum crew depending on type and trade of ship. The shipowner submits a manning proposal which will be assessed by the administration. The experts in the

ship safety division of the BG-Verkehr will be glad to advise you. For further information please refer to "Manning".

- Do German tariff agreements apply automatically to a ship under the German flag?

No, the German wage tariff agreement (HTV See) and collective tariff agreement (MTV See) apply only, if the shipowning company is a member of the tariff community of the German Shipowners' Association (VDR) and in addition the individual seafarer is a member of the German seafarers' trade union ver.di (known as double tariff). Follow the link for further information regarding application and legal implications of tariff agreements in ocean shipping.

- What is my annual holiday entitlement and how will I be compensated for overtime and Sunday, holiday and night work as a seafarer on board a German flagged ship?

Every seafarer has a minimum annual holiday entitlement of 30 calendar days (§ 57 of the Maritime Labour Act). Depending on one's individual work performance, compensation days of Sunday, holiday and night work (§ 52 of the Maritime Labour Act) as well as of overtime are added. This compensatory time-off is often granted to be realized in combination with holidays. For example, the Manteltarifvertrag See (MTV-See) provides a generalized holidays/time-off compensation of 12,5 days/month. In this case, any of the seafarer's entitlement regarding holidays, time-off and overtime compensation is fulfilled.

Training - Competence

- I want to go to sea. Where can I get information?
- I am looking for a place to work at sea, who can I contact about this?
- I hold a foreign certificate of competency and intend to work on a ship under the German flag. Where shall I apply?
- How can I register for the simplified examination for maritime radiocommunications?
- How can I prepare myself for the simplified examination for maritime radio certificates ROC / GOC / UBZ at the Bundesamt für Seeschifffahrt und Hydrographie (BSH)?
- Where can I find information about approved training courses?
- Does the Seafarer's Card replace my seaman's books?
- Is it mandatory to apply for a Seafarer's Card?
- Which doctors are recognized to issue medical certificates in Germany and abroad?
- How can I have the validity of my certificate of competency extended even if it has expired already?
- How can I proof seagoing service?
- I serve on a ship operated by the government. Are there things I need to consider when I have the validity of my certificate of competency extended?
- Do I have to have my certificate of proficiency for Ship Security Officer (SSO) extended?
- Do I need seagoing service as chief mate to acquire an unrestricted certificate of competency as master?
- How does the seagoing service as chief engineer officer on ships with less than 3,000 kW propulsion power count regarding seagoing service to become an unrestricted chief engineer officer?
- As a holder of a German navigational certificate of competency, how can I proof my knowledge of ARPA, ECDIS, Bridge Ressource Management (BRM) and management training?

- I want to go to sea. Where can I get information?

The experts of the Berufsbildungsstelle Seeschifffahrt e.V. (maritime vocational training center) in Bremen provide comprehensive information on job opportunities in ocean shipping. The German Shipowners' Association (VDR) also supplies extensive material on training and careers at sea.

- I am looking for a place to work at sea, who can I contact about this?

The Zentrale Heuerstelle Hamburg (nautical placement agency) informs, gives advice and places specialists and executives of the shipping industry free of charge. There are also private recruitment and placement agencies for the shipping industry.

- I hold a foreign certificate of competency and intend to work on a ship under the German flag. To whom shall I apply?

The Bundesamt für Seeschifffahrt und Hydrographie (BSH) in Hamburg is responsible for the endorsement of foreign certificates of competency on ships under the German flag. Their experts will be glad to advise you. Find further information under "Anerkennung ausländischer Bescheinigungen" (at the moment in German only).

- How can I register for the simplified examination for maritime radiocommunications?

Find information about this under Fortbestand der Befähigung für den Seefunkdienst.

- How can I prepare myself for the simplified examination for maritime radio certificates ROC / GOC / UBZ at the Bundesamt für Seeschifffahrt und Hydrographie (BSH)?

Bookshops have various training material for SRC and LRC on offer.

Both official catalogues of examination questions, the one for SRC and the one for LRC, are for the use of maritime radio services that are not subject to the SOLAS Convention but part of GMDSS. They provide a firm base to prepare for the simplified examination for maritime radio certificates.

For the GOC examination both question catalogues (LRC and SRC) are relevant, for ROC / UBZ examinations only the SRC question catalogue is relevant.

Participation in a refresher course is recommended for those who do not want to study solely by themselves and in addition want to gain practice-oriented skills. Find information on maritime radio courses under "Approved Courses".

Abbreviations:

ROC = Restricted Operator's Certificate

GOC = General Operator's Certificate

UBZ = UKW-Betriebszeugnis für Funker (VHF Operator's Certificate)

SRC = Short Range Certificate

LRC = Long Range Certificate

- Where can I find information about approved training courses?

All approved training courses by the BSH and the BG Verkehr regarding maritime shipping can be found under "Approved Courses".

- Does the Seafarer's Card replace my seaman's books?

No, seaman's books are not issued any longer; seagoing services are documented on records of employment. Here you can find a model record of employment.

- Is it mandatory to apply for a Seafarer's Card?

No, the card is voluntary and not a requirement for service on merchant ships under German flag. In some countries it can be of advantage and sometimes even a requirement to have one. Further information can be found under "Seafarer's Card".

- Which doctors are recognized to issue medical certificates in Germany and abroad?

You can find a list of all recognized doctors under "Recognized medical practitioners".

- How can I have the validity of my certificate of competency extended even if it has expired already?

Information, in particular about the documents of proof you will have to submit, are given under "Seefahrtzeiten und Schiffe" (in German only).

- How can I proof seagoing service?

Information, in particular about the documents of proof you will have to submit, are given under "Seefahrtzeiten und Schiffe" (in German only).

- I serve on a ship operated by the government. Are there things I need to consider when I have the validity of my certificate of competency extended?

Yes, you can find the information about the documents of proof you have to submit under "Seefahrtzeiten und Schiffe" (in German only).

- Do I have to have my certificate of proficiency for Ship Security Officer (SSO) extended?

No, SSO certificates of proficiency are issued without a period of validity. Upon request to zeugnisse@bsh.de, you receive a confirmation.

- Do I need seagoing service as chief mate to acquire an unrestricted certificate of competency as master?

No, in addition to the seagoing service required for the certificate of competency as chief mate, you are required to serve for at least 24 months as navigational watchkeeping officer or chief mate. But seagoing service as chief mate counts double.

- How does the seagoing service as chief engineer officer on ships with less than 3,000 kW propulsion power count regarding seagoing service to become an unrestricted chief engineer officer?

Upon application up to 6 months can be counted as seagoing service as second engineer officer.

- As a holder of a German navigational certificate of competency, how can I proof my knowledge of ARPA, ECDIS, Bridge Resource Management (BRM) and management training?

Your knowledge of ECDIS and ARPA are proven with your certificate of competency without restrictions regarding ARPA and ECDIS (in accordance with the STCW Convention):

- officers in charge of navigational watch (Regulation II/1),
- masters and chief mates (Regulation II/2), or
- near-coastal voyages (Regulation II/3).

Your knowledge of BRM and management training are also confirmed with one of the aforementioned certificates of competency.

Additional statements about advanced training courses for ARPA, ECDIS, BRM or management training are not necessary. Upon request to zeugnisse@bsh.de, you receive a confirmation letter.

Social security

- I am a seafarer and have so far served under foreign flags. How do I benefit from statutory German social security when I change now to the German flag?

Statutory social security in Germany provides a high level of security which private insurance alone cannot match. As an example, the benefits of the statutory accident insurance in case of accidents at the workplace are extremely comprehensive. Here you can find further information on the German statutory social security.

- What must I, as an employer, observe as regards pension insurance?

Statutory social security data for German and European seafarers must be reported electronically. If non-European seafarers shall be exempted from the compulsory pension insurance scheme, the appropriate applications must be submitted to the German pension fund (Knappschaft-Bahn-See). This is where you can find the application form for the exemption from the pension insurance for non-European seafarers.

Safety - Security

- What do I, as a shipowner, have to consider when I want to use privately contracted armed security personnel against pirates on a German flagged ship?

You need to see that the security company that employs the armed security personnel has a licence issued by the Bundesamt für Wirtschaft und Ausfuhrkontrolle (BAFA, Federal Office of Economics and Export Control). In addition, you have to apply for an addendum to the ship security plan (SSP) at the Federal Maritime and Hydrographic Agency (BSH) as well as report the deployment of privately contracted armed security personnel to the German Point of Contact. Click here for further information on privately contracted armed security personnel.

- Where can I get the current ISM information on topics regarding the German flag?

Our ISM circulars contain current information on safety management under the German flag. You are welcome to be added to our mailing list of the ISM circulars - please send us a short e-mail: ism@bg-verkehr.de.

Containers **Weighing methods**

- May the container be weighed on a vehicle in accordance with Method No.1?

Yes, clause 11.1 of the circular MSC.1/1475 is to be observed.

- How is the certification arranged for those using Method No.2?

The application of Method No.2 is an alternative to weighing the packed container. Using the calculation method, the single masses of the cargo, dunnage and securing material as well as the tare of the container have to be added up.

Those who use this method must be certified for it. A current quality certification (e.g. ISO 9001, ISO 28001) or a recognition as AEO are sufficient. If the certified calculation method is included in the appropriate standards and provisions. A special certification for the determination of the gross mass of cargo containers is not required and there is also no additional approval procedure for the application of Method 2 in Germany.

For companies without a valid quality certification, Method 2 can be applied if the model procedure BG Verkehr has developed, and which is provided in our "documents" section, is adhered to.

- Can the manufacturer specifications be used with Method 2?

It is permissible to use manufacturer specifications about the single masses of packed cargo or dunnage and securing materials. It is however strongly advised to verify the specifications periodically by weighing oneself.

- May Method No.2 be used for sawn timber?

There are no objections to that. Only for certain cargo items, such as scrap and cargo in bulk, are Method No.2 inappropriate.

- How can the net mass (tare) of the container be determined when using Method No.2?

You can read the container's net mass (tare) on the container door or copy it from a list provided by the shipping company, if applicable. This also applies when the weight of an empty container is given.

Weighing equipment

- How are the requirements for weighing instruments for determining the gross mass of a cargo container regulated?

In Germany weighing instruments used for weighing packed containers have to be of accuracy class III (IV) of the EU Directive 2014/31/EC. When using Method No.2 weighing instruments of accuracy class III have to be used .

- Do the weighing instruments have to be verified?

Verification is not a prerequisite for the use of weighing instruments for determining the gross mass of cargo containers. The weighing instruments have to be calibrated and certified. For different use, e.g. as public scales or to determine a price, an obligation to have the weighing instruments verified may apply based on verification regulation provisions. Before the acquisition of a weighing instrument, its purpose has to be thoroughly checked.

- Are there additional tolerances?

The gross mass has to be determined as accurately as possible. Tolerances are specified by the inaccuracies (maximum permissible errors in service) of the used weighing instrument. During an inspection both the maximum permissible errors in service of the check weigher as well as the characteristics of the inspected container will be taken into account.

Different states

- Which law applies if the shipper packs and weighs the container in country A, but loads it onto a ship in country B?

The shipper has to work in accordance with the legislation of country A and based on SOLAS, i.e. he has to use calibrated weighing instruments of the accuracy specifications of country A and – when using Method No.2 – has to be certified in accordance with the regulation of country A. Country B has to consider the regulations in place in country A during any inspections.

Transmission of the verified gross mass

- How should the verified gross mass be transmitted?

The verified gross mass has to be documented by the shipper in the shipping documents. The document can be part of the shipping instructions to the shipping company or a separate communication. The documentation can also happen electronically. In any case, it has to be signed by a person authorized by the shipper. When electronic transmission is used, the signature may be made with simple electronic signature. SOLAS VI/2: *“Reference to documents in this regulation does not preclude the use of electronic data processing (EDP) and electronic data interchange (EDI) transmission techniques as an aid to paper documentation.”*

- What exactly means the transmission has to be “sufficiently in advance”?

The transmission of the verified gross mass to the shipping company has to be sufficiently in advance to leave enough time to prepare a proper ship stowage plan. This can vary depending on the shipping company and is to a large extent dependent on the individual size of the ship. Therefore, what exactly “sufficiently in advance” means is determined by the shipping company. Public authorities will not set any provisions regarding this.

Checks

- How will the checks look like?

There will be random checks of the ship stowage plans regarding the loading ban of containers without declaration of the verified gross mass. In Germany the checks of the weighing are done according to professional judgment and in dependence on the checking practices of neighboring states. When checks are being conducted, they will happen

sufficiently in advance to the loading process to give the shipowners the opportunity, if necessary, to correct the ship stowage plan and decide about the load.

- Who will bear the costs of the checks?

If the random check weighing was conducted without objection, the federal government will bear the costs. Otherwise the costs will be invoiced.

Consequences in case of non-compliance with the requirements

- What happens if the verified gross mass is not available?

The container may not be loaded and is left at its current place.

- What will happen with the container if the check weighing demonstrates that the actual gross mass deviates significantly from the given information?

If a check reveals that the gross mass was misstated, there will be a loading ban which will be effective until the verified gross mass is available. Under private law the consequences depend on the regulations that were agreed upon with the contractual partner. In the end the master decides whether a container can still be loaded with a late submission of the verified gross mass.

Construction - Equipment

- What do I have to consider with the newbuilding of a ship under German flag?

The easiest thing is to follow our "checklist for newbuildings". This is also where you can read the relevant information about equipment, plan approval and the legal bases.

- Where can I find information on the equipment for recovery of persons from the water?

Here you can find the most relevant information about the equipment for recovery of persons fallen over board. We have also provided some films about the appropriate equipment (Recovery Systems) for you. Our specialist Captain Lange will gladly provide advice about this topic: peer.lange@bg-verkehr.de, phone: +49 40 361 37-319.

Maritime medicine

- How much is charged for the medical fitness examination?

The examination of fitness for sea service is free of charge for young persons under the age of 18 and for employees and self-employed persons working in the shipping business and paying contributions for the occupational accident insurance to the BG Verkehr. Prior to the examination the recognized medical practitioners establish whether applicants are entitled to cost exemption. [Click here](#) for a specimen certificate of insurance facilitating cost exemption. For young persons it is sufficient to prove their age with their official identity card.

For everyone else the charge of an examination will be approximately €100, depending on the scope of the examination. Among others, seafarers under foreign flag or those who are only insured with either health or pension insurance have to pay the examination themselves.

- How long will my medical certificate be valid?

Medical certificates for sea service in the deck or engine department are usually valid for two years. For young persons under the age of 18 the period of validity is limited to one year.

- May also my family doctor carry out the medical fitness examination?

No, the medical fitness examinations may only be performed by physicians who have been authorized by the maritime medical service. Please find here the up-to-date list of recognized medical practitioners.

Environmental protection

Ballast Water

- To which ships does the Ballast Water Management Convention apply?

The Ballast Water Management Convention applies to all ships under a flag of a contracting party regardless of their size. Germany has ratified the convention and is therefore a contracting party. Even ships that do not fly the flag of a contracting party have to comply with the Ballast Water Management Convention when they travel in the territorial waters of a contracting party. For the purpose of the Ballast Water Management Convention *ship* is a vessel of any type whatsoever operating in the aquatic environment. This includes floating platforms without its own propulsion, floating craft and FSUs. The convention applies to inland waterway vessels when they travel maritime waters along the seawards border of the territorial sea. The Ballast Water Management Convention does not apply to:

- ships on domestic voyages, however, these are covered by the "See-Umweltverhaltensverordnung (SeeUmwVerhV)" (ordinance on maritime environmental performance),
- ships with sealed ballast water tank systems,
- warships, naval auxiliaries or other state ships,
- ships not designed or constructed to carry ballast water.

- Under which conditions is a discharge of ballast water possible since the Ballast Water Management Convention has entered into force?

The discharge of ballast water shall only be conducted through Ballast Water Management in accordance with the provisions in the annex to the Ballast Water Management Convention – which means by compliance with Regulations D-1 and D-2. Whether Regulation D-1 or D-2 applies depends on the individual age of the ship in the framework of the relevant IMO requirements:

- Newly built ships have to comply with Regulation D-2 immediately. Usually the date of laying keel applies (Regulation A-1.4 of the Ballast Water Management Convention).
- Existing ships which had the renewal of their IOPP Certificate between 8.9.2014 and 8.9.2017 or have it after 8.9.2017 must comply with D-2 after the first following IOPP renewal survey after 8.9.2019.
- Existing ships which have their renewal survey for the IOPP Certificate within the first two years after the entry into force of the Ballast Water Management Convention on 8.9.2017 profit from a postponement. They only need to comply with Regulation D-2 after the second IOPP renewal survey after the entry into force of the Ballast Water Management Convention – this means at the latest by 8.9.2024.
- Existing ships which decoupled the IOPP Certificate stay in the decoupled schedule and do not profit from the decoupling of the IOPP Certificate for a second time within the first two years after the entry into force of the Ballast Water Management Convention.
- Ships under 400 GT have to comply to Regulation D-2 by 8.9.2024 at the latest.

Therefore, initially, all ships – with the exception of newly built ships – have to comply with the interim Regulation D-1 (exchange of ballast water) from 8.9.2017. Further information about the periods of grace can be found in ISM Circular 2/2017.

- What exactly do the Regulations D-1 and D-2 of the annex to the Ballast Water Management Convention include?

The D-1 standard which is permitted for a transitional period after the Ballast Water Management Convention entered into force can be achieved by a simple ballast water exchange. We have compiled an information sheet on the D-1 standard (in German only) which explains how this exchange has to be conducted in detail. The preceding D-2 standard, on the other hand, can only be complied with with an appropriate ballast water management system or by discharging ballast water into a port reception facility. The exact requirements can be found in our sheet with

information on the D-2 standard (in German only).

- Which special regulations apply to ballast water exchange in the North Sea?

The OSPAR States have designated an exchange area for intra North Sea traffic (see BWM.2/Circ.56). This sets out that:

- ships on voyage in intra North Sea traffic (and only these) are required to conduct an exchange in the designated exchange area of the North Sea if the exchange area is on their way. Ships are not obliged to divert from the planned travel route or to delay the voyage to conduct a ballast water exchange. They are possibly required to conduct a partial exchange only (cf. our information on the D-1 standard).

Example: A ship on voyage from Rotterdam/Felixstouwe to Wilhelmshaven may not have enough time to entirely comply with the exchange rules. Nevertheless, it is required to start and finish the exchange with suitable tanks as far as possible. If e.g. a complete exchange of one tank would be impossible due to lack of time, the exchange of that ballast water tank should not be commenced. It is important that these circumstances are clearly documented in the Ballast Water Record Book.

Example: A ship on voyage from Hamburg to Cuxhaven for loading/unloading does not pass the designated exchange area. The ship is not required to conduct a ballast water exchange. However, the circumstances thereof need to be documented in the Ballast Water Record Book. Neither is such a ship required to divert from the planned travel route in order to conduct a ballast water exchange in compliance with Regulation D-1 nor is it required to adopt Regulation D-2 (see above).

- Intra North Sea traffic comprises all ships that operate within the North Sea only and take up or discharge ballast water in that area. This includes all rivers opening into the North Sea, as well as the Kiel Canal, which forms part of the river system Elbe. In each case, each section of the voyage has to be considered separately, i.e. even though a ship is heading for the Baltic Sea, it is considered as being intra North Sea traffic if it takes up or discharges ballast water in the North Sea/Kiel Canal.

Example: A ship takes up ballast water in Rotterdam and plans to discharge it near Brunsbüttel in order to reach the Kiel Canal's required load line mark. In such a case the prior exchange of ballast water in one of the designated exchange areas for intra North Sea traffic is necessary. In contrast, if the ship passes the Kiel Canal without discharging ballast water, and discharges ballast water only in its port of destination in the Baltic Sea, it is not required to conduct a ballast water exchange.

- the coordinates of the exchange area can be found in the annex to BWM.2/Circ.56 (exchange areas are any areas that are not shaded in red) as well as on this map,
- ships from outside the North Sea shall not exchange their ballast water in the North Sea exchange areas but rather use the 200 nm and at least 200 m water depth on their way before entering the North Sea (or if this is impossible 50 nm / 200 m water depth).

Example: A ship takes up ballast water in Casablanca and plans to discharge it in Hamburg. Such a ship is required to conduct the ballast water exchange in the Atlantic before reaching the North Sea.

- The intra North Sea exchange area does not apply to ships coming from the Baltic Sea or coming from the North Sea calling at a Baltic Sea port either; ships on these kinds of voyages need not conduct an exchange in accordance with D-1.

Example: A ship takes up ballast water in Malmö and plans to discharge it in Hamburg. An exchange of ballast water is not required.

- Regulation D-2 does not have to be adopted by ships which fall under the regime of the D-1 standard but do not reach an exchange area.

- All ballast water operations have to be recorded in the Ballast Water Record Book.

- Which special regulations apply to ballast water exchange in the Baltic Sea?

- Ships traveling between two ports in the Baltic Sea do not have to conduct a ballast water exchange. There is no ballast water exchange area in the Baltic Sea.

Example: A ship takes up ballast water in Tallinn and plans to discharge it in Kiel. An exchange of ballast water is not required.

- Ships coming from North Sea areas traveling into the Baltic Sea do not have to conduct an exchange in accordance with D-1, because they do not pass an exchange area that applies for them. The intra North Sea exchange area only applies for intra North Sea traffic.

Example: A ship takes up ballast water in Rotterdam and plans to discharge it in Rostock. An exchange of ballast water is not necessary.

- Ships coming from other areas (Atlantic,...) to the Baltic Sea conduct a ballast water exchange according to the D-1 standard. Therefore, on long voyages, the exchange takes place before entering the Baltic Sea provided that circumstances (200 nm / 200 m water depth, 50 nm / 200 m distance from the nearest land, i.e. from the baseline / water depth or a usable exchange area) will allow it.

Example: A ship takes up ballast water in Dakar and plans to discharge it in Kiel. Such a ship is required to conduct the ballast water exchange in the Atlantic before reaching the North or Baltic Sea.

- Regulation D-2 does not need to be applied prematurely if the ship still falls under the regime of Regulation D-1 but does not reach an exchange area (in German only).

- All ballast water operations have to be recorded in the Ballast Water Record Book.

- Which exceptions from Ballast Water Management exist?

Intended exceptions from Ballast Water Management are:

- ensuring the safety of a ship in emergency situations or saving life at sea;
- accidental discharge resulting from a damage provided that all reasonable precautions have been taken to prevent or reduce the discharge and that the damage was not caused willfully or recklessly;
- the uptake and discharge of ballast water and sediments when being used for the purpose of avoiding or minimizing pollution incidents from the ship;
- the uptake and subsequent discharge on the high seas of the same ballast water and sediments;
- the discharge of ballast water and sediments from a ship at the same location where the whole of that ballast water and those sediments originated and provided that no mixing with unmanaged ballast water and sediments from other areas has occurred. The definition of "same location" for ports lies within the countries competence.

- Is it necessary to treat the ballast water on board to comply with Regulation D-2?

No, even though the installation of a ballast water management system on-board is the most common method. The Ballast Water Management Convention arranged other methods as well, e.g. the discharge in port reception facilities, if available (not compulsory). Also, the discharge into an external ballast water management system (e.g. on another ship or on land) is possible if these comply with the requirements of the approval guidelines G8/G9. The handling of the ballast water needs to be specified accordingly in the Ballast Water Record Book.

- Does the compliance with the D-2 standard have to be brought forward if a ballast water management system exists on board?

No, an installed ballast water management system on board does not affect whether the ship falls under D-1 or D-2. The schedule is different for every ship, depending on the renewal survey of the IOPP Certificate. This does not apply to newly built ships with keel laying date on or after 8.9.2017. These have to comply with Regulation D-2.

- Is it possible to get exemptions from the treatment requirement in accordance with D-1 or D-2 in several ports?

Yes, if all ports have been inspected in accordance with the "HELCOM/OSPAR Joint Harmonized Procedure" in conjunction with IMO Guideline G7 and the risk assessment permits an exemption. An exemption is only granted in cases of low risk for the environment, health, material assets and/or resources based on a port inspection. If the discharge of ballast water is planned for ports, the relevant authorities of the countries have to be contacted.

- Does the data of the port inspections for granting an exemption get published? Is it available to other applicants?

Yes, the "HELCOM/OSPAR Joint Harmonized Procedure" stipulates this. The data shall be entered into the HELCOM databank, which is part of the "HELCOM/OSPAR Joint Harmonized Procedure".

- Which ships must have a Ballast Water Management Plan and a Ballast Water Record Book on board?

All ships falling under the Ballast Water Management Convention and flying a flag of a contracting party – regardless of their size - have to carry an approved Ballast Water Management Plan and a Ballast Water Record Book on board on domestic and international voyages. In German law, this is regulated by section 20 of the "See-Umweltverhaltensverordnung (SeeUmwVerhV)" (ordinance on maritime environmental performance). The Ballast Water Record Book may be available electronically or be part of another record book and is to be held available on board for at least two years (an additional three years in the control of the company). Each operation concerning ballast water shall be fully recorded without delay and signed by the officer in charge. Each completed page shall be signed by the master. Necessary entries include reasons why an exchange was not conducted in accordance with Regulation D-1 (see Guideline G6) and exemptions (see Guideline G4). The Ballast Water Record Book shall be kept readily available for inspection at all reasonable times. In the case of an unmanned ship under tow, it may be kept on the towing ship. The entries in the Ballast Water Record Book shall be in a working language of the ship. If that language is not English, French or Spanish the entries shall contain a translation into one of those languages. While amending Guideline G6 at its 71st meeting, the IMO prepared a revised version of the Ballast water reporting form.

- Do ships with less than 400 GT receive an international Ballast Water Management Certificate (IBWM Certificate)?

As standard, ships on domestic voyages do not receive an IBWM Certificate and are exempt from the survey provision outlined in Section E of the Ballast Water Management Convention. However, shipping companies of these ships can apply for a certificate if they so wish. Provisions by the responsible classification society may require a survey for the ballast water certificate, e.g. because of the class notation.

- Who can you contact regarding discharge of untreated ballast water?

Regarding the discharge of untreated ballast water, depending on the area in the territorial waters where the discharge occurs, individual federal and state authorities are responsible. The point of contact at the federal government regarding prosecution of administrative offences on **maritime waterways and federal waterways** is the Federal Maritime and Hydrographic Agency (BSH), Department "Environmental Protection in Maritime Traffic" (S41), e-mail: Ballastwasser@BSH.de. The states are responsible for the monitoring and prosecution of administrative offenses in the **ports**. See a list of contact details for the relevant authorities.

- Who can I contact if I have more questions regarding ballast water?

- Approval of Ballast Water Management Systems: Federal Maritime and Hydrographic Agency (BSH), Department "Environmental Protection in Maritime Traffic" (S41), e-mail: Ballastwasser@bsh.de
- Approval of Ballast Water Management Plans and issuance of certificates (IBWM Certificate): BG Verkehr / Ship Safety Division (Dienststelle Schiffssicherheit), e-mail: maschine@bg-verkehr.de, phone: +49 40 361 37-217.
- Monitoring ships under foreign flag in German ports as part of port state control: BG Verkehr / Ship Safety Division (Dienststelle Schiffssicherheit), e-mail: psc-germany@bg-verkehr.de

- Where can I find more information regarding ballast water?

- On our website under the heading "Ballast Water", under "Documents/Environmental protection" as well as latest information on the home page.
- In the IMO Document MEPC71/17/Add. 2 Annex 11 ("BWM – How to do it")
- In our information leaflet about the implementation of the Ballast Water Management Convention in which we summarized all the important facts and clarified with practical examples in which situation which rule applies.

Ship Recycling

- When will the International Ship Recycling Convention (Hong Kong Convention) enter into force?

The convention will enter into force when at least 15 states with over 40% of the of the gross tonnage of the world's merchant shipping have entered into a binding commitment. This is not yet the case. Find here the current status of this and other conventions of the International Maritime Organization IMO.

Liability

- Is a new authorisation form for application to be submitted, when a ship is renamed and a new civil liability certificate (CLC) is applied for?

When a ship is renamed, a new civil liability certificate (CLC) is required and must therefore be applied for. However, a new authorization form for that ship is not necessary.

Financial matters

- Is the tonnage tax restricted to ships under the German flag?

No, flying the German flag is no prerequisite for the application of the tonnage tax; tonnage tax may be used regardless of flag. It is however important that the ship's operation is managed from German territory, in particular with regard to technical and to commercial aspects.

- Which subsidies will I get, if I operate a ship under the German flag?

There are various kinds of financial support for German-flagged ships:

1. Subsidies for reducing ancillary labour costs

The federal government reimburses the shipowner upon application the complete paid employers' contributions to the social security.

2. Subsidies for training slots

For the creation of training slots, e.g. for ship mechanics, the federal government pays up to 24.000 € as subsidies to the shipowner/employer.

3. Wage tax deduction

The shipowner is entitled to retain 100% of the wage tax due for seafarers on German flagged ships.

4. Financial support by the training foundation

The foundation "Stiftung Schifffahrtsstandort Deutschland" grants financial support for training of junior seafarers. For junior officers up to 32.000 € may be paid annually.

Please click [here](#) for further information on financial support for the German flag.