STATUTORY INSTRUMENTS

2026 No. 305

MERCHANT SHIPPING

MARINE POLLUTION

The Merchant Shipping (Control and Management of Ships' Ballast Water and Sediments) (Amendment) Regulations 2026

Made - - - -	*18th March 2026*
Laid before Parliament	*24th March 2026*
Coming into force	*15th April 2026*

The Secretary of State makes these Regulations in exercise of the powers conferred by articles 3 and 4(a), (b)(ii), (c), (e) and (f) of the Merchant Shipping (Control and Management of Ships' Ballast Water and Sediments) Order 2022(**a**), article 2(1), (2)(a) to (c), (2)(e) to (g) and (3) of the Merchant Shipping (Prevention of Pollution) (Law of the Sea Convention) Order 1996(**b**) and sections 128(5) and (6) and 302(1) of the Merchant Shipping Act 1995(**c**), and with the consent of the Treasury.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Merchant Shipping (Control and Management of Ships' Ballast Water and Sediments) (Amendment) Regulations 2026 and come into force on 15th April 2026.

(2) These Regulations extend to England and Wales, Scotland and Northern Ireland.

Amendment of the Merchant Shipping (Control and Management of Ships' Ballast Water and Sediments) Regulations 2022

2.—(1) The Merchant Shipping (Control and Management of Ships' Ballast Water and Sediments) Regulations 2022(**d**) are amended as follows.

(2) In regulation 2 (interpretation)—

(a) after the definition of "discharge", insert—

""electronic record book" means a device or system used to record information electronically;";

(b) omit the definition of "nominated body".

(**a**) S.I. 2022/629.
(**b**) S.I. 1996/282, amended by the Marine and Coastal Access Act 2009 (c. 23), Schedule 4, Part 1, paragraph 3 and S.I. 2022/844. There is another amendment which is not relevant.
(**c**) 1995 c. 21. Section 128 was amended by the Merchant Shipping and Maritime Security Act 1997 (c. 28), section 12, section 29, Schedule 6, paragraph 3, and Schedule 7, Part I, and the Merchant Shipping (Pollution) Act 2006 (c. 8), section 2. There are other amendments to the Act but none is relevant.
(**d**) S.I. 2022/737, amended by S.I. 2025/1280.

(3) In regulation 4 (application)—

(a) for paragraph (2), substitute—

"(2) These Regulations do not apply to—

(a) a ship which is not designed or constructed to carry ballast water;

(b) a ship which operates solely—

(i) in United Kingdom waters or controlled waters; or

(ii) in United Kingdom waters or controlled waters and in the waters or exclusive economic zones of the Crown Dependencies,

where the Secretary of State has determined that the criteria described in paragraph (4) are satisfied;

(c) a ship which operates solely—

(i) in the areas specified in sub-paragraph (b)(i) and on the high seas; or

(ii) in the areas specified in sub-paragraph (b)(ii) and on the high seas,

where the Secretary of State has determined that the criteria described in paragraph (4) are satisfied;

(d) a United Kingdom ship which operates solely in the waters of another Contracting State where that State has agreed that the ship is not subject to any requirements which implement the Convention in that State;

(e) a United Kingdom ship which operates solely—

(i) in accordance with sub-paragraph (d); and

(ii) on the high seas,

where the Secretary of State has determined that the criteria described in paragraph (4) are satisfied;

(f) a warship or naval auxiliary;

(g) a Government ship(**a**); or

(h) a ship which carries permanent ballast water in sealed tanks, which is not subject to discharge.";

(b) for paragraph (4), substitute—

"(4) For the purposes of paragraph (2)(b), (c) or (e), the criteria are that the discharge of ballast water from a ship would not impair or damage the environment, human health, property or resources within the areas specified in paragraph (2)(b), (c) or (e) or those of adjacent or other States.".

(4) In regulation 10 (ballast water record book)—

(a) for paragraph (1), substitute—

"(1) Every ship must have on board a ballast water record book which contains the information specified in Schedule 1 to Merchant Shipping Notice MSN 1908 (M+F) Amendment 3.

(1A) For the purposes of paragraph (1), a ballast water record book may be—

(a) an electronic record book approved in accordance with regulation 10A;

(b) integrated into another record book or system.";

(b) in paragraph (2), for "Merchant Shipping Notice MSN 1908 (M+F)", substitute "Merchant Shipping Notice MSN 1908 (M+F) Amendment 3";

(c) for paragraph (5), substitute—

"(5) The master of the ship must—

(**a**) "Government ship" is defined in section 313 of the Merchant Shipping Act 1995.

(a) sign each completed page of the ballast water record book; or

(b) verify a group of electronic entries as soon as reasonably practicable.".

(5) After regulation 10, insert—

"Approval of electronic record book

10A.—(1) An electronic record book must—

(a) in the case of a United Kingdom ship, be approved by a Certifying Authority; or

(b) in the case of any other ship, be approved by the ship's flag State.

(2) An approval given under paragraph (1)(a) must take into account the guidelines referred to in section 5 of Merchant Shipping Notice MSN 1908 (M+F) Amendment 3.

(3) An approval given under paragraph (1)(a) may, on the giving of reasonable notice, be continued, altered or cancelled.

(4) Any approval given under paragraph (1)(a), or a continuation, alteration or cancellation under paragraph (3), must—

(a) be in writing;

(b) specify the date on which it takes effect; and

(c) specify the terms, if any, on which it is given.

(5) The requirement that the approval referred to in paragraph (1)(a), or a continuation, alteration or cancellation under paragraph (3), be in writing is satisfied where the text of the approval, continuation, alteration or cancellation is—

(a) transmitted by electronic means;

(b) received in legible form; and

(c) capable of being used for subsequent reference.".

(6) In regulation 44 (offences), in paragraph (1)(b)—

(a) for "10(1)(a)" substitute "10(1)"; and

(b) before "16(2)", insert "10A(1) (approval of electronic record book),".

(7) In each place it appears in the provisions specified in paragraph (8), for "Merchant Shipping Notice MSN 1908 (M+F)" substitute "Merchant Shipping Notice MSN 1908 (M+F) Amendment 3".

(8) The provisions are—

(a) regulation 2 (interpretation), in the definitions of—

(i) IBWM Certificate;

(ii) IOPP renewal survey;

(b) regulation 6(1) (exceptions to the requirement to conduct ballast water management);

(c) regulation 7(2) (exemptions from the requirement to conduct ballast water management);

(d) regulation 9(2) and (4) (ballast water management plan);

(e) regulation 11(3) and (7) (location of ballast water exchange);

(f) regulation 14(3) (requirement to provide sediment reception facilities);

(g) regulation 22 (interpretation of Part 6);

(h) regulation 26(1) (issue of IBWM Certificates by a Certifying Authority in respect of United Kingdom ships);

(i) regulation 32(4) (additional surveys of United Kingdom ships).

Amendment of the Merchant Shipping (Fees) Regulations 2018

3.—(1) The Merchant Shipping (Fees) Regulations 2018(**a**) are amended as follows.

(2) In the table in paragraph 5 of Part 1 of Schedule 1 (fees under the Merchant Shipping Act 1995), under heading J (prevention and control of pollution), in respect of the entry for the Merchant Shipping (Control and Management of Ships' Ballast Water and Sediments) Regulations 2022, in the third column, after "2025/1280", insert "2026/305".

Signed by authority of the Secretary of State for Transport

Keir Mather
Parliamentary Under Secretary of State
Department for Transport

18th March 2026

We consent to the making of these Regulations

Stephen Morgan
Christian Wakeford
Two of the Lords Commissioners of His Majesty's Treasury

17th March 2026

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Merchant Shipping (Control and Management of Ships' Ballast Water and Sediments) Regulations 2022 (S.I. 2022/737) ("the 2022 Regulations"), which implement the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004 ("the Convention"), in two respects. First, they implement an amendment to the Convention relating to the use of electronic record books. This amendment was adopted by International Maritime Organization (IMO) Resolution MEPC.383(81) on 22nd March 2024 and came into force on 1st October 2025. Secondly, they clarify the application provision in the 2022 Regulations.

Regulation 2(2) amends regulation 2 (interpretation) of the 2022 Regulations to insert a new definition of electronic record book and omits the definition of "nominated body" which became redundant as a consequence of amendments made to the 2022 Regulations by the Merchant Shipping (Marine Equipment) Regulations 2025 (S.I. 2025/1280).

Regulation 2(3) amends regulation 4 (application) of the 2022 Regulations by substituting regulation 4(2) and (4) (exceptions to the general application in regulation 4(1) of the 2022 Regulations). Regulation 4(2)(b) and (c) gives effect to the exceptions to the application of the Convention in Article 3.2(b) and (d) of the Convention. This amendment clarifies that the exclusions in those Convention provisions apply not only to ships operating in United Kingdom territorial or controlled waters but may also apply to ships operating between those waters and the territorial or controlled waters of the Crown Dependencies (while such ships are in United Kingdom waters or controlled waters), in cases where the Secretary of State determines that the discharge of ballast water from the ship would not impair or damage the environment etc. within the areas specified in paragraph (2)(b) or (c) or those of adjacent or other States.

Regulation 2(4) and (5) respectively amend regulation 10 (ballast water record book) of, and insert new regulation 10A (approval of electronic record book) into, the 2022 Regulations to give effect to the amendment to the Convention made by IMO Resolution MEPC.383(81). Regulation 10 of the 2022 Regulations is amended to introduce a requirement that a ballast water record book, which is required to be carried on board a ship, must be approved if it is in the form of an

(**a**) S.I. 2018/1104; relevant amending instruments are S.I. 2022/737, 2025/1103 and 2025/1280.

electronic record book. Regulation 2(5) inserts new regulation 10A to implement the requirement for the approval of such an electronic record book (by the Certifying Authority in respect of a United Kingdom ship, and in respect of any other ship its flag State) to ensure it meets the standards outlined in the Guidelines set out in IMO Resolution MEPC.372(80).

Regulation 2(6) makes consequential amendments to the offences provision in regulation 44 of the 2022 Regulations. Regulation 2(7) and (8) amends several provisions in the 2022 Regulations to update references to Merchant Shipping Notice MSN 1908 (M+F) Amendment 3. The current Merchant Shipping Notice has been amended to reflect the new provisions.

Regulation 3 makes a consequential amendment to the entry for the 2022 Regulations in Schedule 1 to the Merchant Shipping (Fees) Regulations 2018 (S.I. 2018/1104).

Merchant Shipping Notices are published by the Maritime and Coastguard Agency and a copy of MSN 1908 (M+F) Amendment 3 can be obtained free of charge at https://www.gov.uk/government/collections/merchant-shipping-notices-msns or in hard copy from the MCA of Spring Place, 105 Commercial Road, Southampton SO15 1EG.

Guidance supporting the 2022 Regulations has been published in a Marine Guidance Note (MGN) 675 (M+F) Amendment 2. Copies can be obtained free of charge at www.gov.uk or in hard copy from the address given above.

The Convention can be obtained from the International Maritime Organization ("the IMO") at IMO Publishing, 4 Albert Embankment, London SE1 7SR, www.imo.org/publications; email: sales@imo.org; telephone: 0207 735 7611, or from the FCDO at https://treaties.fcdo.gov.uk/data/Library2/pdf/TS_84.2024_International_Convention_Control_Management_Ships_Ballast_Sediments_2004.pdf. The text of IMO Resolutions MEPC.372(80) and MEPC.383(81) can be obtained at https://wwwcdn.imo.org/localresources/en/KnowledgeCentre/IndexofIMOResolutions/MEPCDocuments/MEPC.372(80).pdf and https://wwwcdn.imo.org/localresources/en/KnowledgeCentre/IndexofIMOResolutions/MEPCDocuments/MEPC.383%20(81).pdf or in hard copy from the IMO Library at the same address as IMO Publishing.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

An Explanatory Memorandum and a de minimis assessment have been prepared and are published alongside this instrument on www.legislation.gov.uk.

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