6 "From the nearest land" means from the baseline from which the territorial sea of the territory in question is established in accordance with international law except that, for the purposes of the Convention, "from the nearest land" off the north-eastern coast of Australia shall mean from a line drawn from a point on the coast of Australia in

latitude 11°00′ S, longitude 142°08′ E
to a point in latitude 10°35′ S, longitude 141°55′ E
thence to a point latitude 10°00′ S, longitude 142°00′ E
thence to a point latitude 9°10′ S, longitude 143°52′ E
thence to a point latitude 9°00′ S, longitude 144°30′ E
thence to a point latitude 10°41′ S, longitude 145°00′ E
thence to a point latitude 13°00′ S, longitude 145°00′ E
thence to a point latitude 15°00′ S, longitude 146°00′ E
thence to a point latitude 17°30′ S, longitude 147°00′ E
thence to a point latitude 21°00′ S, longitude 152°55′ E
thence to a point latitude 24°30′ S, longitude 154°00′ E
thence to a point on the coast of Australia
in latitude 24°42′ S, longitude 153°15′ E.

7 "Active Substance" means a substance or organism, including a virus or a fungus, that has a general or specific action on or against Harmful Aquatic Organisms and Pathogens.

Regulation A-2
General Applicability

Except where expressly provided otherwise, the discharge of Ballast Water shall only be conducted through Ballast Water Management in accordance with the provisions of this Annex.

Regulation A-3
Exceptions

The requirements of regulation B-3, or any measures adopted by a Party pursuant to Article 2.3 and Section C, shall not apply to:

1 the uptake or discharge of Ballast Water and Sediments necessary for the purpose of ensuring the safety of a ship in emergency situations or saving life at sea; or

2 the accidental discharge or ingress of Ballast Water and Sediments resulting from damage to a ship or its equipment:

.1 provided that all reasonable precautions have been taken before and after the occurrence of the damage or discovery of the damage or discharge for the purpose of preventing or minimizing the discharge; and

.2 unless the owner, Company or officer in charge wilfully or recklessly caused damage; or

3 the uptake and discharge of Ballast Water and Sediments when being used for the purpose of avoiding or minimizing pollution incidents from the ship; or

4 the uptake and subsequent discharge on the high seas of the same Ballast Water and Sediments; or

5 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. If mixing has occurred, the Ballast Water taken from other areas is subject to Ballast Water Management in accordance with this Annex.

Regulation A-4
Exemptions

1 A Party or Parties, in waters under their jurisdiction, may grant exemptions to any requirements to apply regulations B-3 or C-1, in addition to those exemptions contained elsewhere in this Convention, but only when they are:

.1 granted to a ship or ships on a voyage or voyages between specified ports or locations; or to a ship which operates exclusively between specified ports or locations;

.2 effective for a period of no more than five years subject to intermediate review;

.3 granted to ships that do not mix Ballast Water or Sediments other than between the ports or locations specified in paragraph 1.1; and

.4 granted based on the Guidelines on risk assessment developed by the Organization.

2 Exemptions granted pursuant to paragraph 1 shall not be effective until after communication to the Organization and circulation of relevant information to the Parties.

3 Any exemptions granted under this regulation shall not impair or damage the environment, human health, property or resources of adjacent or other States. Any State that the Party determines may be adversely affected shall be consulted, with a view to resolving any identified concerns.

4 Any exemptions granted under this regulation shall be recorded in the Ballast Water record book.

Regulation A-5
Equivalent compliance

Equivalent compliance with this Annex for pleasure craft used solely for recreation or competition or craft used primarily for search and rescue, less than 50 metres in length overall, and with a maximum Ballast Water capacity of 8 cubic metres, shall be determined by the Administration, taking into account Guidelines developed by the Organization.