

FONASBA MEMBERSHIP ENQUIRY



ENQUIRY RESPONSE FORM

| QUESTION | COUNTRY | RESPONSE |
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| 1. Who is 'designated authority' for implementation in your country? | Angola | AANTA will be organising a meeting with IMPA, the Angolan maritime safety authority, as soon as possible in order to discuss this issue and will provide further information soonest. |
| | Argentina | Argentine Coastguard |
| | Australia | Australian Maritime Safety Authority (AMSA) |
| | Belgium | Federal Public Service Mobility and Transport- Maritime Transport, ir. Els Claeys naval architect- policy advisor safety |
| | Brazil | No official designated authority yet. |
| | Bulgaria | Executive Agency "Maritime Administration" is the designated authority in Bulgaria |

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| | Croatia | On 8 th of Sept 2015 we do not have any advice regarding implementation of the SOLAS regulation in respect of container weighing. |
| | Cyprus | The Ministry of Energy, Trade, Industry and Tourism |
| | Denmark | Danish Maritime Authority (DMA) |
| | Dubai | Port Authority |
| | Finland | Finnish Transport Safety Agency |
| | France | In principle the Ministry of Transportation and its various departments |
| | Germany | Not yet nominated |
| | Israel | Administration of Shipping and Ports. Ministry of Transportation |
| | Italy | Designated Authority is Italian Coast Guard Headquarters |
| | Japan | Maritime Bureau, Ministry of Land, Infrastructure, Transport and Tourism |
| | Jordan | Jordan Maritime Commission |

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| | Kenya | Kenya Maritime Authority (Government Agency), though not formerly appointed |
| | Lebanon | The authorities in Lebanon are in the process of evaluating a number of alternative methods of implementing the SOLAS requirements. Further information is expected to be provided to industry in mid-October and we will revert with further information at that time |
| | Libya | All Libyan commercial ports (Libyan Ports Company Misurata (Misurata Free Zone Company) |
| | Malta | TRANSPORT MALTA PORTS DIRECTORATE |
| | Montenegro | Ministry of Maritime Affairs and Transport |
| | Morocco | ANP “Agence Nationale des Ports” Port authorities |

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| | Netherlands | Ministry of infrastructure & environment |
| | Philippines | Maritime Industry Authority (MARINA) |
| | Portugal | For the time being its DGRM |
| | Peru | There is not any authority designated for the implementation yet. However, it should be Peruvian Customs. |
| | Slovenia | At this time we have not received any communication from the Maritime Division of the Slovenian Ministry of Infrastructure, the responsible national authority. Our association is in contact with the Ministry and will revert as soon as we have further information |
| | South Africa | One would presume it to be the Department of Transport in conjunction with the South African Maritime Association. |
| | Spain | Puertos del Estado (Port Administration) |

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| | Sweden | Transportstyrelsen/The Swedish Transport Agency |
| | Tunisia | No one and if, Port authorities: OMMP |
| | UK | MCA (Maritime Coastguard Agency) |
| | USA | At present the US authorities have not come to any firm decisions as to how the regulations will be implemented. We are continuing to monitor developments and will advise in more detail once further information becomes available. |

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| 2. Have implementation plans already been put in place? | Argentina | No |
| | Australia | In progress, with shipping lines working on ensuring that the relevant shipping documentation reflects the SOLAS amendments w.r.t verified gross weight, method used to determine the weight and the name of the shipper making the declaration |
| | Belgium | <p>Yes. The implementation provision will be a Royal Decree based on the exciting law dd. 22/1/2–7 on security of vessels</p> <p>This is currently still under development, the consultation of the sector was ongoing u/l 31/ 8/2015. In the course of this month September the draft of the Royal Decree will be made available to the trade and discussed (another meeting will take place). In November the actual legislative process for this Royal Decree will start, timing to become into force 1/7/2016 (so to be published on 20/5/2016 at the latest...)</p> |

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| | Brazil | No (see answer 1). |
| | Bulgaria | Yes, there has been one meeting between the authorities and the business so far to discuss the implementation. Currently draft proposals are being discussed and within the next few weeks there will be a second meeting |
| | Croatia | No |
| | Cyprus | Not yet. Subject-matter is still under consideration |
| | Denmark | Under preparation and the first draft of the Act has been presented. |
| | Dubai | Already Exist |
| | Finland | Stakeholders called for seminar October 5 th |
| | France | No |
| | Germany | Under discussion |
| | Israel | Yes. Without details. |
| | Italy | No. Implementation is in progress |

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| | Japan | Still It is under studying for necessary implementation plans by Maritime Bureau above mentioned |
| | Jordan | no |
| | Kenya | Not as yet but KMA/KPA to meet and prepare implementation plans |
| | Libya | YES |
| | Malta | NO |
| | Montenegro | Not received published information so far |
| | Morocco | NOT YET |
| | Netherlands | Local container terminals install measuring devices in their cranes as a pilot |
| | Philippines | Now being discussed |
| | Portugal | no |
| | Peru | Not yet. |

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| | South Africa | Not that I am aware of. Members are aware of the implementation date only. |
| | Spain | Port Administration is working on these plans |
| | Sweden | No |
| | UK | Yes |
| | Tunisia | No |

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| 3. Has your 'designated authority' issued any guidance instructions? | Argentina | No |
| | Australia | Not yet. |
| | Belgium | No. We do not expect such guidance instructions other than by law - see 2. |
| | Brazil | No (see answer 1). |
| | Bulgaria | The instructions are currently being discussed as well. There is an initial draft available. |
| | Croatia | No |
| | Cyprus | Not yet |
| | Denmark | Not yet, but pending the wording of the Act. |
| | Dubai | Already Exist |
| | Finland | See above |
| | France | No |
| | Germany | No |
| | Israel | Yes, to Ports and Chamber of Shipping |

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| | Italy | No. In the short term the Coast Guard Headquarters will send a Circular. |
| | Japan | Maritime Bureau intends to organise system design before end of this year |
| | Jordan | no |
| | Kenya | Not as yet |
| | Libya | Under Issuance |
| | Malta | NO |
| | Montenegro | Not received published information so far. |
| | Morocco | NOT YET |
| | Netherlands | Not that we know at the moment. We have asked them for comment/advice |
| | Philippines | Yes, this are the guidelines issued by the World Shipping Council |
| | Portugal | no |
| | Peru | Not yet. |

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| | South Africa | An emphatic no and that's the worrying part as no 'Body' is taking control of the weighing of containers. |
| | Spain | Port Administration will issue a guidance instructions. For the time being they are working on a draft document. |
| | Sweden | No |
| | UK | Yes |
| | Tunisia | No |

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| <p>4. How will your ‘designated authority’ ensure trade is compliant?</p> | <p>Argentina</p> | <p>Through enquiries and working meetings with port terminals, shippers and Associations related to the management of cargo and ships, trying to agree in the measures to be implemented</p> |
| | <p>Australia</p> | <p>AMSA has indicated that amendments will be made to the relevant Marine Orders (which underpin the Navigation Act 1912) and promulgate a Marine Notice., Additionally, declarations of verified container weights will be periodically audited as a part of AMSA’s Port State Control regime</p> |
| | <p>Belgium</p> | <p>Enforcement will be through administrative sanctions for which there is no legal basis available yet. Consequently the legal process on this point will take longer, expected timing to become into force of the particular legislation in this respect is 1/1/2017.</p> |

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| | | <p>Authorities are still uncertain on how they can put in place effective controls.</p> <p>Ideally they wish to effect control both by checking the presence of the VGM with the captain upon loading (to be done by the Port State Control), and by weighing the container on quay and checking the establishment weight against the documentary VGM. Formally however there are no means of weighting containers available on the terminals or in the port area. Terminals do not want to invest in calibrated weighing material.</p> <p>Several terminal visits were planned by the authorities to analyse the loading operations and see if and how such controls could still be effected. It has been confirmed already that controls are to be effected without delaying or hampering the loading operations.</p> |
| | Brazil | No (see answer 1). |

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| | Bulgaria | The authorities will ensure trade is compliant by requiring the certificate together with other documents that need to be presented. The weight certificate will not be optional. |
| | Croatia | Not known |
| | Cyprus | We don't know yet |
| | Denmark | No information is available at present. |
| | Dubai | Mandatory |
| | Finland | See above |
| | France | No answer so far |
| | Germany | Not clear |
| | Israel | I do not know since they assume that ensuring compliance by the ports, will be sufficient |
| | Italy | Through inspections by Coast Guard, Coast Guard PSC inspector, Police and Customs |
| | Japan | They wonder it will be very complicated then, try to solve |

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| | | problems with keeping prevailing trade structure |
| | Jordan | Will have conference next month for all necessary steps. |
| | Kenya | Not stipulated as yet |
| | Libya | Monthly checks |
| | Montenegro | Not received published information so far. |
| | Netherlands | Their policy is to adhere to existing certificates like AEO and ISO. How this will work out in practise, is not yet known |
| | Philippines | Container shall not be loaded on board without a verified gross weight. |
| | Peru | NA. |
| | South Africa | A very good question that I can't answer simply because nothing has been set out |

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| | Spain | Port Authorities will ensure that there exist weighing systems in all ports in order to check containers' weigh, and in coordination with their Harbour Master's Offices they will approve an inspection or audit plan for container weighing individualized to each container terminal at each port. |
| | Sweden | By national legislation |
| | UK | By inspection (random) |
| | Tunisia | Most probably through Port network system TTN |

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| <p>5. Has your ‘designated authority’ defined who the ‘shipper’ is? (in UK for example, they have decided it is the party mentioned on the B/L or transport document)</p> | Argentina | It has not been defined yet. |
| | Australia | Not yet, but it is envisaged that this will be reflected in the proposed amendments to the Marine Orders. |
| | Belgium | <p>This issue has been discussed and the cases of consolidation cargo or several layers of bills of lading have been explained to the authorities.</p> <p>We feel that this new legislation only confirms the existing legal principle that the contractual shipper under the bill of lading remains always responsible for the declared weight. As this is a matter of safety of the vessel, the authorities agreed that only the contractual shipper mentioned the ocean bill of lading will be responsible to provide the correct VGM. All contractual parties intervening between the actual shipper (who loaded the container / upon those instructions the container was loaded) and the contractual shipper under the ocean bill of lading</p> |

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| | | have to cover their position against their principal in a contractual way. |
| | Brazil | No (see answer 1). |
| | Bulgaria | In Bulgaria the “shipper” is also the party mentioned on the B/L or a transport document |
| | Croatia | No |
| | Cyprus | It was accepted that the liability lies with the shipper but the question of who the shipper is was not yet defined |
| | Denmark | The draft of the Act state that the responsible person is the Shipper and/or the by the Shipper authorised part who with his signature confirm the verified weight, but this issue is under heavy discussion. |
| | Dubai | As per B/Lading |
| | Finland | See above |
| | France | No but it will be likely the same thing |

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| | Germany | Not yet |
| | Israel | Same as in the UK. In any case, IMO and SOLAS guidelines will be strictly adhered to as part of IMOT commitment |
| | Italy | In Italy they have decided the shipper is the party mentioned on the BOL |
| | Japan | As defined by IMO and UK, it is exactly the party who is mentioned on the B/L or transport document |
| | Jordan | B/L |
| | Kenya | Not defined as yet |
| | Libya | The Party mentioned in the B/L or Transport document |
| | Malta | NO |
| | Montenegro | Not received published information so far. |
| | Morocco | The one figured on the Bill of Lading as "Shipper" |

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| | Netherlands | The shipper is the one who fills the container with goods and finally closes same |
| | Peru | Yes. It is the party mentioned in the B/L and the customs declaration. |
| | Philippines | Shipper is defined as the party on the B/L |
| | South Africa | None of this has been discussed .We SAASOA have been trying to start the ball rolling to determine this and other important issues. |
| | Spain | No |
| | Sweden | This is not known as the legislation is not issued, but most probably it will be defined according to § 2.1.12 in the MSC.1/Circ.1475. |
| | UK | Yes |
| | Tunisia | No |

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| <p>6. What proportion of shippers do you expect to use Method 1 or Method 2 for determining actual weight? (Method 1, actual weighbridge certificate / Method 2, calculated mass)</p> | <p>Argentina</p> | <p>Method 1 (actual weighbridge certificate) is expected to be used in greater proportion.</p> |
| | <p>Australia</p> | <p>Not sure at this stage. Recent discussions indicate that more clarity was required w.r.t. Method 2 and if a "summation" of the known weights i.e. grating, cartons, contents would be acceptable.</p> |
| | <p>Belgium</p> | <p>We do not have the slightest idea.</p> <p>This will also depend on the conditions of approval with regard to Method 2 (certification, who will be allowed to...) We have pleaded for a level playing field at least with the surroundings countries, as we understood there are talks going on with Germany and the Netherlands.</p> <p>As the legislations on the administrative sanctions comes at least 6 months behind of the coming into force of this legislation, this period will be useful to map out all particularities and problems that will be encountered in practice both with</p> |

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| | | regards to Method 1 ad Method 2. With regard to Method 1 it may appear to be necessary, for instance, to invest in calibrated weighing equipment in the port area. |
| | Brazil | Not clear yet. |
| | Bulgaria | We expect the majority of shippers to use Method 1 - actual weighbridge certificate |
| | Croatia | In our opinion Method 1 will be used 80%, and Method 2 in 20% cases. |
| | Cyprus | It has not yet been clarified |
| | Denmark | No data available but our guess is that the majority will go for method 1. |
| | Dubai | Method 1 100% |
| | Finland | Method 2 80 pct |
| | France | Method 2 will be applied considering the lack of weighbridges and the cost of the weighing when/where it can be done |

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| | Germany | Method 1: 75% Method 2: 25% |
| | Israel | I expect method one will be mostly used, but it is merely a guess. |
| | Italy | This point is in progress but we will strongly push for method 1 to be exclusively used |
| | Japan | We have no idea at present. Sensuously it is supposed Method 2 will be large, in terms of available equipment include weighbridge or truck scale are limited in Japan. |
| | Jordan | After the conference will answer |
| | Kenya | Not ascertained as yet |
| | Libya | Method 2 Calculated mass |
| | Malta | 60% Method 1 |
| | Montenegro | Not received published information so far. |
| | Morocco | Not yet defined |

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| | Netherlands | 40% against 60% |
| | Peru | Most of them will use method 1. |
| | Philippines | Methods 1 & 2 but still to be discussed |
| | South Africa | It is difficult to quantify but in my opinion the bigger portion of exporters will comply but it is the lesser portion that worries me. Method 2 is more likely to be used |
| | Sweden | As a qualified guess the proportion will be 50/50. |
| | UK | 80% 1 20 2 |
| | Tunisia | 100% The 1 |

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| 7. What container weighing facilities currently exist in your country? | Argentina | Scales. |
| | Australia | Weigh - in - motion, weighbridges |
| | Belgium | <p>No official installations in the port areas. Some installations on private concessions, mostly however weighbridges destined to weigh to entire combination (cfr. Legislation with regard to maximum payload allowed on roads) Possibilities of dynamic weighing by straddle carrier or forklift however uncertain if these will be accepted as calibrated equipment by the authorities. One of the points to be investigated during the terminal visits (see point 4).</p> <p>Installations on roads outside also meant to weight the entire combination. Authorities to decide if they accept kind of method 2 for this situation (weight of combination minus weight of truck minus weight of container chassis minus tare weight of container)</p> |

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| | Brazil | <p>a)Inside Port/Terminal: It is mandatory for Bonded Terminal on the input and output containers.</p> <p>b)Outside Port area: as per shipper's convenience.</p> |
| | Bulgaria | <p>Many facilities exist in Bulgaria covering most of the regions (particularly in cities where there is a Customs office, which includes both maritime ports of Varna and Bourgas).</p> |
| | Croatia | <p>Each Container Terminal has weighbridge.</p> |
| | Cyprus | <p>Only within the port area such facilities exist</p> |
| | Denmark | <p>Weight bridges and shore based equipment used for unloading ex. Trucks and railways with certified weighing system.</p> |
| | Dubai | <p>Crane/Weighbridge at port</p> |

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| | Finland | Weightbridges in major ports, industry areas... Cranes and trucks with scale... |
| | France | Lack of weighing facilities |
| | Germany | We have no information about the technical specifications of the weighing facilities. |
| | Israel | Both ports have the adequate facility |
| | Italy | <p>a) Inside port/terminal: All the major Marine Terminals have their own weighbridge(s); additionally there are public weighing facilities in the port area, managed under Port Authority endorsement.</p> <p>b) Outside port area: Additional public weighing facilities are available in close proximity to major ports areas.</p> <p>c) Inland: Various weighing facilities are available at / in proximity to major industrial zones, as well as inland hubs and distribution centres in the whole Country</p> |

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| | Japan | Truck weighing scale & other measuring instruments are existing but nos. of unit are limited |
| | Jordan | Two before entry port and two inside the container terminal - Main port - all other port facilities |
| | Kenya | Fixed weighbridges and high speed in motion weighbridges. |
| | Libya | Port local weighing bridge Mobile weighing bridge external |
| | Malta | One Weighbridge operated by Customs |
| | Montenegro | At port of Bar exists 3. weighbridge facilities (capacity up to 60t and 50t) |
| | Netherlands | Weighbridges |
| | Peru | Outside depots and port terminals |
| | Philippines | Container bridge |
| | Portugal | Don't know yet |

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| | South Africa | As like the situation is across the globe there aren't sufficient weigh bridges in South Africa and is a point of concern indeed. |
| | Spain | Inside port/terminal: weighbridge facilities and some gantry cranes. Outside port area and inland: there exist weighing facilities as well. |
| | Sweden | Some ports have facilities as well as larger industries. On several places road scales are available. |
| | UK | Too few |
| | Tunisia | Official Weighbridge |

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| 8. Are all containers currently weighed? | Argentina | Not all of them. The weight of loaded containers for export is informed in customs documents and, in case of doubt, the Federal Administration of Public Revenue requests the weighing. |
| | Australia | Generally yes, exports governed by the local road regulations and imports by stevedores. |
| | Belgium | No. We have knowledge of only one line with dedicated terminal where all containers are weighed during loading operations. This as a matter of a safety, without the weight being recorded and without any additional cost for the shipper. In case of evident overload the container will not be taken on board. |
| | Brazil | Yes |
| | Bulgaria | No, they aren't. |
| | Croatia | No. |

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| | Cyprus | No |
| | Denmark | No containers are currently weighed. |
| | Dubai | Yes |
| | Finland | No |
| | France | No |
| | Germany | No |
| | Israel | No. Containers coming by train are not weighed |
| | Italy | Shippers arrange weighing on their own as it is not compulsory today to do so (usually, either at their own warehouse / distribution centre by weighing the goods / commodity to be stuffed and then adding the container tare, or by public / private weighbridges in the area) and declare it to involved parties (it is their responsibility to do so and they are fully liable for that): normally, it is NOT done any further weighing. |
| | Japan | Not compulsory to weighing their container but it is described gross |

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| | | weight on the shipping document such as “Dock Receipt” “Container Load Plan” under shipper’s account and risk. Some large factory has own weighing tools at their factory |
| | Jordan | Yes , weight bridges |
| | Kenya | Not all containers currently weighed. |
| | Libya | NO |
| | Malta | NO |
| | Montenegro | Not all containers are weighed |
| | Morocco | Not all of them, only some import/inbound cargos subject to pay the custom duties per kilo. |
| | Netherlands | no |
| | Peru | Yes. According to customs law all containers must be weighed. |
| | Philippines | No |
| | Portugal | Still very poor |

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| | South Africa | No not all. You are reliant on what the shipper advises |
| | Spain | yes |
| | Sweden | No |
| | UK | No |
| | Tunisia | Yes |

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| 9. If not, how often do containers get weighed? (And how is that determined, is it by cargo type?) | Argentina | The Shipper informs the weight, which is supposed to be verified and informed to the Federal Administration of Public Revenue. Many of them are weighed in Federal Warehouses of Port Terminals. |
| | Australia | N.A. |
| | Belgium | No idea. But very few, see availability of weight equipment. Only if crane driver suspects overload or unbalanced stuffing. |
| | Bulgaria | Containers are weighted only if there is a reasonable doubt about its declared weight. |
| | Croatia | Presently very rare. |
| | Cyprus | In the case of discrepancies between the ship's manifest and the weight shown during their handling |
| | Denmark | No containers are currently weighed. |
| | Finland | Only on request/certain reason |

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| | France | Only for specific cases (in most of the cases nowadays for customs purposes) |
| | Germany | Actually once, during loading via the container bridges. But only to avoid damages on the bridges |
| | Israel | All containers, with the exception of containers arriving by train, are weight in the ports |
| | Italy | <p>Further weighing in addition to the above mentioned arranged by Shippers when stuffing is done, are arranged only upon specific request. For example, the Shipping Line may arrange some random weighing for certain "dubious" lots (repeated wrong declarations from a particular Shipper, or habitual problems with some specific location or commodity,...).</p> <p>Shippers themselves can apply for additional weighing, in case of any doubt / discrepancy / problem / dispute.</p> |

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| | | <p>Further example: the main Marine Terminals have lifting gears equipped with measuring devices (safety alarms activating in case of weight over the max. payload + tare of the specific equipment): in case substantial overweight are spotted, accurate weighing at relevant facilities is then provided.</p> <p>In above cases, if any significant discrepancy is detected, all costs arising as a consequence of the wrong declaration are to be borne by liable party.</p> |
| | Japan | Presume that shipper's nominated forwarder and/or vanning operator will generate total gross weight as per their packing list/invoice endorsed by maker/supplier. |
| | Kenya | <p>Laden containers normally weighed at the weighbridges along the highways.</p> <p>Both axle and gross weight (truck & cargo).</p> |
| | Libya | Every 10 th |

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| | | Determined by type of cargo |
| | Malta | Not more than 5% of total TEUS |
| | Montenegro | Containers are weighed according to forwarder / customs requests |
| | Morocco | Per cargo type |
| | Netherlands | Accidently. Do not know whether it is related to cargo type |
| | Philippines | When there are disputes and/or weight indicated is beyond the capacity of container as per CSC plate |
| | Portugal | No. |
| | South Africa | There are shippers who try to be compliant in every respect and have streamlined their packaging and weight measurement accordingly but in most instances it is when the police stop the truck and take it to a weigh bridge that the weight will be known |
| | Sweden | The container weight is almost never checked by authorities in the ports. |
| | UK | Rarely |

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| 10. What is the cost for weighing a container? | Argentina | Not informed. |
| | Australia | Varies depending on vehicle size. |
| | Belgium | Case by case depending on where and how. |
| | Brazil | USD 50.00 per unit on average. |
| | Bulgaria | Approximately 5 EUR per container. |
| | Croatia | EURO 56 |
| | Cyprus | Euro 25 including transport within the port area |
| | Denmark | Minimum DKK 250 per container plus haulage to and from weigh bridge. |
| | Dubai | No Cost |
| | Finland | Party requesting weighing |
| | France | Depending of the places but average 150/200 euros |
| | Germany | Up to 400 EUR |
| | Israel | I do not know |

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| | Italy | Costs may vary, in accordance to the facility and the location where weighing is done: in average, from 30,00 to 50,00 Euro (if containers to be weighed - for whatever reason - are stacked at Terminals yard, of course the costs for the necessary extra-moves must be added). |
| | Japan | They have to appoint sworn measurer who charge measuring fee for their attendance |
| | Jordan | 3.5 JD |
| | Kenya | \$:35 |
| | Libya | LD 0,400 w/m |
| | Malta | Eur 35 for a 20' eur 60 for a 40' |
| | Montenegro | Port of Bar tariff is 0,50 EUR / t (TARA + BRUTO |
| | Morocco | Mad 200 (About Euros 20) per container excluding VAT & Regional tax |
| | Netherlands | Unknown |

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| | Peru | It is included in terminal service. |
| | Philippines | Php 150.00 (Usd 3.26) per container |
| | South Africa | It could vary but in the region of R200 to R300 (SA Rand) |
| | Spain | Each operator fix its price. This is variable depending on each operator. |
| | Sweden | On available road scales it is free of charge. |
| | UK | £25 |
| | Tunisia | About 1,4 Euro |

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| 11. Who has responsibility to arrange for container weighing? (Port, line, agent, shipper, etc.) | Argentina | Shipper |
| | Australia | Exports- Shippers Imports- Stevedores, before being put on a road transport. |
| | Belgium | Not regulated, arranging of weighing will be agreed upon on case by case basis depending on particulars of the case / possibilities for weighing. Costs for weighing are always for shipper/ booking party based on the existing legal principle that the contractual shipper under the bill of lading remains always responsible for the weight / adequate stuffing of the container. |
| | Brazil | Bonded Terminal (compulsory) or carriers/shippers for their own purposes. |
| | Bulgaria | The shipper has the responsibility. |

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| | Croatia | Shipper |
| | Cyprus | Agent/Shipper |
| | Denmark | No responsible party since the containers are not weighed. |
| | Dubai | Port |
| | Finland | Responsibility not defined. Pending case... |
| | France | In principle agent or shipper /freight forwarders depending on the cases |
| | Germany | Shipper |
| | Israel | The port |
| | Italy | As said today it is not compulsory to weigh containers at public weighbridge. If containers are weighed this is done by shippers (or to state the actual weight by other verification means) and declared it to all the Parties of the relevant supply chain (such as Inland Facilities, Logistic Operators, Marine Terminals, Agent and Shipping Line,...). |

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| | Japan | In principle, Shipper/supplier/maker are responsible to manage cargo volume not exceeding maximum pay-load of container, as well as road/freeway traffic restriction |
| | Jordan | Agent through the gang list and confirmed by the weight bridge |
| | Kenya | Currently Shipper. |
| | Libya | Port and agent |
| | Malta | Agent upon instructions from LINE/RECEIVER/SHIPPER |
| | Montenegro | Forwarder on behalf of cargo owner |
| | Morocco | Local client |
| | Netherlands | Shipper |
| | Peru | Shipper. |
| | Philippines | Line and shipper |
| | South Africa | Shipper or his forwarding agent. |
| | Spain | Shipper |

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| | Sweden | According to SOLAS it is the shipper that has to arrange to get the verified Weigh obtained. |
| | UK | Shipper |
| | Tunisia | Shipper |

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| 12. Are the weighbridge facilities certified by authorities? | Argentina | No. |
| | Australia | Yes General licensing regime for weigh bridges The legislation covering trade measurements are the National Measurement Act and the National Trade Measurement Regulations |
| | Belgium | Yes, all weighing equipment is, this is if a weigh note/ weigh certificate has to be provided. So not the weighing equipment incorporated in the terminal equipment as these are not delivering formal weigh notes. |
| | Brazil | Yes, mainly on Terminals and service providers. Not necessarily in private facilities. |
| | Bulgaria | There is a government agency dealing with the certification of weighbridge facilities. |
| | Croatia | Yes |
| | Cyprus | Yes |

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| | Denmark | Yes, provided if it is required by the operator. |
| | Dubai | Yes |
| | Finland | Yes |
| | France | Depending |
| | Germany | Yes (Eichamt) |
| | Israel | Yes |
| | Italy | Yes, weighbridge facilities must be homologated, tested and certified by Authorities. |
| | Japan | In terms of commercial aspects, Ministry of Economic, Trade and Industry governs weighing instruments and/or its rules |
| | Jordan | Yes |
| | Kenya | Yes |
| | Libya | YES |
| | Malta | yes |
| | Montenegro | Weighbridge facilities are certified. |

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| | Morocco | Yes by customs & authorities |
| | Netherlands | Yes |
| | Peru | Yes |
| | Philippines | Yes, they are |
| | South Africa | Yes |
| | Spain | Yes (and gantry cranes that can weigh as well). |
| | Sweden | Yes |
| | UK | Yes |
| | Tunisia | Yes |

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| 13. Does the weighbridge issue a certificate of weight? | Argentina | It issues a weight receipt or ticket. |
| | Australia | Yes |
| | Belgium | Yes, if it is certified to do so. |
| | Brazil | Yes. |
| | Bulgaria | Yes, the actual form of the certificate is being discussed as well. |
| | Croatia | Yes |
| | Cyprus | Yes (if required) |
| | Denmark | Yes (if required) |
| | Dubai | No |
| | Finland | Yes |
| | France | In principle yes |
| | Germany | Not clear |
| | Israel | Of-course |
| | Italy | Yes, all private and public weighbridge facilities do issue a Certificate |

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| | Japan | Yes |
| | Jordan | Yes |
| | Kenya | No |
| | Libya | YES |
| | Malta | yes |
| | Montenegro | Yes it does , Certificate of weight is issued. |
| | Morocco | Yes |
| | Netherlands | yes |
| | Peru | Yes |
| | Philippines | Yes, they do issue certificate |
| | South Africa | Yes |
| | Spain | Yes |
| | Sweden | Not the road scales. |
| | UK | Yes |
| | Tunisia | Yes |

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| 14. Will your 'designated authority' charge for issuing an approval certificate for using Method 2? | Argentina | Unknown. |
| | Australia | Not known at this stage. |
| | Belgium | Not discussed by our association. Is a matter for the shipper/ cargo-interests. |
| | Brazil | No (see answer 1) |
| | Bulgaria | Currently unknown if the Maritime Administration or other authority will charge for issuing certificates for Method 2. |
| | Croatia | Not known. |
| | Cyprus | No |
| | Denmark | Not yet known. |
| | Finland | Hope able reply after seminar Oct. 5th |
| | France | No answer so far |
| | Germany | Not clear |

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| | Israel | The designated authority does not issue any approval |
| | Italy | Don't know yet |
| | Japan | No applicable charge by designated authority. It is a keen issue who approve it. |
| | Jordan | Not available yet |
| | Kenya | TBA |
| | Libya | YES |
| | Montenegro | Not received published information so far. |
| | Netherlands | Their intention is to keep both the administrative burden and the costs as low as possible for the shipper |
| | Philippines | For discussion |
| | South Africa | Who the designated authority may be would in all possibility charge a fee. |
| | Sweden | Probably, but the legal situation is unclear whether the maritime administration is allowed to stipulate |

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| | | requirements on land based activities. |
| | UK | No |

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| 15. Who pays the cost? (Shipper, line, agent etc.) | Argentina | The Shipper is supposed to pay the cost. |
| | Australia | Not known. |
| | Belgium | See 14, shipper. |
| | Brazil | When implemented, probably the shipper. |
| | Bulgaria | The shipper or his local representative on his/her behalf |
| | Croatia | Shipper |
| | Cyprus | Shipper or Line as the case may be |
| | Denmark | Not yet known. |
| | Finland | As above |
| | France | In principle the cargo either through the shipper/freight forwarder or agent depending on the cases |
| | Germany | Shipper |
| | Israel | The Shipper |
| Italy | Don't know yet | |

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| | Japan | Shipper will be obliged to cover cost for weighing if occur |
| | Jordan | Consignee |
| | Kenya | Shipper |
| | Libya | shipper |
| | Malta | SHIPPER |
| | Montenegro | Forwarder on behalf of cargo owner |
| | Morocco | Local client |
| | Netherlands | Shipper |
| | Philippines | Requesting party but mostly it would be the shipper |
| | South Africa | Again the Shipper or his appointed forwarding agent |
| | Sweden | According to agreement, but in most cases it will be the Shipper. |
| | UK | Shipper |
| | Tunisia | Shipper |

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| 16. Will your ‘designated authority’ allow any tolerance on weights? (in UK for example, they allow + or - 5%) | Argentina | The Enforcement Authority considers that there should be tolerance on weights. It is being analysed. |
| | Australia | SAL understands that equivalent Australian tolerances as per abovementioned legislation will be reflected in the AMSA Marine Order amendments. |
| | Belgium | We have pleaded for the same tolerance however authorities were thinking about 2%. |
| | Brazil | Not defined yet. |
| | Bulgaria | Currently tolerance hasn’t been discussed, but might be brought up during the next round of meetings. The only requirement is for the container to be loaded below the maximum indicated weight. |
| | Croatia | Not known. |

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| | Cyprus | Not yet known |
| | Denmark | The designated authority has proposed a +/- 0.5% in the drafted Act, but other stake holders counter proposed +/- 5.0% |
| | Dubai | Same as UK |
| | Finland | As above |
| | France | Which entity is called “designated authority” ? Presently the misdeclaration is dealt between the shipowner-agent and the representative of the shipper/receiver except when it involves the customs authority for the payment of taxes in that cas the representative of the cargo is directly involved |
| | Germany | Yes, range is not unclear |
| | Israel | They will allow a certain tolerance |

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| | Italy | Yes 5% +/- |
| | Japan | Basically it is not considerable to allow any tolerance at this stage, we suppose |
| | Jordan | The customs up to 500 Kilos |
| | Kenya | TBA |
| | Libya | Yes +/- 5% acceptable |
| | Malta | NOT EXCLUDED |
| | Montenegro | Not received published information so far. |
| | Morocco | NO |
| | Netherlands | Probably yes. The shippers association involved is pleading for a 5% + or -. |
| | Peru | Yes. Peruvian customs allows a tolerance of +- 2% on weights for loose loaded cargo. Non containerized cargo. |
| | Philippines | For discussion |

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| | South Africa | An extremely valid point but unable to quantify give that the designated authority has not been officially announced |
| | Spain | Yes. The % has not been fixed yet. |
| | Sweden | This has been discussed but no value is settled. |
| | UK | Yes 5% +/- |
| | Tunisia | No |

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| 17. Will penalties apply to any container found to be at variance with declared weight? | Argentina | Unknown. |
| | Australia | SAL can confirm that AMSA's current Marine order 42 apply penalties for incorrect declarations and foresees these will continue to apply for non-compliance with the SOLAS amendments. |
| | Belgium | Yes. |
| | Brazil | Not clear yet. |
| | Bulgaria | In the current proposal there are no penalties for containers with a variation to the declared weight. |
| | Croatia | Not known. |
| | Cyprus | It is under consideration |
| | Denmark | Not yet known |
| | Dubai | Yes |

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| | Finland | As above |
| | France | Same of above |
| | Germany | In principle, yes. |
| | Israel | Since weighing is compulsory, there is no meaning to declared weight |
| | Italy | We believe so but don't know yet |
| | Japan | There is no penalty to be applied but trying to make efficient rule and/or guide line in accordance with IMO/SOLAS regulation. |
| | Jordan | It will be |
| | Kenya | Affirmative |
| | Libya | YES |
| | Malta | YES |
| | Montenegro | Penalties may have occurred in case discrepancies in declared weight was found |
| | Morocco | Yes |

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| | Netherlands | Not known yet. |
| | Peru | Not at this moment. |
| | Philippines | For discussion |
| | South Africa | In my opinion the penalty will be that it won't be loaded and in addition will affect the planning of the vessel using the Navis system. |
| | Spain | Yes |
| | Sweden | Most probably the authorities will not check container weights and penalties will not be charged |
| | UK | Nothing planed but if method 2 approved they would be struck off |
| | Tunisia | Yes |

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| 18. Who pays any penalties? | Argentina | Unknown. |
| | Australia | As per above, the shipper |
| | Belgium | <p>Can only be the shipper in case of wrong VGM.</p> <p>Penalties for the line or terminal are possible in case no VGM available as and when prescribed by the legislation. We have pleaded that the line/the booking agent and terminal should only be liable to check if there is a VGM provided in time and in a way prescribed by the legislation (by electronic means or on paper, I latter case there should be a format to be used by the shippers when communicating the VGM to the line/ the booking agent. They should not check if the VGM is correct, if the shipper is certified to use method 2 etc. It will always remain the contractual shipper who has to answer to this kind of matters</p> |
| | Brazil | When implemented, probably the shipper. |

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| | Croatia | Not known. |
| | Cyprus | It will be further considered |
| | Denmark | Not yet known |
| | Dubai | Shipper |
| | Finland | As above |
| | France | At the end the cargoes be through the shipper freight forwarder or the ship's agent |
| | Germany | Shipper / forwarder |
| | Israel | All expenses to rectify deficiencies will be paid by the shipper |
| | Italy | Should be the shipper(or NVO appointed) |
| | Japan | No penalty applicable, but it will be rejected by Terminal Operator, if there are big differences of weight for document and actual container weight at terminal gate. |
| | Jordan | consignee |

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| | Kenya | Currently Truck Driver pays penalties who later claim from shipper |
| | Libya | shipper |
| | Malta | THE PARTY CONCERENED |
| | Montenegro | Forwarder on behalf of cargo owner |
| | Morocco | Local client |
| | Netherlands | Shipper is responsible, so it may be expected that he is the one to pay |
| | Philippines | For discussion |
| | South Africa | The shipper or his forwarding agent |
| | Spain | The shipper |
| | Sweden | The person how signed the certificate |
| | UK | Shipper |
| | Tunisia | Shipper |

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| 19. How will transshipment containers be handled? (Will the mother vessel accept weights declared from feeder vessel) | Argentina | Transshipment containers should be accepted according to the certification of origin. |
| | Australia | The aim of the SOLAS amendments is to provide for a safety regime where shippers accurately reflect the container weight and avoid a repeat of the “MSC Napoli” incident. SAL believes that since the SOLAS regulations specify responsibility for container weight verification and declaration to the shipper and further specify that a container should not be loaded(by the master and terminal representative), acceptance of valid declarations from a feeder vessel would be adequate evidence for the mother vessel to demonstrate compliance. |
| | Belgium | From SOLAS- vessel to SOLAS vessel see IMO guidelines 8.1.1 Other cases: VGM to be provided by contractual shipper (may be other line) |

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| | Brazil | Not clear yet. |
| | Bulgaria | This situation hasn't been discussed yet, however we're under the impression that a certificate will be required in that situation as well. |
| | Croatia | Not known. |
| | Cyprus | The weight declared in the ship's manifest lodged by mother vessel is accepted |
| | Denmark | It is anticipated that the mother vessel will accept weigh certificates as presented to the feeder vessel. |
| | Dubai | Yes |
| | Finland | Or wise versa. Believe yes as units have been subject to weighting method one or two |
| | France | In principle yes |
| | Germany | As long as SOLAS applies to the feeder you will be allow to trust weights declared from this vessel. |

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| | Israel | The agent must ensure that the captain receives certified declarations. |
| | Italy | Don't know yet |
| | Japan | It should be figured out when cargo is packed into container for export, in regardless shipment onto feeder vessel and/or mother vessel. |
| | Jordan | Yes |
| | Kenya | TBA |
| | Libya | YES mother vessel accepts declared weights from feeder vessel |
| | Malta | yes |
| | Montenegro | Mother vessel will accept weights declared from feeder vessel |
| | Netherlands | Topic not clear yet |
| | Peru | Customs will required an amendment of cargo manifest to proceed with the transshipment. |

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| | Philippines | For discussion |
| | South Africa | If the feeder vessel has accepted the container declared weight at the port of load it is presumed that the master is satisfied that it complies to IMO requirements so should be accepted by the mother vessel |
| | Sweden | According to § 8.1.2 of MSC.1/Circ.1475. |
| | UK | Weight loaded to feeder vessel will be accepted |
| | Tunisia | Don't know |

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| <p>20. How will you handle such as FOB shipments where the buyer (presumably overseas) is the declared shipper?</p> | Argentina | Unknown. |
| | Australia | As indicated at 19 above, the aim of the regulations is to ensure that safety of the vessel and its cargo are not compromised. A relevant inclusion may be required in contractual arrangements (between seller and buyer) to ensure matters relating to container weight are addressed accordingly. |
| | Belgium | We feel that this new legislation only confirms the existing legal principle that the contractual shipper under the bill of lading remains always responsible for the declared weight. As this is a matter of safety of the vessel, the authorities agreed that only the contractual shipper mentioned in the ocean bill of lading will be responsible to provide the correct VGM. All contractual parties intervening between the actual shipper (who loaded the container / upon whose instructions the container was loaded) and the contractual shipper under the ocean bill of lading |

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| | | will have to cover their position against their principal in a contractual way. This also goes for parties under the sales contract. |
| | Brazil | In Brazil is mandatory to have a Brazilian company as shipper with a CNPJ (VAT/Tax reference). |
| | Bulgaria | As long as shipments are accompanied by a certificate there shouldn't be any issue in this situation. |
| | Croatia | Not known. |
| | Cyprus | We will consider it during the forthcoming discussions with the interested parties |

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| | Denmark | The party signing to confirm the verified weight is responsible in accordance with the draft of the Act |
| | Dubai | AS per Port Weight |
| | Finland | Don't know |
| | France | The party remitting/claiming the ct on the terminal and performing the export/import customs formalities |
| | Germany | Not yet clear |
| | Israel | I guess the responsible party will still be the exporting side. |
| | Italy | The buyer is subordinate, the shipper is responsible |
| | Japan | Shipper has to undertake their responsibility for proceeding shipment |
| | Malta | Still has to be decided upon |
| | Montenegro | We will act as per forwarder instructions |

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| | Netherlands | Do not yet know |
| | Peru | Customs will always request the local seller in the customs declarations. |
| | Philippines | There must be a locally based consignee indicated on the B/L. |
| | South Africa | One would presume that the appointed forwarding agent would declare the weight of the container |
| | Sweden | According to SOLAS it is the Shipper's responsibility to deliver a signed document showing the verified container weight to the Carrier and this situation has to be solved in the transport agreement. As it is stated in SOLAS the document may be signed by a person duly authorized by the shipper. It would thus be possible for the Shipper to authorize a person at the Consignor to sign the certificate when the Shipper is the Consignee. |
| | UK | Overseas shipper will be responsible |
| | Tunisia | Shipper must handle as Tunisia is Free IN / Free Out term. |

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| 21. Additional comments: | Argentina | During the meetings, it has been considered the complexity and difficulties to fulfil the IMO re |
| | Australia | <p>SAL note that the SOLAS amendments reflect that a shipper is required to verify the gross mass (using one of two methods) but only requires the verified gross mass to be included in the shipping documentation and the method used.</p> <p>SAL's considers that the relevant shipping documentation must reflect the method used by shippers to assist the regulatory audit regime and in cases of any discrepancy or incident.</p> |
| | Belgium | In attachment copies of the circular letters which were sent to our members. |
| | Croatia | <p>We have warned our Ministry about the new SOLAS regulations and expecting their actions and ev. Technical seminar where all mentioned details should be clarified.</p> <p>Also our Members (Agents) are expecting to receive further</p> |

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| | | instructions from its Principals (Container Shipping Lines). |
| | Denmark | FONASBA is again ahead of the authorities, and in a couple of Months we probably know more. |
| | Finland | Reverting to open items... |
| | France | For time being this subject has not been yet discussed with the authorities |
| | Japan | Our maritime bureau is still under discussion among other governmental sectors concerned how to publish Notification by Maritime Bureau and/or Ministerial Ordinance to be implemented. Revert you upon it is available. |
| | Jordan | We are arranging conference to deal with all necessary steps to be taken and all concern parties will attend. |
| | Kenya | As an Association, we have taken the lead role through Kenya Ports Authority in our Port Advisory Committee Meetings and other |

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| | | forums to impress upon the Government |
| | Philippines | Meetings between the carriers and various government offices shall commence on the 4 th quarter of this year to assess state of their preparedness re implementation of this scheme. |
| | Portugal | I would like to highlight that AGEPOR has been pushing for at least 2 months the subject with Portuguese Authorities (who didn't pay too much attention to the subject) and finally there was a decision about who among the Governmental Agencies will be leading the process. We then sent an email offering AGEPOR for a meeting to set up working group with other interested Associations and this meeting will take place the 7th October. I will provide an update at annual meeting and endeavour to provide replies to the questions marked "N/A" above. |
| | South Africa | From an association point of view I am of the opinion that all signatories to the IMO convention of safety of life at sea ought to have been given specific instructions of compliance |

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| | | and there responsibility with specific deadlines for certification. |
| | Spain | We have replied only the questions that we know based on the draft guidance instructions of <i>Puertos del Estado</i> . |
| | UK | It will be carnage! |
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