

FONASBA MEMBERSHIP ENQUIRY



RESPONSE SUMMARY

ORIGINATING ASSOCIATION:	AGEPOR (Portugal)
ENQUIRY DETAILS:	<p><i>The designated authority for container weighing in Portugal has asked AGEPOR to provide input from other FONASBA members with regard to using weighbridges for ascertaining container weights. Under normal circumstances containers are weighed on the truck en-route to the terminal using a weighbridge and the weight of the container is calculated after deducting the stated weight of the vehicle. Given that the actual weight of the vehicle can vary significantly from its stated (empty) weight (for example due to the amount of fuel, any modifications after manufacture etc.) the weight of the container assessed by this method could actually be incorrect by a significant amount. Clearly if the container is weighed again at a later stage and the weight is indeed found to be incorrect, issues will arise as no tolerance for inaccurate weight assessment is allowed under SOLAS.</i></p> <p><i>Our question is therefore:</i></p> <p><i>''Has the designated authority in your country given any guidance as to how this issue will be resolved, and if so what is their view on how it should be dealt with within the limitations of SOLAS?''</i></p>
Date:	18th December 2015

	RESPONSE
ARGENTINA	<p>In Argentina, the Enforcement Authority (Argentine Coastguard) has developed a draft rule to implement the provisions of Regulation VI/2 of SOLAS.</p> <p>The aforementioned draft considers an acceptable discrepancy in the "verified gross mass" of the container, which shall be +/- 5%.</p> <p>The draft rule is currently submitted to a process of opinions and advice by the interested sector external to the Enforcement Authority,</p>

	<p>included this Centro, in order to issue the regulatory rule after the final analysis by the intervening authority.</p>
ANGOLA	<p>In Angola we have not yet received information from the statutory entity, IMPA.</p> <p>Some terminals advised that they are still waiting for specific instructions in this respect.</p>
BELGIUM	<p>The question if this would be acceptable/certifiable for FODMOB which is the Belgian competent authority, was also asked in Belgium (already in June). As yet FODMOB did not revert on this point (or any other point □). We have been invited for a meeting were more information will be given but this will only be on January 20.</p> <p>There is a private initiative in the Antwerp port area were a weighbridge will be used, but where they will be working in a different way. The entire combination will first be weighed and than the container will be lifted (by a crane or forklift) thus allowing the actual weight of the vehicle (which is left on the weighbridge) to be assessed. The weight of the container will be found by subtracting the weight of the vehicle (as per the second weight note of the weighbridge) from the total weight of the entire combination (as per the first weight note of the weighbridge). We feel this method stands a better chance of being acceptable/certifiable for the authority than the one you describe.</p>
BULGARIA	<p>Local authorities have not yet finalized the procedures regarding container weighting. During the meetings that were held in the previous months the above case was discussed and the majority agreed that it should be dealt with as follows: the vehicle is weighted when entering the port (loaded) and when exiting the terminal (unloaded). The certificate for the container itself is prepared only after both numbers are available. This method (using weighbridge) will however mean that new equipment needs to be installed at the respective entrance/exit points of the ports and would therefore rarely be used at least initially for the SOLAS changes.</p>
CROATIA	<p>Still today we have not received any guidance and detailed procedures on the implementation of the weighment.</p>
CYPRUS	<p>We refer to your email of 8th December, 2015 and wish to inform you that the subject - matter in question is still under consideration by the stakeholders here in Cyprus under the chairmanship of the Ministry of Communications & Works including the enquiry from our colleagues in Portugal.</p> <p>Once its consideration will be completed and the necessary decisions are taken we will not fail to keep you posted.</p>

DENMARK	<p>The Danish Shipbrokers' Association has been involved in a meeting with the Danish Maritime Authority, as designated authority, due to an initial public hearing of the draft of the Act to govern verification of weights. The Danish Maritime Authority has much focus on weight tolerance and accurate weights. Please note, however, that we touched upon some of these issues in the above-mentioned meeting and we hope they are reflected in the final Act. The Danish Maritime Authority has informed us, that the Act is finally published early in the New Year, following which we can provide further details.</p>
DUBAI	<p>We have had some initial talks on the implementation of the container weighment issue with the terminals. However we have not received any guidance so far as to how the issue will be resolved.</p>
FINLAND	<p>The problem is still under investigation. In the discussions the Shipper Alternative e.g. the shipper must inform / verify the weight of the container either by weighting the container or by certifying how much cargo is loaded in the container.</p> <p>A certificate of the cargo will probably be issued by the shipper, but in what form or by a certified inspector or just by the shipper, is still not clear.</p> <p>Tolerance is still under debate but probably 5 - 10 % will be accepted.</p> <p>Weighting the container on the truck will lead to double weighting as the weight of the truck is unclear as mentioned in your enquiry.</p>
FRANCE	<p>Please be informed that the method has not been definitely decided but further meetings between the french authority in charge of transport (a department of the ministry of transport) and professional representatives involved in the transport the method 2 (weighing all packages and cargo items) will be most probably adopted and inserted in the French regulations The French authorities reserve the right to check on a spot basis the conformity of the shipper declaration and the reality At to day date no systematic checkings are scheduled.</p>
GERMANY	<p>At present we are not aware of the identity of the designated authority in Germany and until such time as that authority is nominated, no clear guidance on the practical aspects of container weighing will be made public.</p>
ITALY	<p>Our designated authority in Italy (Italian Coast Guard Headquarters) is not yet able to give a clear indication because will issue guideline until the end of January.</p>
ISRAEL	<p>We are in the middle of studying the whole process of Container Weighing within the Shipping Community (Export Manufactures Freight Forwarders, The Rail, The Truckers Organization and the</p>

	<p>Shipping Agents who are members of the Chamber).This is done in full coordination with the Shipping and Ports Authority.</p> <p>Next week we will be in the Ports to study the actual process of weighing the containers on the weigh bridges, transmitting the details into the port container terminal</p> <p>Operation system and from there to the Vessel's Bay Plan(The Vessel's Captain). There after we might be able to submit you, at least, the present (Actual) System of Container Weight Calculation in the Israeli Ports.</p>
JAPAN	<p>It is still under consideration by designated authorities, in Japan and it is scheduled to legislate a Ministerial Ordinance on/about April next year by Maritime Bureau, Ministry of Land Infrastructure, Transport and Tourism.</p>
MALTA	<p>It is worth noting that the in Malta, given the size to the island, the weighbridge and cranes that weigh containers, are located at the terminals, and therefore are not weighed again at later stages.</p> <p>Following our various communications, in this respect, to the local authorities, we have just received the following feedback:</p> <p>We have a meeting scheduled for 1st week of January. Hoping by then, we may then communicate with agents accordingly. We shall not fail to keep FONASBA posted with any developments.</p>
NETHERLANDS	<p>In the Netherlands we are still in the stage of implementing the Solas legislation into Dutch legislation. Until now only general information about things to come has been shared with Dutch shipping industry. The questionnaire of Portugal is of a high detailed level, which we cannot yet answer. What we can do is forward the question to our contact person at the Ministry involved. Hopefully they can supply the answer, but presumably not within a few days</p>
SLOVENIA	<p>Until today we have no response from our Authorities, we passed to them all information.</p>
SOUTH AFRICA	<p>As in most countries there are not enough weigh bridges available in South Africa to accommodate the weighing of containers, and as such the onus has been placed on the shipper to comply using either method 1 or 2 and thereafter pre-advising the correct mass to the line and container terminal by way of the Navis system used in all South African Container Terminals. This prevents an overweight container being loaded and transported on a public road to a weighing station then being rejected for exceeding the maximum allowed weight. In years gone by when the transport of containers was carried out by a state owned road transport division the terminals did have weigh bridges at the entrance to all terminals but when the rule was changed and private hauliers were allowed to uplift containers from shippers for delivery to the container terminal</p>

	<p>the weigh bridges were removed due to the complexity and variation of trucks being used. In terms of who is driving this initiative in South Africa SAMSA(South African Maritime Safety Association) has become involved to a degree but not from an enforcement point of view being a SA government (signatory to the SOLAS agreement)agency . My concern therefore is that come the 01st July 2016 will all the required criteria be in place in South Africa to ensure that overweight containers are not loaded on board of a vessel.</p>
SPAIN	<p>The designated authority in Spain in terms of weighing containers is currently working on writing some instructions, which will include specifications for using scales weighing systems , but so far not known how to address the question posed above .</p>
SWEDEN	<p>Not yet.</p>
TUNISIA	<p>Not yet any measures in Tunisia. The Tunisian association is trying to push authorities to react. At this stage, we have a weighbridge inside the port under customs control not a 100% accurate and a private company is currently starting a weighbridge project in front of the port to offer the service with a duly certificate.</p>
USA	<p>The US already mandates the compulsory weighing of all export containers under occupational health and safety legislation (29 CFR 1917.71(b)(3) and already recognises the use of IMO Methods 1 and 2. Using a weighbridge is an approved method of verifying the gross mass but the legislation does not go into detail as to how variations in weight will be resolved. We are still awaiting further information on how the existing regulations may be amended (if at all) in order to comply fully with SOLAS 6.2</p>