FONASBA MEMBERSHIP ENQUIRY 

# ENQUIRY RESPONSE FORM

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| ORIGINATING ASSOCIATION: | FONASBA (John A. Foord, L&PA Chairman) |
| ENQUIRY DETAILS: | *With the deadline for implementing the amendments to the SOLAS Regulations in respect of container weighing rapidly approaching, it is opportune to reissue our September 2015 survey in order to update our data on the status of the initiative in FONASBA member countries in order to gauge the progress of implementation in FONASBA member countries. If the situation in your country has not changed since September, please indicate accordingly.* |
| COPY REPLY TO: | generalmanager@fonasba.com |
| CLOSING DATE FOR REPLIES: | March 2016 |

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| Who is the ‘designated authority’ for implementation in your country? | Algeria | The Ministry of Transport. |
| 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 | AMSA (Australian Maritime Safety Agency) |
| Belgium | Federal Public Service Mobility and Transport - Maritime Transport, ir. Els Claeys naval architect-policy advisor safety. |
| Brazil | Brazilian Navy, Director of Maritime and Coasts. |
| Bulgaria | Meetings with the Maritime Administration are planned for the end of February and we will provide an update once those meetings are held. |
| Croatia | Croatian Register of Shipping (CRS) |
| Cyprus | The Ministry of Transport Communications and Works in cooperation with the Cyprus Ports Authority |
| Denmark | Danish Maritime Association (DMA) |
| Dubai | DP World, as terminal operator |
| Finland | Finnish Transport Safety Agency |
| France | Ministry of Transport and its various departments |
| Germany | Dienststelle Schiffssicherheit der Berufsgenossenschaft Verkehrswirtschaft Post-Logistik Telekommunikation (BG Verkehr) |
| Greece | Ministry of Maritime Affairs |
| Hungary | Hungarian National Transport Authority |
| Israel | The Shipping and Port Authority within the Ministry of Transportation. They authorized the Israeli Ports to implement it under a Government Directive which goes back to 1982. |
| Italy | Designated Authority is Italian Coast Guard Headquarters |
| Japan | Maritime Bureau, Ministry of Land, Infrastructure, Transport and Tourism |
| Jordan | Jordan Maritime Authority |
| Kenya | Kenya Maritime Authority (KMA). |
| Lebanon | Beirut Port and the Ministry of Transport |
| Libya | Libyan Port Authority |
| Malta | Transport Malta |
| Mexico | Coordinación General de Puertos y Marina Mercante (General Coordinator for Ports and Merchant Shipping) |
| Montenegro | Ministry of Maritime Affairs and Transport |
| Morocco | The port authorities |
| Netherlands | Ministry of Infrastructure & Environment |
| Panama | AMP, Autoridad Maritima de Panama. Panama Maritime Authority |
| Peru | The National Port Authority (NPC) |
| Philippines | Maritime Industry Authority (MARINA) |
| Poland | Ministry of Industry & Transport |
| Portugal | IMT, the Instituto de Mobilidade e Transporte |
| Slovenia | Ministry of Infrastructure |
| South Africa | SAMSA (South African Maritime Safety Association), supported by the Department of Transport |
| Sweden | Transportstyrelsen/The Swedish Transport Agency |
| Tunisia | TTN, a private company controlling the operation of ports/customs/ships with the assistance of the local Chamber. |
| UK | MCA (Maritime Coastguard Agency) |
| Ukraine | State Fiscal Service of Ukraine (Customs Service) |
| 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. |
| Venezuela | Regret to presently report that no action whatsoever has been taken by Venezuelan authorities on pending matter. |

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| Have implementation plans already been put in place? | Algeria | Yes. |
| Argentina | No. |
| Australia | Not yet, but AMSA have released a consultation draft version of an amended Marine Order 42 which largely reflects the IMO requirements  Amendments are also currently underway to the electronic shipping documentation (Pre-Receival Advice) to reflect the SOLAS amendments with regard to verified gross weight, the method used to determine the weight and the name of the shipper making the declaration. |
| Belgium | Forecasted timing could not be kept. On 20/1/2016 an informative meeting was called together by the designated authority. Publication of the Royal Decree and the administrative guidance is scheduled to be published at least 10 days before the date of entry in force of the SOLAS legislation (10 days is the normal time lapse between publication of new legislation and date of entry of this legislation). |
| Brazil | No. |
| Croatia | Yes. A draft implementation plan was prepared in October 2015. |
| Cyprus | Not yet. |
| Denmark | Pending the final Act, which we have reviewed and commented upon. The draft has been put forward to a hearing in the EU with a deadline for reply of 2nd May 2016. |
| Dubai | Yes. |
| Finland | Seminar held on October 5th, matters discussed, decisions postponed until next seminar to be held on 29th April. |
| France | Yes. |
| Germany | Not yet, but a draft will be published within the next days. |
| Greece | In progress. |
| Hungary | Summary Notice to Mariners issued January 2016. |
| Israel | Yes the Shipping and Port Authority asked us, together with all parties concerned (The Israeli Industry Association, Israeli Freight Forwarders and Custom Brokers Association, Truckers Association, Israeli Railways and the Ports) to study the process starting with the booking and ending with the Captain's final loading plan of the vessel and the issuing of the B/L. The resulting guidelines were issued to the industry in early May. |
| Italy | Implementation is in progress with completion expected by the end of March. |
| Japan | Yes, it is under process to legalize notifications with effective date on July 1st. |
| Jordan | In progress (Container Terminal already offered to assist) |
| Kenya | Plans being worked on and at an advanced stage. |
| Lebanon | Under consideration. |
| Libya | No. |
| Malta | Issued by Transport Malta in early May. |
| Mexico | The authority is working on that. |
| Montenegro | No published information received so far. |
| Morocco | In progress. |
| Netherlands | We are still awaiting the implementation of the SOLAS regulation into Dutch legislation and the instruction/advices of the Ministry. The Ministry has already informed us that they will do the implementation but does not see itself as a watchdog. They are supporting the introduction of an agreement between shippers, forwarders and carriers which have to make sure that all the obligations are being fulfilled from July 2016 on. |
| Panama | Evaluation meetings between Maritime Chamber of Commerce and Maritime Authority have taken place to evaluate the next steps to implement it on time. |
| Peru | This procedure to be approved. |
| Philippines | Now being discussed. |
| Poland | No, this is still pending. |
| Portugal | Yes |
| Slovenia | No, just started to discuss with authorities. |
| South Africa | Transnet port Terminals have advised industry of their “Pre-advice EDI system” and the first approved weighing authority has been announced. |
| Sweden | No. |
| Tunisia | No. |
| UK | Yes. |
| Ukraine | Yes. |
| Has your ‘designated authority’ issued any guidance instructions? | Algeria | Yes. |
| Argentina | Yes. |
| Australia | YES,a very comprehensive set of guidelines have been put together by SAMSA. |
| Belgium | Not yet. Administrative guidance will be published at the same time as the Royal Decree. |
| Brazil | No. |
| Croatia | Yes. Available in Croatian only. |
| Cyprus | No, because the subject is still under consideration by the interested parties. |
| Denmark | Fact sheets have been drafted in cooperation with the designated authority and other organisations involved. A joint seminar will be held on 12th April where the fact sheets will be distributed. |
| Dubai | Yes. |
| Finland | The Finnish Transport Safety Agency issued a specific regulation of procedure on 15th March, although this may be subject to amendment following the seminar on 29th April. |
| France | Under preparation. It will be done very soon through a ministerial order. |
| Germany | Not yet. |
| Greece | No. |
| Hungary | Summary Notice to Mariners issued January 2016. |
| Israel | There is a government directive starting 1982 within the Israeli Shipping Safety Directives 1971 which compels every container being loaded on a vessel in the Israeli Ports to be weighed on an authorized weighing scale/bridge prior loading on board a vessel. |
| Italy | Same are due for release at the end of March. |
| Japan | Guidance has been changed and is now available to see our domestic regulations in English under this link:  <http://www.mlit.go.jp/common/001129801.pdf> |
| Jordan | Not yet |
| Kenya | Yes |
| Lebanon | The IMO circulars and related details have been circulated. |
| Libya | No. |
| Malta | No. |
| Mexico | Not yet. |
| Montenegro | No information received so far. |
| Morocco | In progress. |
| Netherlands | Not that we know of at the moment. We have asked them for comment/advice. |
| Panama | Not yet, we provide them with some guidance based on other countries experiences to facilitate the process. |
| Peru | Only coordination meetings so far. The policy has not been issued. |
| Philippines | Yes, although only the guidelines issued by the World Shipping Council. |
| Poland | There were several meetings and some guidance recommendations has been issued. |
| Portugal | Yes. |
| Slovenia | No. |
| South Africa | YES, a very comprehensive set of guidelines have been put together by SAMSA. |
| Sweden | No. |
| Tunisia | No. |
| UK | Yes. |
| Ukraine | No. |

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| How will your ‘designated authority’ ensure trade is compliant? | Argentina | By extension of the existing Customs programme of container weighing |
| Australia | SAMSA have appointed two surveyors to certify packing stations and an accreditation organisation. |
| Belgium | 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.  Authorities are still uncertain on how they can put in place effective controls.  Ideally they wish to effect control both by checking the presence of the VGM with the captain upon loading (to be done by 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 equipment.  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. |
| Brazil | Not known (see answer 1). |
| Croatia | “Method 2” shippers are to be certified by competent authority (CRS). |
| Cyprus | By issuing relevant directives/guidelines. |
| Denmark | The designated Authority of the police will make spot checks or carry out unexpected controls. |
| Dubai | Containers will be weighed at the terminal. |
| Finland | The authorities will conduct inspections of container mass under Maritime Law 674/1994, the Law of Vessel Security and Safe Usage 1686/2009 and penalties will apply for failure to comply. |
| France | Through spot checks/unexpected controls. Non-compliance will be punishable by administrative penalties. |
| Germany | Through inspection at the terminals. |
| Greece | Not known yet. |
| Hungary | Not known yet. |
| Israel | Every container entering the port, Including those containers which arrive by train, will be weighed either by the shipper and/or while entering the ports by each port authorized weighbridge. |
| Italy | Through inspections by Coast Guard, Port State Control inspector, Police and Customs. |
| Japan | In keeping with the current trade structure, the Maritime Bureau intend to take necessary actions in line with SOLAS regulations. |
| Jordan | Will depend on the final system put in place. Container Terminal can ensure compliance (no VGM, no load). |
| Kenya | Information workshops are to be conducted both in Kenya and hinterland countries. |
| Lebanon | Beirut Port has autonomous responsibility to act and implement to ensure compliance. |
| Libya | Not yet announced due to the current situation in the country. |
| Malta | Sorry, we do not know. |
| Mexico | No containers will be received at the port terminal without its verified gross mass certificate. |
| Montenegro | No official information received so far. |
| Netherlands | The policy is to adhere to existing certificates like AEO and ISO. How this will work out in practise, is not yet known. |
| Panama | Not yet defined. |
| Peru | Not yet known. |
| Philippines | Container shall not be loaded on board without a verified gross weight. |
| Poland | Verification and/or certification. |
| Portugal | Random inspections. |
| South Africa | SAMSA have appointed two surveyors to certify packing stations and an accreditation organisation. |
| Sweden | By national legislation. |
| Tunisia | We expect that the systematic weighing will take place in April. |
| UK | By inspection (random). |
| Ukraine | There is no regulation in place at this time. |
| 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) | Algeria | Yes. |
| Argentina | It has not been defined yet. |
| Australia | These will be reflected in the amended AMSA Marine Order. SAL believes that the definition will not be dissimilar to that of the UK |
| Belgium | This issue has been discussed and the cases of consolidation cargo or several layers of bills of lading have been explained to the authorities.  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 or upon whose instructions the container was loaded) and the contractual shipper under the ocean bill of lading have to cover their position against their principal in a contractual way. |
| Brazil | No. |
| Croatia | The shipper is defined same as in UK as well as in IMO MSC.1/Circ. 1475. |
| Cyprus | Not yet. |
|  | Denmark | The Act has incorporated a definition of the Shipper in Danish language. Translated the wording stipulates:  “The legal entity or person listed in the bill of lading or seawaybill or equivalent multimodal transport document (e.g. a through bill of lading) as shipper and/or who has entered into (or in whose name or on behalf of) a transport agreement concluded with a shipping company“. |
| Dubai | No specific definition has been issued. |
| Finland | Yes, but further discussions continue on this point. |
| France | The party on the bill of lading or document of transport (same as UK). |
| Germany | Will be the same as UK. |
| Greece | No, at the moment, the shipper is the party on B/L. |
| Hungary | No specific definition has been issued. |
| Israel | It has not been finalised yet but we assume that the U.K. approach will be adopted also in Israel. |
| Italy | In Italy they have decided the shipper is the party mentioned on the B/L. |
| Japan | The party who is mentioned on the B/Lading or transport documents relevant. |
| Jordan | Not yet |
| Kenya | Shipper is importer/exporter as mentioned in B/L. |
| Lebanon | Same stipulation is adopted by Lebanese law. |
| Libya | No. |
| Malta | No. |
| Mexico | The person named on the bill of lading as shipper. |
| Morocco | The one mentioned on the Bill of Lading as “shipper”. |
| Montenegro | Not received published information so far. |
| Netherlands | The shipper is the one who fills the container with goods and finally closes same. |
| Panama | 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. |
| Poland | Yes, Shipper as shown in the B/L. |
| Portugal | No. |
| Slovenia | Shippers or party nominated in B/L. |
| South Africa | Yes. It is the party mentioned in the B/L. |
| 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. |
| Tunisia | Mentioned in the B/L. |
| UK | Yes. |
| Ukraine | Yes, the shipper. |
| 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) | Algeria | Method 1 |
| Argentina | Method 1 (actual weighbridge certificate) is expected to be used in greater proportion. |
| Australia | Not known. |
| Belgium | This will also depend on the conditions of approval with regard to Method 2 (certification, who will be allowed). We have asked for a level playing field at least with the surroundings countries, as we understood there are talks going on with Germany and the Netherlands.  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 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 | All containers are weighed so 100% Method 1. |
| Croatia | Currently unknown. |
| Cyprus | It is not yet known. |
| Denmark | At this point of time we are not entirely sure, but we assume that many shippers on long-term would prefer Method 2. |
| Dubai | 100% Method 1, all containers to be weighed at the terminal. |
| Finland | Method 1, 20%, Method 2, 80%. |
| France | The method will depend on the kind of cargoes but expect method 2 to be used for the great majority of shipments. |
| Germany | We expect following proportion: Method 1: 25%, Method 2: 75%. |
| Hungary | About 50% Method 1 at shippers site, about 25% Method 1 in the port terminal. |
| Israel | Shippers might use both Methods but we do not know in which proportion. |
| Italy | This point is in progress but we will strongly push for Method 1 to be exclusively used. |
| Japan | Unknown at present. Presume Method 2 will be bigger portion as existing weighbridges or truck scales are limited. |
| Jordan | Will depend on the system put in place. If container terminal option, 100% reliance on weighbridge, connected to Terminal Operating System (to be developed), with EDI data exchange with the carrier. |
| Kenya | Over 90% to use Method 1. |
| Lebanon | In Beirut, expect 95% would use Method 2. |
| Libya | Perhaps Method 1, but we are yet to be instructed by Authority |
| Malta | Sorry we do not know. |
| Mexico | Method 1 100%. All containers must be weighed, packed and sealed. |
| Montenegro | Not received published information so far. |
| Morocco | We believe that the big industries who have available weighbridge will opt for Method 2. The rest which represent the majority will opt for Method 1. |
| Netherlands | 40% Method 1 against 60% Method 2. |
| Panama | It will depend on the authority requisites to certificate a balance. |
| Peru | The authority has defined that Method 2 applies. |
| Philippines | Still to be discussed. |
| Poland | For Method 1: 23%, for Method 2: 26 %, for both: 20% |
| Portugal | Not yet known. |
| Slovenia | Proposal is Method 2. |
| South Africa | We anticipate a 70% Method 1, 30% Method 2 split would prevail. |
| Sweden | As a qualified guess the proportion will be 50/50. |
| Tunisia | 99% Method 1. |
| UK | 80% Method 1, 20% Method 2. |
| Ukraine | Not known at this time. |
| What container weighing facilities currently exist in your country? | Argentina | Weighbridges. |
| Australia | Weigh in motion, weigh bridges. |
| Belgium | 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).  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). There will be several new private initiatives, one of them will not only weigh but also forward the weigh results under the form of a “shipping document” (see MSC-guidelines) directly to the carrier/booking agent and the terminal (if connected with their system but already one big carrier and one big terminal have joined the initiative).  Same initiative will probably also offer the possibility of electronically sending a “shipping document” to the carrier/booking agent through their platform, even if weighing is not performed by them. Seems to be comparable with the e-VGM initiative of INTTRA. |
| Brazil | Weighbridges operated by private terminals or public ports facilities. |
| Croatia | All container terminals in Croatia are equipped with weighing facilities. |
| Cyprus | Weighing facilities exist at the port limits. |
| Denmark | There are several facilities with weighbridges in Denmark, which are traditionally located near ports with handling of Agriculture commodities. |
| Dubai | All containers will be weighed at the terminal. |
| Finland | Weight bridges in major ports, industry area, cranes and trucks with scales etc. Some consolidators/forwarders are considering acquiring their own scales. |
| France | There is presently a lack of available weighing facilities. |
| Germany | We have no information about the technical specifications of the weighing facilities. |
| Greece | Weighbridges. |
| Hungary | Weighbridges. |
| Israel | At present ports are weighing all containers brought by truck through the port gates. At present containers which arrive by train are not being weighed. |
| Italy | 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.  b) Outside port area: Additional public weighing facilities are available in close proximity to major ports areas.  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 |
| Japan | Truck scale and/or weighbridges. |
| Jordan | Some weighbridges on public roads but the long distances to the port prevent accurate weight calculation and leaves too much room for fraud between the weighing of the full truck and the empty truck. There are also weighbridges at the Container Terminal allowing full/empty truck weighing at short distance. |
| Kenya | Fixed and highway in motion weigh bridges. |
| Lebanon | Weighbridges. |
| Libya | Old and damaged weigh bridges. |
| Malta | 5 or 6 weighbridges exist in Malta. |
| Mexico | In Mexico there are scales in some roads to control the weight. |
| Montenegro | At the port of Bar there are 3 weighbridge facilities (capacity up to 60t and 50t). |
| Morocco | In Morocco there are many facilities and it’s probably that weighbridge will be used outside of the Port. |
| Netherlands | Currently weighbridges. Local container terminals are also installing measuring devices in their cranes as a pilot project. |
| Panama | Some on the road and some at the container terminal entrances. |
| Peru | Calibrated scales where available. |
| Philippines | Container bridge. |
| Poland | Weighbridge in most of the port terminals. Some are quite a distance from the terminal. |
| Portugal | Sufficient for the traffic of the container ports (Madeira and Azores excluded. |
| Slovenia | Weighing facilities are very poor. There is weighing on container terminal with STS panamax cranes. |
| South Africa | Very few weighbridges are currently available. |
| Sweden | Some ports have facilities, as do some larger industries. On several places road scales are available. |
| Tunisia | Only one inside the port during customs control. |
| UK | Currently weighbridges but many out of service. Some ports investing in calibrated lifting equipment |
| Ukraine | A number of weighbridges are available, currently operated for, and dedicated to, customs control activities |
| Are all containers currently weighed? | Algeria | Not at present but will be introduced shortly. |
| Argentina | The weight of loaded containers for export is currently informed in customs documents and, in case of doubt, the Federal Administration of Public Revenue requests the weighing. Subsequent to the introduction of the new criteria, this programme will also be extended to cover the SOLAS obligations. |
| 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, for customs purposes only. |
| Croatia | No. |
| Cyprus | No. |
| Denmark | No. |
| Dubai | No. |
| Finland | No. |
| France | No. |
| Germany | No. |
| Greece | No. |
| Hungary | No. |
| Israel | The answer is yes, at the entrance of each port. |
| 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 same to the involved parties (it is their responsibility to do so and they are fully liable for that). Normally, no further weighing is undertaken. |
| Japan | It is depends on type of cargo or commodities packed. Some containers are weighed by truck scale. |
| Jordan | Yes at the Terminal for the safety of the Terminal stevedores |
| Kenya | Not all containers are weighed. |
| Lebanon | No. |
| Libya | No. |
| Malta | No. |
| Mexico | No. |
| Montenegro | Not all containers are weighed. |
| Morocco | Not all of them, only some import/inbound cargos subject to payment the custom duties per kilo. |
| Netherlands | No. |
| Panama | Yes, but just to determine they do not exceed maximum gross weight container capacity. No receipt or evidence of the container weight unless exceed. Actually just weight export containers. |
| Peru | Yes. All export containers are weighed for customs purposes. |
| Philippines | No. |
| Poland | Not in terminal. |
| Portugal | No. |
| Slovenia | No, just calculated mass. |
| South Africa | Some. |
| Sweden | No. |
| Tunisia | Yes but without any document delivered |
| UK | No. |
| Ukraine | No |
| If not, how often do containers get weighed? (And how is that determined, is it by cargo type?) | Algeria | Yes. |
| Argentina | See q. 8 above. |
| Australia | N/A |
| Belgium | No idea. But very few, see availability of weight equipment. Only if crane driver suspects overload or unbalanced stuffing. |
| Brazil | N/A |
| Croatia | Very few and usually only on request, e.g. customs purposes. |
| Cyprus | At random, subject to the discretion of the Cyprus Ports Authority. |
| Denmark | Containers are not often weighed, but shippers estimate the weight and no further actions taken. |
| Dubai | N/A |
| Finland | Only on request/certain reason. |
| France | Only for specific cases (customs purposes). |
| Germany | During loading via the container bridges. But only to avoid damages on the bridges. We have been told weighing would be technically possible, but the terminals fear to be held liable.  Some liners draw samples to check the weight. But the containers are chosen randomly. |
| Greece | Only containers which are imported. |
| Hungary | About 50%. |
| Italy | 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).  Shippers themselves can apply for additional weighing, in case of any doubt/discrepancy/problem/dispute.  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 over-weight are spotted, accurate weighing at relevant facilities is then provided.  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. |
| Japan | As per shipper or maker’s instruction. |
| Kenya | All Import laden containers transported by trucks into the Hinterland are weighed at designated weigh bridges. |
| Lebanon | Seldom. |
| Libya | Not at all. |
| Malta | Sorry we do not know. |
| Mexico | Depends on the road weight limit. |
| Montenegro | Containers are weighed according to forwarder / customs requests. |
| Morocco | Either by weighing or by cargo type. |
| Netherlands | Occasionally - but we do not know whether it is related to cargo type. |
| Peru | N/A |
| Philippines | When there are disputes and/or weight indicated is beyond the capacity of container as per CSC plate. |
| Poland | Most containers if any are weighed mainly at the place before starting transport to terminal to ascertain gross weight for road permit. |
| Portugal | About 20%. |
| Slovenia | Only container stuffed in the port are weighed. |
| South Africa | Generally where bulk and scrap metal is the commodity. |
| Sweden | The container weight is almost never checked by authorities in the ports. |
| UK | Rarely. |
| Ukraine | As required for customs control purposes and on request from the cargo owner |
| What is the cost for weighing a container? | Algeria | Not yet determined. |
| 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. |
| Croatia | Not known at present. |
| Cyprus | €25 each at the port area including cost of transport. |
| Denmark | Upon asking a member with own weighbridge the cost is approx. DKK 5/per gross tons in one container in connection with a container weighing. |
| Dubai | Not known at this time. |
| Finland | Party requesting weighing. |
| France | Depending on the places but a minimum average of €150/200. |
| Germany | Approx. €60.00 per container. But some terminals announced a review of their pricelists due to the new regulations. |
| Greece | €10-12.00. |
| Hungary | Abt. €4-5.00. |
| Israel | About €7.25. |
| Italy | Costs may vary, in accordance to the facility and the location where weighing is done: in average, from €30.00 to €50.00 (if containers are to be weighed – for whatever reason - are stacked at Terminals yard, of course the costs for the necessary extra-moves must be added). |
| Japan | It stipulated weighing charge by licensed sworn measurers has tariff depends on actual container weight. |
| Jordan | JOD 3.5 (US$ 5.00) at the Terminal |
| Kenya | US$ 35.00 |
| Lebanon | US$ 5 per unit. |
| Libya | Not applicable. |
| Malta | €1.60 + VAT 18% per metric tonne on the nett weight of the cargo. |
| Mexico | We do not have that information. |
| Montenegro | Port of Bar tariff is €0.50 per tonne (TARE + BRUTO). |
| Morocco | 200 Moroccan Dirhams (€20) per container excluding VAT & regional tax. |
| Netherlands | Unknown. |
| Panama | Not known. |
| Peru | No cost. |
| Philippines | 150.00 Filipino pesos (US$3.26) per container. |
| Poland | From €6-10. |
| Portugal | Don’t know. |
|  | Slovenia | Tariff is :  Rail € 19.00 weighing € 19.00 weighing tare of wagon  Truck € 30.00 weighing € 78.00 transport |
| South Africa | This varies. |
| Sweden | On available road scales it is free of charge. |
| Tunisia | About €2.50. |
| UK | £25.00. |
| Ukraine | US$10 – 60, depending on the terminal. |
| Who has responsibility to arrange for container weighing? (Port, line, agent, shipper, etc.) | Algeria | The port authority |
| Argentina | Shipper. |
| Australia | Exports – Shippers. Imports – Stevedores, before being put on 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. |
| Croatia | Legal entity named on the B/L as shipper / forwarder on account of shipper. |
| Cyprus | The agent for account of the vessel or the importer or exporter as the case may be. |
| Denmark | The Shipper from time to time uses terminal equipment to estimate the weight. |
| Dubai | Terminal operator. |
| Finland | Responsibility not defined. Pending case… |
| France | Depending on the reasons of weighing (agent/shipper/freight forwarder). |
| Germany | In general the shipper, but in fact it will be the agent/liner who has to arrange the container weighing if this has to be checked by the authority. |
| Greece | The port. |
| Hungary | Not defined. |
| Israel | The Shipper, the port, the train operator and the inland container terminal. |
| 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,…). |
| Japan | Exporter means Shipper or their nominated Forwarding agents. |
| Jordan | Shipper and their forwarder arrange weighing at Container Terminal |
| Kenya | Shipper. |
| Lebanon | Shipper. |
| Libya | When in force, the Port Authority. |
| Malta | Any one. |
| Mexico | The shipper. |
| Montenegro | Forwarder on behalf of cargo owner. |
| Morocco | Shipper. |
| Netherlands | Shipper. |
| Panama | Shipper. |
| Peru | Shipper. |
| Philippines | Line and shipper. |
| Poland | Shipper. |
| Portugal | Shipper. |
| Slovenia | Shipper or his representative or Party in B/L. |
| South Africa | The shipper. |
| Sweden | According to SOLAS it is the shipper that has to arrange to get the weight verified. |
| Tunisia | Shipper. |
| UK | Shipper. |
| Ukraine | Usually the cargo owner but occasionally the customs authorities. |

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| Are the weighbridge facilities certified by authorities? | Algeria | Yes. |
| 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, by the Brazilian government. |
| Croatia | Croatian legislation requested “Method 1” shippers to use the certified weighbridges only. Requirements of EU directive 2014/31/EU on non-automatic weighing instruments and dir. 2014/32/EU for automatic weighing are applied. |
| Cyprus | Yes. |
| Denmark | Yes, and with reference to EU directive for weighing equipment. |
| Dubai | Yes. |
| Finland | Yes. |
| France | Shipper will have to get the gross mass of the shipment by weighing on calibrated and certified equipment. |
| Germany | Yes (Eichamt). |
| Greece | Yes. |
| Hungary | Yes. |
| Israel | Yes. A specific unit in the Ministry of Economy and Commerce under the Weight and Measurement Order 1947 is in charge of checking weighing facilities country-wide. |
| Italy | Yes, weighbridge facilities must be homologated, tested and certified by Authorities. |
| Japan | In accordance with commercial law, licensed sworn measurers are required to examine its facilities on regularly basis. |
| Jordan | Yes at the Terminal |
| Kenya | Affirmative. |
| Lebanon | Yes. |
| Libya | Used to be before war. |
| Malta | No. |
| Mexico | Yes. |
| Montenegro | Weighbridge facilities are certified. |
| Morocco | Ministry of Trade and Industry. |
| Netherlands | Yes. |
| Panama | Not yet. |
| Peru | Yes. |
| Philippines | Yes, they are. |
| Poland | Yes. |
| Portugal | Yes. |
| Slovenia | Yes, by the Ministry of Economic Developments and Technology, Metrology Institute of the Republic of Slovenia. |
| South Africa | Yes. The NRCS(National Regulator for consumable specifications) have been appointed by SAMSA |
| Sweden | Yes. |
| Tunisia | Yes. |
| UK | Yes. |
| Ukraine | No. |
| Does the weighbridge issue a certificate of weight? | Algeria | Yes. |
| Argentina | It issues a weight receipt or ticket. |
| Belgium | Yes, if it is certified to do so. |
| Brazil | Yes. |
| Croatia | Yes. |
| Cyprus | Yes. |
| Denmark | Yes. |
| Dubai | Yes. |
| Finland | Yes. |
| France | In principle, yes. |
| Germany | This has not yet been confirmed. |
| Greece | Yes. |
| Hungary | In some cases yes. |
| Israel | The port weighbridge currently issues the certified weight of the Container to the truck driver, the Shipper, custom broker and to the container terminal operators. Starting on the 1/7/2016 the same will be done also by the train and various Inland Container Terminals who use both truck and rail services for export containers. |
| Italy | Yes, all private and public weighbridge facilities do issue a certificate. |
| Japan | Yes, licensed sworn measurers of truck scale will issue a certificate of weight. |
| Jordan | Some do, but issue is time and distance between full/empty truck weighing if done outside the Terminal. |
| Kenya | No certificate issued. |
| Lebanon | Yes. |
| Libya | Used to issue before the war. |
| Malta | Yes. |
| Mexico | We do not have that information. |
| Montenegro | Yes it does, certificate of weight is issued. |
| Morocco | They issue a weight receipt. Not yet a certificate. |
| Netherlands | Yes. |
| Panama | No. |
| Peru | Yes. |
| Philippines | Yes, they do issue certificate. |
| Poland | Yes. |
| Portugal | Yes. |
| Slovenia | Yes. |
| South Africa | Yes. |
| Sweden | Not the road scales. |
| Tunisia | Not an official document. |
| UK | Yes. |
| Ukraine | Yes. |
| Will your ‘designated authority’ charge for issuing an approval certificate for using Method 2? | Algeria | Yes. |
| Argentina | Unknown. |
| Australia | Not known. |
| Belgium | Not discussed by our association. This is a matter for the shipper/ cargo interests. |
| Brazil | No (see answer 1). |
| Croatia | Yes. |
| Cyprus | It will be discussed. |
| Denmark | The approval certificate is not issued by the designated authority but may be provided by any entity capable of handling auditing standard processes. It may include costs to get the weighing according to Method 2 certified, e.g. ISO 19001:2012. |
| Dubai | N/A |
| Finland | Hope able reply after seminar end April. |
| France | Designated authority is not involved in the weighing. As stated above, non-compliance will be subject to administrative penalties. |
| Germany | No. Instead it will publish a certain Method which can use for the shipper. |
| Hungary | Not known at this time. |
| Israel | Kindly refer to answer No. 10. |
| Italy | Don’t know yet. |
| Japan | As approved exporter (maker or shipper or nominated forwarding agents), they have to register to governmental sector concerned in advance to certify with Method 2 by themselves. |
| Jordan | Not yet known |
| Kenya | Under discussion. |
| Lebanon | No. |
| Libya | Not clear yet. |
| Malta | Sorry, we do not know. |
| Mexico | There is no Method 2. |
| Montenegro | Not received published information so far. |
| Morocco | In process. |
| Netherlands | Their intention is to keep both the administrative burden and the costs as low as possible for the shipper. |
| Panama | Not defined yet. |
| Peru | The National Port Authority. |
| Philippines | For discussion. |
| Poland | It is not known yet. |
| Portugal | Not yet sure. |
| South Africa | No mention of this as yet. |
| Sweden | Probably, but the legal situation is unclear whether the maritime administration is allowed to stipulate requirements on land based activities. |
| Tunisia | Don’t know yet, but a private company is starting a weighing station and will charge around €15/unit. |
| UK | No. |
| Ukraine | This has not yet been determined. |
| 1. Who pays the cost? (Shipper, line, agent etc.) | Algeria | The shipper. |
| Argentina | The Shipper is supposed to pay the cost. |
| Australia | Not known. |
| Belgium | See q. 14, shipper. |
| Brazil | When implemented, probably the shipper. |
| Croatia | The shipper (see q. 11). |
| Cyprus | The line or the shipper as the case may be. |
| Denmark | Shipper. |
| Dubai | Shipper. |
| Finland | Not known. |
| France | In principle the cargo either through the shipper, freight forwarder or agent depending on the cases. |
| Germany | In theory the Shipper, but if the weight has to be checked on the terminal, the line/agent will received the invoice and can try get his expenses. |
| Greece | Shipper. |
| Hungary | Up to the business. |
| Israel | The shipper through his custom broker. |
| Italy | Don’t know yet. |
| Japan | In principal, for account of the applicant. |
| Jordan | Shipper |
| Kenya | Shipper. |
| Lebanon | Shipper. |
| Libya | When in force, the agent. |
| Malta | Anyone. |
| Montenegro | Forwarder on behalf of cargo owner. |
| Morocco | Shipper. |
| Netherlands | Shipper. |
| Panama | Must be the shipper. |
| Peru | There is no cost. |
| Philippines | Requesting party but mostly it would be the shipper. |
| Poland | Shipper. |
| Portugal | If charges are applied, it will be the shipper. |
| Slovenia | Shippers or nominated party in B/L. |
| South Africa | It would be the shipper. |
| Sweden | According to agreement, but in most cases it will be the Shipper. |
| Tunisia | Shipper. |
| UK | Shipper. |
| Ukraine | The ship agent on behalf of the shipper. |
| Will your ‘designated authority’ allow any tolerance on weights? (In UK for example, they allow + or – 5%) | Algeria | Yes, the same as UK |
| Argentina | The Enforcement Authority considers that there should be tolerance on weights. It is being analysed. |
| Australia | As part of AMSA draft MO 42, standards of accuracy, consistent with the National Measurement Institute standards have been included. |
| Belgium | Yes. As a principle the VGM needs to be accurate, but the enforcement process will only be initiated at a difference of + or - 5% between VGM and weight assessed upon control by authorities. |
| Brazil | Not defined yet. |
| Croatia | It is expected the regulator will us the threshold of +/- 5%. |
| Cyprus | It will be discussed. |
| Denmark | The Danish Act (published by the designated authority on 29th April) incorporates a clause mentioning the use of an alternative weighing method e.g. using a Reach Stacker. During an interim period of one year tolerance can be accepted +/- 1,000 kilos per container. |
| Dubai | Not stated. |
| Finland | Only to the extent of the type-certified tolerance of the scales. |
| France | The tolerance on weights when using facilities which must be in conformity with directive 2014/31/EU will have to be within the maximum limits which are allowed (different in accordance with the chosen method). |
| Germany | Not in general. Weight is weight, but if you use Method 1 to have to use an instrument of accuracy class IV, this means de facto a tolerance of 2%.  But if you use the Method 2 the requirements will be stricter, because the shipper has to use an instrument of accuracy class III. |
| Israel | No overall decision was yet reached about the accepted tolerance. |
| Italy | Yes, +/-5%. |
| Japan | Here in Japan, it is indicated allowance with +/-5 %. |
| Jordan | To be confirmed (recommendation issued to apply 5%) |
| Kenya | Affirmative – possibly +/-1-3%. |
| Lebanon | This is still not clear. |
| Libya | NA |
| Malta | Sorry we do not know. |
| Mexico | We do not have that information. |
| Montenegro | Not received published information so far. |
| Morocco | +/- 5%. |
| Netherlands | Probably yes. The shippers association involved is asking for +/- 5%. |
| Panama | Not defined yet. |
| Peru | Yes. Peruvian customs allows a tolerance of +/- 5 % on weights for loose loaded cargo. |
| Philippines | For discussion. |
| Poland | A 5% allowance has been indicated. However the standard tolerance on weights is 200 kilos on 60.000 kg on a weighbridge (0.33%). |
| Portugal | We expect it will be around 5%. |
| Slovenia | Proposal is 4%. |
| South Africa | This is now under discussion. |
| Sweden | This has been discussed but no value is settled. |
| Tunisia | Don’t know at this stage. |
| UK | Yes, +/- 5%. |
| Ukraine | This has not yet been determined. |

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| Will penalties apply to any container found to be at variance with declared weight? | Algeria | Yes. |
| Argentina | Unknown. |
| Australia | Not clear at this stage. The current draft of amended MO 42 does not include penalties in this regard. |
| Belgium | Yes. |
| Brazil | Not clear yet. |
| Croatia | Yes, for any variance greater than 5%. |
| Cyprus | In the case that a container is found to be overweight it may not be allowed to be loaded on board the vessel. |
| Denmark | We have been informed by DMA that a violation in excess of 5% of the VGM provided in the papers would cause sanctions. |
| Dubai | N/A |
| Finland | As above. |
| France | Administrative penalties (please see above). |
| Germany | This is still not clear. However, it could be not loaded. |
| Israel | Containers whose weight (tare + cargo) will exceed the container permissible weight will be returned to the shipper’s premises in order to adjust the weight to the permissible weight. We assume that shippers with significant variances of actual weight compared to the declared weight will be approached by the Ports, their custom broker and the shipping agent to improve his weight declarations. |
| Italy | We believe so but don’t know yet. |
| Japan | Yes, if it is false or the declaration exceeds allowance and/or no licensed sworn measurers determine weight of container, etc. |
| Jordan | Probably yes |
| Kenya | Under discussion. |
| Lebanon | This is still not clear. However, it could be not loaded. |
| Libya | N/A |
| Malta | Sorry we do not know. |
| Mexico | Has not been defined. |
| Montenegro | Penalties may have occurred in case discrepancies in declared weight were found. |
| Morocco | Penalties has been suggested by APRAM. |
| Netherlands | Not known yet. |
| Panama | Not defined yet but there’s intention to apply penalties. |
| Peru | No sanction. The container will not be loaded on to the ship. |
| Philippines | For discussion. |
| Poland | Not decided yet. |
| Portugal | Yes. |
| South Africa | We presume a penalty will be introduced. |
| Sweden | Most probably the authorities will not check container weights and penalties will not be charged. |
| Tunisia | Most probably no. |
| UK | Nothing planned but if the weight had been determined using method 2 the appropriate party would be struck off. |
| Ukraine | This has not yet been determined. |
| 1. Who pays any penalties? | Algeria | The shipper. |
| Argentina | Unknown. |
| Australia | As per 17, the shipper. |
| Belgium | Can only be the shipper in case of wrong VGM.  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. |
| Brazil | When implemented, probably the shipper. |
| Croatia | The shipper. |
| Cyprus | The vessel or the shipper as the case may be. |
| Denmark | Shipper. |
| Dubai | N/A |
| Finland | As above. |
| France | At the end the cargo through the shipper. |
| Germany | Not yet decided, but it must be the Shipper or the nominated party in B/L |
| Italy | Should be the shipper (or the NVO appointed). |
| Japan | The party who made false return. |
| Jordan | Shipper |
| Kenya | Shipper. |
| Lebanon | Shipper. |
| Libya | When in force, the agent. |
| Malta | The entity found by the authorities to be responsible for misdeclaration. |
| Montenegro | Forwarder on behalf of cargo owner. |
| Morocco | Shipper. |
| Netherlands | Shipper is responsible, so it may be expected that he is the one to pay. |
| Panama | Shipper. |
| Philippines | For discussion. |
| Poland | Not decided yet. |
| Portugal | The Shipper |
| Slovenia | Shippers or nominated party in B/L. |
| South Africa | The shipper who may then go against his nominated packing station. |
| Sweden | The person how signed the certificate. |
| UK | Shipper. |
| Ukraine | For export containers, the agent on behalf of the shipper. |
| How will transhipment containers be handled? (Will the mother vessel accept weights declared from feeder vessel)? | Algeria | Yes, the feeder vessel certificate will be accepted. |
| Argentina | Transhipment containers should be accepted according to the certification of origin. |
| Australia | As mentioned in the previous survey, 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). |
| Brazil | Not clear yet. |
| Croatia | Yes, if the mother vessel covered by SOLAS (500 GT and more engaged in international voyages). |
| Cyprus | Transhipment containers are handled according to the weights mentioned in the manifests. Occasionally the port authorities may ask for such containers to be weighed at random. |
| Denmark | According to the legislation it is the VGM from point of origin that goes into the manifest and which will be used in connection the on-carriage. |
| Dubai | Not known at this time. |
| Finland | Or vice-versa. Believe yes as units have been subject to weight using Method 1 or 2. |
| France | In principle yes |
| Germany | Yes, as long as SOLAS applies to the feeder vessel |
| Hungary | We do not have mother vessels only trucks, railway waggons and barges or self-propelled vessels |
| Israel | The answer is positive. The mother vessel will accept the weight declaration from the first port of loading |
| Italy | Don’t know yet |
| Japan | Terminal operator able to check if container weight is same weights with shipping documents relevant. |
| Jordan | Should be the case as shipper is not in the country and the carrier accepted VGM on the first leg. |
| Kenya | Cargo originating from compliant ports will be exempted from re-weighing |
| Lebanon | Yes. |
| Libya | When in force, yes. |
| Malta | Sorry, we do not know. |
| Mexico | Containers must have its verified gross mass certificate from origin. |
| Montenegro | Mother vessel will accept weights declared from the feeder vessel. |
| Morocco | In process. |
| Netherlands | Topic not clear yet. |
| Panama | Weight must be declared by shipper, meaning only origin can declare it. Weight certification must be traceable during trip (origin – transhipments – destination). |
| Peru | Yes, if they accept the stated weight. |
| Philippines | For discussion. |
| Poland | Rather yes. |
| Portugal | Yes. |
| Slovenia | No information, but presume yes. |
| South Africa | As per the IMO ruling transhipment type containers need not be weighed. |
| Sweden | According to § 8.1.2 of MSC.1/Circ.1475. |
| Tunisia | Not relevant (we are a feeder port). |
| UK | Weight loaded to feeder vessel will be accepted. |
| Ukraine | This has not yet been determined. |
| How will you handle such as FOB shipments where the buyer (presumably overseas) is the declared shipper? | Algeria | As per our local bank and customs procedures. |
| 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 comprised. A relevant inclusion may be required in contractual arrangements (between seller and buyer) to ensure matters relating 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 or upon whose instructions the container was loaded) and the contractual shipper under the ocean bill of lading 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). |
| Croatia | SOLAS requires that only container with verified gross mass (VGM) can be loaded on-board. It is responsibility of shipper to obtain VGM prior the loading. |
| Cyprus | In cooperation with the carrier/ship owner/operator. |
| Denmark | Shipper or his representative is responsible to clarify VGM, hence the FOB shipper to be guided accordingly. |
| Dubai | Not known at this time. |
| Finland | The shipper authorised under the transport agreement is ultimately responsible for the contents of the container and for reporting the VGM. |
| France | The party remitting/claiming the container on the terminal and performing the export/import customs formalities. |
| Germany | Not yet clear. |
| Hungary | Do not have idea so far. |
| Israel | In our opinion it is a rare possibility. In case it might happen we assume that the container will be sent back to his actual producer in order to reduce the weight to the permissible weight. |
| Italy | The buyer is subordinate, the shipper is responsible. |
| Japan | Regardless with terms of sales contract, all containers for export must follow SOLAS Regulations. |
| Jordan | Will depend on the system put in place. If at the Terminal, VGM will be a local charge to be paid with THC (and other applicable charges). |
| Kenya | Shipper = exporter/importer. |
| Lebanon | The real local shipper will be traced through the customs clearing agent. |
| Libya | Not decided by authority yet. |
| Malta | Sorry, we do not know. |
| Mexico | The person named on the bill of lading as shipper will be the responsible. |
| Morocco | In process. |
| Montenegro | We will act as per forwarder instructions. |
| Netherlands | Do not yet know. |
| Panama | It’s shipper responsibility so they need to be sure to comply with the weight certification and all government requirements. |
| 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. |
| Poland | Order for weighing the container will be done on behalf of shipper by agents /forwarders. |
| Portugal | Not known yet. |
| Slovenia | Forwarders responsibility or party nominated in B/L. |
| South Africa | This will be dealt with through the vessels agent. |
| 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. |
| Ukraine | This has not yet been determined. |
| Additional comments: | Argentina | The regime introduced in February 2016 will continue in operation for one year, following which it will be reviewed and permanent legislation put in place. |
| Australia | 1. AMSA is currently in discussion with the other modal regulators (Heavy Vehicle & National Measurement Institute) to establish consistency in the documentation, declaration, weigh methods and associated tolerance levels. These will be accordingly reflected in AMSA’s amended Marine orders, a draft of which is due in Feb. 16.  2. From an implementation perspective, changes are currently being made to the electronic declaration for containers (Pre-Receival Advice) to reflect the SOLAS requirements with regard to shipper identity, verified weight and method used. These will be introduced with effect from 13th April. It is envisaged that a container booking (for subsequent loading) will not proceed until the aforementioned information is provided.  3. SAL is hopeful that the designated authority, viz. AMSA, will fulfil its IMO enforcement obligations and have some form of compliance regime. Shipping lines will not be undertaking this task. |
| Belgium | NAVES have ensured its members are kept up to date by the issue of regular circular letters. |
| Croatia | Agency Association established contact with the “designated authority” and The Ministry of Shipping. Awaiting advice for the meeting and official statements on all open questions. |
| Cyprus | Reverting after the subject – matter will be discussed and or final decision will be taken. |
| Denmark | The organisations involved, including the Danish Shipbrokers’ Association, have had a comprehensive dialogue with the Danish Maritime Authority during the hearing of the Act. |
| Finland | Reverting to open items… Domestic forces working for approval of a 5 percent weight tolerance for forestry/timber products. |
| France | The ministerial order will be issued very soon. |
| Germany | For further details see: <http://www.deutsche-flagge.de/en/safety-and-security/cargo/loading-of-containers?set_language=en> |
| Israel | Your Questionnaire is a nice opportunity to make some order within everybody's system. |
| Japan | Eventually, kindly please be acknowledged that our designated authorities are in process to legalize this with relevant notifications, which are published already for parties concerned to invite their public opinions, prior to put inforce internally. |
| Kenya | As an Association representing shipping agents and by extension shipping lines, we are pushing the concerned government agents to fast-track implementation arrangements. |
| Libya | None for the time being. |
| Philippines | Unfortunately, there are still no available data to the questions and are not yet determined as of this time. The Philippines liner shipping industry thru the AISL is continuously liaising with all the maritime government agencies. |
| Portugal | In what concerns Portugal so far we know already that the designated authority (IMT) and we had as AGEPOR already 2 meetings with other industry actors. We also wrote to them our point of views but they didn’t come yet with the rules. Recently we wrote to the new Minister calling her attention to the subject and asking for her intervention in order to speed the process. |
| Slovenia | We just received first reply from our authorities. Forwarders are preparing information for all shippers in Hungary, Czech Republic, Slovakia, Austria and Serbia.  From them we have no information, nor from big companies like CMA CGM, MSC, MAERSK etc. |
| South Africa | Transnet Port Authorities have also set up a Navis Pre advice message in the system. |
| Tunisia | We expect that due to lack of accurate weighing inside the port, private operators will deploy weighing stations delivering proper certificates that will be accepted by deep sea liners in transhipment ports. |
| Ukraine | During the preparing of this conclusion we have used the following statutory instruments:  1. The Constitution of Ukraine;  2. Customs Code of Ukraine;  3. The Resolution of the Cabinet of Ministers of 21.05.2012 № 451 "Questions of crossing the state border by people, automobiles, water, railway and air transport of carriers and goods which are transported by them".  4. The Resolution of the Cabinet of Ministers of Ukraine of 02.04.2009 № 320 "On approval of the procedure of transportation of the goods at checkpoints across the state border, located in the seaports of Ukraine, during the container shipping in direct intermodal traffic".  5. The Order of the Ministry of Finance of Ukraine of 30.05.2012 № 631 "On the procedure of customs formalities during the carrying out of the customs clearance of goods using the customs declaration in the form of a single administrative document".  6. Order of the State Customs Service of Ukraine of 17.09.2004 № 678 "The Instruction on customs control and customs clearance of vehicles and goods which are transported by them".  According to the requirements of the customs legislation of Ukraine, customs - customs control is a set of measures which are taken to ensure the compliance with the provisions of this Code, laws and other normative acts on public customs, international agreements of Ukraine concluded in accordance with the law (section 24 part 1, Art. 4 of the CC of Ukraine).  All the goods and vehicles which crossing the customs border of Ukraine are the subject to the customs control.  Customs control of goods, vehicles of the carriers at checkpoints across the state border of Ukraine is carried out around-the-clock according to the standard technological schemes for crossing the state border of Ukraine of automobile, water, railway and air transport of the carriers, approved by the Cabinet of Ministers of Ukraine.  Procedures for customs control are governed by the Cabinet of Ministers of Ukraine in accordance with the rules of the Customs Code of Ukraine.  It should be noted that the government decision which is referenced above doesn’t contain any definition, reason, limits of authority and the method of weighing the cargo in containers.  Based on the above it can be concluded that the procedure of weighing of the containerized cargo, as customs control measure, is not regulated by the current legislation of Ukraine.  Under the provisions of CC of Ukraine, all customs measures must be carried out directly by customs officials and exclusively in the forms prescribed by the CC of Ukraine and other laws of Ukraine on customs matters.  Taking into account the differentiation by the state of weighing and inspection procedures, the legislation of Ukraine does not attribute the weighting to any law specified form of customs control, and does not contain the requirements under Part. 2, Art. 19 of the Constitution of Ukraine:  • the basis for the weighing of containerized cargo as customs control measure,  • the spectrum of authorized persons directly entitled to carry out the weighing of containerized cargo as customs control measure,  • the method (order) of the weighing of containerized cargo as customs measure and form of document which is required for registration of the container weighing as measure and result of customs control.  The absence of the above normative regulation does not allow to qualify the weighing of containerized cargo at checkpoints placed in Ukrainian sea ports to customs control measures which are provided by the legislation of Ukraine. |