

FONASBA MEMBERSHIP ENQUIRY



ENQUIRY RESPONSE FORM

ORIGINATING ASSOCIATION:	Centro de Navegacion (Argentina)
ENQUIRY DETAILS:	<p>We are in discussion with the national customs authorities in an effort to incorporate best practices and eliminate incorrect actions related to inspections of vessels by officers of the agency. With particular reference to the stores declaration:</p> <ol style="list-style-type: none"> 1. Are there any regulations in your countries for the practices and scope of vessel inspections by customs agents? 2. Are there any regulations which relate to the scope and contents of the store list declaration made by vessels? 3. Is it necessary to declare ALL items of the vessel's equipment, including that necessary for navigation, operation or loading/discharge? 4. Is it necessary that these lists be translated into local language? 5. Is it common to apply severe fines if any omission or misdeclaration is found? 6. Can the information be presented in digital format or is a hard copy required? 7. Any other comment or clarification on this issue will be highly appreciated.
REPLY TO:	admin@fonasba.com
COPY REPLY TO:	
CLOSING DATE FOR REPLIES:	Friday 11th November

RESPONDING ASSOCIATION COMMENTS:

Algeria	<p>1/ Yes, the vessel is alongside, customs shall be on board to collect documents from Master such as :</p> <ul style="list-style-type: none"> - Cargo manifest (D1 copies) - Crew list (01 copy) - Crew effects declaration (01 copy) - Bond store & provisions list (01 copy) - Narcotic & arms list (01 copy) - Passengers & stowaway list (01 copy) - Money list (01 copy) - Health certificate - Ship's cash list <p>2/ As mentioned above the store list is to be given to the customs</p>
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	<p>3/ The above list is the one asked by the customs</p> <p>4/ No, the same could be given in English</p> <p>5/ Yes, there could be fines if the declaration does not match with the vessel does really have. Fines are also to be paid if a correction is to be done on the BL due to shipper/carrier mistake (i.e. weight, name, goods description....)</p> <p>6/ For the moment a hard copy is required by the customs</p>
Australia	<ol style="list-style-type: none"> 1. Yes. See link below: https://www.border.gov.au/Forms/Documents/Form5Part4.pdf 2. See link above. 3. N/A 4. Required in English 5. Not common 6. Yes
Belgium	<ol style="list-style-type: none"> 1. There are no specific rules, customs agents can perform inspections as they see fit within the scope of their legal authority to investigate, detect and prosecute suspected offences with regard to customs legislation. This authority is well described, in a general way in the General Law on Customs, as well as in the judicial code and IN jurisprudence of a.o. the Constitutional Court as this has to do with basic rights of individuals. Some of the customs agents are officer of the judicial police and have a broader authority. There are no cases of misuse of their authority known to our association. 2. The FAL convention on Facilitation of International Maritime Traffic 1965 + amendments applies. The FAL 3 form has to be used and is to be submitted according to the local procedures. The store list has to include all goods subject to excise duties, such as spirits and tobacco and also the bunkers. Also weapons under the custody of the captain need to be declared. Spirits and tobacco are to be placed in a secure space on the ship to guarantee that they remain on board. This space may be sealed by the customs, which is done in practice only if the ship remains in port for a longer time e.g. in case of arrest. 3. It is not necessary to declare items of the vessel's equipment (such as spare parts or accessories necessary for the operation of engines, machines and other equipment on board) already on board. Items that are delivered on board while the vessel is in the port need to be declared according to the rules set out in the Union Customs Code / depending on their Union or non Union Status /following the local procedures. 4. The Dutch version of the FAL3 has to be used. Strictly spoken it has to be filled out in Dutch but it is tolerated that it is completed in English. 5. Yes. Every customs infringement is a criminal offence in Belgium, hence the severe fines. 6. The FAL3 needs to be sent as a PDF-attachment accompanied by an e-mail. Eventually this declaration will be included in the Maritime Single Window.
Brazil	<ol style="list-style-type: none"> 1. Yes, there are specific regulations to each consenting entities, as well as a risk management system to integrate all the involved in the operation (approving and intervening agents). 2. Yes. 3. Yes, there is an integrated system called "Paperless Port" where the shipping agent should declare that information.

	<ol style="list-style-type: none"> 4. In general, no. However, it can be required in some special situations. 5. Yes, fines or cargo arrest in some cases. 6. Digital format only.
Croatia	<ol style="list-style-type: none"> 1. As Member State of EU, we are obliged to follow EU regulations. 2. Standard IMO FAL form contents are accepted. 3. No, only Bonded store list and Fuel quantities are compulsory. 4. No, English language is fully accepted 5. It is not common to apply severe fines, but Authorities consider that the person who submitted information is responsible for the correctness, and consequently is also responsible for the misdeclaration. 6. Digital format is compulsory.
Cyprus	<ol style="list-style-type: none"> 1. Physical inspection by Customs officers. 2+3. All items are necessary to be declared. Also all vessel's equipment without any exception are declared. 4. It is not necessary for any lists to be translated into the local language. 5. The information required is sent via the Port Community System - Single Window System - whereby all local Authorities can be provided with all declarations and documents. 6. As above
Denmark	<ol style="list-style-type: none"> 1. The information is submitted to National Single Window from where Customs pick the information. 2. There is a format in the National Single Window to make the list for bonded stores, which can be uploaded to the system via Excel format or by inserting it directly into National Single Window. 3. No. 4. No, it is not to be translated. The list to be made in English. 5. No. 6. Yes, it is submitted in digital format through National Single Window.
Dubai	<ol style="list-style-type: none"> 1. Generally Customs do not do vessel Inspections unless there is specific intelligence relating to any issues. 2. No 3. No 4. No 5. No 6. Hard Copy

France	<ol style="list-style-type: none"> 1- No, customs agents are allowed to come on board at any time of the call 2- Only for cigarettes, sailor have a consumption per day allowed, the only thing is not on the store on board but If you are over this consumption per day, you are not allowed to received cigarettes store 3- No only bounded store list 4- No language used is international English 5- Severe perhaps no, I don't know what is a severe fine, but they are given fine is they find any mistake 6- Hard copy required duly signed and stamped by Master
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	7- It is the same for the cash money present on board
Germany	<ol style="list-style-type: none"> 1. No, union customs code and its annexes apply 2. No, except the FAL-Requirements 3. N/A 4. Generally yes, but the Customs accept nowadays also English forms 5. In general, yes! 6. https://www.zoll.de/SiteGlobals/Forms/FormularMerkblattSuche/FormularMerkblattSuche_BegriffSuche_solr_form.html?nn=31458 there you can find the English forms which the German customs accept.
Greece	<ol style="list-style-type: none"> 1. CUSTOMS HAVE THE RIGHT TO BOARD THE VESSEL (AND INSPECT HER) AT ANY TIME 2. YES, LOCAL REGULATIONS AND IMO REGULATIONS (FAL FORMS 3 AND 4). PLEASE FIND COPY ATTACHED 3. NO IT IS NOT NECESSARY TO DECLARE ALL ITEMS 4. NO IT IS NOT NECESSARY TO TRANSLATE THE LISTS INTO LOCAL LANGUAGE 5. CUSTOMS HAVE THE RIGHT TO APPLY FINES 6. THE LISTS ARE SUBMITTED IN HARD COPIES
Hungary	<ol style="list-style-type: none"> 1. only the precept of the authorities 2. no 3. no 4. no 5. no 6. hard copy
Israel	<ol style="list-style-type: none"> 1. The Custom Authorities are entitled by the local regulations to inspect the Store Declarations. They do it only randomly. 2. The Ship's Officers have to fill in the respective Store Declarations for each call in any Israeli Port 3. The Crew has to declare only about the worn out equipment like ropes, paints etc. 4. It is always being done in English. 5. As I realize from my check up the custom authority hardly do any inspections which means that they rely on the Vessels crews. No fines are involved in this process. 6. The answer is negative. The reporting is being done in hard copies only.
Italy	<p>In all Italian ports ships coming from foreign countries need to be inspected by customs officers who normally board the ship and receive a copy of the store list (as per IMO FAL form attached) with particular reference to the bonded stores. They inspect together with the captain the bonded store, leave to the captain the bonded provisions allowed by law per crew member (1 box of cigarettes and some quantity of liqueurs) and seal the bonded store so that it cannot be open till after the ship leaves Italian waters. If the ship is coming from an Italian port the ship has to present a store list signed by customs officers at last port of call and same will be double checked together with the arrival store list to check for any discrepancy. Indeed there are fines in case of big discrepancies in the two documents - if smuggling appears to be involved. Normally customs officers tend to be quite "friendly" and they tend to amend the documents together with the captain in case of possible mistakes etc. Most important items on store lists which are often double checked are all those subject to particular taxation in Italy so cigarettes and</p>

	tobacco in general, liqueurs and bunkers (HFO IFO MGO MDO lubes etc). Store list is accepted in English on IMO FAL form. Normally hard copies are requested.
Japan	<ol style="list-style-type: none"> 1. We have Port State Control Officer who inspect international documents and/or certificates, equipment installed of foreign flag vessels incoming to Japanese ports in accordance with IMO Rules. 2. Customs office requires ship's agent to submit store declaration for monitoring. 3. Not all items but limited items (please refer to attached forms.) 4. Both in Japanese and in English. 5. YES. In case. 6. By electrical data exchange system (Naccs so called). 7. Nil.
Kenya	<ol style="list-style-type: none"> 1. No 2. No 3. No, only crew belongings 4. In English only 5. No 6. Hard copies
Malta	<ol style="list-style-type: none"> 1. Generally, Customs agents only attend to vessels calling from a non-European port. When vessels call from an EU port, the vessel's agent provides a standard stores declaration to Customs (amongst other documents). If a large quantity of spirits and tobacco are declared, they might want to attend the vessel to seal the bonded stores (which seal may then be broken on vessel's departure). When vessels call from a non-EU port, Customs attend together with the vessel's agent to seal the bonded stores (which seal may then be broken on vessel's departure). 2. There isn't any specific regulation however, Customs calculate bonded stores to contain a bottle of spirit + 1 carton of cigarettes per crew per day. This is just a guide line and not a requirement for the contents in the bonded stores. 3. No 4. No - English language is widely accepted in Malta. 5. No 6. Hard copy required
Mexico	<ol style="list-style-type: none"> 1. Mexican custom inspects all the container ships and all coming from South America in coordination with the Marine authority. 2. In Mexico, vessels don't have the liability to present the store list declaration to Mexican custom.
Morocco	<ol style="list-style-type: none"> 1. Yes, Customs Agents board vessels on berthing for inspection. 2. The store lists declarations have to be in strict conformity with physical stores on board mainly regarding spirits and cigarettes. 3. Not necessary. 4. Lists issued in English are accepted. 5. Yes, severe fines can be applied by Customs Authorities.

	6. Hard copies are required so far as controls can be made on the spot.
Netherlands	Unfortunately we do not completely understand all your questions, but please note that there is a regulation for ship stores. We send our IMO FAL 3 to the Customs, with all particulars mentioned on the IMO FAL 3. In principle Dutch Custom accepts Dutch and English language. At this moment majority of the agents is making a photo by mobile after which they send this photo by e-mail to the Customs. Next year digital format will be mandatory, most probably with upload possibility in Port Community System. It is clear that there will be fines in case of irregularities, but these are not severe.
Portugal	<ol style="list-style-type: none"> 1. Customs agents are entitled to visit / inspect vessels whenever they find necessary. 2. Yes. 3. No. 4. No. 5. For bond stores only. 6. Digital format. 7. In case of inspection and discrepancies of figures, customs duties will be applied for the missing quantities.
Russia	<ol style="list-style-type: none"> 1. No. 2. FAL form is used. 3. Not necessary. 4. Not necessary. 5. It's not common. 6. Hard copy is required. 7. Nil.
Slovenia	Store list is normally reported to Customs. Declared are all items as requested by Customs
South Africa	<ol style="list-style-type: none"> 1. Yes we have rummage teams as well as standard inspections when vessel's berth a Rummaging gang takes a deeper look around the vessel whilst inspectors check paper work (stores lists/crew effects/etc.) then seal the bond store 2. I do not think so as this is compiled by the vessel on a standard form. 3. No. 4. Yes. 5. Yes 6. Hard copy. 7. Customs are strict on what WE are allowed to keep out of bond store.
Spain	<ol style="list-style-type: none"> 1. Yes they are. And should be the same in all the European countries. They are regulated by the Union Customs Code. 2. Information obligations prior to vessel arrival procedure (DUE procedure. in Spanish: Declaracion Unificada de Escala). All the obligations related with the store list declaration come from the IMO FAL. 3. As per IMO FAL criteria 4. Normally yes. Exceptionally customs accept English. The option is to declare TARIC code, then description is not so important. 5. Yes. Normally these omissions or misdeclarations are related with other tax issues, so fines could be severe including especial taxes or duties 6. Digital format is required in the DUE procedure (Unified berth declaration). Hard copy could be accepted in the port authority office in rather cases

USA	<ol style="list-style-type: none"> 1. CBP routinely examines the listed bonded stores during arrival formalities; the actual practice of stores exam varies depending on the local CBP authorities. Typically the CBP officer will take the stores declaration (CBP form 1303) and review the bonded stores section and review the bonded stores locker to ensure the inventory matches. 2. The submission of Stores List CBP Form 1302 is required with the inward manifest during arrival formalities. It is submitted as a hard copy form. 3. Less than whole packages of sea or ship's stores may be described as "Sundry small and broken stores". We have seen indiscriminate actions by CBP depending on the jurisdictional differences in different ports for compliance on the issue of what should be listed on the stores list. Usually CBP officers are satisfied with general listings of items (being more detailed in items of concern such as medical chest controlled drugs and substances, weapons or liquor/alcoholic beverages) in regards to ships equipment that remains or are consumed on board. Although some officers have taken action against vessels for failing to list all the groceries specifically, taken strong stands on what constitutes complete. Our recommendation is to list all equipment (including rope fibre and wire), spares, fuel/lube oils, fresh water, steward dept./groceries, deck dept. general items (soaps, detergents, solvent, paint), bonded goods (Tobacco, Liquor/Alcoholic beverages), Medical chest (esp. controlled substances/narcotics) and clearly indicate that there are/are not any weapons or ammunition on stores list. It is also important to note that we have seen situations where there has been penalty action against a ship when crewmembers have navigation equipment (binoculars and computers for example) in their personal cabins without any listing on Ships Stores Declaration and not listed on the Crew Effects declaration either. 4. English applies 5. The penalty for omission or incomplete inward manifest is \$5,000 per discovery.
Venezuela	<ol style="list-style-type: none"> 01) Either the custom officer or the National Guard (depending on the port) will visit the vessel to check the store list papers prepared by the vessel. He will then carry out a visual check of the bonded store. 02) No 03) In some ports the customs officer will also request and review the crew effects declaration 04) No 05) No 06) Information to be given on a hard copy