

FONASBA MEMBERSHIP ENQUIRY



ENQUIRY RESPONSE FORM

ORIGINATING ASSOCIATION:	Centro de Navegacion (Argentina)
ENQUIRY DETAILS:	<p><i>In order to inform the Argentine authorities, we hereby kindly request information on the following procedures for transshipment cargo in containers:</i></p> <ol style="list-style-type: none"> <i>1. Is there any kind of special declaration to be filed with the Customs Authorities for this purpose? If affirmative, please inform the level of detail of information.</i> <i>2. Is the cargo subject to any control, scanning or other examination by customs? Please also advise if it is normal to open units in transshipment.</i> <i>3. What are the liabilities and duties that an shipping agent is subject in case of inspection of a container in transshipment?</i> <i>4. Any other comment or clarification on this issue will be highly appreciated.</i>
REPLY TO:	admin@fonasba.com
COPY REPLY TO:	
CLOSING DATE FOR REPLIES:	Friday 11th November

RESPONDING ASSOCIATION COMMENTS:

Algeria	Transshipment is not allowed in ALGERIA
Australia	<ol style="list-style-type: none"> 1. Details for transshipments are covered in the Customs Guidelines titled “The reporting requirements for the movement of transshipment cargo”. See link below http://www.border.gov.au/AccessandAccountability/Documents/practice-statements/ps200923-ig-the-reporting-of-transshipment-cargo.pdf#search=Instructions%20and%20Guidelines%20transshipments 2. Yes. Opening of units is risk based. 3. Shipping agents must report transshipment cargo and demonstrate accordingly how information about the cargo was received and from where.
Belgium	<ol style="list-style-type: none"> 1. Transshipment cargo needs to be included in the declaration for temporary storage however there is a flag indicating that transshipment cargo is involved. The level of detail of information required in this declaration is the same for transshipment cargo as for import cargo. 2. Transshipment cargo will only be selected for control on basis of safety & security reasons (never for fiscal reasons), and this for documentary control

	<p>and scanning only. Containers with transshipment cargo will only be opened in case of irregularities / anomalies on the scan images.</p> <p>3. In case a container contains cargo which is not declared in the declaration for temporary storage / which does not match the description of the cargo in the declaration for temporary storage, the agent will be kept liable regardless of the fact if it is transshipment cargo or not. Cfr. Papismedov jurisprudence of the European Court of Justice and the way it is construed by the Belgian customs + the agent being responsible i.s.o. the carrier due to old Belgian legislation.</p> <p>4. None.</p>
Brazil	<p>1. Yes. We declare full details as well as the entire route of the cargo. For this purpose, there is a “foreign trade integrated system” called SISCOMEX CARGO.</p> <p>2. Yes. The Customs inspection is selected randomly by the system (SISCOMEX). Besides, the units are also scanned at the bonded terminals.</p> <p>3. There might be a delay in delivering the cargo and, more serious, the risk of having the original seal violated which may cause problems at final destination, especially in terms of reefer cargoes.</p>
Croatia	<p>1. Same procedure as with any other import/export containers.</p> <p>2. Same procedure as with any other import/export containers. It is possible that container is opened and inspected even in transshipment.</p> <p>3. Same procedure as with any other import/export containers.</p>
Cyprus	<p>1. In Cyprus there is not any kind of special declaration to be filed with the Customs Authorities in the case of transshipment cargo in containers. A ship’s manifest should be lodged with the Customs Administration at least 24 hours prior to the arrival of the and in the case of dangerous goods contained in any such container the relevant IMO declaration rules should be reported by Agent to the Customs in advance.</p> <p>2. (i) The Customs Administration has the right to scan any container in transit at their own discretion. However in practice this is only effected at random. (ii) It is also at the absolute discretion of the Customs Authorities to instruct the opening of units in transshipment for a risk analysis or risk assessment of the cargo but this is also effected at random.</p> <p>3. The liability of an Agent in the case of inspection of a container in transit is to undertake on behalf of the carrier to pay the relevant unstuffing/stuffing expenses. If any irregularities on the declared cargo in the manifest are arising out of this action, the Shipping Agent is not responsible. The Agent is also responsible on behalf of his Principal to pay any duties to the Customs Authorities in the case of short - landed goods in containers in transit.</p> <p>4. It is our firm belief that Shipping Agents should conclude an agreement with their Principals prior to the operation of any vessel carrying containers in transit clarifying all the above cases, thus the Agent can eliminate or erase any responsibilities and/or liabilities whatsoever which do not fall within the framework of his services and obligations.</p>

Denmark	<ol style="list-style-type: none"> 1. It is necessary to register the container with the Customs authorities, by using the Customs digital Manifest platform to give a special code in the system for Transshipments. 2. No control and no opening of containers. 3. No liability for the agent. 4. Easy to tranship containers through Danish ports in order to make ports/terminals competitive.
Dubai	<ol style="list-style-type: none"> 1. No 2. No 3. If a container is inspected the agent should produce all relevant paperwork relating to said shipment, the agent can be present during inspection.
France	<ol style="list-style-type: none"> 1. Issuance of a transshipment manifest 2. In principle no, but it can happen if there is suspicion of smuggling/prohibited cargo and so on 3. Agent must be present or represented for the operation His liabilities are those of the agent (for account/on behalf of)
Germany	<p>If the transshipment is interrupted for more than seven days (Non-EU-goods) or 14 days (EU-goods) one needs a proof of origin. And if a transshipment container would discharge without the ENS (Entry Summary Declaration) it is an illegal import and the agent could be held liable. www.ec.europa.eu/ecip/help/faq/ens1_en.htm. And you would need a Non-Manipulation-Certificate as long it is a Non-EU-cargo.</p>
Greece	<ol style="list-style-type: none"> 1. YES, MANIFEST OF THE VESSEL WHICH INDICATES WHICH CONTAINERS ARE TO BE TRANSSHIPPED. THE LEVEL OF INFORMATION IS FULL, i.e. FULL CONTAINER NO, GROSS/ NET WEIGHT, HS CODE OF CARGO, POL, INTERMEDIATE PORT, POD, VESSEL BRINGING THE CARGO. 2. THE CARGO IS NOT SUBJECT TO ANY CONTROL UNLESS THERE ARE SUSPICIONS. UNITS ARE OPENED ONLY IF THERE ARE SUSPICIONS. 3. THE DUTY OF THE AGENT IS TO BE PRESENT. LIABILITY EXISTS ONLY FOR MISDECLARATION OF CARGO.
Hungary	<ol style="list-style-type: none"> 1. no 2. rare 3. nothing 4. nil
Israel	<ol style="list-style-type: none"> 1. There is no special declaration for custom Authorities for transshipment cargo in containers. The Cargo Manifest is sufficient 2. Transshipment Containers are not scanned or opened by the custom authorities. The scanning is done in very rare occasions when the Custom are pre informed about smuggling of Cigarettes or Drugs Etc. 3. There is no liability of the local Agent. If this is done it is performed by the Custom Authorities secretly.
Italy	<ol style="list-style-type: none"> 1. No special declaration is required by Customs Authorities. The shipping agent must hand over to Customs (nowadays by informatics at almost all Italian ports) the Inward Customs Manifest (Notifica di Arrivo) which confirms ENS data, MRN and other cargo documents (Manifest/Blading) and clearly indicates the transshipment cargo as "IN TRANSIT TO ..." Then, by informatics, details of cargo in transit are automatically transferred on the Export Customs Manifest of the second carrier without issuing any particular customs document (in some case the shipping agent,

	<p>or its customs operator, is requested to issue the Pass For Transit (Lasciapassare Merci Estere)</p> <p>In case the transit cargo remains in port for more than 14 days a new EXS must be made by shipping agent or its customs operator.</p> <p>2. In general the inspection is made by Customs, at random upon indication of the central informatics system in Rome, only on import cargo. The inspection could be 'documental' (the receiver is requested to produce additional documents) or 'physical' (cargo must be inspected by customs officer).</p> <p>No inspection is arranged on transshipment cargo unless specifically notified to Customs by other Authorities.</p> <p>3. No particular liability rests with the shipping agent who is simply deemed to produce documents issued at loading port and it is responsible only for eventual discrepancies between such documents and what indicated on the Inward Customs Manifest (Notifica di Arrivo). If the cargo inspected by Customs is different from the cargo described on cargo documents it is up to Shipowner to provide necessary clarifications.</p>
Japan	<p>1. If Transshipment of Container will be handled at same terminal, no special permission is required. But if said container is transfer to other container terminal through ordinary public roads, it is necessary to apply customs permission for passage.</p> <p>2. Basically No particular scanning or examination, unless concerned customs office get any fake information and/or smuggling.</p> <p>3. All depends on Customs Authority.</p> <p>4. Nil</p>
Kenya	<p>1. Transshipment entries are declared in Kenya Revenue Authority systems providing all the details of the cargo and origin and destination.</p> <p>2. Transshipment cargo is verified on the strength of intelligence reports such as contrabands, counterfeits etc.</p> <p>3. No liabilities to the shipping agent.</p> <p>4. Though Kenya Ports Authority who are the Terminal Operator on Mombasa Port have steadfastly tried to convince shipping lines to use the Port as their transshipment hub, this has now worked because of the following:-</p> <ul style="list-style-type: none"> • Approval of transshipment entries by Kenya Customs normally delay resulting in delays in transshipping the cargo which consequently attracts port storage on account of the carrier. • Since shipping agents have to engage the services of Clearing Agents to declare transshipment entries on their behalf, this increased operating costs on account of the carrier. • Paying transshipment bonds for cargo under Customs Authority. • View above; shipping lines only use Mombasa port for convenient purposes. In 2015, Mombasa Port registered only 4% - transshipment traffic out of the total cargo throughput. <p>Action taken by the Government to improve transshipment traffic through Mombasa Port:-</p> <ul style="list-style-type: none"> • Arrangements being made to allow shipping agents declare their transshipment entries hence saving costs that would have been used to engage Clearing & Forwarding Agents. • Done away with transshipment bond requirement.
Malta	<p>1. The local Customs authorities inspect cargo in general, both randomly and also based on their risk analysis.</p>

	<p>2. For all cargo we supply a cargo manifest at inbound carrier level to local customs. At times we are requested to send a BL copy and in extreme cases commercial invoices and packing lists are required.</p> <p>3. With the above mentioned info supplied to customs a certain number of units are detected and selected for scanning and possibly a physical inspection.</p> <p>4. As an agent, the only duty we have when it comes to physical inspection is to be present for the seal removal, opening and sealing of the unit. Thereafter load port and discharge port are informed about the inspection and the new seal number.</p>
Mexico	<p>1. Is carried out the electronical manifest transmission prior to arrival, pointing to the Mexican Customs the container transshipment, with the code "TR".</p> <p>2. Yes, the Mexican Custom decides the containers to inspect, scanning them and it is normal to open the units to be inspected. And when the containers carry goods piracy the competent authority stops the container to start a legal procedure.</p> <p>3. Follow up with the custom authority to release the containers as soon as possible in order to continue their transit and be aware that the merchandise is not damaged.</p>
Morocco	<p>1. Yes, special declaration to be filed with Customs Authorities. Containers in transshipment are to be declared in vessel's manifest. (marks/numbers and details of contents).</p> <p>2. Yes, containers could be totally or partially controlled, scanned or opened if required by Customs Authorities.</p> <p>3. Yes, extra duties are to be covered as transfer costs to control/scan areas and eventual opening and controlling charges.</p> <p>4. Value of the cargo in containers could be required. Discharging, handling, loading and eventual storage charges of containers are to be taken into consideration. At the port of Tangier Med which is a hub container transshipment port, no Customs Authorities special declaration, nor containers value are required.</p>
Netherlands	<p>On the import manifest which we send to the Customs, we add on a special code (code 27) in case of transshipment cargo. Officially these containers can be scanned or opened for inspection, but in reality this is hardly happening. As long as the container has not been transhipped out again, the agent remains responsible based on the import manifest.</p>
Portugal	<p>Yes, is applied a transshipment customs declaration with cargo/container details, arrival vessel and transshipment vessel.</p> <p>Customs security and protection system make the assessment of all cargoes by origin and HS code to select units to be physical scanned or physically inspected.</p> <p>Agent has to pay the container handling in case of inspection and also has to provide all info / docs requested by customs/port authorities.</p>

	Maximum storage period without customs taxes 90 days
Russia	<ol style="list-style-type: none"> 1. Not applicable in Russia as the Russian ports are not used as transshipments. 2. Not applicable in Russia as the Russian ports are not used as transshipments. 3. Not applicable in Russia as the Russian ports are not used as transshipments. 4. Not applicable in Russia as the Russian ports are not used as transshipments.
Slovenia	All transshipment cargoes are reported on pre arrival report. Cargo is not controlled as it is remaining on board the vessel, there is no transshipment control.
South Africa	<ol style="list-style-type: none"> 1. Currently Shipping line does not declare any manifest with customs for foreign-to-foreign transshipment cargo. 2. It is not normal practice for Customs to inspect transshipment cargo, however Customs have the authority to randomly inspect containers if they suspect suspicious commodity within container. 3. If Customs inspects a container, the Shipping Line must inform actual Port of Load & Port of Discharge. The Shipping Line is also obligated to re-seal the container, and inform POL/POD of the revised seal change. 4. A container list for transshipment containers is provided to the Port Authorities.
Spain	<ol style="list-style-type: none"> 1. Transshipment cargo in container, must be declared in the vessel customs manifest with all the cargo details (the same kind of info that for the import containers) 2. Yes, it is. Customs and the rest of inspection bodies (Health, Fito, Soivre,...) make a risk analysis with the information declared in the manifest, and sometimes transshipment containers 'suffer' a documentation inspection or a physical inspection. Especially for health reasons, there is a European law that obliges all the European countries to check all the cargoes in transit if there are for human consumption, even those which final destination is not an EU country. For instance, container with meat arrives to a Spanish port from Argentina to be transhipped there to a final destination in Africa: If the container stays more than 7 days in the Spanish transshipment port, then a documentary inspection by the Health Authorities is required. If the time need to be transhipped is more than 14 days, then a physical inspection by the health authorities is required (as if it was an import container) 3. The ship agent is responsible on behalf of the line or the captain transporting the goods into the EU. The Customs will act against the ship agent.
USA	<ol style="list-style-type: none"> 1. It is very rare to see transshipment of goods through the U.S. All goods landing in the U.S. are subject to manifest and entry control. An entry must be submitted within 15 days to prevent seizure or detention. Goods not entering the U.S. commerce (i.e.: landed at a facility for transshipment) can be entered under an In-Bond Entry (CBP7512) and may remain at the import facility for up to 30 days until exported. The exporting carrier's CBP bond effectively guarantee's compliance with the time limit and the re-exportation. Generally the information required is the usual manifest information (SH, CO, NF, Description of goods, master/house bill numbers, marks, numbers) additionally: value of

	<p>shipment (can be estimate), exporting carrier information and an international carrier bond covering the exportation.</p> <p>2. Yes - depending on the country of origin/known shipper, nature of goods and local jurisdiction decision by Customs Port Director, goods may be scanned or container may be opened to verify the security, contents and compliance. Statistically speaking it is not usual, although some export parties or country of origin might have consistent inspections to verify contents/security matters.</p>
Venezuela	<p>General Observation : Transshipment at local Venezuelan Ports is not a good a good practice, it is better to avoid</p> <p>Transshipment cargo :</p> <p>01) Ref special declarations : Copy B/L required</p> <p>Electronic Custom's system (Sidunea) to be updated 48 hrs before vessel's arrival (item 28)</p> <p>Notification to be given to customs, port authorities, national guard, anti-drug national guard squad</p> <p>Temporary permission to be obtained from customs (taking approx. 06 days to get it)</p> <p>02) Containers will be scanned and opened before being loaded on the 2nd vessel.</p> <p>03) Agents will be in charge to arrange all permissions, having liability in front of all port authorities and pay for all moves that containers are submitted to - haulage, reach stacker service, labour to open/close containers handling, seals.</p>