

# FONASBA MEMBERSHIP ENQUIRY



## ENQUIRY RESPONSE FORM

<b>ORIGINATING ASSOCIATION:</b>	<b>FONASBA (John A. Foord, L&amp;PA Chairman)</b>
<b>ENQUIRY DETAILS:</b>	<i>With the SOLAS Regulations in respect of container weighing having now been in place for two months, it is opportune to update our data on the status of the initiative in FONASBA member countries. All FONASBA members are therefore asked to submit a short summary of the current status of container weighing their country and in particular to highlight any issues that may have arisen and, where appropriate, the actions that have been taken to overcome them. The responses to the survey will be discussed in open forum during the London 2016 Liner &amp; Port Agency Committee plenary meeting.</i>
<b>REPLY TO:</b>	<b>admin@fonasba.com</b>
<b>COPY REPLY TO:</b>	
<b>CLOSING DATE FOR REPLIES:</b>	<b>Friday 30<sup>th</sup> September 2016</b>
<b>RESPONDING ASSOCIATION:</b>	

### RESPONDING ASSOCIATION COMMENTS: (Please include any attachments)

ASSOCIATION	RESPONSE
Algeria	Effectively the control of container weighing is now taking place in the commercial ports, up to this date nothing abnormal has been noticed, and if any information or any anomalous status is observed, it will eventually be transmitted.
Argentina	<p>Since the implementation of the regulation, and according to what has been temporarily regulated at national level by the Argentine Coastguard as Enforcement Authority, there have been some administrative issues and problems related to the exchange of information, especially between the shipper and the Port Terminal.</p> <p>There have also been few cases of differences in the declared VGM, exceeding the local admitted tolerance (+ - 5%) between what has been informed by the shippers that have performed the verification before the container enters the Terminal and what has been observed on the equipment installed at the entry (gate in), which has been solved considering the last weighing as planned.</p> <p>There have been no delays or missing shipment of loaded containers, solving the problems at the moment. The Enforcement Authority keeps a register in order to review the local rule, consider the necessary adjustments and perform</p>

	<p>its final issuance, which is planned to be done about six months after its implementation with intervention of the sector, among which this Centre has been called.</p>
<p>Australia</p>	<p>In the two and a half months since the introduction of the mandatory SOLAS Verified Gross Mass (VGM) requirements, processes associated with the declaration and submission of these requirements have been generally smooth in the Australian context. This has been largely due to the efforts of Shipping Australia and the related stakeholders in the supply chain. A soft trial was undertaken well in advance (April 2016) of the due date with mandatory reporting of VGM commencing the week before the 1<sup>st</sup> July 2016. This was to cater for containers that may be loaded after 1<sup>st</sup> July 2016.</p> <p>As mentioned in previous surveys the process for shippers to provide a VGM originates through an electric Pre-Receive Advice. This fairly stringent process requires the submission of the VGM by the shipper and a container cannot enter a terminal unless the shipper has provided the following:</p> <ul style="list-style-type: none"> <li>• The VGM</li> <li>• The method used to obtain the VGM</li> <li>• The name and contact details of the shipper</li> </ul> <p>The above information is provided in advance, on the industry accepted electronic Pre-Receive Advice (PRA) from. On satisfactory receipt of this information, an electronic message is generated and sent to the relevant shipping line (as the Master's representative) utilises this VGM data from this message in planning the stow for the vessel and passes the VGM information (obtained from the PRA and VERMAS message) to the Master to verify the stability calculations for the vessel.</p> <p>When an error is identified after the container enters the terminal, it triggers a process where a container is required to leave the terminal and re-enter after rectification. One such instance has occurred thus far.</p> <p>To avoid costly consequences of simple typographical errors, some changes have been made to the PRA system so that an impossibly low declared weight will not be accepted. The requirement for double entry of declared VGM is also being considered.</p> <p>Some shipping lines have observed instances of variations between the VGM stated on the PRA and that on the Bill of Lading/Forwarding instructions. In some instances the declared VGM exceeded the maximum weight as stated on the CSC plate. In such cases the container is not being loaded until clarification is obtained.</p> <p>Some terminals are intending to provide an option for weighing a container on entry at the entry gate and the PRA will be updated to accommodate this. Choosing this option may impact on the required arrival timing at the terminal to ensure that the ship stowage plan is not compromised.</p> <p>The three month transitional period has nearly run its course, and while Australian systems seem to be holding up well in comparison to the rest of the</p>

	<p>world, the real test will come when AMSA's audit of VGM compliance becomes active.</p>
<p>Belgium</p>	<p>The introduction in the Belgian ports went smoothly, also thanks to the transitional grace period of three months that was granted allowing for unforeseen situations to be tackled in a practical way. Throughout the implementation phase, the Belgian authorities were always available and open to discuss questions and practical problems and think along about solutions.</p> <ul style="list-style-type: none"> <li>• Initially with some carriers there was the misassumption, that the Belgian legislation was also going to regulate issues as cut off times, format of the VGM shipping document etc. and some (even larger ones) had to be chased by their agents / our members. Finally most of them were well prepared with all processes and procedures in place as well downstream (shippers) as upstream (terminals). All carriers/agents are convinced of the importance of the VGM legislation.</li> <li>• The shippers were better prepared than initially expected, with IT developments and internal procedures having been set up in time. Compliance reportedly was abt. 80% at start up and steadily grew up to 95% - and will certainly be forced up to 100% once the transitional grace period of three months will be over.</li> <li>• Information campaigns by international trade associations, local organisations such as NAVES and individual carriers / agents have thus shown effective. Questions remained especially towards individual carriers, in particular with regard to tare weight of containers and deadlines for submitting the VGM. During the implementation period an average increase of 5 à 10% in incoming phone calls related to VGM was reported by our members.</li> <li>• Electronic submission of VGM shipping document is the preferred and easiest way of communicating and used by 90% of shippers- either through carrier IT tools or through booking platforms. Some technical problems in this respect have been reported during the implementation phase but meanwhile these are solved. Paper VGM shipping documents are legally valid and are accepted but processing these causes extra workload for the agents involved.</li> <li>• Timely submission of the VGM remains a difficult point, deadlines are kept as closely as possible to cargo cut off times and some shippers have to be chased by the agents to timely submit the VGM shipping document in order not to jeopardize loading on board. Containers are allowed on the terminal (but not on board) before the VGM is submitted and are prestacked on basis of the booking weight. Some terminals are applying "yard adjustment charges" (so-called change of weight, similar to change of destination or change of vessel) for having to restack a container if the booking weight differs substantially</li> </ul>

	<p>from the VGM (most of them are applying three weight categories when pre-stacking).</p> <ul style="list-style-type: none"> <li>• Carriers/agents question the accuracy of the submitted VGM by some shippers, and are looking to the authorities for more checking in the field. The number of containers that still need to be weighed when arriving in the Belgian ports is far below estimation and most shippers try to avoid Method 1 due to the extra cost of weighing. Some shippers seem to make “educated guesses” rather than accurately applying Method 2 which seems impossible for some cargo (e.g. logs). Some agents are considering “hinting” the Belgian authorities about suspicious shipments. In Antwerp this problem will further be discussed in a dedicated VGM-working group of carriers/agents.</li> <li>• The Belgian legislation is still in the pipeline creating a legal uncertainty with regard to accreditation of Method 2, how authorities will check compliance etc. The expected date of publication has been postponed several times and is now set in October 2016.</li> <li>• Once the legal basis is at hand, NAVES will be consulted for the setting up of controls by the Belgian authorities in a manner not hindering or delaying the operations on the terminal/on board.</li> </ul> <p>The allowance between the VGM and the weight upon control by the authorities was eventually set at 5% to keep pace with the neighbouring countries, whilst it initially had been set at 2%. This percentage will cover for weight variances due to evaporation, humidity, difference in tare weight etc.</p>
Brazil	<p>The SOLAS implementation has proceeded smoothly as a whole, and did not cause a great impact on the cargoes flow, since the container weighing was a procedure already in place in the Brazilian ports.</p> <p>The main challenge was more in relation to EDI implementation by cargo terminal, and not in receiving the weight information from shippers.</p> <p>After nearly 90 days, there are still some terminal/carriers with EDI not fully implemented, as well as a few cases of shippers that do not send the VGM on time, which requires a more vigilant monitoring of carriers in order to receive it.</p>
Cyprus	<p>With the initiative of our Association a technical committee was formed with the participation of all stakeholders prior to the implementation of the SOLAS weighing convention which was dealt with all the problems pertaining to the matter in question. In this regard, meetings were held with the Cyprus Chamber of Commerce and Industry representing Cypriot Shippers and the Ministries involved (Communications and Commerce Industry) which were responsible for the implementation of the Directive.</p> <p>Cypriot shippers were briefed well in advance on the way its implementation and their responsibilities resulted from the new Convention. The Ministry of Commerce and Industry had also published the approved companies which could verify the weight of the packed containers for export and issue relevant certificates prior to their loading onto ships. The interested companies also</p>

	<p>had published their charges for the weighing of containers making this well known to shippers the relevant cost of weighing.</p> <p>The Cyprus Ports Authority in a closed collaboration with our Association had issued in advance a special circular addressed to all interested parties stating that the responsibility with regard to the verification of the weight of the packed containers for export lies with the shippers who should notify the Shipping Agent and the Port Operator (CPA) prior to their arrival at the port.</p> <p>CPA has also advised all concerned that as of the 1<sup>st</sup> July 2016, for any packed container to be allowed to be loaded onto a vessel, a relevant certificate of its verified weight must be submitted. CPA added that in the case of a lack of such a certificate, the container will not be loaded and will be violating SOLAS convention.</p> <p>In view of the above, it is reported that the new SOLAS Convention was implemented in Cyprus on the 1<sup>st</sup> July 2016 without any serious problems or issues whatsoever and without any disruption to the industry.</p>
Denmark	<p>We have had a good dialogue with the Danish Maritime Authority both prior and after the implementation date on 01-07-2016.</p> <p>After the implementation date, there have been a number of questions related to the calculation of the weight according to Method 2 and which the Secretariat have been able to reply. One primary example is the case where Company A is the company, which calculate according to Method 2, but hand-over the calculated VGM to Company B, which is the Shippers name in the Bill of Lading. Company B is liable for Company A's calculation. The authorities would ask Company B to verify the VGM in case of an inspection.</p> <p>The different terminal operators seem to have adapted to the new rules and we have no reports that there have been any serious operational obstacles. Some terminal operators offer free container weighing.</p> <p>We have also enjoyed having dialogue with our neighbour countries about the operational reality with VGM.</p>
France	<p>Rule In France: VGM AT GATE IN BY MINISTERIAL ORDER</p> <p>Few weeks before the date of implementation of the SOLAS rules (1<sup>st</sup> July 2016) a meeting has been held between the authorities and the professionals in the course of which the state department of transports accepted to have a flexibility period of three months in the implementation since various problems were still pending in order to respect the rule "VGM at gate".</p> <p>The flexibility period being about to elapse another meeting has been held on 14<sup>th</sup> September with the maritime community to check the actual situation. It has been ascertained that depending on the ports/terminals only 50 to 80% of the containers have the VGM at the gates for various reasons (delay of the shippers/LCL shipments/CCS problems in the data transmission and so on) when 100% OF THE VGM are available at the loading (the rule of no VGM/no load being enforced at 100%).</p>

	<p>Therefore most of the professionals except a minority in the stevedoring companies claimed for the implementation of the same practice as in most of the European and worldwide ports namely VGM at loading or at least an extension of 3/4 months flexibility to see whether the original procedure “VGM at gate” as per ministerial order is workable or not</p> <p>At today’s date, we didn’t receive any official reply back from the authorities but do believe that the flexibility extension will be granted. I shall not fail to revert then.</p>
Germany	<p>Our members have not reported any issues with following the introduction of the VGM regulation.</p>
Greece	<p>The amendments to the SOLAS regulation VI/2 (resolution MSC 380 (94)) have been adopted by the Greek state with Presidential Decree and published in the government gazette on 3 August 2016. In part 1, the decree adopts the original text of the resolution and in part 2 further implementation provisions are being cited and terms are being defined, which more or less follow the guidelines of the msc.</p> <p>The shipper is the legal entity or the person on the b/l or any equivalent shipping document or the entity or person who or on whose behalf a shipping contract is concluded. Allowed variances are 500 kg for a gross weight of 20 tons per container and 2.5% of the gross weight of container which is over 20 tons. So far in practice no variances on the declared VGM and the actual weight has been detected. The weighing equipment which is being used needs to be certified. The owner of the weighing equipment is obliged to keep files with certificates, maintenance records etc. There are penalties for both the shippers and the owners of the weighing equipment.</p> <p>So far there are no problems or issues with the implementation of the resolution.</p>
Hungary	<p>Weighing procedures according to SOLAS agreement started from the middle of June on Hungarian container terminals. Unfortunately, national regulations are still missing, and there have only been a few statements from the Hungarian Government confirming that they know about SOLAS regulation. We do not expect that there will be a national regulation of SOLAS soon in Hungary. The lack of national or EU regulation is a big disadvantage as because as we see the response of players on the local market, they intend to focus on regulation which is supported by national or EU law. This case unfortunately shows that SOLAS regulation without detailed national laws cannot make big effects on market players.</p> <p>Regarding weighing operations, our experience is that some players on market dealing with special cargo (e.g frozen meat, cereals, etc.) made weighing procedure before SOLAS regulations. Due to the SOLAS, some players have also decided to buy new bridge scales and to do weighing procedure on the factory site. Regarding container terminals, we can say that major container terminals had the opportunity to do weighing procedures before, due to this regulation, major container terminals made some investments and improved weighing capacities with new, or renewed bridge scales.</p>

	<p>Some words on statistics, we expect the following weighing procedures according to SOLAS on major container terminals in Budapest:</p> <ul style="list-style-type: none"> <li>• 2016 - June: (MCC and BILK): 210 weighing</li> <li>• 2016 - July: (MCC and BILK): 1320 weighing</li> <li>• 2016 - August: (between 01.08 and 22.08, MCC and BILK): 1080 weighing</li> </ul> <p>So, according to A.M statistics, we have an increasing volume, however, we expect that from the end of this year, there will be a decreasing volume due to new bridge scales on sites of factories, and we expect that some other clients will decide to employ only administrative ways of SOLAS.</p>
Israel	<p><b>1. THE PORTS</b></p> <p>In Israel, the ports agreed to take upon themselves to weigh with their weigh bridges located at their gates, every single container which arrives at the Port's Gate by truck. Thereafter the gate is streamlining the Container Gross Weight details to the computerized Terminal Operation System which runs the Container Stacking Area and the Water Front operation. The ports are collecting, at present, about €8 for each container. The only problem with accuracy at the gate occurs when a Semi-Trailer truck arrives at the port loaded with 2x20' containers on one flat platform. The system will divide the weight of the whole platform and will assign each half to each container. On the other hand, there is no problem to weigh each of the 2x20' containers separately loaded on a full trailer.</p> <p><b>2. THE RAILWAYS AND THE OFF DOCK (INLAND) CONTAINER TERMINALS WITH RAILWAYS EXTENSIONS</b></p> <p><b>2.1 The Railways</b></p> <p>The Israeli Railways acquired two weigh bridges for their two self-operated inland terminals. One was already installed and is being utilised, the second has not yet been installed. The railway transmits the weight details to the ports through their operation sub-contractors in a message called "The Wagons Column".</p> <p><b>2.2 Off-Dock Container Terminals with Railway Extensions</b></p> <p>There are two kinds of Off-Dock Terminals. Part of them are both terminal and railway sub-contractors and part are only terminals with railway extensions. All of them have acquired calibrated and verified weigh bridges. The ones who carry both a/m titles transmit the container gross weight details directly to the railway system who later on transmit them to the port terminal operation system as mentioned in 2.1. The pure terminals with railway extensions are submitting the container gross weight to the respective railways sub-contractor who use the figures for building the a/m "Wagons Column" which is being transmitted to the ports.</p> <p><b>3. General</b></p> <p>Whilst summarising the introduction of the SOLAS directive In Israel we must admit that it moved rather sooner than expected. We have to mention that the initiative of the Chamber to bring all the participants to an agreed common denominator started already during</p>

	<p>November 2015. Being rather a small country with only two container ports and knowing personally almost each and every person in the shipping community, plus having one overall port community system which initiates meetings with all its stakeholders on a monthly basis made our challenge a bit easier to control.</p>
Italy	<p>In Italy, the amendments to Solas Regulation entered into force the 1<sup>st</sup> of July with no substantial problems.</p> <p><b>Method 1/Method 2</b></p> <p>It was feared that the weighing equipment situated inside and outside the port areas were not enough to satisfy the requests of weighing under method 1. Unexpectedly, around 50% of the weights are determined under method 2 by the shippers.</p> <p><b>Transient period</b></p> <p>The 5th of May, the Italian Cost Guard Headquarters, our designated Authority, issued the guidelines by a decree in which there is written that, starting from the 1st of July 2016 until the 30th of June 2017, VGM can be determined using also not regulatory weighing equipment as long as the miscalculation does not exceed two and half times the one expected with regulatory equipment, and, however, not more than <math>\pm 500</math> kg. A transient period of six months (until the 30<sup>th</sup> of January 2017) is also being granted to the shippers who want to determine the weigh under method 2, in order to obtain all the certifications they need.</p> <p><b>Tolerance allowed</b></p> <p>According to the decree, Italy adopted an allowance of <math>\pm 3\%</math> on weights.</p> <p><b>Harmonization</b></p> <p>As far as we know, in the majority of Italian ports, containers are weighed also inside the port areas, after the gate-in operations and before the loading ones. Only Genoa, with an ordinance of the Port Authority, stated that all the containers should arrive at the gate-in stage accompanied by a VGM certificate in order to avoid port area and roads congestion.</p> <p><b>Port Community System</b></p> <p>The VGM certificate can be transmitted to the agent and to the terminal operator through the port community system, where a system is in place, or through the Company's website. In some cases, a paper VGM certificate is accepted.</p> <p><b>Costs</b></p> <p>The fees are in the range €30.00 to €120.00</p> <p><b>Inspections and penalties</b></p> <p>Two levels of inspections are provided: a documental inspection with the Master by a PSC officer, in order to check if the entire containers loaded have a VGM certificate, and a weighing inspection.</p> <p>If a discordance of <math>\pm 3\%</math> is noticed, the new VGM certificate will be issued and the container will be reloaded onboard.</p> <p>If a certificate is missing, it is up to the PSC officer deciding what action can be taken.</p> <p>It seems that, in case of missing VGM certificate, a criminal responsibility, originally stated by the Italian Cost Guard Headquarters for the shipper, can be excluded.</p> <p>However, the Italian Cost Guard Headquarters strongly believe that a European harmonization is necessary in order to avoid traffic diversion within the EU borders.</p>



Ivory Coast	<p>Point of the implementation of the SOLAS Convention as amended at the port of Abidjan</p> <p>The SOLAS convention amended making mandatory the weighing of any container before its boarding of vessels is entry into force since 1 July 2016 in the Ivorian ports by the issuance of a ticket VGM for all containers presented to the loading.</p> <p>Under the leadership of the port community of Abidjan (CPA) who chaired the work of its implementation, the Chamber of Commerce and Industry of the Ivory Coast (ITC) has been mandated by the Ivorian Government to equip all the bridges scales used to this effect, a platform for the electronic transmission of data to MCV shipowners/consignees on the one hand and certify the VMA weight on the other hand.</p> <p>At the port of Abidjan, the format used for transmission between the ICC and the shipowners/consignees is the VERMAS, specifically retained by the shipowners for the transmission of the MCV.</p> <p>The first tests of electronic transmission of data to MCV shipowners/consignees by the ICC have revealed the release rate high enough, approaching 90% at 1 July 2016.</p> <p>The analysis of the situation has shown that a large majority of releases was due to errors of reentered the data of the BLC (delivery dockets of containers) by agents of the ICC This operating to bridges scales.</p> <p>To remedy this, training in the operation of the BLC were organized for the benefit of Dippers of the ICC. In addition, it was agreed to consider a formula of electronic data transmission of the BLC to bridges flip-flops by the shipowners/consignees or their managers of deposits of containers in order to avoid the reentered, sources of errors.</p> <p>Following several consultations between the consignees and their responsible for deposits/container parks in the presence of the CPA and the ICC to consider the feasibility of this electronic transmission, the format CODECO has been retained for the BLC data to electronically transmit to the platforms of the BRIDGES scales of the ICC. The first tests of transmission have thus enabled to note on the 05 August 2016:</p> <ul style="list-style-type: none"> <li>• Significant progress among some shipowners or agents who record rates of integration of their data VGM ranging between 90 and 100%;</li> <li>• the release rate yet substantial enough among others, due to problems of their own system and in the course of treatment;</li> <li>• the need for some managers of deposits of containers, to conduct computer developments prerequisites for achieving of sorts in their system in terms of the information to be transmitted electronically to the IAB, which could take time due to the current period of vacation.</li> </ul> <p>Accordingly, managers of parks to containers have been urged to continue their efforts to finalize as soon as possible, the electronic transmission of their data BLC to the IAB.</p>
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	<p>In the interval and the shipowners/consignees not yet able to receive the data electronically VGM of the ICC, the terminal (Abidjan Terminal) conceded a new grace period until 31 August 2016 to continue to accept the weighing tickets VGM (in paper version) to the passage of the booth of the terminal, tickets whose elements are seized by its agents for integration in its system and for retransmission to consignees concerned (see note of the Autonomous Port of Abidjan attached).</p>
Japan	<p>Maritime bureau, MLIT in Japan has issued the captioned guidance with keeping streamlined shipping procedure for container export from Japan.</p> <p>Apparently there is no major problem in prevailing.</p> <p>meanwhile, we have been hearing a rumor that terminal operator abroad might have small trouble for handling tranship container out of Japan due to shortage of data required by different EDI system adopted other than Japan.</p> <p>Keep you posted further.</p>
Kenya	<p><b>KENYA SHIPS AGENTS ASSOCIATION</b></p> <p>Shippers having been sensitised, so far they provide VGM certificates as required by the Convention, what is currently pending is Kenya Ports Authority to finalise and provide analysis to ascertain the degree of discrepancies since the commencement of VGM procedures of random checks done so far.</p> <p>Challenges faced so far by Ports Authority are variations in VGM because the staff involved in the random weighing procedures have only been checking and analyzing the system which provides inaccurate weight.</p> <p>The analysis done was for July that showed wrong declaration of VGM, but after review, KPA found out that the weight was in fact correct and that it was the system itself which gave wrong figures.</p> <p>Currently, only one RTG is VGM compliant, the rest of the equipment in use had margin of errors which required the clerks to add or minus weight to ascertain the correct VGM.</p> <p><b>INLAND CONTAINER DEPOT REPORT- NAIROBI:</b></p> <p>According to reports, 41% of all containers weighed to ascertain their VGM were found to be non-compliant.</p> <p>In July - 9% of containers weighed had wrong VGM.</p> <p>In August and September, the level of discrepancy was at 16% and 10% respectively. This means that out of the total cargo throughput, about 75% of all weighed containers had wrong VGM.</p> <p><b>CONCLUSION</b></p> <p>KPA undertook to further engage, support, sensitize, and communicate to the relevant staff involved in VGM verification internally to streamline the processes and pin in on the issues surrounding the challenges regarding VGM.</p>

Libya	<p><b>Government approval status</b></p> <ul style="list-style-type: none"> <li>• The name of authority in charge is, “Libya Maritime and Port Authority.</li> <li>• No Fines/ Penalties have defined yet.</li> <li>• No announcement regarding Level of control expected.</li> <li>• M2 would be subject to certification by government</li> <li>• Acceptance gate in without VGM continues, as weighing would take place inside the port.</li> <li>• No valid web link of the authority LMA yet.</li> <li>• No announcement made by authorities for Extra costs or penalties, for failing to timely provide VGM.</li> </ul> <p><b>What to include in your VGM instructions</b></p> <p>The following items are mandatory in Libya and must be on submitted VGM instructions.</p> <ul style="list-style-type: none"> <li>• Booking or Bill of Lading number</li> <li>• Container number</li> <li>• VGM + unit</li> <li>• Authorized person’s signatory (submitter of the VGM who may be authorized to act on behalf of shippers</li> <li>• Responsible party Name</li> <li>• Shipper’s Full address and details</li> <li>• POL/POD</li> </ul> <p><b>How to submit your VGM instructions</b></p> <ul style="list-style-type: none"> <li>• Fax,</li> <li>• emails</li> <li>• Standard shipping instruction signed</li> </ul> <p><b>Deadlines for sending your VGM instructions</b></p> <ul style="list-style-type: none"> <li>• 36 hours of ETA,</li> <li>• VGM cut-off different from Documentation cut off</li> </ul> <p><b>Admin Fees and costs</b></p> <ul style="list-style-type: none"> <li>• No fees would be applied by us RIADA or competitors as Libyan ports are FI/FO. <b>AGENT WILL BE APPLICABLE FOR FEES INCASE TERMS ARE LINER</b></li> </ul> <p><b>Recommendations</b></p> <p>From Governments procedures: (give license and permission for 3rd parties to weigh and issue VGM certificates) RIADA should be informed in advance about the appointment of 3rd parties to provide the VGM. Recommend terminals to adopt new weighing technologies (weighing Jacks) that are fast and reliable, in case of any doubt of weight.</p>
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Malta	<p>Issues that have arisen and the actions taken to resolve them:</p> <p>1 Hauliers arriving at gate without certificate: <i>Unit is not allowed to enter terminal facility.</i></p> <p>2. Hauliers arriving at the gate with a scanned copy: <i>Drivers are instructed to provide an original copy to be allowed to enter.</i></p> <p>3. Hauliers arriving at the gate with handwritten documents: <i>Terminal has informed Transport Malta that as from the 12 September units will not be allowed to enter the Terminal unless a printed certificate is presented.</i></p> <p>4. VGM update on pre-advice does not match with the VGM on the Certificate: <i>Transport Malta informed and action taken with the respective stake holders.</i></p>
Mexico	<p>In México the General Management of the Merchant Navy is the authority responsible of the implementation and enforcement of the SOLAS requirements regarding the verification of the gross mass of packed containers. On June 17<sup>th</sup> 2016 this authority, in coordination with the Mexican authority for Standardization and Metrology, issued the Guidance Instructions for the Verified Gross Mass of Packed Containers. This guidelines considered the two methods of weighing and gave the shipping lines the chance to establish their deadline to receive the VGM but sufficiently in advance to be used in the ship stowage plan. Our document did not consider any penalty for not providing the verified gross mass besides not loading the packed containers onto the ship.</p> <p>At first the Port Terminals didn't want to receive containers without their weight certificate, even when it was established by our authority that the shipper meets its obligation by submitting the VGM to the Shipping Company. After some discussions, this was solved.</p>
Netherlands	<p>There is not much to add to previous comment. From 1 July on only some minor incidents have happened (wrong VGM's send by the shipper to the agent). This may also have been caused by the fact</p> <p>That Port State Control have only done a very few checks randomwise. All members are curious to see what will happen when the grace period till 1 October comes to an end. This mainly points at T/S containers loaded before 1 July instant but it was felt that the grace period was applicable on all containers to be loaded. Mentioned was made that the agents had to do some investments both financial and administrative to meet the new requirements going along with the obligatory weighing of containers. They also had to do some educational efforts in order to make sure that shippers and forwarders made use of the prescribed ways to calculate the right VGM.</p>
Nigeria	<p>WITHIN NIGERIA THERE HAVE BEEN MINIMAL ISSUES WITH RESPECT TO WEIGHING OF CONTAINERS.</p> <p><b>APAPA PORT - APM TERMINALS (APMT):</b> THEY HAVE TWO RTG CRANES CERTIFIED BY GOVT. DEPARTMENT OF WEIGHTS AND MEASURES. ALL EXPORT CONTAINERS ARE WEIGHED PRIOR TO LOADING AND RELEVANT CHARGES</p>

	<p>PASSED TO SHIPPERS. PROPER WEIGH BRIDGES ARE TO BE INSTALLED WITHIN OCTOBER 2016.</p> <p><b>TIN CAN ISLAN PORT - TIN CAN ISLAND CONTAINER TERMINALS (TICT):</b> THEY HAVE WEIGH BRIDGES INSTALLED AND CERTIFIED BY GOVT. DEPARTMENT OF WEIGHTS AND MEASURES. ALL EXPORT CONTAINERS ARE WEIGHED PRIOR TO LOADING AND RELEVANT CHARGES PASSED TO SHIPPERS.</p> <p><b>FEDERAL OCEAN TERMINAL ONNE - WEST AFRICAN CONTAINER TERMINALS (WACT):</b> HAS NO WEIGHING EQUIPMENT AND SHIPPERS ARE EXPECTED TO WEIGH CONTAINERS BEFORE GATING IN UNITS INTO THE TERMINAL</p> <p><b><u>INITIAL CHALLENGES:</u></b></p> <p>INITIAL CHALLENGES EXPERIENCED INCLUDE:</p> <ul style="list-style-type: none"> <li>- LACK OF VISIBILITY ON CERTIFIED WEIGHING STATIONS OUTSIDE TERMINALS. THIS SHOULD BE MADE AVAILABLE TO THE PUBLIC BY THE DEPARTMENT OF WEIGHTS AND MEASURES (FEDERAL MINISTRY OF INDUSTRY, TRADE AND INVESTMENT) SO SHIPPING LINES CAN DISTRIBUTE SAME TO SHIPPERS FOR EASE OF OPERATIONS.</li> <li>- LACK OF REGULATORY AUTHORITY FROM THE FEDERAL GOVERNMENT LEFT SOME ASPECTS OF SOLAS REGULATION TO INTERPRETATION SUCH AS ALLOWABLE TOLERANCE BETWEEN SHIPPERS-PROVIDED WEIGHT AND TERMINAL-VERIFIED WEIGHT. AT THE MOMENT TERMINAL SPECIFICATION OF +/- 1MT IS ADOPTED.</li> </ul> <p><b><u>IN SUMMARY:</u></b></p> <p>WHILST THE DEPARTMENT OF WEIGHTS AND MEASURES ARE TASKED BY THE FEDERAL GOVERNMENT TO ADMINISTER THE SCHEME, THE EXTENT OF THEIR ACTIVITY IS THE CERTIFICATION OF WEIGH BRIDGES AND HANDLING EQUIPMENT AT EXPORTERS PREMISES AND IN THE PORT.</p> <p>IN REALITY THE TERMINALS ARE WEIGHING EVERY EXPORT CONTAINER AND THESE WEIGHTS ARE WHAT APPEAR ON THE CARRIERS MANIFEST.</p> <p>WHERE THERE IS A DISCREPANCY BETWEEN EXPORTERS DECLARATION AND TERMINAL WEIGHT THE TERMINAL IS CHARGING THE EXPORTER FOR THE WEIGHING PROCESS</p>
Peru	<p><b>SITUATION VGM - PERU</b></p> <p>(1) The Authority responsible for implementing the VGM rule was delegated (NPC) National Port Authority.</p> <p>(2) National Standard was approved by RAD No. 037-2016-APN / DIR - technical standard that establishes the Guidelines for Certification of Gross Mass Verified</p> <p>(3) Continuing with the aim of publicizing the scope of the Technical Standard provides guidelines for certification Gross Weight Verified (VGM) for loaded containers, the National Port Authority (APN) and the Peruvian Association Shipping Agents (APAM), developed briefings for exporters and shippers mainly.</p>

	<p>(4) currently the statement verified gross weight (VGM), it is carried out without any problems and setbacks in all ports of the Peruvian coast.</p>
Portugal	<p>The law is in force and all exported containers are weighted before shipment. There are still issues regarding some non-compliances with the full requirement of SOLAS (some weighting tickets still miss all info required in SOLAS). IMT (National Entity in charge for the SOLAS requirement) has now invited AGEPOR to be part of the working group (foreseen in the Law) with the responsibility in following this issue and adapting whatever needed.</p>
Senegal	<p>Memo issued by DP World Dakar:</p> <p>Subject: SOLAS amendment - Verified Gross Weight procedure for approach of containers to the export terminal at beginning on August 1, 2016.</p> <p>Dear Customers, following the order of the ANAM relating to the implementation of the amendment to SOLAS MSC 94 on the audit of the gross mass of the containers to the export from 1 August 2016, we inform you that the procedure of approach of full containers to the export integrating the Verified Gross mass (VGM)) is now available as follows:</p> <p>(A-) export containers full received with VGM: The VGM is provided to DP World by the maritime line. The client presents a booking or draft BL on which the maritime line indicates the weight VGM which will serve as the basis for the documentary formalities to the billing and the pregate which updates the weight in the operating system of the device. Any weight mentioned by a show of hands on the draft BL or booking note presented by the customer will have to be validated by the stamp and signature of the marine carrier. Therefore, the container is accepted on the basis of the PREADVISE embodying the VGM alloti and on park in function of the rows of weight for its loading on board the vessel. B-) export containers received without VGM and that the customer wants to do weigh at terminal of DP World for its account: the client presents a booking or draft BL resuming a estimated weight which will serve as the basis of billing of the loads to the export. The costs of weighing will first be paid by the customer at the time of the formalities of billing for allow the approach of the container to the TAC. DP World proceeded to the weighing of the full container to the help of his equipment calibrated and certified. The weight determined is immediately transmitted to the maritime line for the needs of the operations of the vessel and the certificate of weighing embodying the gross mass verified is made available to the customer on simple request.</p> <p>C-) container export invoice without VGM AND FORMING THE SUBJECT OF PREADVISE pending submission of the VMA weight by the line before the physical approach of the container. If the shipping line or the charger wishes to provide the gross mass verified (VGM) after the formalities, the client presents a booking or draft BL resuming a estimated weight which will serve as the basis for billing. The Formalities pregate can only be done when the maritime line or the charger will be able to communicate the gross mass verified. The container may not access the portal of entry of the terminal that if the regularization is effective at the level of the Pregate or via an electronic update of our system by the maritime line. The cut-off of the receipt of the VGM aligns on the physical approach of the container to the Export and before acceptance at the gate. The VGM for containers in late arrival (including refrigerated containers benefiting from specific extensions)</p>

	<p>must be provided to the device by the consignee prior to the arrival of the container to the gate-in. The VGM is regularized pregate or via an electronic update. In addition, in case of exceeding the tolerance of 5% set by the public authority (see stopped), the Service Schedule of DP World will send a list of containers with the differential weight to the shipowner who will decide the loading or not containers concerned within the time limits of planning. DP World Dakar invites you to bring you closer to its business management which remains available to accompany you for any useful provision to take in the framework of the application of this new procedure.</p>
Slovenia	<p>In Slovenia, the SOLAS regulations work without any problems. Containers for loading coming from inland are weighed at Rail Terminals or on official weighing scales. Those coming from places with no capability to weigh, the container is transported by rail or truck to the Port of Koper and on entering the port is weighed using an official scale.</p>
South Africa	<p>So far we have not had any incidents of containers not meeting the set requirements. On the 28<sup>th</sup> September 2016 the free Tranship VGM on the terminal Navis system ends and thereafter all tranship containers will have to have a valid VGM certificate or be refused loading. The 30<sup>th</sup> September 2016 being the official cut off for tranship containers.</p>
Sweden	<p>Our experience so far of the new implementation of SOLAS regulation by weighting the containers:</p> <p>As an overall impression from our members the focus and understanding from the market when discussion lashing &amp; securing is better now than ever.</p> <p>It is a pity on the other hand how it has been implemented on the Swedish market and who are responsible for following up. As it is today we don't have any national administration that take responsibility legally why we are afraid that some shippers fake their documentation by e.g. not including the tara weight and maximize payload subj. to tara. There have been some cases when the carrier has contacted the shipper as the system indicate payload too heavy and then the shipper indicated human error and put a new weight within the limit. The problem is that the carrier doesn't have resources to double check the actual weight without costs involved.</p> <p>To conclude; it is better, but not good!</p>
USA	<p>June 2016 - Federal Maritime Commission Chairman, Mario Cordero, "the time has come for ocean carriers to embrace the obvious solution to achieving compliance that marine terminal operators can offer". He went on to say that this course, that is endorsement the US Coast Guard is not only burdensome, it requires no additional action on the part of the shippers. Key condition for the use of terminal weight approach (TWA) is that the equipment used to obtain these weights must satisfy US regulatory required in the so-called "equivalency statement" as per the USCG Maritime Safety Information Bulletin (009-16).</p> <p>May 2016 - Terminal operators in Los Angeles, Long Beach and Oakland agreed to forward weights from the truck scales for use by carriers for VGM.</p> <p>June 2016 - Ocean Carrier Equipment Management Association (OCEMA), with 19 carrier members, amended its recommended best practice for acceptance</p>

and transmission of the VGM to include a terminal weighing approach (TWA) in the USA. OCEMA has joined with six major East and Gulf coast ports (South Carolina, Georgia, North Carolina, Houston, Virginia and Massachusetts) to agree on the use of common streamlined TWA to provide the VGM at port locations.

New York/New Jersey - NYTC. If the terminal operator has not received a VGM EDI message from the bill of lading carrier prior to an export cargo laden container's arrival at the terminal operator's over the road gate. Then the terminal operator will provide a certified VGM weight to the ocean carrier. Fee of \$10 per transition caused by no VGM at arrival gate will be charged to bill of lading carrier. Requests for containers to be drop-weighed, post-gate receiving, may be performed by the NYTC at a cost of \$125 plus applicable mounting and grounding fees. Containers arriving at the terminal operator's rail ramp with no prior VGM update in the terminal operator's system may be received into the terminal and charged a \$75 per container fee.

A trucking company that serves New York and New Jersey is offering to weigh containers for \$10 each. Salson Logistics is the first third party weighing service in the port. They will weigh the truck, calculate container weight and contents, and then scan weight receipt before sending to the terminal and carrier. It is a ten minute drive from the closest terminal and at this time is one of the cheapest alternative to providing VGM.