

# FEBRUARY 2016 WORLD SHIPPING COUNCIL

## FREQUENTLY ASKED QUESTIONS ABOUT CONTAINER WEIGHT

These FAQs relate to new mandatory rules that apply from 1 July 2016 concerning the requirement of shippers to verify the gross mass of a container carrying cargo. They have been prepared by a coalition of industry experts, jointly lead by the World Shipping Council (WSC), the TT Club (<http://www.ttclub.com/>), the International Container Handling and Coordination Association (ICHCA), (<http://ichca.com/>) and the Global Shippers Forum (GSF). (<http://www.globalshippersforum.com/>) They were developed in response to questions that have been raised by various stakeholders regarding the revised SOLAS regulation and the accompanying guidelines.

Without a verified gross mass, the packed container shall not be loaded aboard ship. The rules prescribe two methods by which the shipper may obtain the verified gross mass of a packed container. Under Method 1, upon conclusion of packing and sealing a container, the shipper may weigh, or have arranged for a third party to weigh, the packed container. Under Method 2, the shipper or, by arrangement of the shipper, a third party may weigh all packages and cargo items, including the mass of pallets, dunnage and other packing and securing material to be packed in the container, and add the tare mass of the container to the sum of the single masses of the container's contents. Under either Method 1 or 2, the weighing equipment used must meet the applicable accuracy standards and requirements of the State in which the equipment is being used.

The FAQs document is also available as a downloadable PDF file. These SOLAS amendments were adopted by the International Maritime Organization (IMO) in November 2014 and become mandatory on 1 July 2016. SOLAS itself has international legal status so there need not be any further implementing legislation for States that are party to the Convention. However, be advised that national rules and regulations may exist and stakeholders should engage with the relevant national Competent Authorities to obtain clarification on such national procedures.

Frequently Asked Questions about Container Weighing

### Section A: General

**Q: Clearly responsibilities start with the shipper. But who is 'the shipper' in the context of this new procedure?**

**Q: Is there an agreed format to communicate verified gross mass?**

**Q: Is there a deadline for when the information must be received by the carrier and the terminal operator?**

**Q: If the shipper communicates the verified gross mass as required by this regulation, is there then an obligation under either Method 1 or Method 2 on the carrier (or terminal operator) to check the value given for that gross mass and report to the authorities any discrepancy that may be found?**

**Q: If goods are put onto a feeder ship from, for example, Grangemouth (UK) that proceeds to Rotterdam (Netherlands), will verified gross mass have to be established in Grangemouth or Rotterdam or both places?**

**Q: The requirement is for accurate gross mass; is there a margin of error defined for this 'accuracy'?**

**Q: Given that there is no single international approval for weighing equipment, does this mean that different standards will be applied around the world, making it uncertain whether equipment can be approved internationally or whether values given will be accepted globally?**

**Q: How accurate does the verified gross mass need to be considering environmental factors of influence such as humidity on wood (pallets), carton (if used as primary packaging), etc.?**

**Q: Will governments apply an enforcement tolerance threshold for determining compliance with the SOLAS requirements?**

**Q: How will this be enforced and what will be the level of penalties imposed by an Administration if a container is delivered by a shipper to a carrier with a mis-declared gross mass or if a shipper does not provide the verified gross mass for a packed container?**

**Q:** The SOLAS requirement derives from safety aspects. Cargo mass information may also be required for Customs purposes. If the verified gross mass declared for SOLAS purposes subsequently is amended, for example after actual weighing of the packed container, does Customs need to be informed?

**Q:** Should a 'pilot' scheme be set up by a carrier, shippers, port and competent authority to test the system?

**Q:** Simply knowing the verified gross mass is not sufficient to achieve safety through the supply chain, since many incidents on the road and rail are caused by improper load distribution and inadequate securing. What can be done about that?

#### Section B: Method 1

**Q:** Where can we find a list of publically available weighbridges?

**Q:** Some weighbridges don't produce tickets. Would a gross mass being written on driver's consignment note, signed and stamped by the load point be acceptable?

**Q:** Where a third party (including potentially a port terminal) starts weighing freight containers (i.e. under Method 1) will it have to become a 'verified weigher' in order to issue a valid weight ticket?

**Q:** Port container handling equipment generally has on-board weighing technology ('PLCs') typically accurate to within 5% and designed to prevent overloading of the equipment. If such data are integrated into other relevant systems (including those used for ship stowage planning) is this likely to be acceptable for determining verified gross mass under Method 1?

**Q:** Who will pay for carrying out the weighing process for Method 1?

#### Section C: Method 2

**Q:** Our company only ever provides part loads/less than container load (LCL), never a full container load (FCL) so what is our position?

**Q:** Can I deliver freight to my freight forwarder without knowing the mass and ask them to weigh it and establish the verified gross mass of the cargo and issue the appropriate documents?

**Q:** Is it permissible for a company to provide a service to weigh cargo under Method 2 and issue a 'Verified Gross Mass' certificate to a shipper? If so what criteria will they have to meet?

**Q:** If Method 2 is chosen and intercompany transactions take place (e.g. the producing / dispatching entity is based in UK while bill of lading is drawn up for export at a consolidation port such as Antwerp (Belgium) and a different legal entity within a group of companies is the exporter of record) which legal entity should comply with any national rules and regulations regarding Method 2, the exporter of record or local UK entity actually packing the container and physically able to determine the relevant mass information?

**Q:** For FCL shipments involving a freight forwarder there are two different scenarios:

a. where the forwarder is agent (putting the carrier and shipper in a direct contractual arrangement); and b. where the freight forwarder acts as principal and issues a house bill of lading, being named as the 'shipper' on the maritime carrier's bill of lading/contract of carriage

In either scenario, can the freight forwarder rely on the mass provided by the forwarder's customer using Method 2?

**Q:** What if the Tare mass appearing on containers is lacking or inaccurate due to wear & tear, etc.? What remedy is available?

**Q:** We conclude that the four elements to be determined in order to declare the verified gross mass of a packed container under Method 2 are:

- a. the tare container mass,
- b. the mass of the product without any packaging,
- c. the mass of primary packaging (if any), and
- d. the mass of all other packaging, pallets, dunnage, space fillers and securing material

Is this correct?