

PORT OPERATIONS COMMITTEE

Implementation of the SOLAS Chapter VI, Regulation 2
Verification of Gross Mass of a Container with Cargo Packed in Hong Kong

PURPOSE

The purpose of this paper is to seek members' views on the proposed implementation of the Amendment to Chapter VI of the International Convention for the Safety of Life at Sea, 1974 as amended on a new requirement on container mass verification as adopted by the International Maritime Organization at the 94th Session of the Maritime Safety Committee on 21 November 2014 in Hong Kong. The amendment will be globally in force on 1 July 2016 by tacit acceptance procedures. It requires shippers or whoever signs the shipping documents to ensure the mass of the containers given in the shipping document is verified according to the new requirements¹.

BACKGROUND

2. A working group led by Marine Department (MD) was formed in December 2013 to gather the views of the industry on the best way to deal with the new requirement as a result of the discussion of the POC Paper No. 6/2013, "Draft Amendment to SOLAS Chapter VI, Regulation 2 – Cargo Information Weighing of Containers" on 24 October 2013.

¹ the gross mass shall be verified by the shipper, either by:
.1 weighing the packed container using calibrated and certified equipment; or
.2 weighing all packages and cargo items, including the mass of pallets, dunnage and other securing material to be packed in the container and adding the tare mass of the container to the sum of the single masses, using a certified method approved by the competent authority of the State in which packing of the container was completed.

3. A series of meetings had been held since December 2013 with representatives from shippers, forwarders, terminal operators, shipowners, Police, Transport and Housing Bureau (THB), MD, China MSA and Shenzhen MSA. The meetings discussed the impact of the SOLAS Amendment on marine cargo handling in Hong Kong and the methods to comply with the new requirements.

4. The Mainland proposal in implementing the new requirement is particularly important to our trade as the vast majority of container cargo routing through our port has a Mainland origin or destination. Alignment of the implementation procedures of the Mainland and Hong Kong, where practicable and consistent with the law, should help minimize double handling of containers and reduce the compliance burden on our trade.

5. In June 2015, China MSA advised that the method of direct sampling weighing of containers by the Administrations would be adopted in monitoring the compliance of the requirements by the shippers and that implementation procedures would be prepared and tried out in Shenzhen later in 2015.

CONSULTATION

6. With reference to the implementation procedures provided by the China MSA as a result of meetings with the industry in 2014 and 2015, MD prepared the draft guidelines for Hong Kong, namely, “Guidelines on the Verification of Gross Mass of a Container with Cargo Packed in Hong Kong” (“Guidelines”) in October 2015. Informal consultations with the stakeholders of the logistic industry in Hong Kong were then carried out in order to fine tune the procedures to make them practicable and workable for the industry to follow. Parties consulted were from the HK Shippers’ Council, HK Association of Freight Forwarding and Logistics Ltd (HAFFA), HK Liner Shipping Association, HK Shipowners Association, local terminal operators, companies with different trades, such as battery, rice, clothing, etc. In general, they had no adverse comment on the “Guidelines”.

ADVICE SOUGHT

7. As a result of the informal consultations as mentioned in paragraph 6 above, the MD's "Guidelines on the Verification of Gross Mass of a Container with Cargo Packed in Hong Kong" (**Annex I**) with the Application form (**Annex II**) have been finalized and are attached for members' comment / endorsement.

PRESENTATION

8. The paper will be presented by Mr. F.O. MAK, Senior Shipping Safety officer / Marine Industrial Safety.

Shipping Division
Marine Department
March 2016

**Guidelines on the Verification of Gross Mass of a
Container with Cargo Packed in Hong Kong**

Part I Preliminary

1. Long Title

These Guidelines are stipulated according to the new requirements of the SOLAS Chapter VI on the verification of the gross mass of a container carrying cargo and aims at enhancing the safety management of containers carrying cargo (hereinafter “packed containers”) in Hong Kong.

2. Application

The methodology is applicable to all the packed containers regulated by International Convention for Safe Containers (CSC) and the packed containers to be suitably loaded onboard a vessel to which SOLAS Chapter VI applies with effect from 1 July 2016.

3. Regulatory Organization

Marine Department of the Government of the HKSAR (“MD”) is the authority regulates the container mass verification within the territory of Hong Kong. The regulatory work includes the following:-

- (i) to establish legislation in respect of captioned SOLAS requirement,
- (ii) to enforce the legislation,
- (iii) to register shippers¹ operating with submitted container mass verification procedures,
- (iv) to maintain a register of registered shippers,
- (v) to maintain a list of authorized weighing scales (weighbridges) companies, and
- (vi) to carry out random audit inspection.

Part II Verification of Container Mass

4. Core Principles

Shipper is responsible to obtain and record the verified gross mass of the packed container in documentary format.

¹ *Shipper* means a legal entity or person named on the bill of lading or sea waybill or equivalent multimodal transport document (e.g. “through” bill of lading) as shipper and/or who (or in whose name or on whose behalf) a contract of carriage has been concluded with a shipping company.

In case any container comprises more than one shipper's cargo, the entity consolidates, seals and delivers the container to the carrier shall be responsible for the verification of container mass, including pallets, dunnage and other securing material to be packed in the container.

If the shipping document, with regard to a packed container, does not provide the verified gross mass and the master or his representative and the terminal representative have not obtained the verified gross mass of the packed container, it shall not be loaded on to the ship.

5. Methods in Verification of Packed Container Mass

Shipper may opt for either one method below for mass verification of a packed container:

Method 1: weighing the packed container using the authorized weighing scales for weighing;

Method 2: weighing all packages and cargo items, including pallets, dunnage and other securing material to be packed in the container and adding the tare mass of the container to the sum of the single mass using a certified method² approved by the Marine Department in which packing of the container was completed.

6. Documentation

The verified gross mass obtained in accordance with (5) of these Guidelines shall be declared in the shipping document. The declaration may be submitted to the carrier as a part of the loading instruction or an independent proof document. The declaration shall be signed by the shipper's authorized person. The signature may be in the form of electronic.

7. Shipper's Declaration

In the shipping document as per (6) of these Guidelines, the shipper shall make a declaration by incorporating below content.

For gross mass obtained by Method 1, the declaration shall consist of the content hereunder:

² Shipper will have to provide details of the weighing method for approval by Marine Department in the registration process. For containers of which packing were completed outside of Hong Kong, MD accepts the competent authority of the State in which packing of the container was completed as the approving body.

“Shipper’s declaration: the gross mass of the packed container declared in the shipping document was obtained in accordance with Method 1 stipulated in SOLAS Chapter VI Regulation 2 by means of the authorized weighing scales (weighbridges)”, followed by signature of shipper.

For gross mass obtained by Method 2, the declaration shall consist of the content hereunder:

“Shipper’s declaration: the gross mass of the packed container declared in the shipping document was obtained in accordance with Method 2 stipulated in SOLAS Chapter VI Regulation 2. The procedure of this method has been approved by MD with registration number. 00000.” and followed by signature of shipper.

8. Submission of Information

Prior to shipping the container to the terminal’s facilities, the shipper shall submit the shipping document with verified gross mass as per (6) of these Guidelines to the terminal and shipping line by means of Electronic Data Interchange (EDI) or Electronic Data Processing (EDP) transmission for the purpose of formulation of stowage plan.

When the packed container reaches the terminal’s facilities, shipping line shall confirm with the terminal for the availability of verified gross mass figures.

9. Weighing Device

Verification of gross mass through Method 1 is to be done by the authorized weighing scales (weighbridges) enlisted in MD’s web-page.

(To be enlisted in MD’s webpage, authorized weighing scale operators are required to submit weighing scale annual calibration report.)

10. Shipment and Transshipment of Multi-modal Containers

If a container is shipped to a terminal via land transportation, railway, or non-convention vessels, that unverified packed container shall not be loaded onboard a SOLAS-compliance vessel unless verified mass of the packed container has been obtained in accordance with the verification methods as per (5) or, direct weighing of the packed containers at the authorized weighing scales through the arrangement of the Master or terminal for the efficient cargo operation.

Re-verification is not required for containers in transshipment.

11. Deviation in Gross Mass Figures

The verified gross mass figure shall prevail if it is different from the figure declared prior to verification.

The verified gross mass figure obtained by weighing equipment in terminal shall prevail if it is different from the verified figure obtained before the container reaches terminal.

The verified gross mass figure obtained by MD in situ as a means of random check shall prevail if it is different from the verified figure obtained by weighing equipment in terminal.

Tolerance of +/-5% between the verified gross mass declared by the shipper and the verified gross mass obtained by MD, carrier or terminal shall be acceptable.

12. Overweighed Container

The gross mass of a packed container shall not exceed the *maximum operating gross mass* stamped on the container's safety approval plate issued in accordance with the requirements of amended CSC (and section 10 of Cap. 506). Any overweighed container shall not be allowed to be loaded onboard.

13. Unverified Container

If the shipper cannot provide the verified gross mass information upon a container's arrival at the terminal, that container shall not be loaded onboard until verification of container mass is completed. The shipper may delegate Master or his representative and terminal's representative to carry out verification by the authorized weighing scales. The verified gross mass obtained in this way can be employed for preparation of stowage plan.

Part III Registration of Shippers adopting Method 2

14. Terms of Registration

Shipper adopts Method 2 to obtain the verified container mass is required to submit its procedure for approval by MD. Shipper is liable to the practicality of the procedure, the accuracy of the calculated mass, the record of the verification process, and the maintenance of the records. Shipper is liable to update any

change in their procedure and equipment. MD is not liable to warrant the accuracy of the verified container mass declared by the registered shippers.

15. Application of Registration

- (i) (Companies using method 1 do not need registration)

Shipper adopts Method 2 shall provide the following information during their applications of registration to MD.

- (i) Business Registration License;
- (ii) The location of carrying out the mass verification (in particular, if differs from the address on BR Certificate);
- (iii) Organization Chart;
- (iv) Procedure of container mass verification;
- (v) Identity post titles carrying out verification including internal auditing staff, if any;
- (vi) Identity post title(s) authorized to sign the shipper's declaration;
- (vii) Safety management policy in handling packed container; and
- (viii) Training received by the persons engaged in the container mass verification.

16. Completing the Registration

After received the application of shipper, MD shall scrutinize the documents and perform a preliminary assessment of the practicality of the submitted container mass verification procedure. If the submission is found in order, MD shall issue a confirmation of registration together with the registration number to the shipper.

MD has the right to inspect and witness shipper's conduction of the verification procedure before granting the registration.

Part IV Supervision and Inspection

17. Supervision and Inspection

MD may exercise the power to (i) enter the companies to check the documents or records confirming their compliance with either Method 1 or Method 2 as per (5); and (ii) weigh packed container by making use of weighing equipment if found necessary.

**Shipping Division
Marine Department
February 2016**

Marine Department

海事處

Application of Registration - Gross Mass Verification of a Container Carrying Cargo

認證申請 - 載貨集裝箱重量驗證

In accordance with Gross Mass Verification of Packed Container **Method 2** as stipulated in Chapter VI Regulation 2 of the Safety of Life at Sea.

按照《國際海上人命安全公約》第VI章第2條所訂明的載貨集裝箱重量驗證之 **方法二** 提出申請。

I Applicant's Information (申請人資料)
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1. **Name of shipper (托運人名稱)**

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2. **Address (地址)**

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3. **Telephone number (電話) (Office hour 辦公時間) (After office hour 非辦公時間)**

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4. **Fax number (傳真號碼)**

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5. **E-mail address (電郵地址)**

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6. **Hong Kong Business Registration License No. (香港商業登記證號碼)**

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II Information of Gross Mass Verification of a Container Carrying Cargo 載貨集裝箱重量驗證資料
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7. **Address of godowns owned or rented for gross mass verification of a container carrying cargo
(擁有或租用以驗證載貨集裝箱重量的貨倉地址)**

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8. **Post titles carrying out gross mass verification of a container carrying cargo
(載重集裝箱重量驗證人職位)**

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9. **Post titles authorized to sign the shipper's declaration
(獲授權簽署托運人聲明的職位)**

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10. **Post title of internal auditing staff if any
(內審人員的職位(如有))**

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11. **Name of person in charge**

(負責人名字)

Position (職位)

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Telephone number (電話號碼)

Fax number (傳真號碼)

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E-mail address (電郵地址)

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Address for completed application form together with the following documents:

請將已填妥的申請表，連同以下所需文件送交下述地址：

Copy of Hong Kong business registration license

(公司商業登記證副本)

Organization chart

(公司架構圖)

Procedure of container mass verification

(詳細的載貨集裝箱重量驗證程序)

Safety management policy in handling packed container

(載貨集裝箱的安全管理制度)

Training received by the persons engaged in the container mass verification

(裝箱人員和重量驗證人員的內部培訓制度)

Applicant's signature (申請人簽署):

Name of applicant (申請人姓名):

Company stamp (公司蓋章):

Marine Industrial Safety Section

Marine Department

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Approval: Yes / No

Registration Number: