



ISCOS SECRETARIAT
(INTERGOVERNMENTAL STANDING COMMITTEE ON SHIPPING)

A GUIDE ON SOLAS CONTAINER VERIFIED GROSS MASS (VGM)

Mandatory Requirement WEF 1.7.2016



*Serving the Region and the International
Community as a one Stop Centre of Excellence for
Regional Maritime Matters and Total Logistics.*



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ISCOS is a regional maritime organization formed in 1967 by four Member States, namely Kenya, Tanzania, Uganda and Zambia to promote and protect their maritime and shipping interests.

One of the ISCOS current interests is the smooth implementation of the forth coming IMO SOLAS amended convention on the mandatory requirement for each packed export container to have its gross mass verified before it is loaded onto the ship through sea ports within ISCOS mandate with effect from 1st July, 2016.

Accordingly, this brochure is prepared to shed more light on some of the frequently asked questions (FAQs) on the new regulation regarding VGM for packed export containers:

Importance of accurate container weight declaration

The vast majority of more than 130 million TEUS per year move safely globally. However, in international shipping, simple errors can amount to major incidents especially when it comes to the weight of a container on a sea freight vessel. For instance, 4 accidents on container ships that happened between 1998 and 2006 caused estimated loss of \$75 million each and some casualties.

It is also estimated that 20% of the container accidents globally is due to weight under-declaration, cargo mis-declaration, insufficient securing/supporting, and correct cargo distribution in container. While it is true that mistakes do happen, something must be done when they happen frequently and with large consequences.

It is against that backdrop that the International Maritime Organization (IMO), through its Maritime Safety Committee (MSC) amended its International Convention for Safety of Life at Sea (SOLAS) Chapter VI, Regulation 2 on cargo information by adding paragraphs 4 to 6 stating that more information was required regarding a packed container. Paragraph 6 prohibits loading onto a ship any packed export container whose information on its verified gross mass is not provided or obtained by the master or his representative from the effective date which is 1st July 2016.



Ships, cargo, people, infrastructure and the environment need to be protected from damages caused by container weight mis-declarations.

Why the amendment?

To reduce the incidents associated with mis-declared cargo weights within the supply chain leading to:

- Accidents of ships in ports and at sea
- Damage to the port terminal facilities,
- Road and railways accidents
- Marine pollution
- Resultant deaths of workers within the port areas, road, at sea
- Damages to roads

WEIGHT UNDER-DECLARATION INCIDENCES



MV Deneb 2011: 16(out of 168) containers declared to weigh 93 tons were actually weighing 381 tons!!!



An overloaded forklift was tipped forward by the container on 9th May 2011



MSC Napoli 2007: 137(out of 660) deck containers were under-declared by 3-20 tons each!!!

Who is responsible for providing the VGM ?

The shipper, is solely responsible to weigh and verify the cargo weight and submit the VGM to the shipping line and / or terminal or their representatives.

Who is the shipper?

The shipper is defined as 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. The shipper may be a manufacturer, ship agent, freight forwarder, etc

How can the gross mass be verified?

The SOLAS regulation allows for two methods to verify the gross mass of a packed container:

Method 1: weigh the fully packed container

Method 2: 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 single masses.

Whichever method is used, it must be a certified method approved by a competent authority in the state in which packing of the container was completed. The weighing equipment must also be calibrated and certified by the relevant authority, such as Weight and Measures Agencies or Bureau of Standards.

Who decides on the “Certified method” of weighing?

This is the responsibility of the competent authority of the State in which packing of the container was completed.





How to communicate the VGM

Preferably by electronic means such as Electronic Data Interchange (EDI) or Electronic Data Processing (EDP), to the ship's master or his representative and to the terminal representative sufficiently in advance of ship loading to be used in the preparation and implementation of the ship stowage plan.

The information can be communicated as part of shipping documents or a separate document.

In any case it must be signed by the shipper or his agent, by electronic signature or name in capital letters of the person authorized to sign.

What is the scope of SOLAS?

These SOLAS requirements to verify the gross mass of a packed container applies to all containers to which the CSC applies, and which are exported through ports by any ship that the SOLAS convention is applicable.

The provisions of SOLAS Chapter VI, Part A, Regulation 2, do not apply to:

- a) A packed container on a chassis or trailer to be driven on a RO-RO ship which is engaged on short international voyages.
- b) Cargo items tendered by a shipper to the master for packing into a container already on board the ship.

What is the maximum weight to be stuffed into the container?

The maximum carrying capacity of each container is indicated on its CSC plate found on each container.

Who will enforce the regulations?

Like other SOLAS provisions, the enforcement of the SOLAS requirements regarding the verified gross mass of packed containers falls within the competence and is the responsibility of the SOLAS Contracting Governments. Contracting Governments acting as port States should verify compliance with these SOLAS requirements. Any incidence of non-compliance with the SOLAS requirements is enforceable according to national legislation.

Who pays if the gross mass of a container is not verified?

The rule is "NO VGM, NO LOADING ONTO THE SHIP"

Thus, a packed container, for which the verified gross mass has not been obtained sufficiently in advance to be used in the ship stowage plan, will be denied loading onto a ship to which the SOLAS regulations apply. Any costs associated with the non-loading, storage, demurrage, stripping, re-stuffing or eventual return of the container to the tendering shipper of the container should be subject to contractual arrangements between the commercial parties.

What if a container arrives for onward transportation without a verified gross mass?

As per SOLAS Guidelines, the shipper is responsible for obtaining and documenting the verified gross mass of a packed container. However, Section 13 of the Guidelines (MSC.1/Circ.1475) provides contingencies for containers received without a verified gross mass. In order to allow the continued efficient onward movement of such containers, the master or his representative and the terminal representative may obtain the verified gross mass of the packed container on behalf of the shipper. This may be done by weighing the packed container in the terminal or elsewhere, but whether and how to do this should be agreed between the commercial parties, including the apportionment of the costs involved.

What will happen with regards to containers loaded prior to 1 July 2016 for transshipment?

The Maritime Safety Committee (MSC) at its 96th session in May 2016 agreed that while there should be no delay in the implementation of the SOLAS requirements, it would be beneficial if Administrations and port State control authorities could take a “practical and pragmatic approach” when enforcing them, for a period of three months immediately following 1 July 2016. This would help ensure that containers that are loaded before 1 July 2016, but transhipped on or after 1 July 2016, reach their final port of discharge without a verified gross mass and it would provide flexibility, for three months immediately after 1 July 2016, to all the stakeholders in containerized transport to refine, if necessary, procedures (e.g. updated software) for documenting, communicating and sharing electronic verified gross mass data.

Details on this are as per circular no. MSC. 1/Cir.1548 of 23-5-2016

What are the timelines for the shipper to submit the VGM?

SOLAS have left this to be agreed between the shipping companies/agents and terminal operators on the cut off dates as they deem fit.

However, it is the responsibility of:

- a) Shipping lines to inform the shipper of the agreed cut off times with the terminal operators.
- b) The shipper to submit the VGM in time, sufficiently in advance of ship loading to be used in the preparation and implementation of the ship stowage plan.

What are the benefits of the VGM to the industry and economies?

- a) Enhanced safety at sea, in ports, in terminals, on roads, on rails
- b) Prevention of marine environment pollution
- c) Correct ocean, road, rail freight rates
- d) Correct import duties
- e) Less damage to roads, etc.

For more details:

Refer: IMO's Solas documents:

- a) MSC.1/Circ.1475 dated 9th June, 2014
- b) MSC.1/Circ.1548 dated 23rd May 2016

REMEMBER: WITH EFFECT FROM 1st JULY 2016: NO VGM, NO LOADING

- For further assistance on VGM matters, please contact your maritime regulator in your country.
- For Dar es Salaam and Mombasa Ports users, you can contact the following in the respective countries for more assistance:

Contacts for VGM queries for Dar es Salaam and Mombasa Port Users

1. Kenya: (a) Kenya Maritime Authority (KMA)
info@kma.go.ke/solas_cwv@kma.go.ke,
Tel:+254 412 318 398/+254 724 319 344

(b) Kenya Ports Authority (KPA)
ajaka@kpa.co.ke,
Tel:+254 412 112 999/+254 722 825 646

2. Tanzania: (a) Surface and Marine Transport Regulatory Authority (SUMATRA)
infor@sumatra.go.tz/dg@sumatra.go.tz,
Tel:+255 222 197 500/222 129 325,

(b) Tanzania Ports Authority (TPA)
cm@tanzaniaports.com,
dg@tanzaniaports.com /
Tel:+255222134874

3. Uganda: Ministry of Works and Transport
mowt@works.go.ug, grukara@gmail.com,
Tel: +256 414 320 135, +256 414 321 364
+256 752 593 562

4. Zambia: Ministry of Transport and Communication
Contact: Permanent Secretary,
Tel: +260211253165/211253145



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