



## **SOLAS Requirements for Weighing of containers:**

### **European organisations representing Shippers, Freight Forwarders, Terminal Operators and Port Authorities call on National Authorities to take action in coordination to preserve level playing field**

In November 2014, the International Maritime Organisation (IMO) agreed upon rules for the mandatory weighing of all sea-bound containers to be loaded on a vessel. The above mentioned organisations accept these rules and are committed to working towards the successful implementation of the new legal obligation.

The amended SOLAS convention comes into force from 01 July 2016, after which date all “shippers” (that is the party named in the ocean carrier’s bill of lading) must declare to the carrier in advance the verified weight of packed containers. To ensure that the logistics chain can continue to function in a proper manner as of 01 July, the above mentioned organisations call on national authorities to take urgent, coordinated action along the lines indicated below. The absence of such action will lead to competition distortion and significant interruption to the functioning of the logistics chain.

#### **Commitment to level playing field**

To ensure that the implementation of the new legal requirements does not create competition distortion through a patchwork of varying national measures, Member States should pursue a coordinated European approach, taking into consideration the national guidelines of other Member States when deciding on national rules. Supply chain actors and national authorities should work towards commonly accepted guidelines in order to minimise distortion of competition and ensure smooth functioning of the SOLAS requirements. Cooperation in drafting of guidelines must focus on two main elements: tolerances applying to weighing equipment and the certification of those shippers approved to issue VGM certificates using Method 2 based upon common standards and programmes (such as AEO, ISO 9001, ISO 28000) or other existing obligations or recommendations to provide the container weight.



## **Certification of Weighing Equipment and Methods**

Regarding the accuracy of weighing equipment, it is currently the responsibility of the implementing State to define the appropriate standards and this is particularly important in relation to both methods of weighing. National authorities need to be aware that excessive requirements can have an adverse impact on the logistics chain. For example, an over-reliance on weighbridges for Method 1 weighing may create unnecessary bottlenecks which could be avoided by using other devices, such as spreader mounted weighing devices. Similarly an over-complicated system for the regulation of Method 1 and 2 users could lead to delays in their authorisation in the short time left before implementation deadline of the SOLAS amendments.

In order to avoid market distortions, it is important that countries around Europe adopt similar standards on certification which are not overly restrictive and do not have an adverse impact on the functioning of the logistics chain. So as to ensure transparency and certainty for all actors in the supply chain, evidence should be available when required of the shipper's authorisation to provide a VGM.

## **Acceptable Tolerances for Weighing Equipment**

It is important that national authorities communicate the accepted tolerance level for weighing equipment used to issue, and where necessary verify a declared VGM (for example; 5% or an acceptable variation from the declared VGM) in advance of 01 July 2016. It should be borne in mind that variations in implementation may lead to a distortion in competition between Member States. We encourage this coordination to pursue a level of tolerance which allows sufficient flexibility to take into account variations which may occur through natural weight variations, inaccurate tare weight on official plates, or through the use of different equipment, so as to not create blockages to the supply chain by unduly refusing carriage, while also not jeopardising safety and therefore the purpose of the rules.

## **Chain of Communication**

The verified gross mass (VGM), and any other relevant information, shall always be communicated by the shipper to the carrier and subsequently to the terminal operator, unless otherwise agreed. The shipper remains responsible for communicating via the agreed chain of communication and in accordance with an agreed timetable.



It is recommended to communicate the VGM at the earliest opportunity, and if possible before the delivery of the packed container to a port terminal facility, in order to avoid complications. If the VGM has not already been communicated, or if no contractual agreement has been agreed to obtain the VGM at arrival at the terminal, it is possible that the terminal will refuse entry of the container.

### **Confirmation of VGM**

The carrier and terminal operator are not responsible for ensuring the accuracy of the VGM provided by the shipper. All actors in the logistics chain are entitled to rely on the VGM declared by the original shipper as being accurate. If no VGM has been established, a container cannot be loaded on a vessel.