



# CONTAINER WEIGHING SURVEY

Verifying the Gross Mass of a Container  
FONASBA Gothenburg 2014

The proposals by DSC 18 to amend the SOLAS 1974 Regulations have now been taken forward for final ratification of same will come at MSC 94 on 17th/21st November 2014.

**These measures will apply from 1st January 2016.**

We need to ensure that we are ready!



# Our Survey Results

- ▣ What container weighing facilities currently exist?
- ▣ Of 24 responses received, results showed;
- ▣ Inside terminal – 16
- ▣ Outside within port area – 17
- ▣ Inland – 17
- ▣ What will happen in those countries where no inland facility exists? Surely weighing on arrival at port will be too late!

# Are all containers currently weighed?

- ▣ Our results showed that in 6 member countries all containers are now being weighed.
- ▣ In all these countries the weighing takes place on arrival at port.
- ▣ In most countries road weight limits apply, should the containers be weighed inland?
- ▣ Will weighing of all containers on arrival at large terminal/ports create congestion?

## In those countries not currently weighing, how often are containers weighed and why?

- ▣ The results showed a variety of reasons;
- ▣ Shippers request.
- ▣ Customs requirement.
- ▣ Stevedore, usually when overweight is suspected.
- ▣ Authorities, such as police checking vehicle weights for road limits.
- ▣ In one country all cargo is taxed according to cargo weight.



# What is the cost of weighing and who pays?

- ▣ The results showed a considerable disparity in the charge for weighing;
- ▣ Costs varied from 'free' up to Euro 200!
- ▣ To the question of 'who pays?' the vast majority showed the 'shipper'.
- ▣ In some areas the costs are met by the 'line' or 'agent'
- ▣ When weighing becomes mandatory it will be interesting to see to whom the charges are levied.
- ▣ We can presume that ultimately the cargo will pay.

## Who has responsibility to arrange weighing

- ▣ The results showed that in the majority of cases either the 'shipper' or 'stevedore' has responsibility to arrange weighing.
- ▣ It should be remembered then when the regulations come into effect the responsibility is very clear. It's the 'shippers' responsibility.
- ▣ Whilst the responsibility is clear, the reality is that in many cases the 'agent' or 'forwarder' will be given the task by their client.

# Are weighbridges certified and do they issue a certificate?

- ▣ In most countries weighbridges are certified, but surprisingly 5 responses showed they are not certified.
- ▣ Again most results showed that certificates were issued, however in 4 cases no certificate was being issued.
- ▣ The IMO SOLAS proposals are clear, all weighing facilities must be approved by the competent authority
- ▣ A certificate of 'gross mass' must be issued.



# Survey results

- ▣ The survey revealed just how much progress will be needed in a short space of time to ensure compliance,
- ▣ Some mentioned that straddle carriers and port cranes show weight. These are only to indicate 'overweight' situations. They are not calibrated and do not issue certificates.
- ▣ Some responses showed that every 'import' container is weighed. Presumably this practice will stop when the regulations are implemented.
- ▣ Many responses mentioned that the 'shipper' is responsible. However this has ALWAYS been the case, will it change now?
- ▣ How will containers arriving by rail, barge or feeder be catered for?

# What will be the impact to the Agent

- ▣ There is no doubt the Lines will simply say 'no certified weight' then the container will not be loaded. The regulation tells them so!
- ▣ It is most likely the 'agent' will be given the responsibility to ensure that every container presented for loading has a certified weight.
- ▣ In the event of disputes, it is recommended that the 'agent' should check their liability insurance.
- ▣ We will need to ensure are customers are educated on the new regulation, as many will be totally unaware.

# What do the regulations actually say?

- ▣ 2.1.2 *Calibrated and certified equipment* means a scale, weighbridge, lifting equipment or any other device, capable of determining the actual gross mass of a packed container or of packages and cargo items, pallets, dunnage and other packing and securing material, that meets the accuracy standards and requirements of the State in which the equipment is being used.
- ▣ 2.1.6 *Gross mass* means the combined mass of a container's tare mass and the masses of all packages and cargo items, including pallets, dunnage and other packing material and securing materials packed into the container
- ▣ 2.1.12 *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

# What do the regulations actually say?

- 4.1 The responsibility for obtaining and documenting the verified gross mass of a packed container lies with the shipper
- 5.1 The SOLAS regulations prescribe two methods by which the shipper may obtain the verified gross mass of a packed container:
  - 5.1.1 Method No.1: Upon the conclusion of packing and sealing a container, the shipper may weigh, or have arranged that a third party weighs, the packed container.
  - 5.1.2 Method No.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 using a certified method as described in paragraphs 5.1.2.3 and 5.1.2.3.1. Any third party that has performed some or all of the packing of the container should inform the shipper of the mass of the cargo items and packing and securing material that the party has packed into the container in order to facilitate the shipper's verification of the gross mass of the packed container under Method No.2. As required by SOLAS VI/2 and paragraph 5, the shipper should ensure that the verified gross mass of the container is provided sufficiently in advance of vessel loading. How such information is to be communicated between the shipper and any third party should be agreed between the commercial parties involved. The verified gross mass of a packed container lies with the shipper.



# What do the regulations actually say

- ▣ 6.1 The SOLAS regulations require the shipper to verify the gross mass of the packed container using Method No.1 or Method No.2 and to communicate the verified gross mass in a shipping document. This document can be part of the shipping instructions to the shipping company or a separate communication (e.g. a declaration including a weight certificate produced by a weigh station utilizing calibrated and certified equipment on the route between the shipper's origin and the port terminal). In either case, the document should clearly highlight that the gross mass provided is the "verified gross mass" as defined in paragraph 2.1.
- ▣ 6.2 Irrespective of its form, the document declaring the verified gross mass of the packed container should be signed by a person duly authorized by the shipper. The signature may be an electronic signature or may be replaced by the name in capitals of the person authorized to sign it.

# Let's be prepared

- When the MSC Napoli grounded off the UK coast, the Authorities weighed the retrieved containers. They discovered more than 30% were above their declared weight!
- 200 years ago no Master would set sail until he knew the weight of all the cargo.
- Now 200 years later the Master has no real idea of the weight of his cargo
- The regulation has now been set and we must play our part in that process.