



MARITIME AUTHORITY OF JAMAICA

Guidelines on the Verification of Gross Mass of a Packed Export Container

Part I Preliminary

The International Convention on the Safety of Life at Sea, 1974 as amended (SOLAS Convention) regulates the safe construction and operation of ships.

Chapter VI of the SOLAS Convention regulates the carriage of goods including the requirements for stowage and securing cargo or cargo units (containers) and places the requirement on the shipper to provide appropriate information on the cargo to enable its proper stowage and carriage.

The SOLAS Convention entered into force for Jamaica on January 14, 1984 and the majority of its provisions are incorporated in Part IX of the Shipping Act, 1998 which is administered by the Maritime Authority of Jamaica.

As the focal point for the International Maritime Organization the Maritime Authority is responsible for ensuring that Jamaica fulfills its obligation under the SOLAS Convention.

Following concerns raised by the shipping industry regarding the mis-declaration of the declared gross mass of packed containers resulting in ship casualties and safety related incidents in port areas, SOLAS Chapter VI Regulation 2 has been amended.

The amendment to SOLAS VI Regulation 2 which comes into force 1st July 2016 places an obligation on the Shipper to verify the gross mass of cargo (contents) carried in units including tare weight of the container. This amendment gives shippers two possible

options for deciding which method to use for obtaining an accurate gross mass.

The MAJ has developed guidelines to assist in the implementation of the new requirements in Jamaica and these guidelines apply in relation to export consignments from Jamaica.

Jamaica does not currently have any regulations governing the obligation of the shipper under SOLAS VI Regulation 2 and it is not the intent of the Government to pass any regulations or impose any penalties in relation to this matter at this time.

A list of terms used in the Guidelines is attached at Annex I.

1. Regulatory Organization

The Maritime Authority of Jamaica (MAJ) is the authority responsible for maintaining the implementation of the revised SOLAS Chapter VI, Regulation 2.

The MAJ will:

1. maintain a list of approved weighing scales.
2. approve quality management procedures for determining the VGM using Method 2.
3. Conduct random inspections.
4. inspect ships for compliance with SOLAS Chapter VI.

Part II Verification of Container Mass

2. Core Principles

- 2.1 The Shipper is responsible for obtaining and declaring the verified gross mass of packed container for export.
- 2.2 Where the contents of a packed export container is comprised of the cargo of more than one shipper's cargo, the entity which 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 and shall be deemed to be the shipper for the purpose of compliance with SOLAS Chapter VI Regulation 2.

- 2.3 The Master or his representative and the terminal operator shall be provided with the verified container's gross mass figure to be used in the ship stowage plan sufficiently in advance, in accordance with arrangements agreed among the carrier, shipper and terminal operator.

3. Methods in Verification of Packed Container Gross Mass

Shipper may opt for either method below verifying the gross mass of a packed export container:

Method 1: weighing the packed container by using the approved weighing scale;

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 method approved by the MAJ.

NB For certain types of cargo items (e.g. scrap metal, unbagged grain and other cargo in bulk) it would be inappropriate and impractical to use Method 2.

4. Documentation

The verified gross mass obtained in accordance with Clause 3 of these Guidelines shall be declared in the shipping document. The declaration may be submitted to the carrier as a part of the shipping instruction or other appropriate document. The declaration shall be signed by the shipper's authorized person. The signature may be in electronic form.

5. Shipper's Declaration

The form of Declaration required to be made by the Shipper pursuant to Clause 4 is not prescribed however the Maritime Authority recommends that the contents of Declaration be similar to the Declarations stated below.

5.1 For gross mass obtained by Method 1;

“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”, followed by signature of shipper.”

5.2 For gross mass obtained by Method 2:

“Shipper's declaration: the gross mass of 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 or recognized by the MAJ” and followed by signature of shipper.”

6. Submission of Information

6.1 The shipper shall submit the shipping document with the verified gross mass sufficiently in advance to the carrier and the terminal to enable the preparation of the stowage plan.

NB. This period will differ based on the carrier or terminals peculiar requirements and the Shipper should obtain this information from the Carrier and terminal being used.

6.2 When the packed container reaches the terminal's facilities the carrier

shall inform the terminal of the verified gross mass figure for stowage planning.

7. Weighing Scale

Verification of gross mass through Method 1 is to be done by the approved weighing equipment attached hereto.

8. Shipment and Transshipment of Consolidated Container

8.1 Where a packed export container arrives at the terminal without evidence that the gross mass of the container has been obtained that packed container shall not be loaded onboard a SOLAS-compliant vessel.

8.2 Re-verification is not required for container in transshipment.

9. Discrepancies in the Gross Mass Figure

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

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

9.3 In circumstances where a packed container is not weighed at the terminal but the terminal nevertheless discovers that a discrepancy exists regarding the verified gross mass as declared or provided to it, the port terminal facility and the shipper should agree on the steps to be taken to confirm the verified gross mass of the packed container.

- 9.4 Tolerance of +/-5% and +/-0.5 ton between the verified gross mass declared by the shipper and the verified gross mass obtained by the carrier or terminal or one ton (whichever is lower) shall be acceptable for container's gross mass.
- 9.5 There is no obligation for carriers and terminals to verify the verified gross mass unless it is found necessary.

10. Overweight Container

The gross mass of an export 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 International Convention for Safe Containers, 1972. Overweight containers shall not be allowed to be loaded onboard.

11. Empty Container

Shippers and operators of empty containers are encouraged to have practices and arrangements in place to ensure that they are empty. The tare weight should be visible on the container in accordance with the International Organization for Standardization (ISO) standard for container marking and identification and it should be used in such cases.

12. 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 the container gross mass is completed. The shipper may delegate to Master or his representative and terminal operator the duty to verify the gross mass of its container at the terminal or other places where approved weighing equipment is provided. The verified gross mass obtained in this way can be accepted for preparation of the stowage plan.

13. Mis-declarations

- 13.1 Any incidence of a mis-declaration of the gross mass of a container should be corrected by the shipper as soon as practicable. Records of mis-declarations and corrections made should be available on request by the MAJ. Failure to record and correct such incidents may result in the withdrawal of a company's "Method 2" approval by the MAJ.

Part III Registration of Shippers adopting Method 2

14. Terms of Registration

- 14.1 A shipper which adopts Method 2 to obtain the verified container mass is required to submit its procedure for approval by MAJ. The shipper is liable for the accuracy of the calculated mass, the record of the verification process, and the maintenance of the records. Shipper is liable to update any changes in their procedure and equipment.

- In order to use "Method 2" the MAJ will approve the certified method used by the shipper. The following are the options for obtaining approval for the use of Method 2 :-
- Businesses holding an accredited Quality Management System (such as ISO 9001 which include documented procedures to satisfy the weighing requirement, will be deemed to have demonstrated their competence to use Method 2.
- The shipper will be required to submit the relevant procedures along with a copy of the any certificates to the MAJ.

- Shippers which are not accredited to one of the above but operate a company management system can be approved by the MAJ after a review of the documents submitted.
- Other auditing schemes as approved by the MCA.
- The MAJ will maintain a list of Companies which successfully become authorised to use Method 2.

14.2 It should be noted that certain types of cargo items (e.g. scrap metal, unbagged grain, and other cargo in bulk) do not easily lend themselves to individual weighing of the items to be packed in the container. In such cases, the use of Method 2 would be inappropriate and impractical, and Method 1 should be used instead.

15. Persons proposing to adopt Method 2 shall follow the below procedure:

Submit to the MAJ the following documents.

- (i) Certificate of Incorporation;
- (ii) The location where the VGM will be conducted;
- (iii) Procedure for determining the VGM;
- (iv) Name and title of person authorized to sign the shipper's declaration;

16. Completing the Registration

16.1 On receipt of the above-mentioned documents from the Shipper, the MAJ will review the documents and conduct a preliminary assessment of the VGM procedure. If the submission is found to be in order, the MAJ will issue confirmation of approval.

16.2 MAJ has the right to inspect and witness the Shipper's conduct of the procedure before granting the approval.

Part IV Supervision and Inspection

17. Supervision and Inspection

The MAJ may visit the premises of Shippers to check the documents or records confirming their compliance with Method 2.

18. Document and Record Keeping

The stakeholders, including but not limited to shippers, weighing scale operators, carriers and terminals shall retain all the documents and records related to verification of gross mass of a packed container for a period not less than 3 years.

Shippers which take advantage of the facilitation offered by Method 2 will be required to ensure that the expected levels of compliance are met, proper records kept and that these are made available on request by the MAJ.

MAJ may suspend or revoke the approval given where the shipper fails to rectify any deficiencies in the procedures which have been identified.

Maritime Authority of Jamaica

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Annex 1- Definitions

For the purpose of these Guidelines:

A1.1 Administration means the Government of the State whose flag the ship is entitled to fly.

A1.2 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.

A1.3 Cargo items has the same general meaning as the term "cargo" in the International Convention for Safe Containers, 1972, as amended (hereinafter referred to as "the CSC"), and means any goods, wares, merchandise, liquids, gases, solids and articles of every kind whatsoever carried in containers pursuant to a contract of carriage. However, ship's equipment and ship's supplies, including ship's spare parts and stores, carried in containers are not regarded as cargo.

A1.4 Carrier The party who, in a contract of carriage, undertakes to perform or to procure the performance of carriage by sea.

A1.5 Container has the same meaning as the term "container" in the CSC and means an article of transport equipment:

- (a) of a permanent character and accordingly strong enough to be suitable for repeated use;
- (b) specially designed to facilitate the transport of goods, by one or more modes of transport, without intermediate reloading;
- (c) designed to be secured and/or readily handled, having corner fittings for these purposes; and
- (d) of a size such that the area enclosed by the four outer bottom corners is either:
 - (i) at least 14 m² (150 sq. ft.); or
 - (ii) at least 7 m² (75 sq. ft.) if it is fitted with top corner fittings.

A1.6 Contract of carriage means a contract in which a shipping company, against the payment

of freight, undertakes to carry goods from one place to another. The contract may take the form of, or be evidenced by a document such as a sea waybill, a bill of lading, or multi-modal transport document.

A1.7 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 any other packing and securing materials packed into the container (see also "*Verified grossmass*").

A1.8 Package means one or more cargo items that are tied together, packed, wrapped, boxed or parcelled for transportation. Examples of packages include, but are not limited to, parcels, boxes, packets, cartons and crates.

A1.9 Packed container means a container, as previously defined, loaded ("stuffed" or "filled") with liquids, gases, solids, packages and cargo items, including pallets, dunnage, and other packing material and securing materials.

A1.10 Packing material means any material used or for use with packages and cargo items to prevent damage, including, but not limited to, crates, packing blocks, drums, cases, boxes, barrels, and skids. Excluded from the definition is any material within individual sealed packages to protect the cargo item(s) inside the package.

A1.11 Securing material means all dunnage, lashing and other equipment used to block, brace, and secure packed cargo items in a container.

A1.12 Ship means any vessel to which SOLAS chapter VI applies. Excluded from this definition are roll-on/roll-off (ro-ro) ships engaged on short international voyages where the containers are carried on a chassis or trailer and are loaded and unloaded by being driven on and off such a ship.

A1.13 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. The shipper may also be known as the sender.

A1.14 Shipping document means a document used by the shipper to communicate the verified gross mass of the packed container. 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).

A1.15 Tare mass means the mass of an empty container that does not contain any packages, cargo items, pallets, dunnage, or any other packing material or securing material.

A1.16 Terminal representative means a person acting on behalf of a legal entity or person engaged in the business of providing wharfage, dock, stowage, warehouse or other cargo handling services in connection with a ship.

A1.17 Verified gross mass means the total gross mass of a packed container as obtained by one of the methods described in paragraph 5.1 of these Guidelines. (see also "*gross mass*").