



# Frequently Asked Questions

- Supporting Client Advisory-

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## **1. Industry Regulations General**

### **Why do containers need to have a Verified Gross Mass (VGM)?**

Over 135 million containers each year are estimated to enter the global supply chain, and a proportion of these have inaccurate weigh estimates. Inaccurate weights are often the cause, or contributory factor to numerous serious accidents, some unfortunately fatal, in the global supply chain.

As of July 1st, 2016, the enforcement of the Safety of Life at Sea Convention (SOLAS) requirements regarding the verification of the gross mass of packed containers will be applicable.

### **When will the new IMO container weight regulations apply?**

For all CSC (Container Safety Convention) plated export containers loaded onto ships from 1st July, 2016.

### **What is SOLAS?**

The International Convention for the Safety of Life at Sea (SOLAS) is an international maritime safety treaty. It ensures that ships flagged by signatory States comply with minimum safety standards in construction, equipment and operation. The SOLAS Convention in its successive forms is generally regarded as the most important of all international treaties concerning the safety of merchant ships.

### **What is the IMO?**

The International Maritime Organisation was formed to fulfill a desire to bring the regulation of the safety of shipping into an international framework. IMO is the source of approximately 60 legal instruments that guide the regulatory development of its member states to improve safety at sea, facilitate trade among seafaring states and protect the maritime environment.

### **Are all countries bound to comply with the IMO SOLAS regulations?**

As of 2014, there are 171 member states of the IMO, which includes 170 of the UN members and the Cook Islands and covers approximately 98% of the world container traffic.

UN member states that are not members of IMO are generally landlocked countries, including: Afghanistan, Andorra, Armenia, Belarus, Bhutan, Botswana, Burkina Faso, Burundi, Central African Republic, Chad, Kyrgyzstan, Laos, Lesotho, Liechtenstein, Mali, Federated States of Micronesia, Nauru, Niger, Rwanda, South Sudan, Swaziland, Tajikistan, and Uzbekistan.

### **What is a Verified Gross Mass?**

Verified gross mass means the total gross mass of a packed container. It includes the weight of the cargo, packaging incl. packing and securing materials and the container itself.



### **How can the Verified Gross Mass be calculated?**

The VGM can be obtained by 2 methods:

1. Following packing and sealing, the shipper may weigh, or have arranged that a third party weighs, the packed and sealed container
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.

### **How can we be sure that the VGM is correct?**

For containers that VGM has to be determined by weighing per method 1 above, certified and calibrated equipment will need to be used.

If the VGM is obtained by method 2 the process is subject to certification and approval as determined by the competent authority in which the packing and sealing of the container was completed.

The document reporting the VGM to the shipper has to be “signed by a person duly authorized by the shipper” (SOLAS Ch. IV, Reg. 2 §5.1). Since the communication chain is shipper – carrier – terminal the terminals have to rely on the carrier that the information is correct.

### **Who needs to provide this Verified Gross Mass information?**

The responsibility for obtaining and documenting the verified gross mass of a packed container lies with the shipper. The shipper needs to provide the same to the shipping line who in turn will inform the Terminal operator.

### **Will the implementation of the IMO container weight regulations be delayed?**

At this time the IMO has made clear that 1st July 2016 will be the date from which on the container weight regulation will apply. IMO is currently increasing the supervision of the implementation of its regulations by its member states aiming at the protection of safety integrity within the global supply chain.

## **2. Export Shipping Process**

### **Who is responsible to provide EUROGATE with the VGM for an export container?**

Due to the contract of carriage exists between the shipper and the shipping company, not between the shipper and the port terminal facility, the shipper may meet its obligation under the SOLAS regulations by submitting the verified gross mass to the shipping company. It is then the responsibility of the shipping company to provide information regarding the verified gross mass of the packed container to the terminal representative in advance of ship loading.

### **What is the implication of not complying with the IMOs VGM requirements?**

Whether there will be additional penalties or fines imposed on the shipper is subject to the implementation of the IMO regulation by the given member state.



### **What happens to containers gated in before 1st July 2016 but loading after 1st July 2016?**

Any containers gated in to the EUROGATE Terminal (Bremerhaven, Hamburg, Wilhelmshaven) and vessel departure date as of 1st July 2016 will need to have VGM data provided.

### **How will the VGM be given to the terminal?**

The EUROGATE container terminals expect the VGM in the Load Order (COPRAR Load). Additionally the carrier can provide the VGM in the COPARN Gate In message. The new message VERMAS will not be processed.

### **Will containers be accepted at the In-Gate without a VGM?**

Yes, containers will be accepted without a VGM. But they will not be loaded on a vessel without a VGM. The VGM is expected to be sent to the terminal latest with the Load Order (COPRAR Load).

### **Will EUROGATE Terminals weigh containers?**

It is not planned to weigh containers on the EUROGATE container terminals. There are several weighing facilities available in the ports (s.a. no.4) outside the terminals.

## **3. Transshipment & Import**

### **Do transshipment containers need to have a VGM?**

Section 12.2 of the SOLAS guidelines answers this question:

“If a packed container is delivered to a port terminal facility by a ship to which the SOLAS regulations apply for transshipment onto a ship to which the SOLAS regulations also apply, each container being delivered is required by the SOLAS regulations to have had a verified gross mass before loading onto the delivering ship. All packed containers discharged in the transshipment port should therefore already have a verified gross mass and further weighing in the transshipment port facility is not required. The delivering ship should inform the port terminal facility in the transshipment port of the verified gross mass of each delivered packed container. The master of the vessel onto which the transshipped, packed containers are to be loaded and the port terminal facility in the transshipment port may rely on the information provided by the delivering vessel.”

### **Will import containers need a VGM?**

No. This IMO regulation only includes the export containers in the scope.

(In principle the incoming container does have a VGM as the export port has to comply.)

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Further information can be found on the World Shipping's Homepage:

[http://www.worldshipping.org/industry-issues/safety/WSC\\_Guidelines\\_for\\_Implementing\\_the\\_SOLAS\\_Container\\_Weight\\_Verification\\_Requirement.pdf](http://www.worldshipping.org/industry-issues/safety/WSC_Guidelines_for_Implementing_the_SOLAS_Container_Weight_Verification_Requirement.pdf)