



## EXPORT CONTAINER WEIGHT VERIFICATION AND CERTIFICATION PROCEDURES

### 1.0 Preamble

In November 2014, the International Maritime Organization (IMO) adopted mandatory amendment to the International Convention for the Safety of Life at Sea (SOLAS) Chapter VI, Part A, and Regulation 2-Cargo information. The SOLAS convention is applicable global law. The SOLAS amendment will become effective on 1st July 2016 for packed containers received for transportation (gate-in or off-rail).

They place a requirement on the shipper of a packed container, regardless of who packed the container, to verify and provide the container's gross verified weight to the ocean carrier and port terminal representative prior to its being loaded aboard the vessel for export. The vessel operator and the terminal operator are required to use the verified container weight in vessel stowage plans and are prohibited from loading a packed container if it does not have a Certificate of Container Gross Weight Verification.

### 2.0 Definitions:

In this document, unless the context otherwise requires;

**“Calibrated and certified equipment”** means a Scale, Weighbridge, Lifting Equipment or any other Device Capable of Determining Actual Gross Weight of a Packed Container

**“Cargo”** means any goods, wares, merchandize, liquid, solids and articles of every kind whatsoever carried in containers pursuant to a contract of carriage excluding ship's equipment, supplies, ship's spare parts and stores carried in containers.

**“Carrier”** means the party who, in contract of carriage, undertakes to perform or to procure the performance of carriage by sea.

**“Certificate of verification”** means a document issued by the verifier certifying the weight of a packed container.

**“Container”** means an article of transport equipment

**“Customs agent” (see freight forwarders)**

**“CSC”** means the International Convention for Safe Container, 1972

**“IMO”** means the International Maritime Organization

**“FCL” Container** means full container load

**“Freight forwarder”** means a person or company working on behalf of a shipper to declare and clear documents and documentation requirement for the packaged container through customs and other government authorities, ship’s and port operator’s formalities with a view to legitimizing loading onto a ship.

**“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.

**“Gross Mass Verifier”** means a person or company incorporated in Tanzania which operate calibrated and certified equipment and is registered by the authority in accordance with the SUMATRA regulations on container mass verification.

**“ICD (Inland Container Depot)”** means container handling licensed by the Commissioner for Customs and Exercise of TRA in accordance with the EACCMA 2004 and the Authority in accordance with SUMATRA 2001.

**“Master freight forwarder”** means the party responsible for accurate cargo weight verification of all the cargo and all packing or securing material from all the co-loading forwarders using the same container.

**“Non-complying container”** means an export packed container delivered in port terminal for the purpose of loading onto a ship without a valid in certificate of mass verification in accordance with the regulations.

**“packed container”** means a container as previously defined, loaded, stuffed, or filled with cargo items or packages along with any dunnage and other packing materials and securing materials.

**“Shipper”** means the Legal Entity or Person Named on the Bill of Lading or Sea Way Bill or Equivalent Multimodal Transport Document as Shipper/who or on Behalf of a Contract of Carriage has been concluded with the Shipping Company.

**“Ship”** means any vessel to which SOLAS Chapter VI applies excluding roll-on/roll-off (Ro-Ro) ships engaged on short international voyages where the containers are carried on a chassis or trailer and loaded and unloaded by being driven on and off such a ship.

**“Shipping agent”** means a person or company which transacts on behalf of a ship in every port that the ship visits or docks.

**"SOLAS"** means an International Convention for the Safety of Life at Sea, 1974.

**"SUMATRA"** means the Authority responsible for regulation of the Surface and Marine transport.

**"TANCIS"** means the Tanzania Customs Integrated System, an electronic system used by Tanzania Revenue Authority to clear cargo from the port.

**"Terminal operator"** means the Tanzania Ports Authority designated and responsible for the operations of the Tanzania ports.

**"Weights and Measures Agency (WMA)"** means an agency mandated by the weights and measures Act to provide protection to consumers including legal control of measuring instruments, metrological supervision and metrological expertise in trade.

**"Verified gross weight"** means the Total Gross Weight of a packed container as obtained by one of the Methods described in paragraph 5.1 and 5.2

### **3.0 Scope**

The SOLAS requirement to verify gross mass of a packed container apply to all export containers to which the CSC applies, and which are to be stowed onto a ship determined by Administration to be subject to SOLAS chapter VI.

The provision of SOLAS Chapter VI, Part A, Regulation does not apply to:

- 3.1** A packed container on chassis or trailer to be driven on ro-ro ship which is engaged on short international voyages i.e. distance less than 200 nautical miles.
- 3.2** Cargo items tendered by a shipper to the ship master for packing into container already on board the ship; or
- 3.3** "Offshore containers" to which the CSC, according to the IMO Guidelines for the approval of offshore containers handled in open seas and the IMO Revised recommendation on harmonized interpretation and implementation of the International Convention for Safe Container, 1972, as amended, does not apply.

- 3.4** No provision or agreement in a contract of sale, a transportation contract, or stevedoring contract may override or conflict with the obligation to abide by the SOLAS requirement.

## **4.0 Main Principles**

The purpose of the SOLAS amendments is to obtain an accurate gross weight of packed containers that are moved through the supply chain prior to loading aboard the ship where the following principals shall apply;

- 4.1** The responsibility for obtaining and documenting the verified gross weight of a packed container lies with the shipper.
- 4.2** Verified gross container weights are to be used by the terminal operator and the vessel operator in ship stowage plan.
- 4.3** Information of verified gross weight of a packed container shall be availed well in advance to terminal operator and to the master of the ship or his agent sufficiently to be used in the ship stowage plan.
- 4.4** If a packed container is received at a port facility for export without a verified gross weight, it shall not be loaded on a vessel until a verified gross weight is obtained.
- 4.5** The scale, weighbridge, lifting equipment or other devices used to verify the gross weight of the container must meet the applicable accuracy standards and requirements of state in which the equipment is being used i.e it has to be certified by the Weights and Measures Agency (WMA).
- 4.6** Any costs incurred by the vessel operator or terminal operator for obtaining a verified gross weight in an event a shipper has failed to provide one timely(within stipulated deadlines), recovery of those costs should be borne by the shipper.

## **5.0 Methods for Obtaining the Verified Gross Weight of a Packed Container**

Either of the two or both methods shall apply as recommended by IMO SOLAS:

### **5.1 Method No.1**

Upon the conclusion of a packing and sealing of the container the shipper may weigh, or have arrangement that a third party weigh, the packed container.

### **5.2 Method No. 2**

The shipper (or, by arrangement of shipper, a third party) may weigh all packages and cargo items, including the weight 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 of the container's contents

**5.2.1** Method number 2 is inappropriate and impractical for certain types of cargo items (e.g. scrap metal, un-bagged grain, "flexi tanks" and other cargo in bulk) that do not easily lend themselves to individual weighing of the items to be packed in the container where Method 1 must be used.

## **6.0 Classification and Origination of Export Containers**

**6.1** Local and Transit Stuffed Containers Outside the Port Area

**6.2** Local and Transit Stuffed Containers Inside the Port Area

**6.3** Transit FCL Container from Land Linked Countries

**6.4** Transshipment Containers Within Port Jurisdiction Area

## **7.0 General Rules For all Categories**

### **7.1 Local and Transit Stuffed Containers Outside the Port Area**

**7.1.1** Methods elaborated under Para 5.1 to 5.2 shall apply before the container enter the port/terminal

**7.1.2** The weight of the containers shall be measured in Kilograms

**7.1.3** Equipment used to weigh the containers must be shown in the certificate of verification the equipment location number and shown to be calibrated

- 7.1.4** The party packing the container should be aware of and abide by cargo weight distribution and cargo securing requirements for the particular type(s) of cargo packed into the container.
- 7.1.5** The shipper named on the ocean carrier's bill of lading is the party responsible for providing the packed container's verified gross mass.
- 7.1.6** If a freight forwarder is co-loading the cargo shipments of other freight forwarders in a container, the "master forwarder" named on the ocean carrier's bill of lading is the party responsible for accurate cargo weight verification of all the cargo and all packing or securing material from all the co-loading forwarder using the container.
- 7.1.7** The Carrier and Terminal operator may rely on a shipper's signed container weight verification to be accurate.
- 7.1.8** The Carrier and the Terminal operator are neither responsible for verifying the shipper's weight verification, nor do the SOLAS amendments or IMO Guidelines require a Carrier or Terminal operator to verify that a shipper providing a verified weight according to Method 2 has used a method which has been certified and approved by the competent authority of the jurisdiction in which the packing and sealing of the container was completed.
- 7.1.9** For the shipper's weight verification to be compliant with the SOLAS requirements its certificate of verification must be "signed", meaning a specific person representing the shipper must be named and identified as having verified the accuracy of the weight calculation on behalf of the shipper.
- 7.1.10** The signature may be electronic signature or may be a name and sign of a person duly authorized by the shipper.
- 7.1.11** Any discrepancy between a packed container's gross weight provided to a carrier by a shipper prior to the container's weight verification and its verified gross weight shall be resolved by use of the verified gross weight.

**7.1.12** If a port terminal addresses uncertainty about the gross weight of a packed container by weighing the container, the weight obtained by the port facility shall be used for vessel stowage planning.

## **7.2 Local and Transit Stuffed Containers Inside the Port Area**

**7.2.1** Method elaborated in 5.1 and 5.2 shall apply and certification will be done inside the port or terminal.

## **7.3 Transit FCL Containers from Neighboring/Land Linked Countries**

**7.3.1** The weight of Transit FCL Containers will be verified and certified in the country of origin by recognized or approved Agent or Operator certified by the State Authorities. Both methods under paragraph 5.1 and 5.2 may apply.

**7.3.2** If the neighboring/land linked countries may not be able to verify container gross weight within their borders, the Customs release shall be issued at the point of entry whereas the customs Agent shall declare the verification of mass to be done at boarder or port or a named registered gross mass verifier in Tanzania.

## **7.4 Transshipment Containers Within Port Jurisdiction Area**

**7.4.1** The gross weight of a packed inbound container being delivered by SOLAS vessel to a port facility (i.e. imported or transshipped container) will be the verified container weight used by the vessel operator and port facility at the vessel loading port.

**7.4.2** A port facility and a vessel operator do not need to re-weigh a packed inbound container that is to be transshipped if that container has been delivered by a SOLAS vessel with a verified weight from the previous leg of the voyage.

**7.4.3** Provision of local Port (Coastal wise transshipment)  
Coastal-wise container shall not be transshipped to SOLAS vessel until it passes verification processes at the port terminal facility or region where the container originated.

7.4.4 *Local Transhipments originating from Tanga, Zanzibar, Mtwara, Pemba or any other Sea Port in United Republic of Tanzania which are connecting to International Destinations need to have VGM Certificated from their Loading Ports*

## **8.0 Procedures For Weight Verification and Certification**

- 8.1** The shipper through his appointed customs agent to fill export shipping application to the shipping agent and Ship agent to approve Shipping application through signing and issuing booking number.
- 8.2** Customs Agent (CF&A) to submit the certificate of verification on submission of loading list to the shipping agent duly signed by the Gross Mass Verifier.
- 8.3** The shipper or his agent to communicate and submit the verification certificate to shipping agent and port terminal operator in accordance with the SOP in advance of loading to enable its usage in stowage plan of a ship.
- 8.4** The verified gross weight according to certificate to be filled in the loading list submitted by the shipper or his/her appointed agent. *However those shippers who will have no VGM Weight during the submission of loading list same to be done upon delivery of the Containers at the Port. The Shipper to ensure submission of the VGM Certificate to the Shipping Agent and Terminal Operator.*
- 8.5** Customs Agents (CF&A) to lodge loading list to the shipping agent by e-mail to be approved and communicated to customs export section for approval of the loading list in TANCIS.
- 8.6** Approved loading list to be used by the terminal operators for port dues and Export section of the terminal operator to approve the loading list for port charges and issue a Tax Invoice
- 8.7** Customs Agents to pay port charges and Terminal operator to issue gate-in ticket depending opening of the ship.
- 8.8** Finally Customs Agent (CF&A) brings container for loading aboard the ship. Those Shippers who did not declared their



VGM weight as per item 8.4 above need to submit the certificate upon delivery of the container at the Port.

**8.9** *Terminals will use the submitted VGM as per certificates attached to inform Shipping Lines Agents for Loading stowage Plans preparation and Export manifest declarations*

**8.10** The maximum permissible error of Gross Mass of the container or the tolerance level will be **5%** plus or minus.

**8.11** At the operator's premises, in case of the error being over and above the tolerable weight, the shipper or his agent will have to bear the penalty.

**8.12** Where the error has been caused by the fault of the weighing scale, the Gross Mass Verifier will have to be penalized as per SUMATRA Regulations on container Mass verification.

## **9.0 Handling of Container Weight Verification at the Terminal**

**9.1** Terminal will process export containers through TANCIS along with the verified weight certificate submitted by the shipper

**9.2** All relevant shipment details and weight must correspond with one presented in the certificate of verification and container seal numbers.

## **10.0 Handling of Non-Compliance at the Terminal**

**10.1** Upon discovery of the non-compliance on the export Containers the Terminal Operators will alert the shipper or his appointed agent.

**10.2** The shipper will be fully responsible to arrange for the instant verification

**10.3** The respective costs will be borne by the shipper as stipulated by the tariff or other existing guidelines.

## Second Schedule

### WEIGHING CHARGES AT THE TERMINAL AND PENALTY FOR DISCREPANCY OR NON-COMPLIANCE

#### 1.0 Export Container Weighing Charges at the Terminal.

- 1.1* All non-compliant export containers subjected to undertake the weighing at the Operator Terminals will be charged all relevant handling charges related to the Internal Movements of the Container and actual weighing in the absence of the Gross Mass *Verification Certificate as per existing Tariffs*
- 1.2 The terminal will charge **USD 120** per container for weight verification, for shippers who would like to verify the containers within the port.
- 1.3 Upon test weighing of any container suspected to be overloaded or under-loaded; no charges shall be raised if found with the

declared weight, however a container found under weight or over weight/ non-compliant will be charged the same **USD 120.00**.

- 1.4 Containers stuffed at EX NASACO yard and from within the port, will pay USD 25.00 per container and be issued with a Certificate of Container Mass Verification ready for loading.