



सत्यमेव जयते

भारत सरकार / GOVERNMENT OF INDIA

पोत परिवहन मंत्रालय / MINISTRY OF SHIPPING

नौवहन महानिदेशालय / DIRECTORATE GENERAL OF SHIPPING

"बिटा बिल्डिंग", 9 वी मंजिल / "BETA BUILDING", 9th FLOOR

आई-थिंक टेक्नो कैम्पस / I-THINK TECHNO CAMPUS

कांजुर गाँव रोड / KANJUR VILLAGE ROAD

कांजुर मार्ग (ईस्ट) / KANJUR MARG (EAST)

मुंबई - 400 042 / MUMBAI - 400 042

Tele: 022 - 25752040/1/2/3

Fax: 022 - 25752029 / 35

E-mail: dgship-dgs@nic.in

Web: www.dgshipping.gov.in

टेलीफोन: 022 - 25752040/1/2/3

फैक्स: 022 - 25752029 / 35

ई-मेल: dgship-dgs@nic.in

वेब: www.dgshipping.gov.in

F. No. 75-NT(4)/2015

Dated : 24.06.16

M. S. Notice No. 07 of 2016

Sub.: Supplementary/clarificatory additionalities to the guidelines issued vide this office MS Notice No. 4 of 2016 dated 11.05.16 concerning verified gross mass of containers – reg.

1. This office had issued the MS Notice No. 4 of 2016 [F. No. 75-NT(4)/2015] dated 11.05.16 setting out Guidelines for implementing the amendments to the Regulation 2 of Chapter – VI of the SOLAS Convention concerning the verified gross mass [VGM] of containers. The said MS Notice comes into force with effect from 1st July, 2016.

2. The Maritime Safety Committee of the International Maritime Organisation [IMO], at its ninety-sixth session held at London from 11th to 20th May, 2016, has agreed that the Maritime Administrations and Port State Control Authorities of its Member-States should adopt a practical and pragmatic approach when verifying compliance of the requirements of the said amendments for a period of three months from 1st July, 2016. The IMO has, accordingly, issued its Circular MSC.1/Circ.1548 dated 23rd May, 2016, in this regard [Annexure – I: 1 page]. In view of the same, all stakeholders are required to ensure that a practical and pragmatic approach is taken while implementing the said guidelines for a period of three months from 01.07.16. [i.e. for period up to 30.09.2016].

3. In relation to the process of implementing the said guidelines, concerns have been raised during subsequent extensive stakeholder consultations and engagements about compliance of certain aspects of the said MS Notice, in view of the limited time available before the entry into force of the said amendments. Reckoning the same, it is hereby/underscored that while adhering to the fundamental principles of weighing containers with certified weighing appliances and production appurtenant of document as per the said amendments to the SOLAS Convention, it has been decided that a practical and pragmatic approach is essential.

4. Therefore, the said MS Notice No. 4 of 2016 is hereby partly modified, as under *mutatis-mutandis*:

4.1 WEIGHBRIDGE/WEIGHING APPLIANCES :

4.1.1 Paras 29 – 36 of Section – (E) of Part IV of the said MS Notice deals with weighbridge/weighing appliances.

4.1.2 Concerns have been expressed regarding the availability of an adequate number of weighbridge/weighing appliances for due compliance of the said specified requirements before 1st July, 2016.

4.1.3 Factoring the said concerns expressed, the 'Verified Gross Mass' [VGM] obtained from all weighbridges/weighing appliances having valid certification from the jurisdictional Department of Legal Meteorology of the State/Union Territory Government concerned will be accepted, until 31.08.16.

4.1.4 All stake-holders are, however, urged to comply with the requirements specified for weighbridges/weighing appliances as specified in the said MS Notice, at the earliest.

4.2 ELECTRONIC DATA INTERCHANGE [EDI] :

4.2.1 Para 13 of the said MS Notice has specified that a shipper may submit the requisite information in an electronic format [EDI] electronic data interchange, using class III digital/electronic signature for verification of the authenticity of the document concerned.

4.2.2 Noting the fact that there has been an inadequate number of organisations complying with the requirement of a 'dedicated secure website' for this purpose, and till such time an adequate number of dedicated secure websites are accepted, to facilitate the trade, the physical format [hard copy] of the information pertaining to VGMs would be accepted till 30.09.16.

4.2.3 All concerned are, however, urged to ensure that they must progress to the electronic mode of transmission of such information, at the earliest, so as to facilitate an ease of doing business coupled with transparency, accuracy and expedition.

4.3 DEDICATED SECURE WEBSITE :

4.3.1 Paras 19 - 28 of Section – (D) of Part IV of the said MS Notice deal with 'dedicated secure websites'.

4.3.2 Para 21 of the said MS Notice requires certification with regard to information security management systems.

4.3.3 Considering the lengthy process and time period required for obtaining such certification, it has been decided that applicants desiring to participate as 'dedicated secure website' provider shall obtain such certification before the 30th of September, 2016.

4.3.4 All concerned are, however, urged to invariably progress to the electronic mode of transmission of such information, at the earliest, so as to facilitate the process of adoption of digital/electronic methods on top priority.

5. METHOD – 2 :

5.1 Paras 16 - 18 of section (C) of the said MS Notice deal with procedures for adopting Method 2 for the purpose.

5.2 Para 18 of the said MS Notice has specified procedures for obtaining approval.

5.3 Noting the concerns of the industry & trade due to paucity of time and to facilitate the associated processes, the revised procedures in lieu of para 18 of the said MS Notice 4 of 2016, are as under,

5.3.1 The shipper of the factory stuffed packages [not for bulk cargo] shall submit duly completed Annexure-2 as specified in the said MS Notice 4 of 2016 directly to the Directorate General of Shipping, Govt. of India along with its specified enclosures.

5.3.2 The shipper is also required to enclose a copy of the extract from the Quality Management System (QMS) manual, which details the procedures adopted for stuffing packages in containers for complying with the said Method -2 requirements.

5.3.3 Mandatory inspection, for approval shall not be required to be carried out. However, the Directorate General of Shipping, Govt. of India or its authorized representatives may verify compliance, whenever required.

5.3.4 Since no inspections are being carried at the initial stage; no fee is required to be paid while submitting such applications. Fee will become payable only when verification is carried out.

5.3.5 A list of shippers whose certified modes are approved for adopting the specified method - 2 for verifying the gross mass of a container shall be displayed on the website of the Directorate General of Shipping, Govt. of India, Mumbai.

6. This MS Notice shall come into force with an immediate effect and shall be read concurrent with the said MS Notice No. 4 of 2016 of this office.

7. This is issued with the approval of the Director General of Shipping & Additional Secretary to the Govt. of India.



(Capt. K. P. Jayakumar)

Deputy Nautical Adviser to the Govt. of India

Encl : As above

4 ALBERT EMBANKMENT
LONDON SE1 7SR

Telephone: +44 (0)20 7735 7611

Fax: +44 (0)20 7587 3210

MSC.1/Circ.1548

23 May 2016

**ADVICE TO ADMINISTRATIONS, PORT STATE CONTROL AUTHORITIES, COMPANIES,
PORT TERMINALS AND MASTERS REGARDING THE SOLAS REQUIREMENTS
FOR VERIFIED GROSS MASS OF PACKED CONTAINERS**

- 1 The Maritime Safety Committee, at its ninety-sixth session (11 to 20 May 2016), recalled that the amendments to SOLAS regulation VI/2, adopted by resolution MSC.380(94) and which will enter into force on 1 July 2016, introduce new paragraphs 4, 5 and 6 relating to the verification of the gross mass (VGM) of packed containers.
- 2 In this context, the Committee noted the concerns of Member States regarding practical aspects of compliance with the aforementioned SOLAS amendments, in particular, relating to transhipped containers and communication of VGM information, in an initial period following their entry into force.
- 3 The Committee agreed that Administrations and port State control authorities should adopt a practical and pragmatic approach when verifying compliance with the requirements of SOLAS regulations VI/2.4 to VI/2.6, for a period of three months after 1 July 2016, with a view to:
 - 1 permitting packed containers that are loaded on a ship before 1 July 2016 and are transhipped on or after 1 July 2016 to be shipped to their final port of discharge without the VGM specified in SOLAS regulations VI/2.4 to VI/2.6; and
 - 2 providing flexibility to all the stakeholders in containerized transport to refine, if necessary, procedures for documenting, communicating and sharing VGM information.
- 4 Notwithstanding the above, the Committee emphasized that the stability and safe operation of ships, including the safe packing, handling and transport of containers, is not limited to the provision and use of VGM information and is also covered by a number of SOLAS regulations, including SOLAS regulations VI/2.1, VI/2.2 and VI/2.3, and other IMO instruments, amongst others.
- 5 Member States are invited to be guided accordingly and to bring the contents of this circular to the attention of all concerned, especially port State control officers.
- 6 This circular will remain effective until 1 October 2016.