



भारत सरकार/ GOVERNMENT OF INDIA

पोत परिवहन मंत्रालय / MINISTRY OF SHIPPING

नौवहन महानिदेशालय / DIRECTORATE GENERAL OF SHIPPING

“बिटा बिल्डिंग”, 9 वी मंजि / “BETA BUILDING”, 9th FLOOR

आई-थिंक टेक्नो कैम्पस / I-THINK TECHNO CAMPUS

कांजुर गाँव रोड / KANJUR VILLAGE ROAD

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F. No. : 75-NT(4)/2015-Vol-II

Dated - 29.11.16

Merchant Shipping Notice No. 15 of 2016

Sub.: Guidelines on verified gross mass of containers – extension of time for practical & pragmatic implementation and clarifications thereon – 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 on the verified gross mass [VGM] of containers. Further, a supplementary/clarificatory MS Notice No. 7 of 2016 [F. No. 75-NT(4)/2015] dated 24.06.16 and MS Notice No. 9 of 2016 [F. No. 75-NT(4)/2015-Vol-II] dated 30.09.16 were issued thereon by this office, requiring all stakeholders to ensure that a practical and pragmatic approach is taken while implementing the said guidelines for the period till 30.11.16.

2. Considering that the implementation of the said guidelines is still in its initial stages and remote locations require additional time for gearing up to implement the same, it is necessary that a practical and pragmatic approach in the matter, as suggested in the International Maritime Organization's [IMO]'s Circular MSC.1/Circ.1548 dated 23rd May, 2016, be extended for a further period, so that the export trade of India continues without hindrance. Accordingly, it is decided that all stakeholders shall continue to ensure that a practical and pragmatic approach is taken while implementing the said guidelines for a further period of four months up-to 31.03.17 (further extension will not be considered). During this extended period of practical and pragmatic approach, the applicable documents in the physical format shall continue to be accepted.

3. Electronic Data Interchange [EDI] :

3.1 The said MS Notice No. 4 of 2016 [F. No. 75-NT(4)/2015] dated 11.05.16 at the last part of para 13 of Section – A of Part IV has specified the following “*The information may be submitted in electronic format (EDI) using Class III Digital Signature for verification of the authenticity of the document*”.

3.2 This office has received repeated representations from shippers to consider the alternate in line with the IMO's Circular MSC.1/Circ.1475 [para 6.2] wherein the name in capitals of the person authorized to sign is acceptable in the document declaring the verified gross mass of the packed container.

3.3 Considering that digital signatures of persons duly authorized by the shipper concerned is still under process, as submitted in the said representations, it has been decided that name in capitals of the person authorized by the shipper concerned will be accepted in lieu of the class III digital signature, till further notice. All shippers are, however, urged and encouraged to ensure that class III digital signatures for persons duly authorized by the shipper concerned for submitting the requisite VGM information are obtained at the earliest.

4. Quality Management System [QMS] for Method 2:

4.1 The said MS Notice No. 4 of 2016 [F. No. 75-NT(4)/2015] dated 11.05.16 at para 17.1 of Section – C of Part IV states that *“The certified method of the shipper shall be part of a Quality Management System [QMS] complying with the requirements of ISO 9001:2008/2015 standards, or such updated standards that is applicable from time to time.”*

4.2 It is hereby clarified that the scope of the said ISO 9001:2008/2015 certificate issued to the organization should also include *‘stuffing of containers in factory premises as per method 2 in compliance with the requirements of the SOLAS regulation VI/2 regarding verified gross mass of containers’*.

5. Weighbridge/Weighing Appliances :

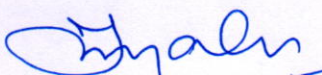
5.1 The said MS Notice No. 4 of 2016 [F. No. 75-NT(4)/2015] dated 11.05.16 at para 31 of section – (E) of Part IV states that *“The weighbridge/weighing appliances shall be in possession of a valid Quality Management System [QMS] certificate confirming compliance with: ISO2008/2015 standards, or such updated standards that is applicable from time to time, within a period of 6 months from the date of issue of this notice.”*

5.2 Stakeholders have submitted representations requesting for more time for weighbridge/weighing appliances to obtain quality management system [QMS] certificate confirming compliance of the said ISO2008/2015 standards. Considering these representations, the requirement of possession of a valid QMS certificate, confirming compliance of the said ISO2008/2015 standards, is extended for a further period upto 30.06.17. All stake-holders are, however, urged and encouraged to comply with the requirements specified for weighbridges/weighing appliances as specified in the said MS Notice No. 4 of 2016 [F. No. 75-NT(4)/2015] dated 11.05.16, at the earliest.

6. This office had issued the MS Notice No. 8 of 2016 [F. No. 75-NT(4)/2015 – Vol II] dated 23.08.16 on the reported levy of charges for weighing containers and levy of charges for variation in container weights by terminals and intermediaries pursuant to the issue of the said MS Notice No. 4 of 2016 [F. No. 75-NT(4)/2015] dated 11.05.16 & clarifications thereon. This office has subsequently been informed that additional charges continue to be charged by intermediaries, such as [illustratively] consolidators, especially for LCL containers. This office is of the considered view that these amendments to the SOLAS Convention pertaining to safety aspects should not be unfairly & unreasonably leveraged by intermediaries between shippers and ships to impose an additional burden/cost on the exporters of cargo from India, thereby hindering the export trade of India by way of incremental transaction costs. It is further clarified that the said MS Notices of this office, at no stage, encourage such additional charges on the part of any such intermediaries. This office hereby re-iterates that the stated additional exorbitant charges by any intermediaries are not mandated & may undermine free trade practices.

7. This MS Notice comes into force with an immediate effect.

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


(Capt. K. P. Jayakumar)

Deputy Nautical Adviser to the Govt. of India