Port Safety and Security Committee

Report of IAPH Survey Results on Overweight or Incorrectly Declared Container Issues in Ports

International Association of Ports & Harbors (IAPH)

May 2012

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Foreword

Overweight containers or incorrect declarations of container weights create serious safety issues for the entire logistics chain, including shipping companies, stevedores, road and rail operators and road infrastructure owners.

Implications include incorrect vessel stowage arrangements, overloaded container handling equipment, truck accidents due to overloaded truck axles impacting stopping distances and damage to roads.

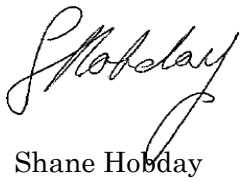
In May 2011 the IAPH adopted a resolution urging international organizations, including the International Maritime Organization (IMO), to adopt requirements for shippers or their agents to declare and document cargo correctly including weighing containers at origin.

In January/February 2012 the IAPH Port Safety and Security Committee sponsored a survey of members to ascertain the current measures in place for managing overweight containers or incorrectly declared container weights as well as seeking feedback on possible actions that could be taken to improve the situation in order to assist the IAPH Executive in refining the Association's position on this issue,

The results of the survey are provided to members herein.

On behalf of the Port Safety and Security Committee I would like to thank all the member ports and associated terminals that responded to the survey on this important safety issue.

May 2012



Shane Hobday
Chair of IAPH Port Safety and Security Committee

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Executive Summary

1. Introduction

In May 2011 at the Busan Conference, the IAPH adopted a resolution on " The Safety of Containers in the Supply Chain" in recognition of the serious risks of over-weight or incorrectly declared containers on safe intermodal transportation. The resolution urges international organizations including the International Maritime Organization (IMO) to adopt requirements for shippers to declare and document cargo correctly with actual weighing at origin.

In December 2011, the IAPH along with other associations of maritime carriers namely the World Shipping Council (WSC), the International Chamber of shipping (ICS), and BIMCO, made a press release to encourage the IMO to amend its rule so that it requires shippers to declare the actual weight of containers before loading. Within the IMO the issue is scheduled to be discussed in the next session of the sub-committee on Dangerous Goods, Solid Cargoes and Containers (DSC 17) in September 2012.

In January 2012, the IAPH Port Safety and Security Committee decided to carry out a survey to monitor current measures taken by world ports and terminals to tackle this issue and also to collect their opinions on possible IMO's actions of amending relevant rules.

A total of 74 responses were collected from our member ports and their relevant terminals in 25 countries with detailed information on current procedures to address over-weight or incorrectly declared container issues in their ports and terminals. Main respondents are ports and terminals in the European and Asian regions, which account for 32 % and 48% of total responses respectively. Answers from the Netherlands and Japan were especially high with 9 and 14 responses, respectively. The data regarding respondents is analyzed in detail, which can be found in this report as "I. Analysis of Respondents".
A list of Respondents is also included in the Appendix as Table 1.

2. Survey Questionnaires

Survey questionnaires are categorized into the following 7 items.

1) Risks due to Over-weight or Incorrectly Declared Containers (Q1)
2) Current Measures taken by Ports or Terminals to address the Risks (Q2)
3) Scaling Container Weight in Terminal (Q3)

4) Taking Verified Weight Certificate (Q4)
5) Future Plan to address the Issues (Q5-1)
6) Problems arising from Compulsory Scaling Containers in Terminal (Q5-2)
7) Views or Opinions on possible IMO New Rules (Q6)

A form of the survey questionnaires is attached in the Appendix of the report.

3. Results of Survey

Survey results of each field of questionnaires are summarized in brief as below.

1) Risks due to Over-weight or Incorrectly Declared Containers (Q1)

"Accidents in terminals" is their most (91% of total respondents) concerned risk caused by over-weight or incorrectly declared containers.
"Road traffic accidents" and "Difficulty making correct vessel stowage plan" are also regarded as high risk. (more than 60% each of total respondents)

2) Current Measures taken by Ports or Terminals to address the Risks (Q2)

"Scaling container weight" is the major step taken by 41 ports (55% of total respondents).
"Taking Verified Weight Certificate" is introduced by only 9 respondents (12%).
On the other hand, almost 30% of total respondents take no specific measures for the issues at present.

3) Scaling Container Weight in Terminal (Q3)

More detailed analyses on container scaling in ports or terminals are made as below.

i) Target containers for scaling (Q3-1)

<Scaling by Spot basis or Regular basis>

Among total 41 scaling ports, 27 ports (66% of scaling ports) replied as they made scaling on a regular basis.
Remaining 14 ports (34% of scaling ports) responded that they made weighing on a spot basis.
It means that only 36% of total 74 respondents (27/74) weighed containers on a regular basis at present.
Respondents from the America region show high implementation ratio (89%) of regular scaling, while ports in other regions make regular scaling at around a 30% ratio.

<Export containers or Import containers>

Export containers are the most popular containers scaled regularly by 24 ports (59% of scaling ports or 32% of total respondents).
Import containers are scaled regularly by only 12 ports (29% of scaling ports or 16% of total respondents).

ii) Scaling places and needed time for scaling (Q3-2)

<Scaling Places>

Scaling at terminal gate is most popular with 30 ports responses, which shares 73% of scaling ports or 41% of total respondents.

Scaling at other places in terminals or by cargo equipment are minor cases in current container operations getting only 11 (27% of scaling ports) and 8 (20%) respondents respectively.

America region also shows high ratio of using terminal gate for scaling, in particular all respondents of USA answer that they use terminal gate for scaling.

<Needed Time for Scaling>

In general, scaling at terminal gate requires only a short time around a minute per unit while scaling at other place in terminal needs far longer time as around 10 minutes per unit.

iii) Who bears the cost of scaling (Q3-3)

Under current terminal operation, terminal operator seems to be the party who bears the scaling cost most with 20 respondents (49% of scaling ports). Shipper or consignee is the next party to pay the expense most with 17 respondents (41%).

iv) Law enforcement for scaling (Q3-4)

Law enforcements for container scaling are shown in only 9 ports (12% of total or 22% of scaling ports).

It means remaining 29 scaling ports(more than70% of scaling ports) are practicing weighing containers without law enforcements.

*<Ports in USA are regarded under law enforcement of scaling exporting containers in spite of negative responses from USA ports>

4) Taking Verified Weight Certificate (Q4)

In response to Q2 (Current Measures taken by ports to address overweight containers), only 9 respondents (12% of total respondents) use Verified Weight Certificate as a measure to address the issue. Compulsory requirement of taking Weight Certificate is also implemented in only 4 ports (5% of total respondents).

When containers arrive at terminal without weight certificate, 4 ports (44% of 9 respondents of taking weight certificates) replied to refuse receiving containers for loading. Weighing containers in terminals is the measures responded by 3 ports (33%).

5) Future Plan to address the Issues (Q5-1)

Among 22 ports or terminals which answered that they do not have specific measures at present,

only 8 ports (36% of ports having no specific measures) intend to introduce some measures in future. Scaling and taking Weight Certificate are responded as future measures to be taken by 4 respondents each. It means that remaining 59% of respondents with no measures at present have no intentions to introduce new measures in the future.

6) Problems arising from Compulsory Scaling Containers in Terminal (Q5-2)

As the questionnaire was originally intended to get answers from ports having no specific measures for the issues at present (total 22 ports), the number of responses is less than 24.
Survey reveals that "difficulty of cost recovery" (17 ports or 71% of such ports) and" reduction of operational efficiency" (15 ports or 63%) are the most concerning issues for respondents. "Space, cost and time for installation of scaling facilities" are also regarded as significant concerns getting 12 responses (50%).

7) Views or Opinions on possible IMO New Rules (Q6)

Opinions or comments made by ports and terminals on possible IMO actions are summarized as below.

i) Mandatory requirement for shipper to submit Verified Weight Certificate

In general, overwhelming majority (85% of commented parties) shows support for introducing mandatory submission of weight certificate from shipper for loading containers.
On the other hand, there are concerns on possible burdens on terminal operation by introducing this weight certificate scheme, such as additional clerical work associated with taking certificates and checking correctness of their figures. Some comments propose to utilize EDI or other form of automated data exchange to alleviate the possible increase in staffing.
Other comments pointed out that the weight certificate must be authorized by relevant government body or licensed authority in order to secure the credibility of the figure.

ii) How to cope with containers without a weight- certificate

a) Refusal of receiving containers for loading when Verified Weight Certificate is not submitted

About 30% of responding ports regard this measure as their acceptable option for non-compliant shippers.
They consider that the shipper should have fair consequences of their faults or non-fulfillment of their duties.

b) Scaling Container in Terminal when Verified Weight Certificate is not Submitted

Almost half of the respondents (46% of responding ports) are of the opinion that scaling container in terminal as preferred steps for coping non-compliance containers. This option is especially supported by ports in Asia region(57%). They also claim due share of costs incurred to be paid by relevant shippers.

On the other hand, a considerable number of ports (46% of responding ports) oppose scaling in terminal as the measure as it requires the terminal operator to invest in scaling facilities in terminals. They also point out safety risk of transportation of mis-declared containers while they are carried from shippers' facilities to loading terminals.

Report of IAPH Survey Results on Over-weight or Incorrectly declared Container Issues in Ports

I. Analysis of Respondents

<Numbers of Respondents and their Regional Share among Total Respondents>

	Respondents /Total (%)	<Terminal Operator /Respondents in Region(%) >	Countries of Respondents / Total (%)
Africa Region:	3 (4%)	**<2/3> (67%)**	3 (12%)
Europe Region:	**24 (32%)**	**<16/24>(67%)**	9 (36%)
America Region:	9 (12%)	<3/9> (33%)	5 (20%)
Asia Region:	**35 (48%)**	<19/35>(54%)	7 (28%)
Oceania Region:	3 (4%)	<0/3> (0%)	1 (4%)
Total:	74 (100%)	**<40/74> (54%)**	25 (100%)

Total 74 organizations (ports and terminals) in 25 countries responded to the survey.

Ports and terminals in Asia and Europe regions were the major respondents accounting for 80% of all respondents.

There are 40 Terminal operating companies included, whose share accounts for 54% of total respondents.

Those terminal operators' shares among regional respondents are especially high in Europe and Africa region as 67% respectively.

Details of responded organizations are listed in Appendix as Table 1 "Summary of Survey Respondents by Country & Region"

II. Analysis of Survey Answers on Over-weight or Incorrectly Declared Container Issues

Summary of survey results of Q1~5 is shown in Appendix as Table 2 "Summary table of survey results-all regions"

1. Concerned Risks due to Over-weight or Incorrectly Declared Containers (Q1)

	Number of Respondents	Concerned Risks: Accidents In Terminal	Concerned Risks: Road Traffic Accidents	Concerned Risks: Difficulty for Stowage Plan
-Africa Region:	3	**3/3(100%)**	2/3(67%)	0
-Europe Region:	24	**23/24(96%)**	15/24(63%)	14(58%)
-America Region:	9	**9/9(100%)**	5/9(56%)	5(56%)
-Asia Region :	35	30/35(86%)	24/35(69%)	26(74%)
-Oceania Region :	3	2/3(67%)	0	2(67%)
All Regions :	74	**67/74(91%)**	46/74(62%)	47/74(64%)

This question is intended to grasp what kind of risks port authorities and terminal operators recognize as most concerned causes by over-weight or incorrectly declared containers.

The result of survey shows that "Accidents in Terminals" is the most concerned risk for them with getting 67 ports or terminals (91% of total respondents) responses. In particular in Africa and Europe regions where major respondents are terminal operators, this risk is perceived high by almost all respondents in the regions.

"Road Traffic Accidents" and "Difficulty for making correct Stowage Plan" are also considered as high risk with getting 46 (62%) and 47 (64%) responses respectively.

2. Current Measures being taken by Ports or Terminals to address the Risks (Q2)

1) General situation of Ports having specific measures to address possible risks

		Measures taken by Ports/Terminals		
	Number of Respondents	Scaling In Terminal	Verified Weight Certificate	No Specific Measures
-Africa Region:	3	**3/3(100%)**	1/3(33%)	0
-Europe Region:	24	7/24(29%)	4/24(17%)	9/24(38%)
-America Region:	9	**8/9(89%)**	1/9(11%)	0
-Asia Region :	35	22/35(63%)	3/35(9%)	12/35(34%)
-Oceania Region :	3	1/3(33%)	0	1/3(33%)
All Regions :	74	**41/74(55%)**	**9/74(12%)**	**22/74(30%)**

Scaling containers in terminals is the most popular measures being taken by 55% of all respondents. Only 9 respondents or 12% of total respondents implement Verified Weight Certificate as their measure for their ports.

The results shown in the above table reveals that about 70% (55% plus 12%) of total respondents take some measures for possible risks arising from over-weight or incorrectly declared containers.

On the other hand, almost 30% of respondents take no specific steps to address to these possible risks at present.

2) Scaling Containers in terminals

	Scaling Ports/Responding ports (%)	
-Africa Region:	**3/3 (100 %)**	
-Europe Region:	**7/24 (29%)**	
-America Region:	**8/9 (89%)**	**< All US ports replied as scaling in their ports>**
-Asia Region:	22/35 (63%)	
-Oceania Region:	1/3 (33%)	
Total :	41/74 (55%)	

As seen in above 2-1), “Scaling container weight in terminal” is the main measures taken by 41 ports or terminals (55% of all respondents).

Africa and America regions show high ratio of scaling with getting more than 80% of respondents of their regions. On the other hand, ports in Europe and Oceania regions show low ratios (around 30%) of practicing scaling in their ports.

The high ratio of scaling in terminal in America region seems to come from the fact that all terminals in the region are under compulsory rule (*).

(*) USA: “29 CFR 1917.71 Terminal handling intermodal containers or roll-on roll-off operations”

The rule requires “every outbound loaded container” to be “weighed at terminal or elsewhere, before loading”. (Relevant US rule is attached in the Annex of this report)

Trinidad Tobago, Uruguay and Peru: Respondents in these countries all replied that they have mandatory rule for scaling container.

On the other hand, there are a few respondents in other regions who answered to have compulsory regulations of scaling in terminals.

Further analyses on scaling are made in next item 3, “Scaling Containers in terminals (Q3)”.

3) Taking Verified Weight Certificate

	Ports Taking Verified Weight Certificate / Responded Ports in each region (%)
-Africa Region:	1/3 (33 %)
-Europe Region:	4/24 (17%)
-America Region:	1/9 (11%)
-Asia Region:	3/35 (9%)
-Oceania Region:	0/3 (0%)
Total :	9/74 (12%)

“Taking Verified Weight Certificate” is the minor measures currently implemented by only 9 ports (12% of all respondents). Neither region shows high ratio of implementation of the measures.

Detailed analyses of taking Verified Weight Certificate are made in next item 4 (Q4).

4) No Specific Measures taken at present

	Ports having No specific measures /Responded ports in the region (%)
-Africa Region:	0/3 (0%)
-Europe Region:	9/24 (38%)
-America Region:	0/9 (0%)
-Asia Region :	12/35 (34%)
-Oceana Region :	1/3 (33%)
Total :	22/74 (30%)

22 ports or terminals (30% of all respondents) take no specific measures for the risks at present.

While there are more than 30% of ports or terminals in Europe, Asia and Oceania regions with no specific measures taken at present, all ports from Africa and America regions responded that they have already implemented some measures (scaling in ports or taking weight certificate) for the risks in their terminals.

3. Scaling Container Weight in Terminal (Q3)

Detailed analyses of scaling procedures practiced in ports or terminals at present are shown below.

1) Containers to be scaled in ports or terminals (Q3-1)

i) Scaling Containers by Spot basis or Regular basis

	Number of	Scaling in Terminals		
	Respondents	Spot Basis(A)	Regular Basis(B)	Sub Total(A+B)
-Africa Region:	3	**2/3 (67%)**	1/3 (33%)	3/3(100%)
-Europe Region:	24	3/24(13%)	**4/24(17%)**	7/24(29%)
-America Region:	9	**0/9(0%)**	**8/9(89%)**	8/9(89%)
-Asia Region :	35	9/35(26%)	13/35(37%)	22/35(63%)
-Oceania Region :	3	0/3(0%)	1/3(33%)	1/3(33%)
All Regions :	74	**14/74(19%)**	**27/74(36%)**	**41/74 (55%)**

While there exists many scaling ports as high as 55% of total respondents, only 36 % of total responded ports make scaling on a regular basis. It means that majority (64%) of respondents do not make weighing regularly in their terminals.

In regional comparison, while both Africa and America regions show high scaling ratio, there are differences in compositions of “Spot basis” and “Regular basis”. In Africa region, they make scaling mainly by “Spot Basis” (67%), while ports in America region practice scaling by only “Regular basis”

Except America region, all other regions show low ratios of regular scaling such as 17~37%. Ports in Europe region especially show low ratios of both regular scaling (17%) and spot scaling (13%). As explained in the above 2-2), the big differences of regular scaling ratio among regions seemed to be caused by the policy

differences whether mandatory rules exist in their countries or not.

ii) Targeted Containers to be scaled (Export, Import or Tranship Containers in regular basis)

a) Share of ports among total respondents

	Responded Ports	Exp. Containers(%)	Imp. Containers(%)	T-ship Containers(%)
-Africa Region:	3	1/3 (33%)	1/3 (33%)	1/3 (33%)
-Europe Region:	24	4/24 (17%)	3/24 (13%)	1/24 (4%)
-America Region:	**9**	**8/9 (89 %)**	**3/9 (33%)**	**0/9 (0%)**
-Asia Region :	35	11/35 (31%)	4/35 (11%)	1/35(3%)
-Oceania Region :	3	0/3 (0%)	1/3 (33%)	0/3 (0%)
All Regions **:**	74	**24/74 (32%)**	**12/74 (16%)**	**3/74(4%)**

Export containers are the most popular containers scaled regularly in the world with getting 24 responding ports. (32 % of total responded ports)

As stated in above 1), America region also shows specific high practicing ratio of scaling export containers.

Import containers are responded as scaled by only 12 ports. (16% of total responded ports). There are no regions showing high ratios of scaling import containers.

Tranship containers are the least containers to be weighed in ports. (Only 4% of all responded ports)

b) Share of ports among scaling ports

	Scaling Ports	Exp. Containers(%)	Imp. Containers(%)	T-ship Containers(%)
-Africa Region:	3	1/3 (33%)	1/3 (33%)	1/3 (33%)
-Europe Region:	7	4/7 (57%)	3/7 (43%)	1/7 (14%)
-America Region:	**8**	**8/8 (100 %)**	**3/8 (38%)**	**0/8 (0%)**
-Asia Region :	22	11/22 (50%)	4/22 (18%)	1/22(5%)
-Oceania Region :	1	0/1 (0%)	1/1 (100%)	0/1 (0%)
All Regions **:**	41	**24/41 (59%)**	**12/41 (29%)**	**3/41(7%)**

Above table b) shows clearly that export containers are the most popular containers scaled in terminals especially in America region (100% of scaling ports).

2) Places and Needed Time for Scaling (Q3-2)

i) Scaling Places

a) Share of ports among total respondents

	Responded Ports	Terminal Gate	Other Places in Yard	Handling Equipment
-Africa Region:	3	1/3 (33%)	**3/3 (100%)**	1/3 (33%)
-Europe Region:	24	3/24 (13%)	2/24 (8%)	3/24 (13%)
-America Region:	**9**	**7/9 (78%)**	2/9 (22%)	0/9 (0%)
-Asia Region :	35	19/35 (54%)	3/35 (9%)	4/35(11%)
-Oceania Region :	3	0/3 (0%)	**1/3 (33%)**	0/3 (0%)
All Regions :	**74**	**30/74 (41%)**	**11/74 (15%)**	**8/74(11%)**

Terminal gate is supposed to be the most popular place for scaling with getting 30 ports responded.
(It shares 41 % of all responded ports)
Scaling at other places in terminals or by cargo equipment are regarded minor cases in current container operations with getting only 11 (15% of all responded ports) and 8 (11%) respondents respectively.

Ports in America region show that “terminal gate” is their most popular place for their scaling. In particular respondents from USA replied as they all use terminal gates for their scaling. On the other hand, ports in Africa region regard “scaling in other place of yard” as their most familiar places for scaling.

An Australian respondent explains some backdrops of its low ratio of using terminal gate for scaling as, “Container terminals (in Australia) are not currently configured to provide for weighing of containers in their port. Licensed weighbridge facilities are included in the various port transport service providers operations.”

b) Share of ports among scaling ports

	Scaling Ports	Terminal Gate	Other Places in Yard	Handling Equipment
-Africa Region:	3	1/3 (33%)	**3/3 (100%)**	1/3 (33%)
-Europe Region:	7	3/7 (43%)	2/7 29%)	3/7 (43%)
-America Region:	8	**7/8 (88%)**	2/8 (25%)	0/8 (0%)
-Asia Region :	22	**19/22 (86%)**	3/22 (14%)	4/22(18%)
-Oceania Region :	1	0/1 (0%)	**1/1 (100%)**	0/1 (0%)
All Regions :	**41**	**30/41 (73%)**	**11/41 (27%)**	**8/41(20%)**

Above table b) shows share of scaling places among actual scaling ports. More than 70% of scaling ports use terminal gate as scaling measures and by more than 80% of scaling ports in America and Asian regions.

ii) Needed Time for Scaling

	~1min/unit	~ 3 min/unit	~5 min/unit	5 min< /unit	Others	Total
Terminal Gate :	**17(57%)**	7 (23%)	2 (7%)	2 (7%)	2 (7%)	30 (100%)
Other Place in yard:	1 (9%)	**4 (36%)**	1 (9%)	**4 (36%)**	1(9%)	11 (100%)
Handl'g Equip't :	1 (12%)	1 (12%)	0 (0%)	1 (12%)	5 (64%)	8(100%)
Total :	19 (39%)	12 (24%)	3 (6%)	7 (14%)	8 (16%)	49(100%)

In general, majority (57%) of scaling at terminal gate requires only a short time of one minute per unit while scaling at other place in terminal needs far longer time as nearly 5~10 minutes per unit.

3) Who bears the cost of scaling (Q3-3)

	Terminal-Operator	Shipper, Consignee	Shipping Co.
-Africa Region :	**2/3 (67%**)	1/3 (33%)	0***/3 (0%)***
-Europe Region:	3/7 (43%)	1/7 (14%)	0/7 (14%)
-America Region:	***3/8 (38%)***	***4/8 (50%)***	1/8 (13%)
-Asia Region *:*	***12/22 (55%)***	***10/22 (45%)***	2/22 (9%)
-Oceania Region :	0/1 (0%)	**1/1 (100%)**	***1/1 (100%)***
All Regions :	**20/41(49%)**	**17/41 (41%)**	4/41 (12%)

Under current terminal operation, terminal operator is regarded to be the most possible party who bears scaling cost with getting 20 respondents (49% of scaling ports). Shipper or consignee is the next probable party to pay the expense with getting 17 respondents (41%).

4) Law Enforcement for Scaling (Q3-4)

	Ports or terminals / Scaling Ports (%)		
	Law enforcement	Penalties for Overweight	No compulsory rule
-Africa Region :	1/3 (33%)	1/3 (33%)	2/3 (67%)
-Europe Region:	2/7 (29%)	2/7 (29%)	4/7 (71%)
-America Region:	**3/8 (38%)**	2/8 (25%)	**5/8 (63%) *2**
-Asia Region :	3/22 (14%)	4/22 (18%)	17/22(77%)
-Oceania Region :	0/1 (0%)	0/1 (0%)	1/1 (100%)
All Regions :	9/41 (22%) *1	9/41 (22%)	**29/41 (71%)**

Law enforcements for container scaling are found in only 9 ports (12% of total respondents or 22% of scaling ports). It means majority (over 70% of scaling ports) are practicing weighing containers without law enforcements.

*1: Respondents in following countries replied that they have compulsory rules for scaling containers.

Cote D'Ivoire, Israel, Trinidad & Tobago, Uruguay, Peru, Japan, Malaysia,

*2: In spite of negative responses on recognizing compulsory regulations from Ports in USA, it seems to be under law enforcement of compulsory scaling of export containers.
Relevant regulation: 29 CFR, 1917.71 "Terminal handling intermodal containers or roll-on roll-off operations"

Survey results of above 1)~4) regarding scaling in ports are summarized in Table 3 as "Details of survey results on scaling in ports" in Appendix of this report.

4. Taking Verified Weight Certificate (Q4)

1) Compulsory rule for taking Verified Weight Certificate

	Ports or terminals / Responded Ports (%)		
	Taking W-certificate	Compulsory rule	Fulfillment by shipper
-Africa Region :	1/3 (33%)	0/3 (0%)	1/3 (33%)
-Europe Region:	4/24(17%)	2/24 (8%)	3/24 (13%)
-America Region:	1/9 (11%)	0/9 (0%)	0/9 (0%)
-Asia Region :	3/35(9%)	2/35 (6%)	2/35 (6%)
-Oceania Region :	0/3 (0%)	0 /3(0%)	0/3 (0%)
All Regions :	**9/74 (12%)**	**4/74 (5%)**	**6/74 (8%)**

There are only 4 respondents having compulsory rule for Taking Verified Weight Certificate.
(only 5% of all responded ports or 44% of 9 implemented ports)
They are the respondents from Netherlands (Rail terminal), Spain, Japan and Malaysia.

2) Fulfillment of taking Verified Weight Certificate

Fulfillment ratio of taking weight certificates from shipper is comparatively high as 67% of implementing ports (6 ports among 9 practicing ports), while it shares only 8 % among total responded ports.

3) How to deal with containers without weight certificates

	Ports of	Measures to Containers without Weight Certificate	
	Taking W-certificate	Refusal receiving	Weigh in terminal
-Africa Region :	1	0/1 (0%)	1/1 (100%)
-Europe Region :	4	***3/4 (75%)***	1/4 (25%)
-America Region:	1	0/1 (0%)	0/1 (0%)
-Asia Region :	3	1/3 (33%)	1/3 (33%)
-Oceania Region :	0	0 (0%)	0 (0%)
All Regions :	9	**4/9 (44%)**	3**/9 (33%)**

While we have only 9 examples of ports taking Verified Weight Certificate in total, the survey reveals that 44% of such ports will “refuse containers for loading if those containers have no weight certificates” and 33% of them will “weigh such containers in terminals”. In regional comparison, European respondents show high ratio (75%) of refusing containers for loading, while ports in Africa region shows high ratio of Weigh in terminal.

Survey results of above 1)~3) are summarized in Appendix as Table 4 “Details of survey results on Taking Verified Weight Certificate”.

5. Future Plan to address the Issues (Q5-1)

	<Current Situation>	<Future Plan to address the issue>		
	No specific measures	Weigh in terminal	Taking W-certificate	No Plans
-Africa Region :	0	0	0	0
-Europe Region :	9	***4/9 (44%)***	**2/9(22%)**	3/9(33%)
-America Region:	0	0	0	0
-Asia Region :	12	0/12 (0%)	2/12 (17%)	***9/12(75%)***
-Oceania Region :	1	0/1 (0%)	0/1 (0%)	**1/1(100%)**
All Regions :	22	***4/22 (18%)***	***4/22 (18%)***	***13/22(59%)***

As explained in II-2 “Current Measures being taken by Ports or Terminals to address the Risks”, there are 22 respondents of having No Specific Measures taken at present. Among such 22 ports, majority of them (13 ports or 59%) have no intentions to introduce new measures in future. Only a few of them have plans to implement “Weigh in Terminal”(18%) and “taking Verified Weight Certificate”(18%) in their ports respectively.

Ports in Asia region in particular show high ratios (75%) of no future planning of introducing new measures in their ports. On the other hand, ports in Europe region intends to introduce some measures in their ports with high ratios (total 66% of no-measure ports at present).

Survey results regarding future planning are summarized in Table 5 as “Details of survey results on future planning for concerned risks” in Appendix.

6. Probable Problems arising from implementation of Compulsory Scaling Containers in Terminal (Q5-2)

		< Supposed Problems of Compulsory Scaling >		
	Responded Ports	Space, Cost &Time for Installation	Reduction of Efficiency	Difficulty of Cost Recovery
-Africa Region :	0	0	0	0
-Europe Region :	9	5/9 (56%)	***4/9(44%)***	**6/9(67%)**
-America Region:	0	0	0	0
-Asia Region :	***15***	***7/15(47%)***	***11/15(73%)***	***11/15(73%)***
-Oceania Region :	0	0	0	0
All Regions :	24	12/24 (50%)	**15/24** ***(63%)***	***17 /24(71%)***

We have total 24 responses for supposed problems arising from compulsory scaling in port. Among these 24 responses, “Difficulty of relevant cost recovery” is regarded as the most probable problem arising from compulsory scaling in their ports with getting 71% of their responses and “Reduction of operational efficiency” is the next concerned item with 63% of their responses.

In regional comparison, ports in Europe regard “Difficulty of Cost Recovery” as their most concerned matter. Ports in Asia region show high ratios (73%) of their concern to “Reduction of Efficiency” and “Difficulty of Cost recovery”.

Survey results regarding this supposed problem are summarized in Table 6 as “Details of survey results on possible problems arising from compulsory scaling in ports” in Appendix.

7. Views or Opinions on possible IMO New Rules (Q6)

Maritime Safety Committee (MSC) of IMO agreed to taking up this over-weight or incorrectly declared container issue in its sub-committee on Dangerous Goods, Solid Cargoes and Containers (DSC) with intention of amending SOLAS Convention by the year 2013.

As draft rule is not submitted to the DSC 17th session yet, secretariat of IAPH tried to list up probable items for rule amendments in order to get our member ports’ comments on them.

(Current rules “IMO Regulations regarding Cargo Information (Container Weight)”are attached into Appendix of this report for references.)

The probable draft amendments of SOLAS, which IAPH secretariat lists up, comprise following 2 parts.

A) Mandatory requirement for shipper to submit “Verified Weight Certificate” for loading containers

B) How to cope with containers, when these containers have no relevant “Verified Weight Certificate”

Following measures are presented as example of options to be taken by terminal or port.

-i) Refusal of receiving containers for loading, or

-ii) Scaling in terminal

A) Mandatory requirement for shipper to submit "Verified Weight Certificate" for loading container

	Total Comments	Support for Implementation	Against Implementation	Others
-Africa Region :	1	1/1(100%)	0	0
-Europe Region :	7	7/7(100%)	0	0
-America Region:	2	2 /2(100%)	0	0
-Asia Region :	14	12/14(86%)	2/14(14%)	0
-Oceania Region :	2	0	1/2(50%)	1/2(50%)
All Regions :	26	22 /26 (85%)	3/26 (12%)	1/26(3%)

We have total 26 comments on this issue. Overwhelming majority of respondents (85% of commented respondents) are in favor of introducing "Compulsory submission of Verified Weight Certificate from shippers before loading containers onto ships". There are only 3 comments against introducing compulsory "verified Weight Certificate". Major comments or concerns of ports and terminals are stated below.

1) Major Comments supporting the new measure

There are many comments supporting the new measure especially from terminal operators in Europe such as,

-It is the sole responsibility of shippers to ensure correct actual weight with mandatory submission weight certificates.

-Before a container can be transported, the shipper is legally required to declare on the official transportation documents, the actual gross weight of the unit load. Therefore the correct weight of the container should already be known and verified at start of the transportation through the logistic chain.

-Any solution for the problem of mis-declaration of the weight of containers should be found at the origin.

2) Some concerns when a mandatory Weight Certificate Program is implemented

We find following opinions which show concerns about possible operational problems or burdens arising from introducing mandatory "Verified Weight Certificate" program, while they support the program in principle.

i) Additional clerical or operational burdens on terminal operation:

Additional works such as receiving and checking Weight Certificates at terminals will be necessary. Spot scaling containers in terminals for checking correctness of submitted weight data will also be needed for terminal operations. These additional procedures will require more time and cost for container operation in terminal.

ii) On-line (digital) data exchange measure is inevitable:

In order to avoid additional operational burden above mentioned, Weight Certificates must be submitted on-line (digital) basis and checked by computer before receiving containers at terminals.

EDI or other automated data exchange measures are needed to manage documents of "Weight certificate" as manual or visual check of document will impose too much constraint on terminal operations.

iii) Qualified agency to issue Verified Weight Certificate is vital:

It is necessary to establish some requirements or qualifications of the organization or agencies which are responsible for issuing credible Weight Certificates.

v) Domestic regulation:

It will be needed to establish relevant domestic rules which accord to possible amendments of SOLAS rule.

vi) Supposed opposition from Shippers:

There may be strong oppositions from shippers as mandatory weight certificate program may incur them additional weighing costs.

3) Opinions showing opposition to mandatory Verified weight Certificate

There are a few comments showing oppositions to introducing Mandatory Weight Certificate as below.

i) Additional rule (of introducing Weight Certificate) is not necessary as gross weight is already stated on Container Enter Sheet.

ii) While proposed amendment of IMO rule is regarded desirable as one idea, there are concerns that expected results of container safety will not be achieved without implementing the rule into whole world.

Details of comments on this questionnaire are summarized in Appendix as Table 7 “Comments on Mandatory Submission of Verified Weight Certificate”.

B) How to cope with containers, which have no relevant “Verified Weight Certificate”

	Total Comments	Refusal of Loading	Scaling in Terminal	
		YES	YES	NO
-Africa Region :	1	0	1/1(100%)	0
-Europe Region :	9	5/9(56%)	3/9(33%)	4/9(44%)
-America Region:	0	0	0	0
-Asia Region :	11	2/11(18%)	5/11(45%)	5/11(45%)
-Oceania Region :	2	0	1/2(50%)	1/2(50%)
All Regions :	23	7 /23 (30%)	10/23 (46%)	10/23 (46%)

We have total 23 comments on this issue. While 30% of these respondents choose “refusal containers for loading”,46% of them opt for “scaling in terminal”.

1) Refusal of receiving Containers for Loading

Among total 23 respondents commented on this question, 30% of respondents regard “refusal of receiving containers” as an acceptable option for containers without weight certificates. Respondents in Europe region in particular show high ratios (56%) of supporting this measure.

As shown in 4-3) of this report, 44% of ports which have already implemented Weight Certificate Program

replied “Refusal such containers” as their option and such refusal option is supported with high ratio(75%) by respondents in Europe.

There are following comments supporting to refuse containers of No-Weight-Certificates.

i) Mis-declaration by shipper should clearly constitute full responsibility on the part of shipper for all consequences.

ii) The suggestion that a container is to be refused if shipper can not submit weight certificate is acceptable for the terminal as the issue is then redirected towards it’s root cause.

2) Scaling Container Weight in Terminal

46% of commented ports and terminals consider “scaling containers in terminal” as preferred steps for coping with non-compliance containers. Ports favoring to scale such containers also claim due share of costs to be paid by relevant shippers.

As explained in 4-3) of this report, only 33% of ports implementing Weight Certificate program replied that they will make “Scaling containers in terminal” as their option.

<Major comments which support Scaling in terminals>

-If shipper fails to comply, the regarding containers are to be weighed on condition that such process will not delay ship operation any longer than the reasonable time.

-If shipper fails to submit Weight Certificate, container will be weighed on the shipper’s account.

-If found any discrepancy, said container to be re-weighed and any charges incurred shall be passed back to shipping lines.

-(While non-compliance containers shall be refused for loading), if time is permissible and terminal resources are available, it may be weighed with additional charges.

<Major comments which oppose Weighing in terminal>

There are some comments strongly opposing to scale in terminals as it will demand terminal operator to invest scaling facilities in their terminals and will also induce heavy delay of container operation in terminal.

They also point out safety risks of transportation of over-weight containers while they are carried to loading terminals.

-We (terminal) are not equipped with scale to weigh containers in terminal.

-Licensed public weigh-bridge facilities are available in and around port area.

-Scaling at the terminal is not recommendable as it needs extensive investment and also cause delays of terminal operations.

-Tranship containers shall not be weighed at transship ports but at origin ports.

Details of comments on this questionnaire are summarized in Appendix as Table 8 “How to cope with Non-Weight Certificate Containers”.

C) Other Comments

Following comments which focus on some different aspects of the issue are also presented.

-Center of the issue is to be focused on the “Mis-declaration of the weight of containers” instead of “Over weight containers”.

-The shipping line is also responsible to assure that the final loading list contains correct weight.

-Major parts of accidents are caused from imbalanced cargo stowage in container rather than overweight cargo.

-Insufficient secured lashing cargo in container by shipper is also considered a major cause of accidents.

-(As affluent truck scale equipment is not available in small ports), compulsory scaling will widen the gap of competition between big and small ports/terminals.

Details of Other Comments are shown in Appendix as Table 9 “Other Comments”

III. Appendix

1. Respondents List of IAPH Survey (Table 1)

	Region	Country	Organization
1	Africa	Sudan	Sea ports Corporation/ Port Sudan
2	Africa	Nigeria	*Julius Berger Services Nigeria Ltd./Warri
3	Africa	Cote D'Ivoire	*Delmas CI /Abidjan
4	Europe	Netherlands	*Rotterdam Short Sea Terminals
5	Europe	Netherlands	*DFDS Rotterdam Terminal
6	Europe	Netherlands	*Rail Service Center Rotterdam
7	Europe	Netherlands	*Interforest Terminal Rotterdam
8	Europe	Netherlands	n/a , Rotterdam
9	Europe	Netherlands	*Europe Container Terminals(City & Hinterland) / Rotterdam
10	Europe	Netherlands	*Europe Container Terminals(Delta Terminal) / Rotterdam
11	Europe	Netherlands	*APM Terminals Rotterdam/ Rotterdam
12	Europe	Netherlands	*Broekman DistriPort/ Rotterdam
13	Europe	Sweden	Stockholm Hamn AB/ Stockholm
14	Europe	Sweden	*APM Terminals Gothenburg/ Gothenburg
15	Europe	Finland	Port of Helsinki
16	Europe	Latvia	*Riga Container Terminal Ltd/ Riga
17	Europe	Latvia	*Riga Universal Terminal Ltd/ Riga
18	Europe	Spain	Port of Gijon Authority
19	Europe	Spain	Valencia Port Authority
20	Europe	Malta	*Malta Freeport Terminals/ Marsaxlokk
21	Europe	Malta	*Valletta Gateway Terminals/ Valletta
22	Europe	Cyprus	Cyprus Ports Authority/ Limassol
23	Europe	France	*Med Europe Terminal/ Marseille
24	Europe	France	*Seayard Stevedoring/ Marseille
25	Europe	France	*EUROFOS
26	Europe	Israel	Israel Ports Co.,/ Israel
27	Europe	Israel	Ashdod Port Co.,/ Ashdod
28	America	U.S.A	Port of Los Angeles
29	America	U.S.A	*California United Terminals,Inc./POLA
30	America	U.S.A	*Seaside Transportation Services LLC/ POLA
31	America	U.S.A	Georgia Ports Authority
32	America	U.S.A	Miami-Dade Seaport Dep./ Port of Miami
33	America	Trinidad & Tobago	Point Lisas Industrial Port Development Corporation/ Point Lisas
34	America	Uruguay	Administration Nacional de Purtos/ Montevideo

35	America	Auba	*Auba Stevedoring Co(ASTEC) NV/ Aruba
36	America	Peru	Empresa Nacional de Puertos S.A.(ENAPU S.A.)/Callao
37	Asia	Japan	Ishikari Bay New Port Authority
38	Asia	Japan	*Tomakomai International Container Terminal/Port of Tomakomai
39	Asia	Japan	Port & Harbor Bureau of Kawasaki City
40	Asia	Japan	Port & Harbor Bureau of Yokohama City
41	Asia	Japan	Port & Harbor Bureau of Toyama Prefecture
42	Asia	Japan	*Hitachi-Naka Container Terminal
43	Asia	Japan	Nagoya Port Authority
44	Asia	Japan	Osaka Port Corp.
45	Asia	Japan	Port & Harbor Bureau of Osaka City
46	Asia	Japan	*Shimonoseki Port container Terminal
47	Asia	Japan	Port & Harbor Bureau of Fukuoka City/ Hakata Port
48	Asia	Japan	*Hakata Port Terminal Co.,Ltd. / Hakata Port
49	Asia	Japan	Seaport and Airport Bureau, City of Kitakyushu/ Port of Kitakyushu
50	Asia	Japan	Naha Port Authority
51	Asia	China	*Qindao Qianwan Container Terminal Co.,
52	Asia	China	*Modern terminals Ltd./ Hong Kong
53	Asia	China	*Hong Kong International Terminals Ltd.
54	Asia	China	DP World/ Hong Kong
55	Asia	China	*COSCO-HIT Terminals Ltd./ Hong Kong
56	Asia	China	*Asia Container terminals/ Hong Kong
57	Asia	Korea	Ulsan Port Authority
58	Asia	Korea	*Hanjin shipping Gwangyang Terminal/ Yeosu Gwangyang Port
59	Asia	Korea	*Korea international Terminal/ Yeosu Gwangyang Port
60	Asia	Korea	*Korea Express/ Yeosu Gwangyang Port
61	Asia	Singapore	*PSA Corp.,Ltd.
62	Asia	Malaysia	Westports Sdn.Bhd/Port Klang, Westports
63	Asia	Malaysia	Northport Bhd/ Port Klang,Northport
64	Asia	Malaysia	*North Butterworth container terminal/Penang port
65	Asia	Malaysia	Sepangar Bay Container Port/Sabah Ports Sdn Bhd
66	Asia	Malaysia	*Bintulu international Container Terminal/ Bintulu Port Sdn Bhd
67	Asia	Myanmar	*Myanmar International Terminal Thilawa(MITT)
68	Asia	Myanmar	*Asia World Port Teminal(AWPT)
69	Asia	Myanmar	*Bo Aung Kyaw Terminal
70	Asia	Myanmar	Myanmar Industrial Port(MIP)

71	Asia	Mauritius	Mauritius Port authority/ Port Louis
72	Oceania	Australia	Port of Melbourne Corporation
73	Oceania	Australia	Sydney Ports Corporation
74	Oceania	Australia	Fremantle Port Authority

*: Terminal Operating Company

2. Summary Table of Survey Results(Q1~5)-all regions (Table 2)

Region			AFRICA	EUROPE	AMERICA	ASIA	OCEANIA	Total
Country			3	9	5	7	1	25
Port			3	13	7	28	3	54
Number of organizations			3	24	9	35	3	74
Q1-Problems due to Overweight or Incorrect declared Container	Accidents in Terminal		3	23	9	30	2	67
	Road Traffic Accident		2	15	5	24		46
	Difficulty to make correct Stowage Plan			14	5	26	2	47
	Others		2	8	2	5	3	20
Q2-Measures taken against Overweight or Incorrect declared Containers	1.Scaling container weight		3	7	8	22	1	41
	2.Request Verified Weight Certificate		1	4	1	3		9
	3.No specific measures			9		12	1	22
	4.Others			8	1	4	2	15
Q3-1: Which containers to be weighed in port	Spot check		2	3		9		14
	Every Export Container		1	4	8	11		24
	Every Import Container		1	3	3	4	1	12
	Every Local Container			2	2	2		6
	Every Tranship Container		1	1		1		3
	Others		1	1	3	3	1	9
-2:Scaling Place & needed time	Terminal Gate		1	3	7	19		30
	Other Place in Yard		3	2	2	3	1	11
	Handling Equipment		1	3		4		8
	Others				1			1
-3: Who bears the Cost	Shipper, Consignee		1	1	4	10	1	17
	Shipping Co.			1	1	2	1	5
	Terminal Operator		2	3	3	12		20
	Others		1	3	1	2	1	8
-4: Enforcement by Law	YES	Title of the Law	1	2	3	3		9
		Penalties for Overweight	1	2	2	4		9
	NO		2	5	5	17	1	30
Q4-1: Is Verified Weight Certificate compulsory by Local Rule?	YES			2		2		4
	NO		2	3	3	2		10
-2: Fullfilled by Shipper?	YES(Inc. Almost)		1	2		2		5
	NO			2	1	1		4
-3: For shipment without Weight Certificate	Refuse receiving container			3		1		4
	Weigh in terminal		1	1		1		3
	Others			1	1	1		3
Q5-1: Future Plan to address the issue	YES	Scaling in Yard		4				4
		Request Weight Certificate		2		2		4
		Others				1		1
	NO			4		9	1	14
-2: Problems arising from Compulsory Scaling in Yard	YES	Space,Cost and Time for installation		5		7		12
		Reduction of Operational Efficiency		4		11		15
		Difficulty to recover cost		6		11		17
		Others		1		2		3
	NO					1		1

3. Details of Survey Results on Scaling in Ports (Table 3)

(Table 3: Details of Survey results on Scaling in Ports)

REGION	Country	Port/ Terminal	Containers to be scaled				Scaling Places			Party to bear cost			Enforcement by Law		
			Spot Check	Export Cntr	Import Contr	T-Ship Container	Terminal Gate	Other Places in Yard	Handling Equipment	Shipper or Consignee	Shipping Line	Terminal Operator	Law	Penalty	No enforcement
AFRICA	3	3	2	1	1	1	1 (15 min)	3 (5~30min)	1 (10min)	1		2	1	1	2
N.EUROPE	2	2		2	1	1	1 (1 min)		1						2
S.EUROPE	4	5	3	2	2		2 (0~0.25min)	2 (10min)	2 (1min)	1		3	2	2	2
N.AMERICA	1	5		5	1		5 (0.5~3min)	1 (3min)		1	1	3			4
LATIN AMERICA	3	3		3	2		2 (2~3min)	1 (2min)		3			3	2	1
E. ASIA	2	12	8	5	3	1	10 (0.5~10min)	1 (1min)	4 (2min)	5	1	6	1	2	9
S.E.ASIA	3	10	1	6	1		9 (0.1~5min)	2 (2min)		5	1	6	2	2	8
OCEANIA	1	1			1			1		1	1				1
	19	41	14	24	12	3	30 (0~15min)	11 (1~30min)	8 (1~10min)	17	4	20	9	9	29

4. Details of Survey Results on Taking Verified Weight Certificate in Ports (Table 4)

Table 4: Detailed Survey Results on Taking Verified Weight Certificate in Ports

REGION	Country	Port Terminal	Taking Verified Weight Certificate			When weight certificate is not submitted		
			Implementation of the measures	Compulsory Enforcement by Law	Followed by shipper	Refuse receiving Container	Scale in Yard	Others
Africa	1	1	1		1		1	
N.EUROPE	2	2	2	1	2	1		1
S.EUROPE	2	3	2	1	1	2	1	
L.America	1	1	1					1
East Asia	1	1	1	1	1		1	
S.E.Asia	2	2	2	1	1	1		1
	9	10	9	4	6	4	3	3

5. Details of Survey Results on Future Plan for Concerned Risks (Table 5)

Table 5: Details of Survey Results on Future Plan for Cconcerned Risks

REGION	Country	Port/Terminal with No Specific Measures at Present	Future Plan		
			Scaling in Yard	Verified Weight Certificate	No Planning
N.EUROPE	3	5	2	1	3
S.EUROPE	2	4	2	1	
E. ASIA	2	12		2	9
OCEANIA	1	1			1
	8	22	4	4	13

6. Details of Survey Results on Possible Problems arising from Compulsory Scaling in Ports (Table 6)

Table 6: Details of Survey Results on Problems arising from Compulsory Scaling in Port

REGION	Country	Port/Terminal	Problems from Compulsory Scaling in Yard			
			Installation space,cost etc	Efficiency reduction	Difficulty of cost recovery	No Problems
N.EUROPE	3	5	3	3	4	
S.EUROPE	3	4	2	1	2	
E. ASIA	2	13	6	10	11	1
S. E. ASIA	1	2	1	1		
	9	24	12	15	17	1

7. Details of Comments on Mandatory Requirement for Shipper to submit "Verified Weight Certificate" (Table 7)

Region	Country	1.Mandatory submission of Verified Weight Certificate					
		YES			NO		OTHERS
AFRICA	Sudan	1	Shipper is to submit a Verified Weight Certificate of gross weight, before loading containers on board.				
EUROPE	Netherlands	1	We are strongly in favour that containers and other units are always accompanied by a certified weight certificate which is to be obtained by the shipper.this is made mandatory to allow maritime shipment.				
EUROPE	Netherlands	1	Before a container can be transported the shipper is legally required to declare, on the official transportation document(s), the actual gross weight of the unit (container) load. It is also the legal responsibility of the shipper to declare the correct net weight of the cargo loaded in the specific container.Therefore the correct weight of the container should already be known and verified at start of the transportation of a container through the logistic chain.				
EUROPE	Netherlands	1	We would take a positive approach towards the introduction of a weight certificate, under certain strong provision however, since it could have extensive implications to our processes and the logistic chain as a whole. We strongly advise for an automated exchange of this document or info, e.g. EDI or some other form of automated data exchange.				
EUROPE	Latvia	1	From one side it seems to be a great idea that Shipper gives a guarantee that container is not overloaded and the weight is stated correctly.However, from the other side the introduction of additional documentation /procedure may create an additional burden for clerical work, because someone will have to check all the "verified weight certificates," and time to time to make spot – checks (to scale containers) in order to prove whether "verified weight certificates" are correctly filled regarding to the actual weight of containers.				
EUROPE	Cyprus	1	By presenting the "verified weight certificate" for the gross weight of containers before loading, the problem will be solved. However, this document must be obligatory and should be introduced in all ports, in order to avoid distortions in competition.				
EUROPE	France	1	Weighing certificate online and managed by computer before to receipt of containers.				
EUROPE	France	1	Random Weight Control by specialized teams, using documents checking and physical control				
AMERICA (LATIN)	Uruguay	1	Very good option, it will reduce cost (direct & indirect) and operation time. In our particular case, we will need an internal change in legislation.				
AMERICA (LATIN)	Peru	1	1st Point: It is necessary to establish requirements and qualifications of the organisms or "agencies" reaponsible for issuing "certificates of conformity of the cargo" that reprensantatives of the cargo shall submit to the administrator and port authority. On the 2nd point: It is important to note that, for the issuanace of "certificates of conformity of the cargo" within the port facility, you must put a space to perform the verification own work of the cargo, so the implementation of this requirement will be an cost for port managers.				

Region	Country	1.Mandatory submission of Verified Weight Certificate					
		YES		NO		OTHERS	
ASIA	Republic of Korea			1	It might cause stoppage at terminal and increase cost of terminal operator.		
ASIA	China	1	The relevant government body provides a "verified weight certificate"				
ASIA	China	1	The vessel owner should come to a consent or agreement to their charterer that all cargoes on board must be weighed in authorised/licensed authority and cargo shipper should have the responsibility to ensure the actual weight of container declared to the shipping agent. Further, weighing of the containers should be conduct in the port of origin and before gate-in to terminal to avoid congestion.				
ASIA	China	1	Accuracy of weight is crucial in intermodal transportation and therefore verification of weight should be done at the onset of the transportation chain.				
ASIA	China	1	These amendments would help to reduce accidents, breakdown of cranes and ensure safe navigation of vessels at sea.				
ASIA	Japan	1	While mandatory requirement of verified weight certificate is good measure for grasping correct cargo weight by shipping lines and terminal operators, strong oppositions will be made by shippers due to incurring weighing cost.				
ASIA	Japan	1	While mandatory requirement of verified weight certificate is good measure for grasping correct cargo weight by shipping lines and terminal operators, strong oppositions will be made by shippers due to incurring weighing cost.				
ASIA	Japan			1	Gross weight is stated in Container Enter-Sheet. The responsibility of accidents arising from misdeclaration of weight will be attributed to the shipper who submitted the slip.As situation around misdeclartion is above, additional rule is considered unnecessary.		
ASIA	Singapore	1	Accuracy of weight is crucial in intermodal transportation and therefore verification of weight should be done at the onset of the transportation chain. We are paperless and submission of container weight is done electronically.				
ASIA	Mauritius	1	These amendments would help to reduce accidents, breakdown of cranes and ensure safe navigation of vessels at sea.				
ASIA	Malaysia	1	Stricter regulation on weight declaration by shipping lines in port's system based on the final packing list from shippers instead of estimated gross weight pre-advised in export booking.				
ASIA	Malaysia	1	Should have time line for declaration such as 10 hours before vessel ETA. This to ensure necessary actions can be taken to salvage the situation if necessary.				

Region	Country	1.Mandatory submission of Verified Weight Certificate					
		YES		NO		OTHERS	
ASIA	Malaysia	1	FULLY SUPPORTING IMO'S PRO-ACTIVE ACTION TO TIGHTENED UP THIS ISSUE AS WE CAN SEE THE RISE IN NUMBERS OF CONTAINERS FOUND HEAVIER THAN THEIR DECLARED WEIGHT AND AT TIMES OVERWEIGHT THAN MAXIMUM PERMISSIBLE WEIGHT.				
ASIA	Malaysia	1	Naturally the proposed implementation of such complusory weighing of containers would be advantages to all concerned.				
OCEANIA	Australia					1	Exporting Containers are tightly managed on accurate weight as a result of government regulations. Import containers would be the greatest risk of being overweight.
OCEANIA	Australia			1	IMO actions and proposed possible ammendments to SOLAS by IMO is problematic for worldwide application. Whilst this would deliver benefit if introduced on a global scale this is not likely to be possible in third world countries where such technology is limited. It would be difficult to mandate where not all can conform.		

8. Comments on "How to cope with Non-Weight Certificate Containers" (Table 8)

Region	Country	2.Refusal of receiving containers for loading when no Verified Weight Certificate is submitted		3.Scaling containers in terminals when no Verified Weight Certificate is submitted			
		YES		YES		NO	
AFRICA	Sudan			1	If shipper fails to comply, the regarding containers are to be weighed on condition that such process will not delay ship operation any longer than the reasonable time specified by the operator		
EUROPE	Netherlands	1	Non-compliance should have consequences for those players being at fault, and they should be addressed.			1	subject containers have already been transported by another transport modality before arriving at the terminal. From safety point of view, this is too late.
EUROPE	Netherlands	1	. Mis-declaration by shipper(irrespective if on purpose or by mistake) should clearly constitute full responsibility on the part of shipper for all consequences.			1	We are not equipped to weigh containers of other cargo units
EUROPE	Netherlands					1	Weighing at terminal is a way to be late in the chain(barge and truck are at risk far greater than ship or terminals).
EUROPE	Netherlands	1	The suggestion that a container is to be refused if shipper can not submit weight certificate in the above described manner is acceptable for the terminal. This because the issue is then redirected towards it's root cause.			1	Scaling at the terminal demands an exentise investment and is therefore not receommended. Moreover however, it will cause for substantial delays in the logistic process having negative effects on terminals' customers (shipping lines/ container operators) as well as logistical partners like trucking companies and barge operators.
EUROPE	Sweden	1	Containers that are overloaded can be rejected at the gate, but after contacs with the agent the terminal can correct the weight. Wrongly declared overweight are a risk when it comes to "empty" tank-containers with remains of dangerous cargo.				
EUROPE	Latvia			1	If shipper fails to submit "weight certificate", container will be weighted on the shipper's expenses and so on.		
EUROPE	Spain			1	Weigh compulsory for all containers loaded with goods whose density can lead to suggest that overweight.For example, marble, tile, steel, iron etc.		

Region	Country	2.Refusal of receiving containers for loading when no Verified Weight Certificate is submitted		3.Scaling containers in terminals when no Verified Weight Certificate is submitted			
		YES		YES		NO	
EUROPE	Cyprus			1	If a shipper fails to provide the said certificate, the best solution is the container to be weighted by scale at the terminal, instead of prohibiting the loading of the container on condition of relevant costs including dealy to be borne by shipper.		
EUROPE	France	1	Heavy penalties for false statements proved				
ASIA	Republic of Korea					1	It might cause stoppage at terminal and increase cost of terminal operator.
ASIA	Republic of Korea					1	Delay at terminal gate. Returning of the over-weight cargo problem.
ASIA	China					1	If the containers required to be weighed by scale at terminal before loading, the operational efficiency will be affected assuming that the scaling was handled by the lifting equipment (Eg: RTG). The costs involved shall be settled by the shipper who cannot provided the verified weight certificate.
ASIA	China			1	We are paperless and submission of container weight is done electronically.		
ASIA	Malaysia			1	If found any discrepancy, said unit to be reweigh and any charges incur shall be passed back to shipping lines.		
ASIA	Malaysia	1	the regarding containers shall be refused for loading, or Comment: Agreed	1	if time permissible and terminal resources available to execute it with additional charges.		
ASIA	Malaysia			1	Naturally the proposed implementation of such complusory weighing of containers would be advantages to all concerned.		
ASIA	Myanmar			1	This problem can be sorted out at the first terminal accepting export container by making compulsory weighing arrangements at the terminal gate. All necessary actions should be taken on the spot for such problems related to over-weight or incorrectly declared containers.		

Region	Country	2.Refusal of receiving containers for loading when no Verified Weight Certificate is submitted		3.Scaling containers in terminals when no Verified Weight Certificate is submitted			
		YES		YES		NO	
ASIA	Myanmar	1	If our terminal finds out that some containers in over-weight or mis-declared container, we will refuse to accept those because they can lead to vessels being improperly stowed, which can adversely affect vessel stability and possible loss of containers overboard, cause damage to chasis and terminal handling equipments and injuries to dock workers while container are handled in container yards. Our terminal suggest that every terminal can impose fines and the penalties to the shippers for over-weight or mis-declared weights that arrive at terminals. containers.				
ASIA	Japan					1	Congestion or disruption of container traffics, when such mandatory weighing is implemented as affluent truck scaling equipments are not available.
ASIA	Japan					1	Congestion or disruption of container traffics, when such mandatory weighing is implemented as affluent truck scaling equipments are not available.
OCEANIA	Australia					1	Container terminals are not currently configured to provide for weighing of containers or for managing an overweoght container. Licensed weighbridge facilities areincluded in the various port transport service providers operations. 2-5) Public weighbridge exist in and around Victoria and Melbourne including adjacent to the port precinct. 2-6) 2-7) The same regulations and enforcement are applied to imports as for exports.
OCEANIA	Australia			1	However load cell devises on portainer equipment could certainly deliver gross container mass weights and may be a more palletable for a global solution. This would still not detect unevenly loaded containers which cause the majority of landside overweight issues.		

9.Other Comments (Table 9)

Region	Country	4.Others	
EUROPE	Netherlands	Terminals are not at fault, and involved only for part of the total transport-route.	Please keep in mind that the solution, if needed, should be proportional to the problem it is supposed to solve. Is weighing millions of containers proportional to the fact that only one-in-a-million containers goes overboard, cause of which is not necessarily overweight?
EUROPE	Netherlands	If IMO decides that weighing on terminals becomes mandatory, the cost of that(investment and handling) should be recoverable from shippers. The logistic process on teminals is considerably affected if each unit must be weighed on terminal.	
EUROPE	Netherlands	The IMO is focussing on consequence for deepsea transport. That is the problem(as recent studies show).	Besides that, where will deviate containers go, stay at terminal indefinitely?
EUROPE	Netherlands	We believe that the whole discussion on this subject should centre around 1 issue only: the 'misdeclaration of the weight of containers' itself. All other discussions about overloaded (overweighed) containers, and the possible consequences, are a sequel of the misdeclaration of weight the of containers.	The shipping line is also responsible to assure that the final loading list is correct and contains the correct weights. Only this last document is leading for a Container Terminal Operator for loading a vessel.
EUROPE	Sweden	Wrongly declared overweight are a risk when it comes to "empty" tank-containers with remains of dangerous cargo.	
AMERICA (LATIN)	Uruguay	Very good option, it will reduce cost (direct & indirect) and operation time. In our particular case, we will need an internal change in legislation.	
AMERICA (LATIN)	Peru	General Comment: The implimentation of these amendments to the SOLAS Convention, have an economic cost to the owners of cargo and port managers, to be evaluated in detail, according to the different types of port terminals, so that there not a generalization of the requirements of that agreement.	
ASIA	Republic of Korea	Return of the over-weight cargo problem	
ASIA	Republic of Korea	Delay at terminal gate. Returning of the over-weight cargo problem.	
ASIA	China	Just as we weigh our local containers, transhipment containers should be weighed at port of origin.	In other words, the transshipment port should not be made to weigh the transshipment containers.
ASIA	China	These amendments would help to reduce accidents, breakdown of cranes and ensure safe navigation of vessels at sea.	
ASIA	Singapore	Just as we weigh our local containers, transhipment containers should be weighed at port of origin.	In other words, the transshipment port should not be made to weigh the transshipment containers.
ASIA	Mauritius	These amendments would help to reduce accidents, breakdown of cranes and ensure safe navigation of vessels at sea.	
ASIA	Malaysia	Pls note that local legislation referred to which mandates scaling of container [Q3 (4) – scaling of container and Q4 (1) – declaration of weight certificate] is under terminal rules for acceptance of cargo and terms and conditions of terminal service agreement. No domestic or national legislation is available on the matter currently.	
ASIA	Malaysia	FULLY SUPPORTING IMO'S PRO-ACTIVE ACTION TO TIGHTENED UP THIS ISSUE AS WE CAN SEE THE RISE IN NUMBERS OF CONTAINERS FOUND HEAVIER THAN THEIR DECLARED WEIGHT AND AT TIMES OVERWEIGHT THAN MAXIMUM PERMISSIBLE WEIGHT.	
ASIA	Myanmar	Every export container is compulsory scaled weight of container prior to veseel.The IMO's actions is a key element for development of solving the problem on over-weight and mis-declared weight	

Region	Country	4.Others
ASIA	Japan	Major parts of accidents are caused from imbalanced cargo stoawage in container rather than over-weight cargo, it seems. Unsecured lashing cargo in container by shipper is also considered a major elements causing accident.For addressing to such causes above, only physical checking with opening container will be considered effective measure. Considering efficiency of terminal operation, such measure will not be implemented easily.
ASIA	Japan	It will also cause widen the difference of competition between big terminal of shipping lines and small terminal jointly used by several shipping lines.
ASIA	Japan	When scaling in terminal is mandatory operation, shippers' payment of relevant cost and additional operation time is anticipated.
OCEANIA	Australia	The port is not directly involved nor having role in container handling functions. -Under PoM's leases, lessees are required to; Not to exceed the declared wharf loadings, Not to store or handle dangerous goods(as dfined in the Dangerous Goods Act 1983, Regulations or the Australian Code for the Transport of Dangerous Goods by Road and Rail) or any other goods the storage of which is prohibited by the Insurance Council of Australia. Comply with statutory requirements concerning the Premises and the Tenat's Goods.

10. Form of Survey Questionnaire

Questionnaires on
Over-Weight or Incorrect Declared Container Issues in Ports
(IAPH Port Safety & Security Committee)

Dear IAPH Members (Port authorities, Terminal operators),

Recognizing serious risks of over-weight or incorrectly declared containers on safe intermodal transportation, the IAPH adopted a resolution on "The Safety of Containers in the Supply Chain" at Busan Conference on May 26, 2011. In the meantime, Maritime Safety Committee (MSC) of IMO is now considering establishing new obligatory requirements to address the issue in the next session of its sub-committee DSC. IAPH along with WSC, BIMCO and ICS, issued the press release on December 12, 2011.

IAPH Port Safety & Security Committee is carrying out a survey as below to monitor our member ports' or terminals' current situation regarding this over-weight container issue and their views and opinions about possible IMO's actions (please see attached the paper).

Please fill out the following questionnaire. When container handling is not made by yourself but by terminal operators in your port, it would be appreciated if you could distribute this survey form to such operators additionally.

If you have any questions, please contact us.

Best regards,

Shane Hobday
Chair of Port Safety & Security Committee, IAPH.

Q1: What kind of problems or risks do you face arising from over-weight or incorrectly declared container? (multiple choices are ok).

- ☐ Accidents during container handling in terminal or damage to port equipment.
- ☐ Traffic accidents during container transportation by road, or Road traffic restriction imposed on over-weighted containers.
- ☐ Difficulty to make a correct container stowage plan for vessel.
- ☐ Others (please specify): _____.

Q2: What kind of measures do you take to address problems caused from over-weight or incorrectly declared containers? (please tick one).

- ☐ 1. Scaling actual weight of containers in your port → *go to Q3 & Q6.*
- ☐ 2. Requesting shipper to submit a "verified weight certificate" → *go to Q4 & Q6.*
- ☐ 3. No specific measures taken → *go to Q5 & Q6.*
- ☐ 4. Others (please specify): _____ → *go to Q6.*

Q3: (Only for those who chose 1. in Q2) If you scale actual weight of containers in your port,

1. Which containers are subjected to weighing? (multiple choices are ok).

- ☐ Only limited containers for Spot Checks.
- ☐ Every Export container.
- ☐ Every Import container.
- ☐ Every Local container.
- ☐ Every Transhipment container.
- ☐ Others (please specify): _____.

2. Scaling place & approximate time needed to weigh a container (please tick one).

- ☐ at Terminal Gate, (_____min/ unit).
- ☐ at Other Scaling Place in yard, (_____min/ unit).
- ☐ by Container Handling Equipment with Scale,(_____min/ unit).
- ☐ Others (please specify): _____ ,(_____min/ unit).

3. Who bears the scaling cost? (please tick one).

- ☐ Shipper/consignee.
- ☐ Shipping company.
- ☐ Terminal operator.
- ☐ Others (please specify): _____.

4. Is scaling container weight obligatory by domestic legislation?

- ☐ Yes.
  - Title of the rule: _____.
  - Are there any penalties or punishments imposed for overweight or incorrectly-declared containers?
    ☐ Yes ☐ No.
- ☐ No.

Q4: (Only for those who chose 2. in Q2) If you take a "Verified Weight Certificate" from shipper,

1. Is the procedure (taking weight certificate) compulsory based on domestic legislation?

- ☐ Yes.
- ☐ No.

2. Is the requirement (submitting weight certificate) fulfilled by shipper? (please tick one).

- ☐ Almost all shipments are attached with weight certificates.
- ☐ Many shipments are without such weight certificates.

3. What do you do to a shipment without weight certificate? (please tick one).

- ☐ Refuse receiving such container for loading.
- ☐ Weigh such container by scaling facility in terminal.
- ☐ Others (please specify): _____.

Q5: (Only for those who chose 3. in Q2) If you take no specific measures to address this issue now,

1. Do you have any plans to implement some measures in future?

☐ Yes

- What kind of measures do you intend to take? (multiple choices are ok)
  - ☐ To Scale actual container weight in terminal
  - ☐ To Request shipper to submit "Verified Weight Certificate" of container
  - ☐ Others (please specify): _____

☐ No → *go to Q6*

2. Do you foresee any problems arising in your port or terminal when compulsory scaling container weight in terminal is introduced in future?

☐ Yes

- What kind of problems do you anticipate? (multiple choices are ok)
  - ☐ Problems related to installation of weighing scale in terminal, such as Space Limitation, installation Cost, Time and Manpower
  - ☐ Reduction of Operational Efficiency due to weighing
  - ☐ Difficulty to recover incurred cost for scaling.
  - ☐ Others (please specify): _____

☐ No

Q6: Please give us your views or opinions on possible IMO's action. (Please see attached the paper)

About Yourself

Please specify your port or terminal and yourself below.

Your Name.	(given name).	(family name).
Your Title.		
Your Organization.		
Your Port.		
Your Country.		
Your Fax Number.		
Your e-mail address.		

<Attachment to Questionnaires>

IMO Regulations regarding Cargo information (Container Weight)

A: Current rule: SOLAS Chapter VI: "Carriage of Cargoes"

Part A; General provisions

Reg. 2 "Cargo Information"

1. The Shipper shall provide the master or his representative with appropriate information on the cargo sufficiently in advance of loading…

Such information shall be confirmed in writing and by appropriate shipping documents prior to loading the cargo on the ship.

2. ***The cargo information shall include:***

1) In the case of general cargo, and of cargo carried in cargo units,…..
the gross mass of the cargo or of the cargo units,…;

3. ***Prior to loading cargo units on board ships, the shipper shall ensure that the gross mass of such units is in accordance with the gross mass declared on the shipping documents.***

Reg. 5 "Stowage & securing"

5. Containers shall not be loaded to more than the maximum gross weight indicated on the Safety Approval Plate under the International Convention for Safe containers (CSC)

B: Possible amendments to SOLAS by IMO

(As no formal documents are yet drafted, the following statements are just our suppositions at the moment)

1. Shipper is mandated to submit "verified weight certificate" of gross weight of containers before loading containers on board.

2. If shipper fails to comply with such requirement (above 1.),
1) the regarding containers shall be refused for loading, or
2) the regarding containers shall be weighed by scale at terminal before loading

11. Regulations of USA

29 CFR, 1917.71

"Terminal Handling Intermodal Containers or Roll-on Roll-off Operations"

1917.71(a)

Every intermodal container shall be legibly and permanently marked with:

The weight of the container when empty, in pounds;

The maximum cargo weight the container is designed to carry, in pounds; and

The sum of the weight of the container and the cargo, in pounds.

1917.71(b)

No container shall be hoisted by any crane or derrick unless the following conditions have been met:

The employer shall ascertain from the carrier whether a container to be hoisted is loaded or empty.

Empty containers shall be identified before loading or discharge in such a manner as will inform every supervisor and foreman on the site and in charge of loading or discharging,

or every crane or other hoisting equipment operator and signalman, if any,

that such container is empty. Methods of identification may include cargo plans, manifests or markings on the container.

1917.71(b)(2)

In the case of a loaded container:

The actual gross weight shall be plainly marked so as to be visible to the crane or other hoisting equipment operator or signalman, or to every supervisor and foreman on the site and in charge of the operation; or

the cargo stowage plan or equivalent permanently recorded display serving the same purpose, containing the actual gross weight and the serial number or other positive identification of that specific container, shall be provided to the crane or other hoisting equipment operator and signalman, if any, and to every supervisor and foreman on the site and in charge of the operation.

1917.71(b)(3)

Every outbound loaded container *which is received at a marine terminal ready to load aboard a vessel without further consolidation or loading* ***shall be weighed to obtain the actual gross weight, either at the terminal or elsewhere, before being hoisted.***

1917.71(b)(4)

When container weighing scales are located at a marine terminal, any outbound container with a load consolidated at that terminal shall be weighed to obtain an actual weight before being hoisted.

If the terminal has no scales, the actual gross weight may be calculated on the basis of the container's contents and the container's empty weight.

The weights used in the calculation shall be posted conspicuously on the container, with the name of the person making the calculation and the date.

1917.71(b)(7)

The weight of loaded inbound containers from foreign ports shall be determined by weighing
or by the method of calculation described in paragraph (b)(4)(ii) of this section or
by shipping documents.

1917.71(b)(8)

Any scale used within the United States to weigh containers for the purpose of the requirements of this section shall meet the accuracy standards of the state or local public authority in which the scale is located.

1917.71(c)

No container or containers shall be hoisted if their actual gross weight exceeds the weight marked as required in paragraph (a)(2) of this section, or if it exceeds the capacity of the crane or other hoisting device intended to be used.