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Guidelines for weighing containers – resolution MSC.380(94)

This Circular provides information on how the Norwegian Maritime Authority (NMA) understands the requirements of IMO resolution MSC.380(94) for weighing containers. The resolution lays down requirements for the verified gross mass (VGM) of packed containers to be specified before containers can be loaded onto a ship.

The requirement for VGM does not apply to containers carried on a chassis or a trailer when these are driven on or off a ro-ro ship engaged on short international voyages. The requirement furthermore does not apply to empty containers.

The new requirements apply to shippers of containers for international sea carriage when the packing of such containers is completed in Norway. The requirement is also applicable to all Norwegian ships accepting containers for transport, cf. the Regulations of 1 July 2014 No. 945 on the carriage of cargoes on Norwegian ships and barges.

Foreign ships with containers on board calling at a Norwegian port may be checked for VGM information in a port State control. Foreign ships loading packed containers in a Norwegian port will, in accordance with their flag State legislation, be required to be informed of VGM before the cargo is loaded on board.

For the sake of clarity, we would like to underline that the requirement to state the weight of the container already exists; the new requirement is that the weight needs to be verified. The purpose is to provide the master with correct information about the weight of the container, so that the ship can be loaded in a safe and proper manner.

This Circular is based on resolution MSC.380(94) and information on how other states understand the rules.

SOLAS definitions

A **shipper** is the legal entity named on the bill of lading or sea waybill or equivalent multi-modal transport document (e.g. a "through" bill of lading) which the shipper has entered into with a shipping company.

Container means an article of transport equipment as provided in the International Convention for Safe Containers (CSC) 1972 as amended, and as may be amended.

A **short international voyage** means a voyage in the course of which the ship is not more than 200 nautical miles from a port or place in which the passengers and crew could be placed in safety. Neither

the distance between the last port of call in the country in which the voyage begins and final port of destination nor the return voyage can exceed 600 nautical miles. The final port of destination is the last port of call in the scheduled voyage at which the ship commences its return voyage to the country in which the voyage began.

VGM is the verified gross mass of a packed container, which is obtained by using the weighing method in the resolution. VGM may be obtained by:

- weighing the packed container using calibrated and certified equipment; or
- weighing all packages and cargo items, including the mass of pallets, dunnage and other securing material to be packed in the container and adding the tare mass of the container to the sum of the single masses.

Certified method means a method of weighing which is approved by the competent authority of the State in which packing of the container was completed.

Shipper's obligations

The shipper's obligations are central to these provisions.

A shipper of goods which are being packed in a container in Norway and are to be sent by ship, is responsible for obtaining the VGM. This has to be done using a certified method, and the information needs to be included in the shipping document.

Pursuant to current legislation, there is no direct legal basis for imposing obligations on a shipper. Nevertheless, a ship will be dependent on the shipper complying with these rules before a container can be loaded onto a ship. The requirement to determine the VGM will thus be an indirect requirement to the shipper.

The shipping document must be sent to the master or the ship's representative and to the terminal representative in reasonable time before loading. For the purpose of these guidelines, "reasonable time" means that the master must have the opportunity to use the information in connection with the preparation of the ship stowage plan.

No specific deadline will be given for when the VGM must be reported to the ship.

Communication of verified mass

SOLAS does not specify how the VGM should be communicated between the parties. No national rules specifying this will be laid down in Norway either.

This means that the information about VGM may be communicated in the way the industry deems most effective. This includes electronic communication through already established channels used by the industry.

For port State controls within the Paris MOU area (Europe, Russia and Canada), it is stated in a separate circular (PSCircular 78, 26) that the port State control officers can demand to see the document where the VGM is stated. The circular furthermore specifies that the document with the VGM information may be provided in many different formats, including digitally.

Precondition for loading

If VGM is not stated, the packed container should not be loaded onto the ship. If the shipping document of a packed container does not include VGM, and the master or his representative and the terminal representative have not been informed of the VGM, the loading of a packed container should not be permitted.

In order to allow the loading of a container, a master, his representative or the terminal representative may upon receipt of the container choose to weigh it on a verified scale.

Control

The ships and their cargo will be subject to control. This control will consist of a document control of the shipping document. The inspectors will also check whether weighing has been performed correctly and whether the total gross mass corresponds to the stated weight.

The NMA will accept that the control may be performed by recognised classification societies and notified bodies that are authorised within the EEA.

Digital documentation is accepted.

The shipper and the company must be able to present the shipping document for control purposes. Lack of VGM information alone will not lead to detention neither in a flag State control nor in a port State control within the Paris MoU area.

Calculation of a packed container's gross mass

1. The weight of the individual packages and cargo items

The weight of the individual packages and the cargo items may be obtained and added up in advance by the shipper. For bulk products, the weight may be obtained in connection with the manufacturing process, either by performing measurements with calibrated filling equipment or by weighing the product.

2. The weight of the packing material

The weight of the packing material may be obtained by using either information from the manufacturer of the packaging or from the shipper or shipping agent.

3. The weight of pallets, dunnage and other securing material

The weight of pallets, dunnage and other securing material may be obtained by using information either from the manufacturer or from the shipper or shipping agent.

4. The specific weight of the container

The specific weight of the empty container (tare mass) may be obtained from the Safety Approval Plate on the container.

5. The gross mass of the packed container

When adding up points 1 to 4, the VGM of a packed container is obtained.

Error margin and transitional arrangement

When the calculation methods in the points above are used, the VGM may deviate from the actual weight. The weight of pallets, dunnage and securing material may for instance depend on the degree of humidity. The weighing methods for the different elements and the tare mass may furthermore vary.

Differences between the VGM and the actual weight must be handled in the shipper's and company's quality management system. This ensures that the methods are constantly being improved and that only insignificant discrepancies between VGM and actual weight can be achieved.

Acceptable error margin is +/- 1000 kg.

Nevertheless, potential discrepancies will not limit the shipper's responsibility for determining a verified gross mass which is as accurate as possible pursuant to the requirements of the Regulations of 1 July 2014 No. 945 on the carriage of cargoes on Norwegian ships and barges section 2(1) and (2), cf. SOLAS regulation VI/2.

According to IMO Circular MSC.1/Circ.1458, packed containers which are loaded on a ship and where the sea carriage started before 1 July 2016 may be shipped to their final destination even if the VGM is not specified.

As an alternative to verified method for weighing, in the period up until 30 June 2017, measuring equipment ensuring that the weight of the loaded container is within the acceptable error margin may be used.

Yours faithfully,

Olav Akselsen
Director General of Shipping and Navigation

Linda Bruås
Acting Head of Department