

SUB-COMMITTEE ON DANGEROUS  
GOODS, SOLID CARGOES AND  
CONTAINERS  
16th session  
Agenda item 14

DSC 16/14  
15 July 2011  
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## ANY OTHER BUSINESS

### Development of measures to prevent loss of containers

Submitted by the World Shipping Council (WSC), the International Chamber of Shipping (ICS), and BIMCO

#### SUMMARY

*Executive summary:* This document provides observations and comments intended to assist the Sub-committee in its consideration of the mandatory container weighing component of the new work item regarding the prevention of loss of containers as approved by MSC 89, and recommends that SOLAS be amended to require verification of containers' actual weight before loading onto a ship regulated by SOLAS

*Strategic direction:* 5.2

*High-level action:* 5.2.3

*Planned output:* DSC 16/2/1, paragraphs 2 (7) and 8

*Action to be taken:* Paragraph 13

*Related documents:* DSC 16/2/1; MSC 89/25, MSC 89/22/11; and MSC 89/22/17

#### Introduction

1 MSC 89, having considered document MSC 89/22/11 (Australia, Denmark and the Netherlands), which included the verification of proper weight used on the shipboard loading computers amongst its recommendations, and taking into account the comments provided in document MSC 89/22/17 (ICS and WCS), agreed to include, in the post-biennial agenda of the Committee, an output on "Development of measures to prevent loss of containers", with a target completion year of 2013, assigning the DSC Sub-Committee as the coordinating body, in association with the DE, SLF and STW Sub-Committees as and when requested by the DSC Sub-Committee.

2 Furthermore, the Committee instructed DSC 16 to give preliminary consideration to this issue under agenda item 14 "Any other business", taking into account the above documents and the effect this output may have on the work related to the development of a new mandatory Polar Code, and include the output in the provisional agenda for DSC 17.

3 MSC 89, in approving the proposed output and forwarding the recommendations of MSC 89/22/17, agreed that an effective requirement to weigh loaded export containers prior to vessel loading falls within the scope of the output. Specifically it was agreed that, as part of the new work item, the Committee should identify possible, specific amendments to SOLAS to ensure verification of a loaded ("stuffed") container's actual weight prior to vessel loading.

4 The following observations and comments are intended to assist the Sub-Committee in its consideration of the mandatory container weighing component of the new work item, including suggested, possible amendments to SOLAS.

**The Problem: Existing shipper obligation to provide correct container weight is often not met**

5 SOLAS Regulation VI/2 requires the shipper of containerized goods to provide the ship's master or his representative with the gross mass of the container, prior to loading on the ship and confirmed in writing and by appropriate shipping documents. Furthermore, the regulation requires that the shipper shall ensure that the gross mass of the container is in accordance with the gross mass declared on the shipping documents. However, effective enforcement of this requirement does not exist in most jurisdictions, and there is no IMO requirement to verify loaded containers' actual weights. As a consequence, actual container weights often differ from declared weights, creating recognized and documented operational and safety issues for ships and workers.

6 Containerized cargo shippers are generally located outside the port area and may be domiciled in another jurisdiction, including beyond the port state where the ship is being loaded which complicates effective compliance with the SOLAS requirements. There also may be no weigh scales at the container stuffing location or along the route to the port facility.

7 To ensure the safety of the ship, the safety of workers both aboard ship and ashore and, the safety of other cargo, there is a need for the SOLAS Convention to require that containers' actual weights are verified prior to loading aboard a ship, and that the actual weight is provided to the port facility, the ship's master and stowage planners.

**The Objective: Verification of Loaded Containers' Weight**

8 In deciding to forward the referenced documents listed above, MSC 89 requested the Sub-Committee, as part of the new work item, to identify possible, specific amendments to SOLAS to ensure verification of a loaded ("stuffed") container's actual weight prior to vessel loading<sup>1</sup>.

9 Verification of a container's actual weight is not technically difficult. It simply requires an authorized or certified weighing scale to provide acceptable documentation showing that the container has been weighed and what that weight is. This can be done before the container is delivered to the port facility and ship, or at the port facility.

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<sup>1</sup> While the weight of the cargo loaded into the container will vary, the tare weight of the container itself will not. Container and terminal operators will have procedures in place establishing the tare weight of empty containers depending on the size and type of the container. Consequently, there is no need from a safety perspective to require empty containers to be weighed. The ensuing recommendations should thus be read to address weighing of containers loaded ("stuffed") with cargo.

10 In response to MSC 89's request, the Sub-Committee is invited to consider amending SOLAS Chapter VI ("Carriage of cargoes"), possibly with a new Regulation 3, to require, as a condition for loading a container on board a ship, that the ship and the port facility have a verified actual weight of the container which documents both that the container has been weighed and its actual weight. Such verified weight shall be available sufficiently in advance of vessel loading to allow for its utilization in the vessel stow plan.

#### **Issues warranting further consideration when amending SOLAS**

11 In order to establish an effective and efficient system to verify a containers' actual weight before loading onto a ship regulated by SOLAS Chapter VI, the Sub-Committee, as part of its deliberations, may wish to address how the weighing may be done, and what documentation of that weighing is required. Such requirements could cover:

- .1 The use of a scale or other weighing equipment at the receiving port facility to weigh the container prior to vessel loading should be acceptable;
- .2 A weight receipt, issued by an authorized or certified scale, and provided by or on behalf of a truck or rail carrier or a ship not regulated by SOLAS Chapter VI delivering the container to the port facility should be acceptable; and
- .3 Where a container is relayed from a ship regulated by SOLAS Chapter VI to another such ship at a transshipment port facility, transmission to that port facility by the ship operator of the weight of the arriving container to be transhipped, based on documentation in the ship's possession from the original load port verifying the container's actual weight, should be acceptable.

12 Taking into account the above, the Sub-Committee is encouraged to identify the ways that may be used to satisfy the requirement that a loaded container's weight be verified through actual weighing and documentation before it is loaded onto a ship by a port facility.

#### **Action Requested of the Sub-Committee**

13 The Sub-Committee is invited to consider the above and take action as appropriate.

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