

Guidelines Regarding Implementation of The Verified Gross Mass of a Container Carrying Cargo in Taiwan

Promulgated on June 13, 2016

Amendment to whole articles promulgated on September 20, 2016

1. Introduction

It is set based on the International Convention for the Safety of Life at Sea (SOLAS), as amended, requires in chapter VI, that packed containers' gross mass are verified prior to stowage aboard ship.

2. Definitions

2.1 Refer to MSC.1/Circ.1475

2.1.1 Shipper means a legal entity or person named on the bill of lading or sea waybill or equivalent multimodal transport document as shipper and/or who (or in whose name or on whose behalf) a contract of carriage has been concluded with a shipping company (Refer to MSC.1/Circ.1475 paragraph 2.1.12).

2.1.2 Terminal representative means a person acting on behalf of a legal entity or person engaged in the business of providing wharfage, dock, stowage, warehouse, or other cargo handling services in connection with a ship (Refer to MSC.1/Circ.1475 paragraph 2.1.15).

2.1.3 Packed container means a container loaded ("stuffed" or "filled") with liquids, gases, solids, packages and cargo items, including pallets, dunnage, and other packing material and securing materials (Refer to MSC.1/Circ.1475 paragraph 2.1.8).

2.1.4 Gross mass means the combined mass of a container's tare mass and the masses of all packages and cargo items, including pallets, dunnage and other packing material and securing materials packed into the container (Refer to MSC.1/Circ.1475 paragraph 2.1.6).

2.1.5 Verified gross mass means the total gross mass of a packed container as obtained by one of the methods described in point 3 of these Guidelines (Refer to MSC.1/Circ.1475 paragraph 2.1.16).

2.2 Refer to Domestic Law Definition :

2.1.1 "Master" means the person who is employed by the employer to take charge of all matters of a ship (Refer to the Seafarer Act Article 2).

2.1.2 "Freight Forwarder" means the organization engaging in soliciting cargoes in its own name for carriers to transport, wherefrom it receives remuneration (Refer to the Shipping Act Article 3).

2.1.3 "Container Terminal" means a space shall apply by submitting relevant documents to MOTC for Permit and complete the registration of Customs for Container Warehousing and distribution of goods loaded (Refer to Shipping Act Article 3 & 44 and Regulation on Customs Management of Container Yard Article 2).

3. Methods for obtaining the verified gross mass of a packed container

3.1 Method No.1: Upon the conclusion of packing and sealing a container, the shipper may weigh, or have arranged that a third party weighs, the packed container (Refer to MSC.1/Circ.1475 paragraph 5.1.1).

3.2 Method No.2: The shipper (or, by arrangement of the shipper, a third party), may weigh all packages and cargo items, including the mass of pallets, dunnage and other packing and securing material to be packed in the container, and add the tare mass of the container to the sum of the single masses (Refer to MSC.1/Circ.1475 paragraph 5.1.2).

3.3 If the verified gross mass of a packed container is obtained by weighing the container while it is on a road vehicle, (e.g. chassis or trailer), the tare mass of the road vehicle should be subtracted and any fuel in the tank of the tractor should also be subtracted to obtain the verified gross mass of the packed container. If two packed containers on a road vehicle are to be weighed, their gross mass should be determined by weighing each container separately (Refer to MSC.1/Circ.1475 paragraph 11).

4. VGM obtaining

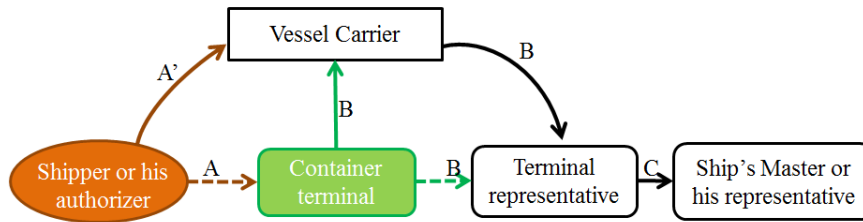
4.1 The shipper is responsible for a packed container. The shipper is also responsible for ensuring that the verified gross mass is communicated in the shipping documents sufficiently in advance to be used by the ship's master or his representative and the terminal representative in the preparation of the ship stowage plan. In the absence of the shipper providing the verified gross mass of the packed container, the container should not be loaded on to the ship unless the master or his representative and the terminal representative have obtained the verified gross mass through other means (Refer to MSC.1/Circ.1475 paragraph 1.1).

The shipper shall ensure shipping documents including VGM signed by himself or a duly authorized third party (Refer to SOLAS VI/2-5).

How such information is to be communicated between the shipper and any third party should be agreed between the commercial parties involved (Refer to MSC.1/Circ.1475 paragraph 5.1.2).

4.2 Operation processes as follows:

4.2.1 Process of VGM for CY



A: Providing the signature VGM or authorized a third party to provide
A': Providing the signature VGM
B: Communicating VGM with signature
C: Communicating VGM consolidate file

NOTE :

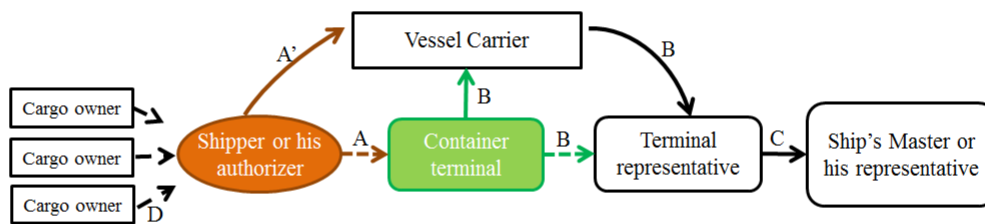
1. Shipper or his authorizer can choose one way to provide the signature VGM
2. The solid line represents existing transport pathway satisfied the Convention and the maritime practice of our country, and the dashed line represents other transport pathway defined by a bussiness required agreement.

4.2.1.1 The shipper uses a calibrated and certified equipment to obtain gross mass, may record and sign on the Container Load Plan (CLP) or Warehoused Voucher, or any third party should be agreed between the commercial parties involved the shipper's verification of the gross mass. And tender to carriers or Container Terminal.

4.2.1.2 The shipper may arrange Terminal to use a calibrated and certified equipment to obtain gross mass in order to facilitate the shipper's verification of the gross mass if shipper fails to provide VGM when the container arrives at the terminal gate.

4.2.1.3 Terminal representative consolidates VGM and hands over to ship's Master or his representative.

4.2.2 Process of VGM for CFS



A: Providing the signed VGM or authorized a third party to provide
A': Providing the signature VGM
B: Communicating VGM with signature
C: Communicating VGM consolidate file
D: Providing the cargo VGM with signature

NOTE :

1. Shipper or his authorizer can choose one way to provide the signature VGM
2. The solid line represents existing transport pathway satisfied the Convention and the maritime practice of our country, and the dashed line represents other transport pathway defined by a business required agreement.

4.2.2.1 The shipper uses a calibrated and certified equipment to obtain gross mass, may record and sign on the Warehoused Voucher, or any third party should be agreed between the commercial parties involved the shipper's verification of the gross mass. And tender to carriers or Container Terminal.

4.2.2.2 Methods of obtaining VGM for CFS in Terminal or Warehouse

4.2.2.2.1 The Terminal personnel assists to aggregate all certificates (including each VGM with the signature of each shipper), and add the tare mass of the container to the sum of the single masses.

4.2.2.2.2 The forwarder aggregates all packages and cargo items, including the mass of pallets, dunnage and other packing and securing material to be packed in the container, and add the tare mass of the container to the sum of the single masses and sign by forwarder to obtain VGM.

4.2.2.2.3 The shipper may arrange Terminal to use a calibrated and certified equipment to obtain gross mass in order to facilitate the shipper's verification of the gross mass if shipper fails to provide VGM.

4.2.2.2.4 Terminal representative consolidates VGM and hands over to ship's Master or his representative.

5. Equipment

The scale, weighbridge, lifting equipment or other devices used to verify the gross mass of the container should meet the applicable accuracy standards and requirements by the Bureau of Standards, Metrology and Inspection (BSMI), M.O.E.A. in which the equipment is being used (Refer to MSC.1/Circ.1475 paragraph 7.1).

6. Documentation for VGM

This document (including CLP, or Warehoused Voucher, or any third party should be agreed between the commercial parties involved) declaring the verified gross mass of the packed container should clearly indicate container no, gross weight of container and be signed by a person duly authorized by the shipper.

7. Master's ultimate decision whether to stow a packed container

Ultimately, and in conformance with the Code of Safe Practice for Cargo Stowage and Securing, the ship's master should accept the cargo on board his ship only if he is satisfied that it can be safely transported (Refer to MSC.1/Circ.1475 paragraph 14.1).