

**ADMINISTRATIVE AND DOCUMENTARY
PROCEDURES FICHES¹**

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Last updated July 2006

¹ The contents of these fiches do not necessarily reflect the opinion of the individuals or entities submitting them, nor do they prejudge their position in any way.

ADMINISTRATIVE AND DOCUMENTARY PROCEDURES

HAZARDOUS GOODS

fiche 1

A BOTTLENECK IN DOOR-TO-DOOR SHORT SEA SHIPPING (SSS) AND A POTENTIAL SOLUTION

Fiche submitted for consideration - under the auspices of the Norwegian SSS Focal Point - **by** the Federation of Norwegian Transport Users, the Association of Norwegian Port- and Terminal Operators and Norwegian Shipowners' Association **on** 5 May 2000.

Description of the bottleneck:

Dangerous cargo – different regulations and documentation requirements gives special favours to road transport. Stricter regulations and more paperwork at sea become a bottleneck for SSS.

Hampering effects of the bottleneck:

The regulations in transport have developed along different paths due to each mode's characteristics and risk acceptance. Even small differences between land and sea in regulations and forms to be used create barriers to use more than one transport mode. Most cargo in intra European transport starts and ends on trucks. Different regulations/forms represent a bottleneck in shifting a larger part of the transport work to sea. Especially after recent years increase in new regulations with new requirements on special training and qualification of those involved in transport of dangerous cargo. The risk acceptance in land transport is also much higher than at sea, even with respect to dangerous cargo.

More complicated lashing of cargo in a container/truck to be carried by sea gives an additional bottleneck. Customs examination is more frequent in SSS than on trucks, and the hours of clearance are less flexible than on roads. Even if this is due to the nature of the mode, simplified systems to cope with this must be developed. The much lower risk acceptance in shipping requires costly pilotage, traffic surveillance systems and stronger operational regulations on dangerous cargoes.

The transport of dangerous cargo is increasing. The regulations and documentation requirements are very different between land- and sea transport and are enforced by different authorities. The regulations at sea are extensive and complicated. The forms used are different for sea- and land transport. The marking (labels, tags) also differ between sea and land. Sea transport of dangerous goods is more strictly regulated than land transport.

Some examples from Norway:

- Transport of dynamite by sea is limited to 5 tons and the ship is not allowed to call at other ports. Trucks have no such special limitation.
- Discharging of dynamite, fireworks etc. in ports may need supervisions from both the police and the fire brigade.
- Trucks with dangerous cargo have no limitations regarding road routes, through cities, in long/steep tunnels (except in 2 tunnels in Oslo in rush hours) etc. But if the truck is to be transported by a ferry there are limitations to the number of passengers and of such trucks on board. Ships with dangerous cargo have operational limitations in respect of visibility, draft and traffic.

Transport of some dangerous cargoes such as gases of Chlorine etc. are so restricted, complicated and costly at sea that sea transport practically no longer takes place in Norway. The transport has been transferred to land.

Measures towards a solution:

EU and the national authorities must agree on regulations regarding dangerous cargo that are harmonised between transport modes.

Parties needed to be involved in the solution (and their roles):

EU and the national authorities in co-operation with industry; international organisations. EU Commission to give priority to this fiche.

Any available best practices related to this bottleneck:

See Baltic MOU on the carriage of dangerous goods attached:

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**MEMORANDUM OF UNDERSTANDING
FOR THE TRANSPORT OF DANGEROUS GOODS
2002-6-20**

IN RO/RO SHIPS IN THE BALTIC

26th session, Riga

18 to 20 June 2002

**Memorandum of Understanding for the Transport of
Packaged Dangerous Goods in the Baltic Sea**

In general, the transport of dangerous goods by sea shall be effected in accordance with the provisions of SOLAS and of the International Maritime Dangerous Goods Code (IMDG Code). This Memorandum of Understanding (MoU) lays down the special provisions under which dangerous goods covered by the Regulations Concerning the International Carriage of Dangerous Goods by Rail (RID) and by the European Agreement Concerning the International Carriage of Dangerous Goods by Road (ADR) may be transported on board Ro/Ro ships in the Baltic Sea. The IMDG Code shall be the basis for all transport operations.

Section 1

Application

- (1) By derogation from the provisions of the IMDG Code, these provisions may be applied on all Ro/Ro ships operating within the Baltic Sea proper, the Gulf of Bothnia, the Gulf of Finland and the entrance to the Baltic Sea bounded in the north by the line Skaw-Lysekil provided that the requirements following below are met.
- (2) Ro/Ro ships having been issued with a Document of Compliance in accordance with Section 8 below may carry, at the same time, cargo transport units (CTUs) which either fulfil the requirements of RID/ADR or of the IMDG Code.
- (3) Dangerous goods, which either fulfil the requirements of the IMDG Code or RID or ADR may be loaded together in the same CTU (see Section 4).

Section 2

Definitions

(1) The terms used in this MoU refer to the IMDG-Code except those listed below in this section

(2) Shipowner means company as defined in the ISM Code.

(3) On-deck stowage means stowage on the weather deck.

(4) Under-deck stowage means stowage in an open ro-ro cargo space and/or in a closed ro-ro cargo space, as appropriate.

(5) Low Wave Height Area (LWHA) is a sea area where according to the Agreement concerning specific stability requirements for ro-ro passenger ships undertaking regular scheduled international voyages between or to or from designated ports in North West Europe and the Baltic Sea, 28 February 1996 (Stockholm Agreement), set into effect on 1 April 1997, the significant wave height does not exceed 2.3 metres more than 10 % of the year. Traffic in other areas can be considered as LWHA traffic by the competent authorities concerned if equivalent safety can be assured.

(6) The competent authorities in accordance with these provisions are:

Denmark Danish Maritime Authority
Vermundsgade 38 c
DK-2100 COPENHAGEN O
Email: info@dma.dk

Estonia Estonian Maritime Administration
Maritime Safety Division
Valge 4
EST-11413 TALLINN
Email: mot@vta.ee

Finland Finnish Maritime Administration
P.O. Box 171
FIN-00181 HELSINKI
Email: Keskushallinto@fma.fi

Germany Federal Ministry of Transport,
Building and Housing
P.O. Box 20 01 00
D-53170 BONN
Email: Ref-A44@BMVBW.bund.de

Latvia Maritime Administration of Latvia
5 Trijádibas iela
LV-1048 RIGA
Email: lja@lja.bkc.lv

Lithuania	Maritime Safety Administration Janonio 24, LT - 5800 Klaipeda Email: msa@msa.lt
Poland	Ministry of Transport and Maritime Economy Str. Chalubinskiego 4/6 PL-00928 WARSAW Email: nawigacja@ums.gov.pl
Sweden	Swedish Maritime Administration Maritime Safety Inspectorate S-601 78 NORRKÖPING Email: inspektion@sjofartsverket.se

Section 3

Transport of dangerous goods

- (1) Dangerous goods that are classified, packaged, marked, labelled, documented and loaded together on or in a CTU or unit load in accordance with the requirements of RID, ADR or the IMDG Code may be transported in accordance with the provisions of this MoU.
- (2) The application of packing instruction R001 of ADR or RID is allowed only for the traffic in LWHA.
- (3) Tanks should either comply with Chapter 4.2 ADR/RID/IMDG Code as amended or comply with Chapter 4.3 ADR/RID as amended. Tanks with open venting devices should not be permitted for transport on board of Ro/Ro ships.

Section 4

1. LOADING AND LABELLING OF CTUS

- (1) Packages (packagings, large packagings or IBCs) containing dangerous goods shall be segregated from each other within CTUs in accordance with the provisions of the IMDG Code. For traffic in LWHA packages with segregation categories 1 and 2 of table 7.2.1.16 of the IMDG Code may be loaded together in the same CTU.
- (2) Placarding and marking of CTUs containing dangerous goods shall be in accordance with the provisions of the IMDG Code or RID/ADR, see Section 5.

CTUs containing Marine Pollutants have to be marked according to the IMDG Code.

Section 5

Transport of CTUs

CTUs containing dangerous goods may be carried on Ro-Ro ships in accordance with the following provisions:

(1) A container/vehicle packing certificate (CTU packing certificate) shall be issued for each CTU containing dangerous goods. The model CTU packing certificate shall comply with the IMO/ILO/UN ECE Guidelines¹ for packing of Cargo Transport Units (CTUs) referred to in Section 9 (2). For mixed loading for traffic in LWAH, the packing certificate shall state that any prohibition of mixed loading as specified in Section 4 (1) sentence 2, has been complied with. In that case the following has to be stated in the packing certificate: "Packed together according to MoU".

(2) When dangerous goods are transported in accordance with Chapter 3.4 of RID or ADR the consignor or his representative shall provide the master with the following information: "Dangerous goods in limited quantities of class(es) ...".

When dangerous goods are transported in accordance with paragraphs 1.1.3.1, 1.1.3.2 or 1.1.3.4 of RID /ADR the consignor or his representative shall inform the master that these paragraphs are used.

(3) CTUs as referred to in 1.1.3.4, 1.1.3.5 and 1.1.3.6 ADR shall display, on their fore and aft ends, a neutral orange-coloured plate as provided for in Chapter 5.3 of ADR from the time they are loaded on, until the time they are unloaded from a Ro/Ro ship. The responsibility for fitting such plate shall rest with the person actually placing the CTU ready for loading on board the Ro/Ro ship.

Section 6

Stowage and segregation between CTUs

(1) "Segregation between CTUs shall be in accordance with the provisions of the IMDG Code, except that for LWHA traffic no separation is required for segregation categories 1 and 2 in table 7.2.4.2 of the IMDG Code."

(2) The following tables shall apply to the stowage of CTUs containing dangerous goods:

¹ See IMDG Code, 5.4.2 and Supplement, 4.4.2.

Table 1
Stowage table for CTUs containing packaged dangerous goods of class 1

Note: Stowage shall also be in accordance with the Document of Compliance

(SOLAS 1974, II-2/19) or the Letter of Compliance referred to in

Section 8 of the MoU.

Classification code according to IMDG Code/RID/ADR (division, compatibility group)	Cargo ships or passenger ships carrying not more than 12 passengers		Other passenger ships	
	On deck	Under deck	On deck	Under deck
Explosive substances and articles 1.1 B, 1.2 B	permitted	permitted ^{*)}	Prohibited ¹⁾	prohibited
1.1 C, 1.2 C, 1.3 C, 1.1 D, 1.2 D, 1.5 D, 1.1 E, 1.2 E, 1.1 G, 1.2 G, 1.3 G, 1.6 N	permitted	permitted	Prohibited ²⁾	prohibited
1.1 A, 1.1 F, 1.2 F	permitted	permitted ^{*)}	Prohibited	prohibited
1.2 H, 1.3 H	permitted ^{**)}	permitted ^{**)}	Prohibited	prohibited
1.1 J, 1.2 J, 1.3 J	permitted ^{**)}	permitted ^{**)}	Prohibited	prohibited
1.1 L, 1.2 L, 1.3 L	permitted	prohibited	Prohibited	prohibited
1.4 B	permitted	permitted ^{*)}	Prohibited ¹⁾	prohibited ¹⁾
1.4 C, 1.4 D, 1.4 E, 1.4 G	permitted	permitted	Prohibited ²⁾	prohibited ²⁾
1.4 F	permitted	permitted ^{*)}	Prohibited	prohibited
1.4 S	permitted	permitted	Permitted	permitted

^{*)} Railtracks and stowage areas adjacent to the hull of the ships shall not be used.

^{**)} The net explosives mass shall not exceed 2.5 tons.

¹⁾ Permitted for a total net explosives mass not exceeding 5 kg per ship.

²⁾ Permitted for a total net explosives mass not exceeding 10 kg per ship.

Note:

Explosive articles for life-saving purposes are permitted to be carried on passenger ships, if the total net explosives mass of these articles does not exceed 50 kg per ship.

Table 2

Stowage table for CTUs containing packaged dangerous goods of classes 2 to 9

Note: Stowage shall also be in accordance with the Document of Compliance (SOLAS 1974, II-2/19) or the Letter of Compliance referred to in Section 8 of the MoU.

Description and class as specified in IMDG Code/RID/ADR		Cargo ships or passenger ships carrying either not more than 25 passengers or 1 passenger per 3 metres of length ^{*)}		Other passenger ships	
Description	Class	On deck	Under deck	On deck	Under deck
Gases	2				
-flammable gases.	2.1	permitted	Prohibited	Prohibited	prohibited
-non-flammable non-toxic gases.	2.2	permitted	permitted ³	Permitted ³	permitted ³
-toxic gases	2.3	permitted	prohibited	Prohibited	prohibited
Flammable liquids	3				
- packing group I or II		permitted	Permitted	Permitted	prohibited
- packing group III		permitted	Permitted	Permitted	permitted
Flammable solids	4.1 ²				
- UN No.1944, 1945, 2254, 2623		permitted	Permitted	Permitted	permitted
- other UN numbers		permitted	Prohibited	Permitted	prohibited
Substances liable to spontaneous combustion	4.2	permitted	Prohibited	Permitted	prohibited
Substances which give off flammable gases in contact with water	4.3	permitted ¹	Prohibited	Permitted ¹	prohibited
Oxidizing substances	5.1	permitted	Permitted	Permitted	prohibited
Organic peroxides	5.2 ²	permitted	Prohibited	Prohibited	prohibited
Toxic substances	6.1				
- packing group I or II		permitted	Prohibited	Permitted	prohibited
- packing group III		permitted	Permitted	Permitted	permitted
Infectious substances	6.2	permitted	Permitted	Prohibited	prohibited
Radioactive materials	7	permitted	Permitted	Permitted	permitted

¹ The carriage of ferrosilicon of UN number 1408 when transported in bulk packagings, in containers, road vehicles or rail wagons, tank containers or demountable tanks is allowed only when accompanied by a certificate stating that the material was stored under cover, but in the open air, and that the particle size is representative of the material stored.

² For the stowage of these substances, chapter 7.7 of the IMDG Code shall be complied with in addition to the provisions of ADR.

³ Refrigerated gases of ADR or of stowage categorie "D" of the IMDG Code are prohibited.

^{*)} The total number of passengers shall not be more than 1 person per 1 metre of the length of the ship.

Corrosive substances	8				
- packing group I or II		permitted	Prohibited	Prohibited	prohibited
- liquids packing group III		permitted	Permitted	Permitted	prohibited
- solids packing group III		permitted	Permitted	Permitted	permitted
Miscellaneous dangerous substances and articles	9	permitted	Permitted	Permitted	permitted

Notes pertaining to Table 2 on the preceding page:

Notes:

A: If the stowage of dangerous goods is prohibited according to Table 2 for one item contained in a CTU loaded with mixed dangerous goods, this prohibition applies to the whole unit within that compartment.

B: Substances assigned to special provision SP 900 of the IMDG Code are prohibited.

C: If the stowage of dangerous goods is prohibited according to this Table, but is permitted under the provisions of the IMDG Code, the stowage requirements of the IMDG Code may be applied instead.

Section 7

Additional duties for the consignors.

The consignor shall ensure that, in addition to the information required by the provisions of RID/ADR, the dangerous goods are identified as „MARINE POLLUTANT“, if applicable.

Section 8

2. REQUIREMENTS APPLICABLE TO SHIPS

(1) Ships shall, with regard to design and equipment, fulfil the requirements of regulation

II-2/54 of SOLAS 74, as amended. For ships constructed on or after 1 July 2002 regulation II-2/19, SOLAS 74 as amended, shall be applicable. The Document of Compliance shall include an annex with information specifying the classes of dangerous goods which may be stowed in the individual cargo spaces of the ship.

(2) Ships built before 1 September 1984 may continue to transport dangerous goods in accordance with the requirements applicable at that time. However, these ships shall comply with the requirements of Chapter 7.4 of the IMDG Code.

(3) A Letter of Compliance issued in accordance with the MoU is considered to be equivalent as being specified in 7.4.5.7 of the IMDG Code.

Section 9

Additional requirements

(1) During the voyage, CTUs containing dangerous goods shall be secured in compliance with the Cargo Securing Manual approved by the Administration. As far as practicable, IMO Resolution A.581(14) of 20 November 1985 shall be observed. CTUs without facilities for lashing may not be offered for transport under the provisions of this MoU.

(2) The IMO/ILO/UN/ECE Guidelines for Packing of Cargo Transport Units (CTUs) shall be observed for all cargo transport units.

(3) Ro-Ro vessels shall have on board current versions of:

- a) the International Maritime Dangerous Goods Code (IMDG Code);
- b) the Emergency Procedures for Ships Carrying Dangerous Goods (EmS);
- c) the Medical First Aid Guide (MFAG) for Use in Accidents Involving Dangerous Goods;
- d) the applicable Regulations Concerning the International Carriage of Dangerous Goods by Rail (RID) or Annexes A and B of the European Agreement Concerning the International Carriage of Dangerous Goods by Road (ADR), as appropriate to the mode of transport.

(4) Shipowners shall ensure that the persons they appoint and who are involved in the transport of CTUs under the provisions of the present MoU are made familiar, through repeated training, with the application of the relevant provisions, in particular, with those of ADR or RID. They shall ensure that the persons involved will be issued with a certificate stating that they have been trained and informed accordingly.

(5) The competent authorities concerned may grant exemptions for a period of not more than 1 year, provided an equivalent level of safety is maintained. The MoU member states shall be notified of such exemptions.

(6) The competent authorities as listed in Section 2 above should arrange for a representative proportion of checks to be conducted on consignments using a checklist. Competent authorities may agree on the joint conduct of such inspections. Checks shall not exceed a reasonable length of time.

(7) The number and results of checks shall be presented at the MoU meetings and circulated to the competent authorities concerned.

Section 10

Transitional regulations

On board ships CTUs may be stowed under deck until 31 December 2003 under the conditions according to section 7 of the Memorandum of Understanding in the version of Würzburg (24 to 26 August 1999) by using the approval of the competent authority having granted such a stowage until 31 December 2002.

SECTION 11

Entry into force

(1) This Memorandum of Understanding shall come into force not later than 1 January 2003. It shall replace the Memorandum of Understanding, version Rönne 1998, being revised in Würzburg from 24 to 26 August 1999.

(2) The German and English versions of this Memorandum of Understanding shall be equally authoritative.

Memorandum of Understanding for the Transport of Dangerous Goods in Ro-ro Ships in the Baltic (Version Riga) as amended in Stockholm 17 – 19 June 2003.

During the conference in Stockholm 17 – 19 June 2003 the competent authorities, who have signed the Memorandum of Understanding for Transport of Packaged Dangerous Goods in the Baltic Sea decided to prolong the Memorandum based on the MSC Circ. 1075.

The sections 2(6), 10 and 11 of the Memorandum were amended as follows:

Section 2(6)

The competent authorities in accordance with these provision are:

Denmark	Danish Maritime Authority Vermundsgade 38 c DK-2100 COPENHAGEN O E-Mail: info@dma.dk
Estonia	Estonian Maritime Administration Maritime Safety Division Valge 4 EST-11413 Tallinn E-Mail: mot@vta.ee
Finland	Finnish Maritime Administration P.O. Box 171 FIN-00181 HELSINKI E-Mail: keskushallinto@fma.fi
Germany	Federal Ministry of Transport, Building and Housing P.O. Box 20 01 00 DE-53170 BONN E-Mail: Ref-A33@BMVBW.bund.de
Lithuania	Maritime Safety Administration Janonio 24 LT-5800 KLAIPEDA E-mail: msa@msa.lt
Latvia	Maritime Administration of Latvia 5 Trijádibas iela LV-1048 RIGA E-Mail: lja@lja.bkc.lv

Poland Ministry of Infrastructure
Str. Chalubinskiego 4/6
PL-00928 WARSAW
E-Mail: info@mi.gov.pl

Sweden Swedish Maritime Administration
Maritime Safety Inspectorate
SE-601 78 NORRKÖPING
E-Mail: inspektion@sjofartsverket.se

Section 10

Transitional Regulations

On board cargo ships and passenger ships carrying not more than 1 passenger per 1 meter length of the ship CTUs may be stowed under deck under the conditions according to section 7 of the Memorandum of Understanding in the version of Würzburg (24 to 26 August 1999) by using the approval of the competent authority having granted such a stowage until 31 December 2002.

For such stowage under deck table 2 of the Würzburg version and segregation of the CTU's on this deck as laid down in IMDG 7.2.4.2 (Table of segregation of cargo transport units on board ro-ro ships), shall be used. All other requirements shall be according to the Riga version of the Memorandum.

Section 11

Entry into force

(1) This amendment to the Memorandum of Understanding shall come into force not later than 1 January 2004.

(2) The German and English versions of this amendment to the Memorandum of Understanding shall be equally authoritative.

ADMINISTRATIVE AND DOCUMENTARY PROCEDURES

CUSTOMS ISSUES

fiches 2 - 6

**A BOTTLENECK IN DOOR-TO-DOOR SHORT SEA SHIPPING (SSS) AND
A POTENTIAL SOLUTION**

Fiche submitted for consideration - under the auspices of the Danish SSS Focal Point -
by the Danish Shipbrokers' Association on 17 April 2000.

Description of the bottleneck:

In spite of common EU-regulations the local customs officers have their own procedures
and/or own individual interpretation of the EU-regulations.

Hampering effects of the bottleneck:

Additional work for shipping lines and shippers/consignees, as well as possible delays in
connection with delivery of goods.

Measures towards a solution:

It is important that "top level" and "low level" customs officers communicate better. The
top level should be given a better understanding, as to how existing regulations can be
implemented in regular practice with the local customs offices. The lower level should
understand and accept the fact that the common EU-regulations need to be strictly
observed, instead of perhaps following common or whatever practice, which might have
suited the individual customs office without being in actual keeping with EU-regulations.

Such issues could be addressed under the initiatives to approximate national applications
of Community Customs rules and improve co-operation between national Customs
services, in particular through the action programme for Customs in the Community
(Customs 2007) and contact group of northern ports (RALFH) funded under the Customs
2002 programme. Also the contact group for southern ports (ODYSSUD) should be used
to address the issues.

Parties needed to be involved in the solution (and their roles):

The individual customs authorities

Any available best practices related to this bottleneck:

None.

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**A BOTTLENECK IN DOOR-TO-DOOR SHORT SEA SHIPPING (SsS) AND
A POTENTIAL SOLUTION**

Fiche submitted for consideration by Italian National Round Table on Short Sea Shipping and Ministero dei Trasporti e della Navigazione on 20 April 2000.

Description and Hampering effects of the Bottleneck:

It would be useful to use English as the official language for all administrative documents, without prejudice to the use of the national language or two language versions at national level.

Measures towards a solution:

Parties needed to be involved in the solution (and their roles):

European Commission, national authorities, operators.

Any available best practices related to this bottleneck:

N/A.

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A BOTTLENECK IN DOOR-TO-DOOR SHORT SEA SHIPPING (SSS) AND A POTENTIAL SOLUTION

Fiche submitted for consideration by DG TREN (Maritime) on 14/12/1999 and Norwegian Customs and Excise on 26 September 2005

Description of the bottleneck: Electronic manifests are not accepted and electronic stamps are not recognised in Customs procedures in some Member States and EEA countries.

Hampering effects of the bottleneck:

Additional paperwork to print out all documents in original adds to complexity of SSS, potential for delays.

This fiche is based on information by a European company that has expressed its disappointment of the state of affairs that in certain Member States, electronic manifests or electronic stamps are not accepted at all. The company has made extensive investments to handle manifests by electronic means without being able to use the system on all its routes.

Also, when cargo is declared in a port where there is no Customs presence but documents need to be given in original to the customs, the ship's agent travels to the nearest Customs office, or mails the appropriate documents, to obtain cargo clearance.

Problems exist in NL, F, SE, DK and Norway at least.

Measures towards a solution (if available):

As one of the first steps in e-Customs, some 3000 Customs offices in 22 countries are implementing as from 1 July 2003 the New Computerised Transit System (NCTS) whereby the paperwork relating to transport under the single administrative document (SAD) is being replaced by electronic messages. As a second step, the system could, in the future, also be extended to movements currently carried out under simplified transit procedures for modes of transport and gradually become the backbone of e-Customs.

Parties needed to be involved in the solution (and their roles):

All Member States and ports (to apply EDI as extensively as feasible), the Member States concerned (to allow the use of EDI) and the Commission (to enhance the use of EDI). Also the industry should make their requirements clear to the national authorities, for instance through port and SSS roundtables.

Any available best practices related to this bottleneck:

In a number of ports in the Member States, EDI is used regularly in Customs procedures, including manifests. 'Single Window' concept ('enabling the provision of standardized information with a single body to fulfil all import, export and transit related regulatory requirements for Nautical and Cargo announcement obligations') is already operational in the following:

- Portinfolink (Rotterdam) and EPC –Electronic Port Clearance (Amsterdam)
- Portel (Spain)
- FSR Vessel Reporting System (Sweden)
- DAKOSY (Hamburg)

- Systems under development: PortNet (Portugal) and VTS (Italy) and Safe Sea Net/AIS Norway

A fiche submitted by the Northern Maritime Corridor (INTERREG IIIB programme) on 7 October 2005 outlined the need for an international XML Standard.

[The learning from the ETC project within the NMC project, is that there is a need for an international XML standard for business processes in intermodal transportation. Furthermore, there is a need for harmonising the definition of business processes across the various transport modes and transporters. It seems relevant to pursue the ETC project towards the ports. The “Short Sea XML” should comprise three main elements: 1) Transport of cargo from the industry, 2) feeder transport (integration with trans-ocean shipping), and 3) intermodal transport in the North Sea basin. The “Short Sea XML” should comply with the EDIFACT standard and Transport XML’.

Preparing an international XML standard that makes all institutions to communicate well without changing their own basic system, only adapting to a common communication “language”]

The development of an international XML standard is the subject of a proposal under the 2005 Marco Polo Call.

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A BOTTLENECK IN DOOR-TO-DOOR SHORT SEA SHIPPING (SSS) AND A POTENTIAL SOLUTION

Fiche submitted for consideration by **SPC Finland** in March 2003 and reintroduced by **ECSA** in January 2005, fiche also submitted by Northern Maritime Corridor on 7 October 2005.

Description of the Bottleneck:

ECSA:

- A ship/company fully involved in intra EU short sea shipping and having an authorised status on certain intra Community routes cannot get this status for other routes where the ship calls at Freeports and/or ports outside the EU, e.g. if the route includes Casablanca on its way to Spain/Portugal, because this route is not "fully involved in intra EU services". On such routes (between two EU ports and calling at a non-EU port) the ship gets "infected" and has to go through all customs procedures for all cargo on board including pure intra EU cargoes. We stressed at the time that, in an age of e-communication, this is difficult to understand since intra EU cargoes on board of the ship and cargoes coming/going from/to a non EU country (e.g. Morocco) can be perfectly manifested separately.

NMC:

- When a truck is running from one country to another through a third country the customs clearance is done once at the destination country. If a ship is calling a third country on the way, it has to go through customs clearance. So the trucks and the ships are treated differently which implies distortion of competition.

Hampering effects of the bottleneck:

This situation leads to an increased administrative burden. More time consuming and higher costs.

Measures towards the solution:

- Change in customs legislation to enable the two types of cargo to be treated differently i.e. non-EU cargo subject to normal customs procedures and EU cargo treated under the simplified procedures of an Authorised Regular Shipping Service.
- Establish similar rules for trucking and ships.

Parties needed to be involved in the solution:

Customs authorities; Member States; Ship owners; European Commission.

Best practice:

N/A

A BOTTLENECK IN DOOR-TO-DOOR SHORT SEA SHIPPING (SSS) AND A POTENTIAL SOLUTION

Fiche submitted for consideration:

The Shortsea promotion Centre Holland together with OPDR Agencies, Rotterdam on 25 January 2006.

Description of the bottleneck:

License “Regular liner service”.

OPDR/Delphis have ceased their sailings to and from Vigo. Instead it was decided to slotcharter with former partners HMS/Portlink. This would mean that OPDR had to apply for a separate licence in order to cover the manifest to Vigo. However, the custom authorities informed OPDR that they cannot obtain a regular licence art 313/448 as neither Delphis nor OPDR vessels are calling Vigo physically anymore.

Hampering effects of the bottleneck:

- Increase of the administrative burden and hence cost increases.
- See annexes 1 and 2 for details (Mail from OPDR Netherlands)

Measures towards a solution:

The license “Regular liner service” should not be connected to one or more vessels, but should be given to the shortsea operator. Vessels do change regularly and in this way less changes are necessary. Also the problems that arise when shortsea operators take slots on vessels from other shortsea operators (NVOCC) can be solved in this way.

Parties needed to be involved in the solution (and their roles):

As European Rules are involved, EU institutions As DG TREN and DG TAXUD.

Any available best practices related to this bottleneck:

N.A.

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ANNEX 1

>>> van Gelder 01/16/06 02:12PM >>>

Recently we have been informed that OPDR/Delphis ceased their sailings to and from Vigo. Instead it was decided to slotcharter with former partners HMS/Portlink. We informed OPDR Hamburg that this would mean that we had to apply for a separate licence in order to cover the manifest to Vigo. So we informed the Rotterdam custom authorities likewise and requested for an application form to file this licence.

Today we have been informed by the customs authorities that we cannot obtain a regular licence art 313/448 as neither Delphis nor OPDR vessels are calling Vigo physically anymore. The only solution would be that the manifest function is taken over by the former partners and that our bookings are listed in their manifests. We told them that this is impossible for competition reasons.

The other solution to use a service bill of lading and to attach a neutralized manifest with cargo details only would not work, as we work on EDI basis and the electronic customs procedure in Spain would not work in this way. On the basis of EDI input of all details in the system is required and attachments do not fit in the electronic way we issue manifests nowadays. This works more or less the same way as we face the problems of consolidating cargo today. In the past we used the summery of the consolidator and manifested "as per specification attached" and attached this summery to the bills of lading and manifest. Nowadays, due to EDI, we are forced to take over all details into our electronic system.

So the only solution now is for us as OPDR Netherlands that we rely on our standard licence "authorized consignor commercial documents t21", giving us the possibility to issue manifests for EU cargo. This manifests takes over the function of all previous EU documents like t21/invoices and must be considered as a summery of the t21 documents issued as a whole. This manifest is validated by a special stamp showing our licence and registration number and can be used for all shipments we carry out to EU ports irrespective of the shipping line and/or vessels.

This licence is already in use for chartered vessels in the trades to Portugal and Northern Spain and for the regular vessels to the Canary islands (due to the fact that these vessels call also non EU ports). We will use this licence to cover the shipments to Vigo as from today and we will also start using this manifest for the new planned service to Seville. Also in the Bilbao trade, we will start to use this licence as OPDR is not a operational partner in this service anymore by using encounter and MARFEEDER on a slot-charter basis only.

We presume that also Delphis Antwerp will be contacted by customs there, that there are alterations in the licences required as alterations in the present licences are no longer allowed and new licences have to be applied.

With regard to the continuous changes of vessels in the Portugal trade, we made already the proposal to the customs authorities to file a licence per shipping line on not on basis of vessels name. We requested to study the possibility to register the shipping line and to monitor a register, in which the participating vessels are reported and alterations with

effective date are filed. We will pass on same request to our short sea office representative in Rotterdam and request to discuss this with fellow shortsea offices in the EU in order to see whether another way of registration is possible in the future, thus saving the energy to apply for a new licence each time the vessels are changed.

Gentlemen, sorry a rather complex topic, however, we have to follow the rules as they are now and can only recommend all OPDR/DELPHIS agents in the regions Spain/Portugal to apply for a licence "authorized consignor t21" as otherwise we have to fall back on t21 documents for each individual shipment.

OPDR Netherlands agencies bv
r.a. van gelder.

cc. shortsea bureau rotterdam
Delphis Rotterdam

3. ANNEX 2

TIEDEMANN, GERARDO" <gtiedemann@erhardt.es> 01/17/06 12:20PM >>>

Refer to our yesterday's phone conversation with your request to obtain the authorized consignor licence. we have made first investigations both in-house as well as with our local customs authorities.

- in-house

This matter was already discussed back in 1998 (sorry to go back that far) in connection with the regular liner status, and at those days it was concluded that this licence was almost impossible to obtain by an agent, as this system - at least at those days - was much more emphasizing on importers /exporters / traders. This might have changed by now, which we ignore although one would presume that those laws are still in force.

- local customs authorities

We had a brief personal contact with them from which we learned:

- as a first impression they said that the fact that OPDR does not operate physically a vessel should not automatically mean that OPDR cannot enjoy the simplified procedure

- local customs would however like to go more in detail into this matter asking us to reply if opdr do have authorized:

a) the super simplified procedure (understand yes - pls confirm)

b) the regular liner status (again understand yes - pls confirm)

Once you confirm this we will have another meeting with our customs authorities.

I the meantime and regarding the 'authorized consignor licence' we learned that basically following conditions have to be fulfilled to obtain same:

- frequent calls

- electronic data interchange

- access of customs to our documentation (not only manifests but as well bookkeeping - understand this last one refer more to importers/traders / etc rather than an agent as we have no financial involvement)

- that no serious and frequent customs fines have be levied against the applying party

- that we keep record of the proofs that the cargo shipped is community cargo

- and others

once the local authorities receive the request - it has still to be clarified if such request has to be presented by the agent or the shipping line – they notify the member states in which ports / territory the line is loading /unloading. in case no objection has be received within 60 days the customs authorities grant the 'simplified procedure'. this authorization will than only be valid within the corresponding member states and applyable only to the operations in those ports referred to in this authorization.

As we see from above it is quite a burocratic procedure which will require time, at least 2 months to obtain all permits. Have you been able to clarify if there are other ways?? Can Rotterdam please check if it is a fact that we loose our 'ssp' because of not operating physical ships in this trade??

In any case please comment on above a+b) so that we can continue our efforts with local customs authorities.

best regards,
Gerhard Tiedemann - alvaro reina
e.erhardt y cia. s.a

ADMINISTRATIVE AND DOCUMENTARY PROCEDURES

LACK OF COMPARABLE STATISTICAL DATA

fiche 7

A BOTTLENECK IN DOOR-TO-DOOR SHORT SEA SHIPPING (SSS) AND A POTENTIAL SOLUTION

Fiche submitted for consideration by DG TREN (Maritime) on 14/12/1999.

Description of the bottleneck:

Lack of comparable statistical information on SSS in Europe.

This fiche includes a general overview of the lack of statistical information. In fact, it should be divided into several fiches presenting one problem area each.

Hampering effects of the bottleneck:

Lack of comparable data does not allow to establish reliable statistics on SSS, on its different manifestations (such as feeder, ro-ro, lo-lo, bulk, ferry passengers and cruise passengers) and on the commodity groups carried. Also due to different units of measurement (tonnes in shipping and tonne-kilometres in other modes) comparable statistics are not available without a reliable conversion matrix.

Measures towards a solution (if available):

The Commission and Eurostat in co-operation with the Member States, in particular in the framework of R&D activities, will continue to develop suitable origin/destination matrices and comparable intermodal land/sea statistics for short sea shipping, including specific trade corridors. The aims will be to establish an instrument to monitor the shift of goods and passengers from land to sea and to have more reliable data on feeder traffic.

The Council Directive on Maritime Statistics¹ that came into full effect in 2000 will gradually become the main source of short-sea data when it will be able to provide sufficient data series, in tonne-kilometres, to analyse trends. For the time being, the Commission has partly relied on data provided by a number of member ports of the European Sea Ports Organisation (ESPO). The Commission is grateful to these ports and to ESPO for co-ordinating this exercise.

In order to rectify the gap between tonne data normally used to characterise cargo volumes in maritime transport and tonne-kilometre data used in other modes, the Commission has been working on a matrix that would allow coherent comparisons between modes by converting the tonne-based maritime data into tonne-kilometres. A first tool is already being tested in Eurostat and further refinements are under way. The Thematic Network for Short Sea Shipping (REALISE,) contributed to this work.

¹ Council Directive 95/64/EC of 8 December 1995 on statistical returns in respect of carriage of goods and passengers by sea, OJ L 320, 30.12.1995, p. 25, as implemented by Commission Decisions 98/385/EC of 13 May 1998, OJ L 174, 18.6.1998, p. 1, 2000/363/EC of 28 April 2000, OJ L 132, 5.6.2000, p.1, and 2001/423/EC of 22 May 2001, OJ L 151, 7.6.2001, p. 41.

Parties needed to be involved in the solution (and their roles):

Member States (to provide information), DG Transport (to disseminate comparable information), Eurostat (to collect, aggregate and provide information), shipowners/ports (to provide information).

Any available best practices related to this bottleneck:

During the preparation of Commission Communications on SSS, a number of ports in Europe - co-ordinated by ESPO – have provided voluntarily information on their short-sea trade flows (containers, general cargo, dry and liquid bulk). Also EFIP has provided data.

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