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SOLAS Amendment

Amendments to the International Convention for the **Safety Of Life At Sea** (“SOLAS”) became effective globally on 1st July 2016.

The amendment, which was adopted by International Maritime Organization (IMO) Member States, requires that a shipper verify the gross mass (Verified Gross Mass or VGM) of a container’s cargo/contents to the underlying carrier and terminal operator. While carriers, terminals and shippers alike will be affected by the new rules, the burden will primarily rest with shippers to provide the VGM.

Without a VGM, the amendments prohibit the vessel operator from loading a packed container.

From 1st July, the weight of the container and the cargo contained therein must be documented. Estimated weights are not allowed.

There are two options permissible in determining the weight or Verified Gross Mass (VGM) of the cargo and container.

They are as follows:

Method 1:

After it has been completely packed and sealed, the container can be weighed. The weighing can be performed by the shipper or by a third party contracted by the shipper.

Any scale, weighbridge, lifting equipment or other devices used to verify the gross mass of the container must meet the applicable accuracy standards and requirements of the state in which the equipment is being used.

Method 2:

All packages and cargo items may be weighed individually (including the mass of pallets, dunnage and other packing and securing material) and must be added to the tare of the container visible on the exterior of the container.

The method used for weighing the container’s content is subject to the certification and approval as determined by the competent authority of the state in which the packing and sealing of the container were completed.

Any weighing equipment used to weigh the contents of the container must meet the applicable accuracy standards and requirements of the state in which the equipment is being used.

There is currently no single document uniformly determined to be acceptable to verify the weight. Rather, the information can come via a weight certificate, separate documentation, or part of the shipping instructions. The amendment states that “irrespective of its form,” the document declaring the VGM should be signed by a person duly authorised by the shipper.

For shipper loaded FCL containers, Tudor International requires either a VGM from the shipper or upon request, Tudor International can have the container and contents weighed at an outside weigh station.

Unless Tudor International arranged the weighing of the container or have a weight certificate from an independent authority, Tudor International will require a VGM certification from the shipper prior to the carrier VGM cut off. The VGM cut off will be provided by the carrier at the time of booking.

Tudor International, unless otherwise notified in writing, will ensure that the VGM is communicated to the carrier by one of the following methods:

- EDI message (VERMAS, or for example a 304 message)
- Portal Service (INTTRA, Nexus, CargoSmart, other)
- Through the Ocean Carrier’s web portal specifically designed to accept VGM
- Alternative methods to be determined by the Ocean Carrier

The carrier itself is not obliged to cross-check the VGM received. Independent of the party verifying and sending the VGM, it remains in the responsibility of the shipper that the carrier and terminal operator receive the information in time.

Once the Ocean Carrier receives the VGM, the Shipper’s responsibilities are complete.