

Submission from Shipper's Council on Proposed SOLAS Rule Amendment 24B: Carriage of Cargoes – Stowage and Securing (Container Verified Gross Mass)

The New Zealand Shipper's Council has since 1983 been the national body representing cargo owners. We are the pre-eminent group in supply chain developments relating to cargo handling and movement, commerce and legislation. Membership of the Council comprises importers and exporters and includes major interests involved in industries such as forestry, wood, fruit, steel, dairy, meat, and pulp and paper.

The Council welcomes the opportunity to comment on the proposed rule change. It also appreciates that there has been a long and ongoing dialogue with Maritime New Zealand on this issue as it has progressed through the International Maritime Organisation and we appreciate the work done by Maritime New Zealand to achieve agreement to the revised SOLAS provisions that allow an alternative to a requirement that all packed containers be weighed.

Our members are supportive of the proposed wording which we note is based very closely on the SOLAS wording.

We understand that the New Zealand port companies have agreed that no container already packed for export will be accepted into the port area without the required verified gross mass documentation. Should you wish to alter the wording of the New Zealand rule to reflect this we would support this change. The rule should be clear and should not be open to possible misinterpretation. As it stands, given the port company policy, it would be possible for a shipper to think that it might be possible to obtain the verified gross mass anytime before the container is loaded onto the ship. This is clearly not the case.

We have highlighted previously our concerns about the timing of this consultation and the decision on the draft rule change, which we believe should have occurred sooner. We are now almost at the middle of March, yet the new rules are set to come into force on 1 July this year. Our members now have very little time to prepare for the new regime.

We even more concerned about non-members. At least our members are informed about this change. There will be exporters who are not. It will be essential to begin an education campaign on the new rule as quickly as possible. The Council would be happy to assist this process along with the ports and shipping companies, but we believe it should be designed and run by Maritime New Zealand.

We note that there is no reference to enforcement or tolerances in the draft rule or the accompanying draft advisory circular. We would like to maintain a continuing dialogue with Maritime NZ on these matters in the run up to 1 July. We clearly believe that there should be a light handed approach adopted to enforcement and that if there is any, there will need to be an understanding reached on acceptable tolerances.

We thank you again for the opportunity to comment on this matter.
On behalf of the Council

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