

SAFETY OF LIFE AT SEA (SOLAS)

BY LETOKE MAHLASE

THE INTRODUCTION OF LEGAL METROLOGY HAS HAD AN IMMEDIATE IMPACT AS SOLAS EMBRACES IT BY TAKING ADVANTAGE OF THE EXTENDED SCOPES.

The International Maritime Organization (IMO) has amended the Safety of Life at Sea Convention (SOLAS) to require, as a condition for loading a packed container onto a ship for export, that the container must have a verified weight. The shipper is responsible for the verification of the packed container's weight. This requirement became legally effective on July 1, 2016. After that date, it would be a violation of SOLAS to load a packed container onto a vessel if the vessel operator and marine terminal operator do not have a verified container weight.



On the 20th April 2016, SAMSA (South African Marine Safety Authority) adopted the Legal Metrology Act requirements in order to comply with the International Maritime Organisation (IMO) 'Guidelines Regarding the Verified Gross Mass of a Container Carrying Cargo', the adaptation was issued with 3 month notice period with effect from 1 July 2016.

Guidelines on the implementation of SOLAS VI Regulation 2 Amendment:

Verification requirements of the Gross Mass of packed containers was issued to all Masters of Ships in South African Ports, Ship Operators, Owners, Managers and Ship's Agents, Freight Forwarders, Shippers, Hauliers, Cargo Packers, Port Authorities, Terminal Operators and Principal Officers.

What advises the adaptation of the Legal Metrology Act requirements for container weights?

It is because the wrong declaration of container weights has resulted with the following unfortunate incidents:

- Numerous casualties to vessels;
- The lives of ship's crew and stevedores being placed at risk; and
- Damage to ships lifting appliances and shore cranes.
- High cost on insurance companies and increased premiums.
- Loss of lives at Seas.



SAFETY OF LIFE AT SEA (SOLAS) (continued)

As a result of the above, the International Maritime Organisation (IMO) introduced 'Guidelines Regarding the Verified Gross Mass of a Container Carrying Cargo' (MSC.1/Circ.1475) dated 9 June 2014, to establish a common approach for the implementation and enforcement of the SOLAS requirements regarding the verification of the gross mass of packed containers. The Guidelines provide recommendations on how to interpret and apply the provisions of the SOLAS requirements.

The main principles of the guidelines are as follows:

- The shipper is responsible for obtaining and providing the verified gross mass of a packed container; and
- A container partially or fully packed should not be loaded onto a ship to which the SOLAS

Convention applies unless the Master or his representative and the terminal representative have obtained, in advance of a vessel loading, the verified actual gross mass of the container.

Requirements of the Weighing Equipment used to verify gross mass of a packed container.

The process for the verification of the gross mass of containers is dependent on accurate weighing 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 of the Legal Metrology Act 09 of 2014.

Within the Republic of South Africa there are two regulatory bodies involved with weighing equipment, namely the National Regulator for Compulsory Specifications (NRCS) and South African National Accreditation System (SANAS) both these regulatory bodies fall under the Department of Trade and Industry:

- National Regulator for Compulsory Specifications (NRCS) governs the Legal Metrology Act and Regulations, which ensures that consumers receive the quantity of goods, as declared by an importer, manufacturer or retailer. It also ensures that instrument measurements remain accurate, within prescribed limits of error, where measuring instruments are used to conclude a transaction. This ensures that both industry and consumers

are protected. NRCS approve weighing equipment, for prescribed purposes, to ensure that it is fit for its intended purpose.

- SANAS is the national body responsible for carrying out assessments in accordance with SANS 10378:2012 and granting of accreditation as mandated by the Accreditation for Conformity Assessment, Calibration and Good Laboratory Practice Act (Act 19 of 2006).
- It is by means of the accreditation Act that SANAS accredits verification laboratories and are subsequently listed on the SANAS website. The Verification laboratories are responsible for verifying weighing equipment periodically and in accordance with the regulations pertaining to the type of equipment being used.

Additional mandatory requirements for weighing equipment:

- All weighing equipment must have a Verification Certificate, issued by a Verification Laboratory and endorsed with a Type Approval Number obtained from NRCS.
- Verification Laboratories must verify the weighing equipment periodically in accordance with the technical regulations.
- Verification Officers conducting verifications for the Verification Laboratories must be appointed in writing, must be competent to conduct the required tasks and be able to work within the ambits of their listed scope.

Methods for Obtaining the Verified Gross Mass of a Packed Container

The SOLAS regulations prescribe two methods by which the shipper may obtain the verified gross mass of a packed container:

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.

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



SAFETY OF LIFE AT SEA (SOLAS) (continued)

container, and add the tare mass of the container to the sum of the single masses using a certified method.



After Completion of Method 1 and 2, the following documentation should be issued and be available at all times to indicate that the weighing equipment is accurate:

1. A Verification Certificate;
2. SANAS Certificate of Accreditation and Schedule of Accredited Verification Laboratories;
3. Appointed and competent Verification Officers;
4. Calibration of the Verification Standards used;
5. Training records of operators of weighing equipment;
6. Servicing and maintenance records of weighing equipment; and
7. Records of weight tickets issued.

SANAS ANNUAL ACCREDITATION FEES 2017/2018

PREPARED BY ELWINA DANIELS

We believe that by now, all facilities have received invoices for the SANAS annual accreditation fees for 2017/2018 financial year. As per the SANAS Fees document (P14-28), payment of annual fees was due month end of May 2017, unless a payment arrangement has been approved by SANAS.

If there was no standing payment arrangement, and there was a need to get approval for the 2017/18 financial year payment arrangement, a request was supposed to be e-mailed to angeliqueb@sanas.co.za by 31 May 2017.

The facility suspensions due to non-payment will commence from the 1st June 2017. The suspension will be valid for three months. If the suspended facility is not re-instated by the end of suspension period, a fine of 10% of the total amount will be invoiced.

For any further queries please contact:

Ms Elwina Daniels, Debtors Administrator, 012 394-3521, elwinad@sanas.co.za or

Ms Angelique Brits, Business Manager, 012 394-3773, angeliqueb@sanas.co.za

CONTACT INFORMATION

SANAS website: www.sanas.co.za | **Main Switchboard No:** +27 (0) 12 394-3760 | **General Fax No:** +27 (0) 12 394-0526 |

Physical Addresses: the dti Campus, Block G, Ground Floor | 77 Meintjies Street, Sunnyside, Pretoria | **SANAS Knowledge**

Transfer Centre: 121 Muckleneuck Street Nieuw Muckleneuk | Pretoria | 0002 | Private Bag X23 | Sunnyside | Pretoria | 0132

