

# FAL Convention

CONVENTION ON FACILITATION OF INTERNATIONAL  
MARITIME TRAFFIC, 1965, AS AMENDED

2017 EDITION



INTERNATIONAL  
MARITIME  
ORGANIZATION

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**2017 EDITION**

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## Contents

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	<i>Page</i>
Foreword .....	v
<b>Articles of the Convention on Facilitation of International Maritime Traffic</b> .....	<b>1</b>
<b>Annex</b>	
Section 1 – Definitions and general provisions. ....	7
Section 2 – Arrival, stay and departure of the ship .....	12
Section 3 – Arrival and departure of persons .....	21
Section 4 – Stowaways .....	28
Section 5 – Arrival, stay and departure of cargo and other articles .....	32
Section 6 – Public health and quarantine, including sanitary measures for animals and plants .	35
Section 7 – Miscellaneous provisions. ....	37
Appendix 1 – IMO FAL Forms. ....	39
Appendix 2 – Form of stowaway details referred to in Recommended Practice 4.6.2. ....	47
<b>Additional information on facilitation requirements</b>	
Annex 1 – Arrival and departure of persons .....	51
Annex 2 – IMDG Code, amendment 38-16, chapter 5.4 on Documentation .....	53



## Foreword

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The *Convention on the Facilitation of Maritime Traffic* (FAL Convention) was adopted by the International Conference on Facilitation of Maritime Travel and Transport on 9 April 1965. It entered into force on 5 March 1967.

The purpose of this Convention is to facilitate maritime transport by simplifying and minimizing the formalities, documentary requirements and procedures associated with the arrival, stay and departure of ships engaged on international voyages. It was originally developed to meet growing international concern about excessive documents required for merchant shipping. Traditionally, large numbers of documents are required by customs, immigration, health and other public authorities pertaining to the ship, its crew and passengers, baggage, cargo and mail. Unnecessary paperwork is a problem in most industries, but the potential for red tape is probably greater in shipping than in other industries, because of its international nature and the traditional acceptance of formalities and procedures.

The Convention emphasizes the importance of facilitating maritime traffic and demonstrates why authorities and operators concerned with documents should adopt the standardized documentation system developed by IMO and recommended by its Assembly for world-wide use. Contracting Parties to the Convention undertake to bring about uniformity and simplicity in the facilitation of international maritime traffic.

The Annex to the Convention contains rules for simplifying formalities, documentary requirements and procedures on the arrival and departure of ships and, in particular, it reduces to twelve the number of documents which can be required by public authorities. These are the General Declaration, Cargo Declaration, Ship's Stores Declaration, Crew's Effects Declaration, Crew List, Passenger List, Dangerous Goods Manifest, Security-related information as required under SOLAS regulation XI-2/9.2.2, Advance electronic cargo information for customs risk assessment purposes, and Advanced Notification Form for Waste Delivery to Port Reception Facilities (when communicated to the Organization) as well as two documents required under the Universal Postal Convention and the International Health Regulations. IMO has developed standardized forms for the first seven of these.

As a further aid to compliance, the Annex to this Convention contains "Standards" and "Recommended Practices" on formalities, documentary requirements and procedures which should be applied on arrival, during their stay, and on departure to the ships, their crews, passengers, baggage and cargo.

### **Amendments to the Convention**

Although it is recognized that the Convention has made an important contribution to the removal of trade barriers, its value was for many years limited by one important drawback – the amendment procedure. This required an amendment to be explicitly accepted by two thirds of Contracting Parties and in practice this took far too long to be practicable. A new procedure known as "tacit acceptance", under which amendments automatically enter into force on a pre-selected date unless they are specifically rejected by one third of the countries which have ratified the Convention, entered into force in 1984 (article VII). Early in 1986 the new acceptance procedure was used to adopt further amendments designed primarily to permit the use of automatic data processing and other techniques. These amendments entered into force in October of the same year.

The 1990 amendments entered into force on 1 September 1991 and were designed to facilitate the clearance of passengers, including elderly and disabled persons. They also deal with the prevention of unlawful acts against maritime safety and the control of illicit drug trafficking.

The 1992 amendments entered into force on 1 September 1993 and were related to sections concerning the clearance of cargos, passengers, crew and baggage; ships' arrival and departure requirements and procedures; public health and quarantine, including sanitary measures for animals and plants; and limitation of shipowners' responsibilities. The amendments introduced new definitions of security measures and transport documents as well as new sections on electronic data-processing techniques, private gift packages and trades samples, consular formalities and fees, submission of pre-import information, clearance of specialized equipment and falsified documents. In addition, the Annex to the Convention was restructured by these amendments.

The 1996 amendments entered into force on 1 May 1997 and related to sections concerning the contents and purpose of documents; arrival and departure requirements and procedures; facilitation for ships engaged on cruises and for cruise passengers; further measures of facilitation for crew members of ships engaged in international voyages – shore leave; clearance of import cargo; national facilitation committee. The amendments introduced new standards regarding inadmissible persons and a new recommended practice on immigration pre-arrival clearance.

The 1999 amendments entered in force on 1 January 2001 and related to sections concerning electronic data-processing techniques; illicit drug trafficking; contents and purpose of documents on arrival, stay and departure of the ship; arrival and departure of persons; measures to facilitate clearance of cargo, passengers, crew and baggage; arrival, stay and departure of cargo and other articles; and clearance of export cargo. The amendments introduced a new chapter on illicit drug trafficking and the introduction of using risk assessment to target cargo for examination for limiting physical interventions to the minimum necessary.

The 2002 amendments entered in force on 1 May 2003 and related to new definitions; and arrival, stay and departure of ships; the amendments introduced a new section on stowaways.

The 2005 amendments entered in force on 1 November 2006 and related to new definitions; general provisions, electronic data-processing techniques; illicit drug trafficking; control techniques; general in section 2 on arrival, stay and departure of the ship; contents and purpose of documents; documents on departure; completion of documents; errors in documentation and penalties therefore; arrival, stay and departure of cargo and other articles; clearance of cargo; containers and pallets; and emergency assistance. The amendments introduced new definitions on Customs clearance, Customs release, Estimated time of arrival, Manifest, Postal items, Ship's documents and Temporary admission. The amendment created a new section on Control Techniques, and introduced the term "persons rescued at sea" in the section dedicated to Special measures of facilitation for ships calling at ports in order to put ashore sick or injured crew members, passengers or other persons for emergency medical treatment. Finally new IMO FAL Forms were approved.

The 2009 amendments entered in force on 15 May 2010 and related to sections concerning contents and purpose of documents; arrival and departure requirements and procedures; measures to facilitate clearance of passengers, crew and baggage; and facilitation for ships engaged on cruises and for cruises passengers. The amendments introduced the text of "voyage number", and new IMO FAL Forms were approved.

The 2016 amendments (resolution FAL.12(40)) shall enter into force on 1 January 2018 following a comprehensive review of all sections of the Annex to the Convention.

These amendments introduce new definitions for Cargo Transport Unit (CTU), clearance, freight container, the *International Ship and Port Facility Security (ISPS) Code*, master, ship agent, shipper and single window. Electronic exchange of information will be mandatory from 9 April 2019 with a transition period of no less than 12 months. The text now refers to the use of "Single Window" systems and has been revised in a gender-neutral format. Three additional documents have been introduced for ship's clearance that may be required by the shore authorities, i.e. Security-related information as required under SOLAS regulation XI-2/9.2.2, Advance electronic cargo information for customs risk assessment purposes, and Advanced Notification Form for Waste Delivery to Port Reception Facilities. Additional guarantees have been included relating to the shore leave of crew members. All IMO FAL forms, with the exception of Ship's Stores Declaration (IMO FAL Form 3), have been revised.

# Articles of the Convention on Facilitation of International Maritime Traffic

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THE CONTRACTING GOVERNMENTS:

DESIRING to facilitate maritime traffic by simplifying and reducing to a minimum the formalities, documentary requirements and procedures on the arrival, stay and departure of ships engaged in international voyages;

HAVE AGREED as follows:

## Article I

The Contracting Governments undertake to adopt, in accordance with the provisions of the present Convention and its annex, all appropriate measures to facilitate and expedite international maritime traffic and to prevent unnecessary delays to ships and to persons and property on board.

## Article II

(1) The Contracting Governments undertake to co-operate, in accordance with the provisions of the present Convention, in the formulation and application of measures for the facilitation of the arrival, stay and departure of ships. Such measures shall be, to the fullest extent practicable, not less favourable than measures applied in respect of other means of international transport; however, these measures may differ according to particular requirements.

(2) The measures for the facilitation of international maritime traffic provided for under the present Convention and its annex apply equally to the ships of coastal and non-coastal States the Governments of which are Parties to the present Convention.

(3) The provisions of the present Convention do not apply to warships or pleasure yachts.

## Article III

The Contracting Governments undertake to co-operate in securing the highest practicable degree of uniformity in formalities, documentary requirements and procedures in all matters in which such uniformity will facilitate and improve international maritime traffic and keep to a minimum any alterations in formalities, documentary requirements and procedures necessary to meet special requirements of a domestic nature.

## Article IV

With a view to achieving the ends set forth in the preceding articles of the present Convention, the Contracting Governments undertake to co-operate with each other or through the Inter-Governmental Maritime Consultative Organization\* (hereinafter called the "Organization") in matters relating to formalities, documentary requirements and procedures, as well as their application to international maritime traffic.

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\* The name of the Organization was changed to "International Maritime Organization" by virtue of amendments to the Organization's Convention which entered into force on 22 May 1982.

## Article V

- (1) Nothing in the present Convention or its annex shall be interpreted as preventing the application of any wider facilities which a Contracting Government grants or may grant in future in respect of international maritime traffic under its national laws or the provisions of any other international agreement.
- (2) Nothing in the present Convention or its annex shall be interpreted as precluding a Contracting Government from applying temporary measures considered by that Government to be necessary to preserve public morality, order and security or to prevent the introduction or spread of diseases or pests affecting public health, animals or plants.
- (3) All matters that are not expressly provided for in the present Convention remain subject to the legislation of the Contracting Governments.

## Article VI

For the purposes of the present Convention and its annex:

- (a) *Standards* are those measures the uniform application of which by Contracting Governments in accordance with the Convention is necessary and practicable in order to facilitate international maritime traffic;
- (b) *Recommended Practices* are those measures the application of which by Contracting Governments is desirable in order to facilitate international maritime traffic.

## Article VII

- (1) The annex to the present Convention may be amended by the Contracting Governments, either at the proposal of one of them or by a Conference convened for that purpose.
- (2) Any Contracting Government may propose an amendment to the annex by forwarding a draft amendment to the Secretary-General of the Organization (hereinafter called the "Secretary-General"):
  - (a) Any amendment proposed in accordance with this paragraph shall be considered by the Facilitation Committee of the Organization, provided that it has been circulated at least three months prior to the meeting of this Committee. If adopted by two thirds of the Contracting Governments present and voting in the Committee, the amendment shall be communicated to all Contracting Governments by the Secretary-General.
  - (b) Any amendment to the annex under this paragraph shall enter into force 15 months after communication of the proposal to all Contracting Governments by the Secretary-General unless within 12 months after the communication at least one third of Contracting Governments have notified the Secretary-General in writing that they do not accept the proposal.
  - (c) The Secretary-General shall inform all Contracting Governments of any notification received under subparagraph (b) and of the date of entry into force.
  - (d) Contracting Governments, which do not accept an amendment, are not bound by that amendment but shall follow the procedure laid down in article VIII of the present Convention.
- (3) A conference of the Contracting Governments to consider amendments to the annex shall be convened by the Secretary-General upon the request of at least one third of these Governments. Every amendment adopted by such conference by a two-thirds majority of the Contracting Governments present and voting shall enter into force six months after the date on which the Secretary-General notifies the Contracting Governments of the amendment adopted.

(4) The Secretary-General shall notify promptly all signatory Governments of the adoption and entry into force of any amendment under this article.

### **Article VIII**

(1) Any Contracting Government that finds it impracticable to comply with any Standard by bringing its own formalities, documentary requirements or procedures into full accord with it or which deems it necessary for special reasons to adopt formalities, documentary requirements or procedures differing from that Standard, shall so inform the Secretary-General and notify him of the differences between its own practice and such Standard. Such notification shall be made as soon as possible after entry into force of the present Convention for the Government concerned, or after the adoption of such differing formalities, documentary requirements or procedures.

(2) Notification by a Contracting Government of any such difference in the case of an amendment to a Standard or of a newly adopted Standard shall be made to the Secretary-General as soon as possible after the entry into force of such amended or newly adopted Standard, or after the adoption of such differing formalities, documentary requirements or procedures and may include an indication of the action proposed to bring the formalities, documentary requirements or procedures into full accord with the amended or newly adopted Standard.

(3) Contracting Governments are urged to bring their formalities, documentary requirements and procedures into accord with the Recommended Practices insofar as practicable. As soon as any Contracting Government brings its own formalities, documentary requirements and procedures into accord with any Recommended Practice, it shall notify the Secretary-General thereof.

(4) The Secretary-General shall inform the Contracting Governments of any notification made to him in accordance with the preceding paragraphs of this article.

### **Article IX**

The Secretary-General shall convene a conference of the Contracting Governments for revision or amendment of the present Convention at the request of not less than one third of the Contracting Governments. Any revision or amendments shall be adopted by a two-thirds majority vote of the Conference and then certified and communicated by the Secretary-General to all Contracting Governments for their acceptance. One year after the acceptance of the revision or amendments by two thirds of the Contracting Governments, each revision or amendment shall enter into force for all Contracting Governments except those, which, before its entry into force, make a declaration that they do not accept the revision or amendment. The Conference may by a two-thirds majority vote determine at the time of its adoption that a revision or amendment is of such a nature that any Contracting Government which has made such a declaration and which does not accept the revision or amendment within a period of one year after the revision or amendment enters into force shall, upon the expiration of this period, cease to be a Party to the Convention.

### **Article X**

(1) The present Convention shall remain open for signature for six months from this day's date and shall thereafter remain open for accession.

(2) The Governments of States Members of the United Nations, or of any of the specialized agencies, or the International Atomic Energy Agency, or Parties to the Statute of the International Court of Justice may become Parties to the present Convention by:

- (a) signature without reservation as to acceptance;
- (b) signature with reservation as to acceptance followed by acceptance; or
- (c) accession.

Acceptance or accession shall be effected by the deposit of an instrument with the Secretary-General.

(3) The Government of any State not entitled to become a Party under paragraph 2 of this article may apply through the Secretary-General to become a Party and shall be admitted as a Party in accordance with paragraph 2, provided that its application has been approved by two thirds of the Members of the Organization other than Associate Members.

#### **Article XI**

The present Convention shall enter into force 60 days after the date upon which the Governments of at least 10 States have either signed it without reservation as to acceptance or have deposited instruments of acceptance or accession. It shall enter into force for a Government, which subsequently accepts it or accedes to it 60 days after the deposit of the instrument of acceptance or accession.

#### **Article XII**

Three years after entry into force of the present Convention with respect to a Contracting Government, such Government may denounce it by notification in writing addressed to the Secretary-General, who shall notify all Contracting Governments of the content and date of receipt of any such notification. Such denunciation shall take effect one year, or such longer period as may be specified in the notification, after its receipt by the Secretary-General.

#### **Article XIII**

- (1)
- (a) The United Nations, in cases where they are the administering authority for a territory, or any Contracting Government responsible for the international relations of a territory, shall as soon as possible consult with such territory in an endeavour to extend the present Convention to that territory, and may at any time by notification in writing given to the Secretary-General declare that the Convention shall extend to such territory.
  - (b) The present Convention shall from the date of the receipt of the notification or from such other date as may be specified in the notification extend to the territory named therein.
  - (c) The provisions of article VIII of the present Convention shall apply to any territory to which the Convention is extended in accordance with the present article; for this purpose, the expression "its own formalities, documentary requirements or procedures" shall include those in force in that territory.
  - (d) The present Convention shall cease to extend to any territory one year after the receipt by the Secretary-General of a notification to this effect, or on such later date as may be specified therein.
- (2) The Secretary-General shall inform all the Contracting Governments of the extension of the present Convention to any territory under paragraph 1 of this article, stating in each case the date from which the Convention has been so extended.

#### **Article XIV**

The Secretary-General shall inform all signatory Governments, all Contracting Governments and all Members of the Organization of:

- (a) the signatures affixed to the present Convention and the dates thereof;
- (b) the deposit of instruments of acceptance and accession together with the dates of their deposit;

- (c) the date on which the Convention enters into force in accordance with article XI;
- (d) any notification received in accordance with articles XII and XIII and the date thereof;
- (e) the convening of any conference under articles VII or IX.

#### **Article XV**

The present Convention and its annex shall be deposited with the Secretary-General, who shall transmit certified copies thereof to signatory Governments and to acceding Governments. As soon as the present Convention enters into force, it shall be registered by the Secretary-General in accordance with Article 102 of the Charter of the United Nations.

#### **Article XVI**

The present Convention and its annex shall be established in the English and French languages, both texts being equally authentic. Official translations shall be prepared in the Russian and Spanish languages and shall be deposited with signed originals.

IN WITNESS whereof the undersigned, being duly authorized by their respective Governments for that purpose, have signed the present Convention.\*

DONE at London this ninth day of April one thousand nine hundred and sixty-five.

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\* Signatures omitted.



## Annex

### Section 1

#### *Definitions and general provisions*

##### **A. Definitions**

For the purpose of the provisions of this annex, the following meanings shall be attributed to the terms listed:

*Attempted stowaway.* A person who is secreted on a ship, or in cargo which is subsequently loaded on the ship, without the consent of the shipowner or the master or any other responsible person, and who is detected on board the ship before it has departed from the port.

*Cargo.* Any goods, wares, merchandise, and articles of every kind whatsoever carried on a ship, other than mail, ship's stores, ship's spare parts, ship's equipment, cargo transport units not carried under a contract of carriage with a shipper, crew's effects and passengers' accompanied baggage.

*Cargo transport unit (CTU).* A freight container, swap-body, vehicle, railway wagon or any other similar unit.

*Clearance.* Accomplishment of customs and/or other formalities necessary to:

- (a) Permit goods to enter home use, to be exported or to be placed under another customs procedure (so called customs clearance),
- (b) Permit persons to enter the territory of a State, or
- (c) Permit a ship to enter or depart a port within the territory of a State.

*Crew's effects.* Clothing, items in everyday use and other articles, which may include currency, belonging to the crew and carried on the ship.

*Crew member.* Any person actually employed for duties on board during a voyage in the working or service of a ship and included in the crew list.

*Cruise ship.* A ship on an international voyage carrying passengers participating in a group programme and accommodated aboard, for the purpose of making scheduled temporary tourist visits at one or more different ports, and which during the voyage does not normally:

- (a) embark or disembark any other passengers;
- (b) load or discharge any cargo.

*Document.* Information presenting data by electronic means or by non-electronic means.

*Estimated time of arrival (ETA).* Time when a ship estimates it will arrive at the pilot station serving a port or, when it expects to enter a specific location in the port area, where port regulations apply.

*Freight container.* An article of transport equipment that is of a permanent character and accordingly strong enough to be suitable for repeated use; specially designed to facilitate the transport of goods, by one or other modes of transport, without intermediate reloading; designed to be secured and/or readily handled, having fittings for these purposes, and approved in accordance with the *International Convention for Safe Containers (CSC), 1972*, as amended. The term "freight container" includes neither vehicle nor packaging; however a freight container that is carried on a chassis is included.

*ISPS Code.* The “International Ship and Port Facility Security (ISPS) Code” adopted on 12 December 2002 by resolution 2 of the Conference of Contracting Governments to the International Convention for the Safety of Life at Sea, 1974 (SOLAS), as may be amended by the Organization.

*Manifest.* Document recapitulating the various data from bills of lading and other transport documents issued for the carriage of goods on board ships.

*Master.* The person having command of a ship.

*Passenger in transit.* A passenger who arrives by ship from a foreign country for the purpose of continuing his/her journey by ship or some other means of transport to a foreign country.

*Passengers’ accompanied baggage.* Property, which may include currency, carried for a passenger on the same ship as the passenger, whether in his/her personal possession or not, so long as it is not carried under a contract of carriage of goods or other similar agreement.

*Port.* Any port, terminal, offshore terminal, ship and repair yard or roadstead which is normally used for the loading, unloading, repair and anchoring of ships, or any other place at which a ship can call.

*Postal items.* Correspondence and other objects tendered to be carried by a ship for carriage by postal administrations and intended for delivery to postal administrations in the ship’s ports of call.

*Public authorities.* The agencies or officials in a State responsible for the application and enforcement of the laws and regulations of that State which relate to any aspect of the Standards and Recommended Practices contained in this annex.

*Release.* Action taken by customs authorities to permit goods undergoing clearance to be placed at the disposal of the persons concerned.

*Security measures.* Measures developed and implemented in accordance with international agreements to improve security on board ships, in port areas, facilities and of goods moving in the international supply chain to detect and prevent unlawful acts.\*

*Ship agent.* The party representing the ship’s owner and/or charterer (the Principal) in port. If so instructed, the agent is responsible to the Principal for arranging, together with the port, a berth, all relevant port and husbandry services, tending to the requirements of the master and crew, clearing the ship with the port and other authorities (including preparation and submission of appropriate documentation) along with releasing or receiving cargo on behalf of the Principal.

*Shipowner.* One who owns or operates a ship, whether a person, a corporation or other legal entity, and any person other than the ship agent acting on behalf of the owner or operator.

*Ship’s documents.* Certificates and other documents which must be made available by a ship’s master in order to demonstrate the ship’s compliance with international or national regulations.

*Ship’s equipment.* Articles, other than ship’s spare parts, on board a ship for use thereon, which are removable but not of a consumable nature, including accessories such as lifeboats, life saving devices, furniture, ship’s apparel and similar items.

*Ship’s spare parts.* Articles of a repair or replacement nature for incorporation into the ship in which they are carried.

*Ship’s stores.* Goods for use in the ship, including consumable goods, goods carried for sale to passengers and crew members, fuel and lubricants, but excluding ship’s equipment and ship’s spare parts.

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\* Reference is made to the Convention for the *Suppression of Unlawful Acts against the Safety of Maritime Navigation*, 1988 (SUA Convention), the *International Ship and Port Facility Security Code* (ISPS Code) and the *International Convention for the Safety of Life at Sea, 1974* (SOLAS), chapter XI-2.

*Shipper.* The party named on the bill of lading or waybill as shipper and/or who concludes a contract of carriage (or in whose name or on whose behalf a contract of carriage has been concluded) with a carrier. The shipper is known also as the sender.

*Shore leave.* Permission for a crew member to be ashore during the ship's stay in port within such geographical or time limits, if any, as may be decided by the public authorities.

*Single Window.* A facility that allows submission of standardized information covered by the Convention to a single entry point.

*Stowaway.* A person who is secreted on a ship, or in cargo which is subsequently loaded on the ship, without the consent of the shipowner or the master or any other responsible person and who is detected on board the ship after it has departed from a port, or in the cargo while unloading it in the port of arrival, and is reported as a stowaway by the master to the appropriate authorities.

*Temporary admission.* The customs procedure under which certain goods can be brought into a customs territory conditionally relieved, totally or partially, from payment of import duties and taxes and without application of import prohibitions or restrictions of economic character; such goods must be imported for a specific purpose and must be intended for re-exportation within a specified period and without having undergone any change except normal depreciation owing to the use made of them.

*Time of arrival.* Time when a ship first comes to rest, whether at anchor or at a dock, in a port.

*Transport document.* Information evidencing a contract of carriage between a shipowner and a shipper, such as a sea waybill, a bill of lading or a multimodal transport document.

## **B. General provisions**

In conjunction with paragraph 2 of article V of the Convention, the provisions of this annex shall not preclude public authorities from taking such appropriate measures, including calling for further information, as may be necessary in cases of suspected fraud, or to deal with special problems constituting a grave danger to public order (*ordre public*), public security or public health, such as unlawful acts against the safety of maritime traffic and illicit trafficking in narcotic drugs and psychotropic substances, or to prevent the introduction or spread of disease or pests affecting animals or plants.

**1.1 Standard.** Public authorities shall in all cases require only essential information to be furnished, and shall keep the number of items to a minimum.

**1.1.1** *Not in use.*

**1.2 Recommended Practice.** Notwithstanding the fact that documents for certain purposes may be separately prescribed and required in this annex, public authorities, bearing in mind the interests of those who are required to complete the documents as well as the purposes for which they are to be used, should provide for any two or more such documents that are to be submitted by the same party to be combined into one in any case in which this is practicable and in which an appreciable degree of facilitation would result.

**1.3 Recommended Practice.** Measures and procedures imposed by Contracting Governments for the purposes of security or preventing the trafficking of narcotics should be efficient. Such measures and procedures (e.g. risk management and cross-checking of information) should be implemented in such a manner as to cause a minimum of interference with, and to prevent unnecessary delays to, ships and persons or property on board.

## **C. Systems for the electronic exchange of information**

**1.3bis Standard.** Public authorities shall take all necessary measures for the establishment of systems for the electronic exchange of information by 8 April 2019.

**1.3ter Standard.** Public authorities, when introducing systems for the electronic exchange of information to assist clearance processes, shall provide shipowners and other parties concerned with the necessary information about the systems requirements and give an adequate period of transition before the use of the systems are made mandatory. A period of no less than 12 months for transition to the mandatory use of the systems shall be provided from the date of the introduction of such systems.

**1.3quart Recommended Practice.** Public authorities should, for a transitional period, allow for the submission of required information for clearance processes in both electronic and paper form.

**1.3quin Recommended Practice.** Contracting Governments should encourage public authorities to introduce arrangements to enable the submission of all the information required by public authorities in connection with the arrival, stay and departure of ships, persons and cargo, avoiding duplication, to a "Single Window".

Consideration should also be given to such a Single Window serving as the mechanism through which the public authorities communicate decisions and other information covered by this Convention.

**1.4** *Not in use.*

**1.5** *Not in use.*

**1.6 Standard.** Public authorities, when introducing systems for the electronic exchange of information for clearance processes, shall limit the information they require from shipowners and other parties concerned to that required by the FAL Convention.

**1.6bis Standard.** When introducing systems for the electronic exchange of information required by public authorities for the arrival, stay and departure of the ship, persons and cargo to facilitate clearance processes, Contracting Governments shall encourage public authorities and other parties concerned (shipowners, handling companies, seaports, and/or cargo agents, etc.) to exchange data in conformity with the relevant UN Standards, including UN Electronic Data Interchange for Administration, Commerce and Transport (UN/EDIFACT) Standards, or other internationally agreed Standards, such as the XML Standard.

**1.6ter Recommended Practice.** When introducing new electronic message formats, public authorities should continue to allow for the usage of existing electronic message formats in agreement with the parties concerned.

**1.7 Recommended Practice.** When planning for, introducing or modifying systems for the electronic exchange of information for clearance processes, public authorities should:

- (a) afford all interested parties, from the outset, the opportunity for consultation;
- (b) evaluate existing procedures and eliminate those which are unnecessary;
- (c) determine those procedures which are to be computerized;
- (d) use United Nations (UN) Recommendations, WCO Information Packages and relevant ISO Standards to the maximum extent practicable;
- (e) adapt these systems for multimodal applications;
- (f) take appropriate steps to minimize the cost of implementing these systems to operators and other private parties; and
- (g) give attention to the desirability of obtaining compatibility with other relevant information systems.

**1.7.1 Recommended Practice.** Contracting Governments should encourage public authorities and other parties concerned to cooperate or participate directly in the development of electronic systems using internationally agreed Standards with a view to enhancing the exchange of information relating to the arrival, stay and departure of ships, persons and cargo and assuring inter-operability between the systems of public authorities and other parties concerned.

**1.8** *Not in use.*

**1.8.1** *Not in use.*

## **D. Illicit drug trafficking**

**1.9 Recommended Practice.** Public authorities should seek to establish cooperation arrangements with shipowners and other parties concerned to improve their ability to combat drug smuggling, while providing enhanced facilitation. Such arrangements could be based on the World Customs Organization Memoranda of Understanding and the associated guidelines.

**1.10 Standard.** Where, as part of cooperation arrangements, public authorities, shipowners, and other parties concerned are provided access to sensitive commercial and other information, the information shall be treated confidentially.

## **E. Control techniques**

**1.11 Standard.** Public authorities shall use risk management to enhance their border control procedures related to:

- the release/clearance of cargo;
- security requirements; and
- their ability to target smuggling,

thereby facilitating the legitimate circulation of persons and goods.

## Section 2

### *Arrival, stay and departure of the ship*

This section contains the provisions concerning the formalities required of shipowners by the public authorities on the arrival, stay and departure of the ship and shall not be read so as to preclude a requirement for the presentation, for inspection by the appropriate authorities, of certificates and other documents made available by the ship pertaining to its registry, measurement, safety, manning and other related matters.\*

#### A. General

**2.1 Standard.** Public authorities shall not require for their retention, on arrival or departure of ships to which the Convention applies, any documents other than those covered by the present section.

The documents in question are:

- General Declaration
- Cargo Declaration
- Ship's Stores Declaration
- Crew's Effects Declaration
- Crew List
- Passenger List
- Dangerous Goods Manifest
- The document required under the Universal Postal Convention for mail
- Maritime Declaration of Health
- Security-related information as required under SOLAS regulation XI-2/9.2.2
- Advance electronic cargo information for customs risk assessment purposes
- Advanced Notification Form for Waste Delivery to Port Reception Facilities, when communicated to the Organization.

**2.1.1 Standard.** Contracting Governments shall not require consular formalities, charges or fees in connection with documents for the clearance of ships, including the electronic submission of documents.

**2.1.2 Standard.** Public authorities shall develop procedures for the lodgement of pre-arrival and pre-departure information in order to facilitate the processing of such information for the expedited subsequent release/clearance of cargo and persons.

**2.1.3 Recommended Practice.** National legislation should specify the conditions for the lodgement of pre-arrival and pre-departure information. With regard to the point in time of transmission of the pre-arrival information, it should not normally be set before the moment the ship has left the country of departure. However, national legislation could, in addition to the basic rule, also specify the exceptions from this principle where required, e.g. for voyages of short duration.

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\* See FAL.2/Circ.131 – MEPC.1/Circ.873 – MSC.1/Circ.1586 – LEG.2/Circ.3.

**2.1.3bis Recommended Practice.** Public authorities should, for the submission of advance electronic cargo information for customs risk assessment purposes, take into account the time limits specified in the WCO SAFE Framework of Standards.

**2.1.4 Recommended Practice.** Public authorities should not require the lodgement of a separate General Declaration, Cargo Declaration, Crew List, Passenger List and Dangerous Goods Manifest if the data elements contained in these documents are included in the pre-arrival or pre-departure information or in the ship's manifest.

**2.1.5 Standard.** Public authorities shall reuse the pre-arrival and pre-departure information in subsequent procedures where such data is required.

## **B. Contents and purpose of documents**

**2.2 Standard.** The General Declaration shall be the basic document on arrival and departure providing data required by public authorities relating to the ship.

**2.2.1 Recommended Practice.** The same form of General Declaration should be accepted for both the arrival and the departure of the ship.

**2.2.2 Recommended Practice.** In the General Declaration, public authorities should not require more than the following data:

- name, type and IMO number of ship
- call sign
- flag State of ship
- voyage number
- particulars regarding registry
- particulars regarding tonnage
- name of master
- name and contact details of ship's agent
- brief description of the cargo
- number of crew
- number of passengers
- brief particulars of voyage
- date and time of arrival/departure
- port of arrival/departure
- the ship's requirements in terms of waste and residue reception facilities
- last port of call/next port of call.

**2.2.3 Standard.** Public authorities shall accept that the General Declaration is either dated and signed by the master, the ship's agent or some other person duly authorized by the master, or authenticated in a manner acceptable to the public authority concerned.

**2.3 Standard.** The Cargo Declaration shall be the basic document on arrival and departure providing data required by public authorities relating to the cargo. However, particulars of any dangerous cargo may also be required to be furnished separately.

**2.3.1 Recommended Practice.** In the Cargo Declaration, public authorities should not require more than the following data:

- (a) on arrival
- name and IMO number of ship
  - flag State of ship
  - name of master
  - voyage number
  - port of loading
  - port where report is made
  - freight container identification, where appropriate; marks and numbers; number and kind of packages; quantity and description of the goods or, if available, the Harmonized System (HS) code<sup>\*</sup>
  - transport document numbers for cargo to be discharged at the port in question
  - ports at which cargo remaining on board will be discharged
  - original ports of shipment in respect of goods shipped under multimodal transport documents or through bills of lading
- (b) on departure
- name and IMO number of ship
  - flag State of ship
  - name of master
  - voyage number
  - port of discharge
  - in respect of goods loaded at the port in question: freight container identification, where appropriate; marks and numbers; number and kind of packages; quantity and description of the goods or, if available, the Harmonized System (HS) code
  - transport document numbers for cargo loaded at the port in question.

**2.3.2 Standard.** In respect of cargo remaining on board, public authorities shall require only brief details of the minimum essential items of information to be furnished.

**2.3.3 Standard.** Public authorities shall accept that the Cargo Declaration is either dated and signed by the master, the shipowner issuing the transport document, the ship's agent or some other person duly authorized by the master, or authenticated in a manner acceptable to the public authority concerned.

**2.3.4 Standard.** Public authorities shall accept in place of the Cargo Declaration a copy of the ship's manifest provided it contains at least the information required in accordance with Recommended Practice 2.3.1 and Standard 2.3.2 and is signed or authenticated, and dated, in accordance with Standard 2.3.3.

**2.3.4.1 Recommended Practice.** As an alternative to Standard 2.3.4, public authorities may accept a copy of the transport document signed or authenticated in accordance with Standard 2.3.3, or certified as a true copy, if the nature and quantity of cargo make this practicable and provided that any data required and identified in accordance with Recommended Practice 2.3.1 and Standard 2.3.2 which does not appear in such documents is also furnished elsewhere and duly certified.

**2.3.5 Standard.** Public authorities shall allow unmanifested parcels in possession of the master to be omitted from the Cargo Declaration provided that particulars of these parcels are furnished separately.

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<sup>\*</sup> Convention on the Harmonized Commodity Description and Coding System: also known as the "Harmonized system" (HS). This international convention came into force on 1 January 1988; its objective is to establish a description and coding system for use by customs administrations when designating commodities or commodity groups for the purposes of setting customs tariffs and collecting statistics.

**2.4 Standard.** The Ship's Stores Declaration shall be the basic document on arrival and departure providing information required by public authorities relating to ship's stores.

**2.4.1 Standard.** Public authorities shall accept that the Ship's Stores Declaration is either dated and signed by the master or by some other ship's officer duly authorized by the master and having personal knowledge of the facts regarding the ship's stores, or authenticated in a manner acceptable to the public authority concerned.

**2.5 Standard.** The Crew's Effects Declaration shall be the basic document providing information required by public authorities relating to crew's effects. It shall not be required on departure.

**2.5.1 Standard.** Public authorities shall accept that the Crew's Effects Declaration is either dated and signed by the master or by some other ship's officer duly authorized by the master, or authenticated in a manner acceptable to the public authority concerned. For the purpose of onboard verification, the public authorities may also require each crew member to sign or verify in a manner acceptable to the public authorities the declaration relating to his/her personal effects.

**2.5.2 Recommended Practice.** Public authorities should normally require particulars of only those crew's effects which would not qualify for relief from customs duties and taxes or which are subject to prohibitions or restrictions.

**2.6 Standard.** The Crew List shall be the basic document required by public authorities containing data relating to the number and composition of the crew on the arrival and departure of a ship.

**2.6.1 Standard.** In the Crew List, public authorities shall not require more than the following data:

- name and IMO number of ship
- flag State of ship
- call sign
- voyage number
- family name
- given names
- nationality
- rank or rating
- gender
- date and place of birth
- nature and number of identity document
- issuing State of identity document
- expiry date of identity document
- port and date of arrival/departure of the ship
- last port of call.

**2.6.2 Standard.** Public authorities shall accept that the Crew List is either dated and signed by the master or by some other ship's officer duly authorized by the master, or authenticated in a manner acceptable to the public authority concerned.

**2.6.3** *Not in use.*

**2.6.4 Recommended Practice.** In cases where a ship, serving in a scheduled programme, calls again at the same port at least once within 14 days and where minor changes in the crew have taken place, public authorities should not normally require a new, full Crew List to be submitted but should accept the existing Crew List with the changes indicated.

**2.7 Standard.** The Passenger List shall be the basic document required by public authorities containing the data relating to passengers on the arrival and departure of a ship.

**2.7.1** *Not in use.*

**2.7.2 Recommended Practice.** Public authorities should not require embarkation or disembarkation cards in addition to Passenger Lists in respect of passengers whose names appear on those Lists. However, where public authorities have special problems constituting a grave danger to public health, a person on an international voyage may on arrival be required to give a destination address in writing.

**2.7.3 Standard.** In the Passenger List, public authorities shall not require more than the following data:

- name and IMO number of ship
- call sign
- flag State of ship
- voyage number
- family name
- given names
- nationality
- date of birth
- place of birth
- gender
- type of identity or travel document
- serial number of identity or travel document
- issuing State of identity or travel document
- expiry date of identity or travel document
- port of embarkation
- visa number, if appropriate
- port of disembarkation
- port and date of arrival/departure of the ship
- transit passenger or not.

**2.7.4 Recommended Practice.** A list compiled by the shipowners for their own use should be accepted in place of the Passenger List, provided it contains at least the information required in accordance with Standard 2.7.3 and is dated and signed or authenticated in accordance with Standard 2.7.5.

**2.7.5 Standard.** Public authorities shall accept that the Passenger List is either dated and signed by the master, the ship's agent or some other person duly authorized by the master, or authenticated in a manner acceptable to the public authority concerned.

**2.8 Standard.** The Dangerous Goods Manifest shall be the basic document providing public authorities with the information regarding dangerous goods.

**2.8.1 Standard.** In the Dangerous Goods Manifest public authorities shall not require more than the following information:

- name of ship
- IMO number

- call sign
- voyage number
- flag State of ship
- port of loading
- port of discharge
- stowage position
- reference number
- marks and numbers
  - freight container identification No(s).
  - vehicle registration No(s).
- UN Number
- proper shipping name/(Technical Specifications)
- class/(subsidiary risk(s))
- packing group
- additional information/marine pollutant/flash point/etc.
- number and kind of packages
- mass (kg) or volume (L)
- EmS
- shipping agent.

**2.9 Standard.** Public authorities shall not require on arrival or departure of the ship any written declaration in respect of postal items other than that prescribed in the Universal Postal Convention, provided the latter is actually produced. In the absence of such a document, the postal objects (number and weight) must be shown in the Cargo Declaration.

**2.10 Standard.** The Maritime Declaration of Health shall be the basic document containing the data required by port health authorities relating to the state of health on board a ship during the voyage and on arrival at a port.

### **C. Documents on arrival**

**2.11 Standard.** Until the expiration of the transitional period referred to in Standard 1.3ter, public authorities shall in respect of a ship's arrival in port not require more than:

- 5 copies of the General Declaration
- 4 copies of the Cargo Declaration
- 4 copies of the Ship's Stores Declaration
- 2 copies of the Crew's Effects Declaration
- 4 copies of the Crew List
- 4 copies of the Passenger List
- 1 copy of the Dangerous Goods Manifest
- 1 copy of the Maritime Declaration of Health
- 1 copy of the security-related information as required under SOLAS regulation XI 2/9.2.2

- 1 copy of the Advanced Notification Form for Waste Delivery to Port Reception Facilities when communicated to the Organization.

Upon expiration of the transitional period, paper copies shall not be required except in case of force majeure where means of electronic transmission are unavailable.

## D. Documents on departure

**2.12 Standard.** Until the expiration of the transitional period referred to in Standard 1.3ter, public authorities shall in respect of a ship's departure from port not require more than:

- 5 copies of the General Declaration
- 4 copies of the Cargo Declaration
- 3 copies of the Ship's Stores Declaration
- 2 copies of the Crew List
- 2 copies of the Passenger List
- 1 copy of the Dangerous Goods Manifest.

Upon expiration of the transitional period, paper copies shall not be required except in case of force majeure where means of electronic transmission are unavailable.

**2.12.1 Standard.** A new Cargo Declaration shall not be required on departure from a port in respect of cargo which has been the subject of a declaration on arrival in that port and which has remained on board.

**2.12.2 Recommended Practice.** A separate Ship's Stores Declaration on departure should not be required in respect of ship's stores which have been the subject of a declaration on arrival, nor in respect of stores shipped in the port and covered by another customs document presented for the purpose in that port.

**2.12.3 Standard.** Where public authorities require information about the crew of a ship on its departure from the port, one of the copies of the Crew List presented on arrival at the port shall be accepted on departure, provided it is signed again by the master or an officer duly authorized by him/her, and endorsed or authenticated in a manner acceptable to the public authority concerned, to indicate any change in the number or composition of the crew at the time of the ship's departure or to indicate that no such change has occurred during the ship's stay in the port.

**2.13** *Not in use.*

## E. Consecutive calls at two or more ports in the same State

**2.14 Standard.** Taking into account the procedures carried out on the arrival of a ship at the first port of call in the territory of a State, shipowners shall only be obligated to submit required information once to the public authorities of a State. The formalities and documents required by the public authorities at any subsequent port of call in that country visited without intermediate call at a port in another country shall be kept to a minimum.

## F. Completion of documents

**2.15 Recommended Practice.** Public authorities should as far as possible accept the documents provided for in this annex, except as regards Standard 3.7, irrespective of the language in which the required data is furnished thereon, provided that they may require a written or oral translation into one of the official languages of their country or of the Organization when they deem it necessary.

**2.16 Standard.** If public authorities require documents in paper form, they shall accept documents conveyed by any legible and understandable medium, including documents handwritten in ink or indelible pencil or produced by the use of information technology.

**2.16.1 Standard.** Public authorities shall accept a signature, when required, in handwriting, in facsimile, perforated, stamped, in symbols, or made by any other mechanical or electronic means, if such acceptance is not inconsistent with national laws. The authentication of information submitted on non-paper media shall be in a manner that is acceptable to the public authority concerned and which facilitates the electronic submission of the information by the parties concerned irrespective of their residence.

**2.17 Standard.** Public authorities of the country of any intended port of arrival, discharge, or transit shall not require any document relating to the ship, its cargo, stores, passengers or crew, as mentioned in this section, to be legalized, verified, authenticated, or previously dealt with by any of their representatives abroad. This shall not be deemed to preclude a requirement for the presentation of a passport or other identity document of a passenger or crew member for visa or similar purposes.

## **G. Errors and amendments in documentation and penalties therefor**

**2.18 Standard.** Public authorities shall, without delaying the ship, allow correction of errors in a document provided for in this annex which they are satisfied are inadvertent, not of a serious nature, not due to recurrent carelessness and not made with intent to violate laws or regulations, on the condition that these errors are discovered before the document is fully checked and the corrections can be effected without delay.

**2.19 Standard.** If errors are found in the data transmitted as provided for in appendix 1 of this annex, which have been signed by or on behalf of a shipowner or master, or otherwise authenticated, no penalties shall be imposed until an opportunity has been given to satisfy the public authorities that the errors were inadvertent, not of a serious nature, not due to recurrent carelessness and not made with intent to violate the laws or regulations of the port State.

**2.19bis Standard.** Public authorities shall allow for amendments to information already submitted in accordance with applicable laws and regulations.

## **H. Special measures of facilitation for ships calling at ports in order to put ashore sick or injured crew members, passengers, persons rescued at sea or other persons for emergency medical treatment**

**2.20 Standard.** Public authorities shall seek the cooperation of shipowners to ensure that, when ships intend to call at ports for the sole purpose of putting ashore sick or injured crew members, passengers, persons rescued at sea, or other persons for emergency medical treatment, the master shall give the public authorities as much notice as possible of that intention, with the fullest possible details of the sickness or injury and of the identity of the persons.

**2.21 Standard.** Public authorities shall, by the fastest channels available, inform the master, before the arrival of the ship, of the documentation and the procedures necessary to put the sick or injured persons ashore expeditiously and to clear the ship without delay.

**2.22 Standard.** With regard to ships calling at ports for this purpose and intending to leave again immediately, public authorities shall give priority in berthing if the state of the sick person or the sea conditions do not allow a safe disembarkation in the roads or harbour approaches.

**2.23 Standard.** With regard to ships calling at ports for this purpose and intending to leave again immediately, public authorities shall not require the documents mentioned in Standard 2.1 with the exception of the Maritime Declaration of Health, and, if it is indispensable, the General Declaration. Public authorities shall in such situations waive the time limits for the submission of the documents.

**2.24 Standard.** Where public authorities require the General Declaration, this document shall not contain more data than those mentioned in Recommended Practice 2.2.2 and, wherever possible, shall contain less.

**2.25 Standard.** Where the public authorities apply control measures related to the arrival of a ship prior to sick or injured persons being put ashore, emergency medical treatment and measures for the protection of public health shall take precedence over these control measures.

**2.26 Standard.** Where guarantees or undertakings are required in respect of costs of treatment or eventual removal or repatriation of the persons concerned, emergency medical treatment shall not be withheld or delayed while these guarantees or undertakings are being obtained.

**2.27 Standard.** Emergency medical treatment and measures for the protection of public health shall take precedence over any control measures which public authorities may apply to sick or injured persons being put ashore.

## Section 3

### *Arrival and departure of persons*

This section contains the provisions concerning the formalities required by public authorities from crew and passengers on the arrival or departure of a ship.

#### **A. Arrival and departure requirements and procedures**

**3.1 Standard.** A valid passport shall be the basic document providing public authorities with information relating to the individual passenger on arrival or departure of a ship.

**3.1.1 Recommended Practice.** Contracting Governments should as far as possible agree, by bilateral or multilateral agreements, to accept official documents of identity in lieu of passports.

**3.2 Standard.** Public authorities shall make arrangements whereby passports, or official documents of identity accepted in their place, from ship's passengers need be inspected by the immigration authorities only once at the time of arrival and once at the time of departure. In addition, these passports or official documents of identity may be required to be produced for the purpose of verification or identification in connection with customs and other formalities on arrival and departure.

**3.3 Standard.** After individual presentation of passports or official documents of identity accepted in their place, public authorities shall hand back such documents immediately after examination rather than withholding them for the purpose of obtaining additional control, unless there is some obstacle to the admission of a passenger to the territory.

**3.3.1 Standard.** Each Contracting Government shall ensure that the public authorities seize fraudulent, falsified or counterfeit travel documents of inadmissible persons. Such documents shall be removed from circulation and returned to the appropriate authorities when practicable. In place of a seized document, a covering letter\* shall be issued by the removing State and attached to it will be a photocopy of the forged travel documents, if available, as well as any important information. The covering letter and its attachment shall be handed over to the operator responsible for the removal of the inadmissible person. It will serve to give information to the authorities at the transit and/or the original point of embarkation.

**3.3.2 Standard.** Contracting Governments shall accept for examination a person being returned from his/her point of disembarkation after having been found inadmissible if this person had embarked in their territory. Contracting Governments shall not return such a person to the country where he or she was earlier found to be inadmissible.

**3.3.3 Standard.** Before passengers and crew are accepted for examination as to their admissibility into the State, responsibility for their custody and care shall remain with the shipowner.

**3.3.4 Recommended Practice.** After acceptance of passengers and crew for examination, whether conditional or unconditional and if the persons concerned are under the physical control of the public authorities, the public authorities should be responsible for their custody and care until they are admitted for entry or are found to be inadmissible.

**3.3.5 Standard.** The obligation of a shipowner to transport any person away from the territory of a State shall terminate from the moment such a person has been definitely admitted into that State.

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\* A possible format for a covering letter is given in annex 1.

**3.3.6 Standard.** Where a person is found to be inadmissible, the public authorities shall, without unreasonable delay, inform the shipowner and consult the shipowner regarding the arrangements for removal. The shipowner is responsible for the costs of stay and removal of an inadmissible person and, in the case where the person is transferred back to the custody of the shipowner, the shipowner shall be responsible for effecting his/her prompt removal to:

- the country of embarkation; or
- to any other place where the person is admissible.

**3.3.7 Standard.** Contracting Governments and shipowners shall cooperate, where practicable, to establish the validity and authenticity of passports and visas.

**3.4 Recommended Practice.** Public authorities should not require from embarking or disembarking passengers, or from shipowners on their behalf, any information in writing supplementary to or repeating that already presented in their passports or official documents of identity, other than as necessary to complete any documents provided for in this annex.

**3.5 Recommended Practice.** Public authorities which require written supplementary information, other than as necessary to complete any documents provided for in this annex, from embarking or disembarking passengers should limit requirements for further identification of passengers to the items set forth in Recommended Practice 3.6 (embarkation/disembarkation card). Public authorities should accept the embarkation/disembarkation card when completed by the passenger and should not require that it be completed or checked by the shipowner. Legible handwritten script should be accepted on the card, except where the form specifies block lettering. One copy only of the embarkation/disembarkation card, which may include one or more simultaneously prepared carbon copies, should be required from each passenger.

**3.6 Recommended Practice.** In the embarkation/disembarkation card, public authorities should not require more than the following information:

- family name
- given names
- nationality
- number and expiry date of passport or other official identity document
- date of birth
- place of birth
- occupation
- port of embarkation/disembarkation
- gender
- destination address
- signature.

**3.7 Standard.** In cases where evidence of protection against yellow fever is required from persons on board a ship, public authorities shall accept the International Certificate of Vaccination or Re-Vaccination in the forms provided for in the International Health Regulations.

**3.8 Recommended Practice.** Medical examination of persons on board or of persons disembarking from ships should normally be limited to those persons arriving from an area infected with quarantinable diseases within the incubation period of the disease concerned (as stated in the International Health Regulations). Additional medical examination may, however, be required in accordance with the International Health Regulations.

**3.9 Recommended Practice.** Public authorities should normally perform customs inspections of inbound passengers' accompanied baggage on a sampling or selective basis. Written declarations in respect of passengers' accompanied baggage should be dispensed with as far as possible.

**3.9.1 Recommended Practice.** Public authorities should, wherever possible, waive inspections of accompanied baggage of departing passengers, with due regard to the possible need to impose appropriate security measures preferably by automated means to facilitate review.

**3.9.2 Recommended Practice.** Where inspection of accompanied baggage of departing passengers cannot be waived completely, such inspection should normally be performed on a sampling or selective basis.

**3.10 Standard.** A passport or an identity document issued in accordance with relevant ILO Conventions, or else a valid and duly recognized seafarer's identity document, shall be the basic document providing public authorities with information relating to the individual member of the crew on arrival or departure of a ship.

**3.10.1 Standard.** In the seafarer's identity document, public authorities shall not require more than the following information:

- family name
- given names
- gender
- date and place of birth
- nationality
- physical characteristics
- photograph (authenticated)
- signature
- date of expiry (if any)
- issuing public authority.

**3.10.2 Standard.** When it is necessary for a seafarer to enter or leave a country as a passenger by any means of transportation for the purpose of:

- (a) joining his/her ship or transferring to another ship,
- (b) passing in transit to join his/her ship in another country, or for repatriation, or for any other purpose approved by the authorities of the country concerned,

public authorities shall accept from that seafarer in place of a passport the valid seafarer's identity document, when this document guarantees the readmission of the bearer to the country which issued the document.

**3.10.3 Recommended Practice.** Public authorities should not normally require presentation of individual identity documents or of information supplementing the seafarer's identity document in respect of members of the crew other than that given in the Crew List.

## **B. Measures to facilitate clearance of passengers, crew and baggage**

**3.11 Recommended Practice.** Public authorities should, with the cooperation of shipowners and port authorities and/or port administration, take appropriate measures to the end that satisfactory port traffic flow arrangements may be provided so that passengers, crew and baggage can be cleared rapidly, should provide adequate personnel, and should ensure that adequate installations are provided, particular attention being paid to baggage loading, unloading and conveyance arrangements (including the use of mechanized systems) and to points where passenger delays are frequently found to occur. Arrangements should be made, when necessary, for passage under shelter between the ship and the point where the passenger and crew check is to be made. Such arrangements and installations should be flexible and capable of expansion to meet increased security measures during higher security levels.

**3.11.1 Recommended Practice.** Public authorities should:

- (a) in cooperation with shipowners and port authorities, introduce suitable arrangements, such as:
  - (i) an individual and continuous method of processing passengers and baggage;
  - (ii) a system which would permit passengers readily to identify and obtain their checked baggage as soon as it is placed in an area where it may be claimed; and
  - (iii) ensuring that facilities and services are available to meet the needs of elderly and disabled passengers;
- (b) ensure that port authorities take all necessary measures so that:
  - (i) easy and speedy access for passengers and their baggage, to and from local transport, is provided; and
  - (ii) if crews are required to report to premises for governmental purposes, those premises should be readily accessible, and as close to one another as practicable.

**3.11.2 Recommended Practice.** Public authorities should consider, as a means of ensuring prompt clearance, the introduction of the dual-channel system\* for the clearance of passengers, and their baggage and private road vehicles.

**3.12 Standard.** Public authorities shall require that shipowners ensure that ship's personnel take all appropriate measures which will help expedite arrival procedures for passengers and crew. These measures may include:

- (a) furnishing public authorities concerned with an advance message giving the best estimated time of arrival, followed by information as to any change in time, and stating the itinerary of the voyage where this may affect inspection requirements;
- (b) having ship's documents ready for prompt review;
- (c) providing for ladders or other means of boarding to be rigged while the ship is *en route* to berth or anchorage; and
- (d) providing for prompt, orderly assembling and presentation of persons on board, with necessary documents, for inspection, with attention to arrangements for relieving crew members for this purpose from essential duties in engine-rooms and elsewhere.

**3.13 Recommended Practice.** The practice of entering names on passenger and crew documents should be to put the family name or names first. Where both paternal and maternal family names are used, the paternal family name should be placed first. Where for married women both the husband's and wife's paternal family names are used, the husband's paternal family name should be placed first.

**3.14 Standard.** Public authorities shall, without unreasonable delay, accept persons present on board a ship for examination as to their admissibility into the State.

**3.15 Recommended Practice.** Public authorities should not impose unreasonable or disproportionate fines upon shipowners, in the event that any control document in possession of a passenger is found by public authorities to be inadequate, or if, for that reason, the passenger is found to be inadmissible to the State.

**3.15.1 Standard.** Public authorities shall encourage shipowners to take precautions at the point of embarkation with a view to ensuring that passengers are in possession of any control documents prescribed by the receiving or transit States.

**3.15.2 Standard.** When a person is found to be inadmissible and is removed from the territory of the State, the shipowner shall not be precluded from recovering, from such a person, any costs arising from his/her inadmissibility.

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\* Reference is made to Recommended Practice 11 and appendix II of Annex F3 of the Revised Kyoto Convention.

**3.15.3 Recommended Practice.** For use at marine terminals and on board ships in order to facilitate and expedite international maritime traffic, public authorities should implement or, where the matter does not come within their jurisdiction, recommend responsible parties in their country to implement standardized international signs and symbols developed or accepted by the Organization in cooperation with other appropriate international organizations and which, to the greatest extent practicable, are common to all modes of transport.

### **C. Special facilities for marine transport of elderly and disabled passengers**

**3.16 Recommended Practice.** Measures should be taken to ensure that all necessary information on transport and safety is readily available for passengers who have impaired hearing or vision.

**3.17 Recommended Practice.** For elderly and disabled passengers being set down or picked up at a terminal building, reserved points should be located as close as possible to main entrances. These should be clearly marked with appropriate signs. Access routes should be free of obstacles.

**3.18 Recommended Practice.** Where access to public services is limited, every effort should be made to provide accessible and reasonably priced public transportation services by adapting current and planned services or by providing special arrangements for passengers who have impaired mobility.

**3.19 Recommended Practice.** Provisions of suitable facilities should be made in terminals and on ships, as appropriate, to allow safe embarkation and disembarkation for elderly and disabled passengers.

### **D. Facilitation for ships engaged on cruises and for cruise passengers**

**3.20 Standard.** Public authorities shall authorize granting of pratique by electronic means to a cruise ship when, on the basis of information received from it prior to its arrival, the health authority for the intended port of arrival is of the opinion that its arrival will not result in the introduction or spread of a quarantinable disease.

**3.21 Recommended Practice.** For cruise ships, the General Declaration, the Passenger List and the Crew List should be required only at the first port of arrival and final port of departure in a country, provided that there has been no change in the circumstances of the voyage.

**3.22 Standard.** For cruise ships, the Ship's Stores Declaration and the Crew's Effects Declaration shall be required only at the first port of arrival in a country.

**3.23 Standard.** Passports or other official documents of identity shall at all times remain in the possession of cruise passengers.

**3.24 Recommended Practice.** If a cruise ship stays at any port within the Contracting Government's territory for less than 72 hours, it should not be necessary for cruise passengers to have visas, except in special circumstances determined by the public authorities concerned.

**3.25 Standard.** Cruise passengers shall not be unduly delayed by the control measures exercised by public authorities.

**3.26 Standard.** In general, except for security purposes and for the purposes of establishing identity and admissibility, cruise passengers shall not be subject to personal examination by public authorities responsible for immigration control.

**3.27 Standard.** If a cruise ship calls consecutively at more than one port in the same country, passengers shall, in general, be examined by public authorities at the first port of arrival and at the final port of departure only.

**3.28 Recommended Practice.** To facilitate their prompt disembarkation, the inward control of passengers on a cruise ship, where practicable, should be carried out on board before arrival at the place of disembarkation.

**3.29 Recommended Practice.** Cruise passengers who disembark at one port and rejoin the same ship at another port in the same country should enjoy the same facilities as passengers who disembark and rejoin a cruise ship at the same port.

**3.30 Recommended Practice.** The Maritime Declaration of Health should be the only health control necessary for cruise passengers.

**3.31 Standard.** Duty-free ship's stores shall be allowed aboard ship for cruise passengers during the ship's stay in port.

**3.32 Standard.** Cruise passengers shall not normally be required to provide a written declaration for their personal effects. However, in the case of articles which involve a high amount of customs duties and other taxes and charges, a written declaration and a security may be required.

**3.33 Recommended Practice.** Cruise passengers should not be subject to any currency control.

**3.34 Standard.** Embarkation/disembarkation cards shall not be necessary for cruise passengers.

**3.35** *Not in use.*

## **E. Special measures of facilitation for passengers in transit**

**3.36 Standard.** A passenger in transit who remains on board the ship on which he or she arrived and departs with it shall not normally be subjected to routine control by public authorities except in extraordinary circumstances determined by the public authorities concerned.

**3.37 Recommended Practice.** A passenger in transit should be allowed to retain his/her passport or other identity document.

**3.38 Recommended Practice.** A passenger in transit who remains on board the ship on which he or she arrived and departs with it should not be required to complete a disembarkation/embarkation card.

**3.39 Recommended Practice.** A passenger in transit who is continuing his/her journey from the same port in the same ship should normally be granted temporary permission to go ashore during the ship's stay in port if he/she so wishes subject to the public authorities' admissibility and visa requirements.

**3.40 Recommended Practice.** A passenger in transit who is continuing his/her journey from the same port in the same ship should not be required to have a visa, except in special circumstances determined by the public authorities concerned.

**3.41 Recommended Practice.** A passenger in transit who is continuing his/her journey from the same port in the same ship should not normally be required to give a written Customs Declaration.

**3.42 Recommended Practice.** A passenger in transit who leaves the ship at one port and embarks in the same ship at a different port in the same country should enjoy the same facilities as a passenger who arrives and departs in the same ship at the same port.

## **F. Measures of facilitation for ships engaged in scientific services**

**3.43 Recommended Practice.** A ship engaged in scientific services carries personnel who are necessarily engaged on the ship for such scientific purposes of the voyage. If so identified, such personnel should be granted facilities at least as favourable as those granted to the crew members of that ship.

## **G. Further measures of facilitation for foreigners belonging to the crews of ships engaged in international voyages – shore leave**

**3.44 Standard.** Crew members shall be allowed ashore by the public authorities while the ship on which they arrive is in port, provided that the formalities on arrival of the ship have been fulfilled and the public authorities have no reason to refuse permission to come ashore for reasons of public health, public safety or

public order. Shore leave shall be allowed in a manner which excludes discrimination such as on the grounds of nationality, race, colour, sex, religion, political opinion, or social origin and irrespective of the flag State of the ship on which they are employed, engaged or work.

**3.44bis Standard.** In any case where permission for shore leave has been refused, the relevant public authorities shall communicate their reasons for shore leave denial to the seafarer concerned and the master. If requested by the seafarer concerned or the master, such reasons shall be provided in writing.

**3.45 Standard.** Crew members shall not be required to hold a visa for the purpose of shore leave.

**3.46 Recommended Practice.** Crew members, before going on or returning from shore leave, should not normally be subjected to personal checks.

**3.47 Standard.** Crew members shall not be required to have a special permit, e.g. a shore leave pass, for the purpose of shore leave.

**3.48 Recommended Practice.** If crew members are required to carry documents of identity with them when they are on shore leave, these documents should be limited to those mentioned in Standard 3.10.

**3.49 Recommended Practice.** Public authorities should provide a system of pre-arrival clearance to allow the crew of ships which call regularly at their ports to obtain advance approval for temporary shore leave. Where a ship has no adverse immigration record and is locally represented by a shipowner or a reputable agent of the shipowner, the public authorities should normally, after satisfactory consideration of such pre-arrival particulars as they may require, permit the ship to proceed directly to its berth and be subject to no further routine immigration formalities, unless otherwise required by the public authorities.

## Section 4

### Stowaways

#### A. General principles

**4.1 Standard.** The provisions in this section shall be applied in accordance with international protection principles as set out in international instruments, such as the UN Convention relating to the Status of Refugees of 28 July 1951 and the UN Protocol relating to the Status of Refugees of 31 January 1967, and relevant national legislation.\*

**4.2 Standard.** Public authorities, port authorities, shipowners and masters shall cooperate to the fullest extent possible in order to prevent stowaway incidents and to resolve stowaway cases expeditiously and secure that an early return or repatriation of the stowaway will take place. All appropriate measures shall be taken in order to avoid situations where stowaways must stay on board ships for an unreasonable amount of time.

#### B. Preventive measures

##### 4.3 Ship/Port preventive measures

###### 4.3.1 Port/terminal authorities

**4.3.1.1 Standard.** Contracting Governments shall ensure that the necessary infrastructure, and operational and security arrangements for the purpose of preventing persons attempting to stowaway on board ships from gaining access to port installations and to ships, are established in all their ports, taking into consideration when developing these arrangements the size of the port, and what type of cargo is shipped from the port. This should be done in close cooperation with relevant public authorities, shipowners and shoreside entities, with the aim of preventing stowaway occurrences in the individual port.

**4.3.1.2 Recommended Practice.** Operational arrangements and/or port facility security plans should at least be equivalent to those contained in the relevant text of section B/16 of the ISPS Code.

###### 4.3.2 Shipowner/Master

**4.3.2.1 Standard.** Contracting Governments shall require that shipowners and masters, as well as other responsible persons, have security arrangements in place which, as far as practicable, will prevent intending stowaways from getting aboard the ship, and, if this fails, as far as practicable, will detect them before the ship leaves port.

**4.3.2.2 Recommended Practice.** When calling at ports and during stay in ports, where there is risk of stowaway embarkation, operational arrangements and/or ship security plans should at least be equivalent to those contained in the relevant text of paragraph B/9 of the ISPS Code.

**4.3.2.3 Standard.** Contracting Governments shall require that ships entitled to fly their flag, except passenger ships, when departing from a port, where there is risk of stowaway embarkation, have undergone a thorough search in accordance with a specific plan or schedule, and with priorities given to places where stowaways might hide taking into account the specific ship type and its operations. Search methods which are likely to harm secreted stowaways shall not be used.

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\* In addition, public authorities may wish to consider the non-binding conclusion of the UNHCR Executive Committee on Stowaway Asylum-Seekers (1988, No. 53 (XXXIX)).

**4.3.2.4 Standard.** Contracting Governments shall require that fumigation or sealing of ships entitled to fly their flag may not be carried out until a search which is as thorough as practicable of the areas to be fumigated or sealed has taken place in order to ensure that no stowaways are present in those areas.

#### **4.3.3 National sanctions**

**4.3.3.1 Standard.** Where appropriate, Contracting Governments shall incorporate into their national legislation legal grounds to allow prosecution of stowaways, attempted stowaways and any individual or company aiding a stowaway or an attempted stowaway with the intention to facilitate access to the port area, any ship, cargo or freight containers.

### **C. Treatment of the stowaway while on board**

#### **4.4 General principles – humane treatment**

**4.4.1 Standard.** Stowaway incidents shall be dealt with consistent with humanitarian principles, including those mentioned in Standard 4.1. Due consideration must always be given to the operational safety of the ship and the safety and well-being of the stowaway.

**4.4.2 Standard.** Contracting Governments shall require that masters operating ships entitled to fly their flag take appropriate measures to ensure the security, general health, welfare and safety of the stowaway while he/she is on board, including providing him/her with adequate provisioning, accommodation, proper medical attention and sanitary facilities.

#### **4.5 Work on board**

**4.5.1 Standard.** Stowaways shall not be permitted to work on board the ship, except in emergency situations or in relation to the stowaway's accommodation and provisioning on board.

#### **4.6 Questioning and notification by the master**

**4.6.1 Standard.** Contracting Governments shall require masters to take practicable steps to establish the identity, including nationality/citizenship of the stowaway and the port of embarkation of the stowaway, and to notify the existence of the stowaway along with relevant details to the public authorities of the first planned port of call. This information shall also be provided to the shipowner, public authorities at the port of embarkation, the flag State and, if necessary, subsequent ports of call.

**4.6.2 Recommended Practice.** When gathering relevant details for notification, masters should use the form as specified in appendix 2.

**4.6.3 Standard.** Contracting Governments shall instruct masters operating ships entitled to fly their flag that when a stowaway declares himself/herself to be a refugee, this information shall be treated as confidential to the extent necessary for the security of the stowaway.

#### **4.7 Notification to the International Maritime Organization**

**4.7.1 Standard.** Public authorities shall report all stowaway incidents of which they become aware to the Secretary-General of the International Maritime Organization.

### **D. Deviation from the planned route**

**4.8 Standard.** Public authorities shall urge all shipowners operating ships entitled to fly their flag to instruct their masters not to deviate from the planned voyage to seek the disembarkation of stowaways discovered on board the ship after it has left the territorial waters of the country where the stowaways embarked, unless:

- permission to disembark the stowaway has been granted by the public authorities of the State to whose port the ship deviates; or
- repatriation has been arranged elsewhere with sufficient documentation and permission for disembarkation; or

- there are extenuating safety, security, health or compassionate reasons; or
- attempts to disembark in other ports on the planned voyage have failed and deviation is necessary in order to avoid that the stowaway remain on board for a significant period of time.

## **E. Disembarkation and return of a stowaway**

### **4.9 The State of the first port of call according to the voyage plan**

**4.9.1 Standard.** Public authorities in the country of the ship's first scheduled port of call after discovery of a stowaway shall decide in accordance with national legislation whether the stowaway is admissible to that State and shall do their utmost to cooperate with the parties involved in resolving the issue.

**4.9.2 Standard.** Public authorities in the country of the ship's first scheduled port of call after discovery of a stowaway shall allow disembarkation of the stowaway, when the stowaway is in possession of valid travel documents for return, and the public authorities are satisfied that timely arrangements have been or will be made for repatriation and all the requisites for transit fulfilled.

**4.9.3 Standard.** Public authorities in the country of the ship's first scheduled port of call after discovery of a stowaway shall allow disembarkation of the stowaway when the public authorities are satisfied that they or the shipowner will obtain valid travel documents, make timely arrangements for repatriation of the stowaway, and fulfil all the requisites for transit. Public authorities shall, further, favourably consider allowing disembarkation of the stowaway, when it is impracticable for the stowaway to remain on the ship or other factors exist which would preclude the stowaway remaining on the ship. Such factors may include, but are not limited to, when:

- a case is unresolved at the time of sailing of the ship; or
- the presence on board of the stowaway would endanger the safe operation of the ship, the health of the crew or the stowaway.

### **4.10 Subsequent ports of call**

**4.10.1 Standard.** When disembarkation of a stowaway has failed in the first scheduled port of call after discovery of the stowaway, public authorities of subsequent ports of call shall examine the stowaway as for disembarkation in accordance with Standards 4.9.1, 4.9.2 and 4.9.3.

### **4.11 State of Nationality or Right of Residence**

**4.11.1 Standard.** Public authorities shall in accordance with international law accept the return of stowaways with full nationality/citizenship status or accept the return of stowaways who in accordance with their national legislation have a right of residence in their State.

**4.11.2 Standard.** Public authorities shall, when possible, assist in determining the identity and nationality/citizenship of stowaways claiming to be a national or having a right of residence in their State. Where possible, the local embassy, consulate or other diplomatic representation of the country of the stowaway's nationality will be required to assist in verifying the stowaway's nationality and providing emergency travel documentation.

### **4.12 State of Embarkation**

**4.12.1 Standard.** When it has been established to their satisfaction that stowaways have embarked a ship in a port in their State, public authorities shall accept for examination such stowaways being returned from their point of disembarkation after having been found inadmissible there. The public authorities of the State of embarkation shall not return such stowaways to the country where they were earlier found to be inadmissible.

**4.12.2 Standard.** When it has been established to their satisfaction that attempted stowaways have embarked a ship in a port in their State, public authorities shall accept disembarkation of attempted stowaways, and of stowaways found on board the ship while it is still in their territorial waters or if applicable according to the national legislation of that State in the area of immigration jurisdiction of that State. No penalty or charge in respect of detention or removal costs shall be imposed on the shipowner.

**4.12.3 Standard.** When an attempted stowaway has not been disembarked at the port of embarkation, he/she is to be treated as a stowaway in accordance with the regulation of this section.

### 4.13 The flag State

**4.13.1 Standard.** The public authorities of the flag State of the ship shall assist and cooperate with the master/shipowner or the appropriate public authority at ports of call in:

- identifying the stowaway and determining his/her nationality;
- making representations to the relevant public authority to assist in the removal of the stowaway from the ship at the first available opportunity; and
- making arrangements for the removal or repatriation of the stowaway.

### 4.14 Return of stowaways

**4.14.1 Recommended Practice.** When a stowaway has inadequate documents, public authorities should, whenever practicable and to an extent compatible with national legislation and security requirements, issue a covering letter with a photograph of the stowaway and any other important information or, alternatively, a suitable travel document accepted by the public authorities involved. The covering letter, authorizing the return of the stowaway either to his/her country of origin or to the point where the stowaway commenced his/her journey, as appropriate, by any means of transportation and specifying any other conditions imposed by the authorities, should be handed over to the operator affecting the removal of the stowaway. This letter will include information required by the authorities at transit points and/or the point of disembarkation.

**4.14.2 Recommended Practice.** Public authorities in the State where the stowaway has disembarked should contact the relevant public authorities at transit points during the return of a stowaway, in order to inform them of the status of the stowaway. In addition public authorities in countries of transit during the return of any stowaway should allow, subject to normal visa requirements and national security concerns, the transit through their ports and airports of stowaways travelling under the removal instructions or directions of public authorities of the country of the port of disembarkation.

**4.14.3 Recommended Practice.** When a port State has refused disembarkation of a stowaway, that State should, without undue delay, notify the flag State of the ship carrying the stowaway of the reasons for refusing disembarkation.

### 4.15 Cost of return and maintenance of stowaways

**4.15.1 Recommended Practice.** The public authorities of the State where a stowaway has been disembarked should generally inform the shipowner on whose ship the stowaway was found, as far as practicable, of the level of cost of detention and return and any additional costs for the documentation of the stowaway, if the shipowner is to cover these costs. In addition, public authorities should cooperate with the shipowner to keep such costs to a minimum as far as practicable and according to national legislation, if they are to be covered by the shipowner.

**4.15.2 Recommended Practice.** The period during which shipowners are held liable to defray costs of maintenance of a stowaway by public authorities in the State where the stowaway has been disembarked should be kept to a minimum.

**4.15.3 Standard.** Public authorities shall, according to national legislation, consider mitigation of penalties against ships where the master of the ship has properly declared the existence of a stowaway to the appropriate authorities in the port of arrival, and has shown that all reasonable preventive measures had been taken to prevent stowaways gaining access to the ship.

**4.15.4 Recommended Practice.** Public authorities should, according to national legislation, consider mitigation of other charges that might otherwise be applicable, when shipowners have cooperated with the control authorities to the satisfaction of those authorities in measures designed to prevent the transportation of stowaways.

## Section 5

### *Arrival, stay and departure of cargo and other articles*

This section contains the provisions concerning the formalities required by public authorities from the shipowner, his/her agent or the master of the ship.

#### **A. General**

**5.1 Recommended Practice.** Public authorities should, with the cooperation of shipowners, port authorities and port facilities and terminals, take appropriate measures to ensure that port time may be kept to a minimum, should provide satisfactory port traffic flow arrangements, and should frequently review all procedures in connection with the arrival and departure of ships, including arrangements for embarkation and disembarkation, loading and unloading, servicing and the like and the security measures associated therewith. They should also make arrangements whereby cargo ships and their loads can be entered and cleared, in so far as may be practicable, at the ship working area.

**5.2 Recommended Practice.** Public authorities should, with the cooperation of shipowners, port authorities and port facilities and terminals, take appropriate measures to ensure that satisfactory port traffic flow arrangements are provided so that handling and clearance procedures for cargo will be smooth and uncomplicated. These arrangements should cover all phases from the time the ship arrives at the dock for unloading and public authority clearance, and also free zones, storage facilities, warehousing and onward movement of cargo if required. There should be convenient and direct access between the free zone, storage facilities and cargo warehouse and the public authority clearance area, which should be located close to the dock area with, whenever possible, easy access and transfer capabilities and infrastructure.

**5.3 Recommended Practice.** Public authorities should encourage owners and/or operators of marine cargo terminals to equip them with storage facilities for special cargo (e.g. valuable goods, perishable shipments, human remains, radioactive and other dangerous goods, as well as live animals), as appropriate; those areas of marine cargo terminals in which general and special cargo and postal items are stored prior to shipment by sea or importation should implement access control measures at least equivalent to those contained in the relevant text of paragraph B/16 of the ISPS Code.

**5.3bis Recommended Practice.** Public authorities should require only a minimum of data necessary for the identification of the cargo that is to be placed in storage prior to release or re-export or importation, and should, whenever available, use the information contained in the pre-arrival declaration for this purpose.

**5.4 Standard.** A Contracting Government which continues to require export, import and transshipment licences or permits for certain types of goods shall establish simple procedures whereby such licences or permits can be obtained and renewed rapidly.

**5.5 Recommended Practice.** When the nature of a consignment could attract the attention of different agencies authorized to carry out inspections, such as customs and veterinary or sanitary controllers, Contracting Governments should authorize either customs or one of the other agencies to carry out the required procedures or, where that is not feasible, take all necessary steps to ensure that such inspections are carried out simultaneously at one place and with a minimum of delay and whenever possible carried out upon prior coordination with the party having custody of the consignment.

**5.6 Recommended Practice.** Public authorities should provide simplified procedures for the prompt clearance of private gift packages and trade samples not exceeding a certain value or quantity which should be set at as high a level as possible.

## B. Clearance of cargo

**5.7 Standard.** Public authorities shall, subject to compliance with any national prohibitions or restrictions and any measures required for port security or the prevention of trafficking of narcotics, grant priority clearance to live animals, perishable goods and other consignments of an urgent nature.

**5.7.1 Recommended Practice.** In order to protect the quality of goods awaiting clearance, public authorities should, in collaboration with all the concerned parties, take all measures to permit practical, safe and reliable storage of goods at the port.

**5.8 Recommended Practice.** Contracting Governments should facilitate the temporary admission of specialized cargo-handling equipment arriving by ships and used on shore at ports of call for loading, unloading and handling cargo.

**5.9** *Not in use.*

**5.10 Recommended Practice.** Public authorities should provide procedures for the clearance of cargo based on the relevant provisions of and associated guidelines to the International Convention on the simplification and harmonization of Customs procedures – the revised Kyoto Convention.

**5.10.1 Recommended Practice.** Public authorities should introduce simplified procedures for authorized persons allowing:

- (a) release of the goods on the provision of the minimum information necessary to identify the goods, to accurately identify and assess risk as it relates to concerns such as health, safety and security, and permit the subsequent completion of the final goods declaration;
- (b) clearance of the goods at the declarants premises or another place authorized by the relevant public authority; and
- (c) submission of a single goods declaration for all imports or exports in a given period where goods are imported or exported frequently by the same person.

**5.11 Standard.** Public authorities shall limit physical interventions to the minimum necessary to ensure compliance with applicable law.

**5.12 Recommended Practice.** Public authorities should, on the basis of a valid request, conduct physical examinations of cargo, where necessary, at the point where it is loaded into its means of transport and while loading is in progress, either at the dockside or, in the case of unitized cargo, at the place where the freight container is packed and sealed.

**5.13 Standard.** Public authorities shall ensure that requirements for collection of statistics do not significantly reduce the efficiency of maritime trade.

**5.14 Recommended Practice.** Public authorities should use systems for the electronic exchange of information for the purposes of obtaining information in order to accelerate and simplify storage, clearance and re-export processes.

**5.14.1 Recommended Practice.** Public authorities should quickly terminate the transit procedure covering goods from another State awaiting loading.

## C. Freight containers and pallets

**5.15 Standard.** Public authorities shall, in conformity with their respective regulations, permit the temporary admission of freight containers, pallets and freight container equipment and accessories that are affixed to the container or are being transported separately without payment of customs duties and other taxes and charges and shall facilitate their use in maritime traffic.

**5.16 Recommended Practice.** Public authorities should provide in their regulations, referred to in Standard 5.15, for the acceptance of a simple declaration to the effect that temporarily imported freight containers, pallets and freight container equipment and accessories will be re-exported within the time limit set by the State concerned. Such declaration may take the form of an oral declaration or any other act acceptable to the authorities.

**5.17 Standard.** Public authorities shall permit freight containers, pallets and freight container equipment and accessories entering the territory of a State under the provisions of Standard 5.15 to depart the limits of the port of arrival for clearance of imported cargo and/or loading of export cargo under simplified control procedures and with a minimum of documentation.

**5.18 Standard.** Contracting Governments shall permit the temporary admission of component parts of freight containers without payment of customs duties and other taxes and charges when these parts are needed for the repair of freight containers already admitted under the terms of Standard 5.15.

#### **D. Cargo not discharged at the port of intended destination**

**5.19 Standard.** Where any cargo listed on the Cargo Declaration is not discharged at the port of intended destination, public authorities shall permit amendment of the Cargo Declaration and shall not impose penalties if satisfied that the cargo was not in fact loaded on the ship, or, if loaded, was landed at another port.

**5.20 Standard.** When, by error or for another valid reason, any cargo is discharged at a port other than the port of intended destination, public authorities shall facilitate reloading or onward movement to its intended destination. This provision does not apply to prohibited or restricted cargo.

#### **E. Limitation of shipowner's responsibilities**

**5.21 Standard.** Public authorities shall not require a shipowner to place special information for use of such authorities on a transport document or a copy thereof, unless the shipowner is, or is acting for, the importer or exporter.

**5.22 Standard.** Public authorities shall not hold the shipowner responsible for the presentation or accuracy of documents which are required of the importer or exporter in connection with the clearance of cargo, unless the shipowner is, or is acting for, the importer or exporter.

**5.23 Standard.** The shipowner shall be obliged to provide the information regarding the entry or exit of goods known to the shipowner at the time of lodging such data and as set out in the transport document that evidences the bill of lading. Thus, the shipowner can base the lodgement on data provided by the shipper customer, unless the shipowner has reason to believe that the data provided is untrue.

**5.24 Recommended Practice.** Public authorities should implement regulations pursuant to which the person who initiates and contractually agrees with a party (e.g. a consolidator, a freight forwarder or a shipowner) for the carriage of a maritime cargo shipment to the territory of another State must provide complete and accurate cargo shipment information to that party.

## Section 6

### *Public health and quarantine, including sanitary measures for animals and plants*

**6.1 Standard.** Public authorities of a State not Party to the International Health Regulations shall endeavour to apply the relevant provisions for these Regulations to international shipping.

**6.2 Recommended Practice.** Contracting Governments having certain interests in common owing to their health, geographical, social or economic conditions should conclude special arrangements pursuant to article 85 of the International Health Regulations when such arrangements will facilitate the application of those Regulations.

**6.3 Recommended Practice.** Where Sanitary Certificates or similar documents are required in respect of shipments of certain animals, plants or products thereof, such certificates and documents should be simple and widely publicized and Contracting Governments should cooperate with a view to standardizing such requirements.

**6.4 Recommended Practice.** Public authorities should authorize granting of pratique by electronic means to a ship when, on the basis of information received from it prior to its arrival, the health authority for the intended port of arrival is of the opinion that its arrival will not result in the introduction or spread of a quarantinable disease. Health authorities should as far as practicable be allowed to join a ship prior to entry of the ship into port.

**6.4.1 Standard.** Public authorities shall seek the cooperation of shipowners to ensure compliance with any requirement that illness on a ship is to be reported promptly by electronic means to health authorities for the port for which the ship is destined, in order to facilitate provision for the presence of any special medical personnel and equipment necessary for health procedures on arrival.

**6.5 Standard.** Public authorities shall make arrangements to enable all travel agencies and others concerned to make available to passengers, sufficiently in advance of departure, lists of the vaccinations required by the public authorities of the countries concerned, as well as vaccination certificate forms conforming to the International Health Regulations. Public authorities shall take all possible measures to have vaccinators use the International Certificates of Vaccination or Re Vaccination in order to assure uniform acceptance.

**6.6 Recommended Practice.** Public authorities should provide facilities for the completion of International Certificates of Vaccination or Re-Vaccination as well as facilities for vaccination at as many ports as feasible.

**6.7 Standard.** Public authorities shall ensure that sanitary measures and health formalities are initiated forthwith, completed without delay, and applied without discrimination.

**6.8 Recommended Practice.** To ensure, inter alia, efficient maritime traffic, public authorities should maintain at as many ports as feasible adequate facilities for the administration of public health, animal and agricultural quarantine measures.

**6.9 Standard.** There shall be maintained readily available at as many ports in a State as feasible such medical facilities as may be reasonable and practicable for the emergency treatment of crews and passengers.

**6.10 Standard.** Except in the case of an emergency constituting a grave danger to public health, a ship which is not infected or suspected of being infected with a quarantinable disease shall not, on account of any other epidemic disease, be prevented by the health authorities for a port from discharging or loading cargo or stores or taking on fuel or water.

**6.11 Recommended Practice.** Shipments of animals, animal raw materials, crude animal products, animal foodstuffs and quarantinable plant products should be permitted in specified circumstances and when the certification requirements have been met at the time of discharge.

## Section 7

### *Miscellaneous provisions*

#### **A. Bonds and other forms of security**

**7.1 Recommended Practice.** Where public authorities require bonds or other forms of security from shipowners to cover liabilities under the customs, immigration, public health, agricultural quarantine or similar laws and regulations of a State, they should permit the use of a single comprehensive bond or other form of security wherever possible.

#### **B. Services at ports**

**7.2 Recommended Practice.** The normal services of public authorities at a port should be provided without charge during normal working hours. Public authorities should establish normal working hours for their services at ports consistent with the usual periods of substantial workload.

**7.3 Standard.** Contracting Governments shall adopt all practicable measures to organize the normal services of public authorities at ports in order to avoid unnecessary delay of ships after their arrival or when ready to depart and reduce the time for completion of formalities to a minimum, provided that sufficient notice of estimated time of arrival or departure shall be given to the public authorities.

**7.4 Standard.** No charge shall be made by a health authority for any medical examination, or any supplementary examination, whether bacteriological or otherwise, carried out at any time of the day or night, if such examination is required to ascertain the health of the person examined, nor for visit to and inspection of a ship for quarantine purposes except inspection of a ship for the issue of a Ship Sanitation Control Certificate or Ship Sanitation Control Exemption Certificate, nor shall a charge be made for any vaccination of a person arriving by ship nor for a certificate thereof. However, where measures other than these are necessary in respect of a ship or its passengers or crew and charges are made for them by a health authority, such charges shall be made in accordance with a single tariff which shall be uniform to the territory concerned and they shall be levied without distinction as to the nationality, domicile or residence of any person concerned or as to the nationality, flag, registry or ownership of the ship.

**7.5 Recommended Practice.** When the services of public authorities are provided outside the regular working hours referred to in Recommended Practice 7.2, they should be provided on terms which shall be moderate and not exceed the actual cost of the services rendered.

**7.6 Standard.** Where the volume of traffic at a port warrants, public authorities shall ensure that services are provided for the accomplishment of the formalities in respect of cargo and baggage, regardless of value or type.

**7.7 Recommended Practice.** Contracting Governments should endeavour to make arrangements whereby one Government will permit another Government certain facilities before or during the voyage to examine ships, passengers, crew, baggage, cargo and documentation for customs, immigration, public health, plant and animal quarantine purposes when such action will facilitate clearance upon arrival in the latter State.

#### **C. Emergency assistance**

**7.8 Standard.** Public authorities shall facilitate the arrival and departure of ships engaged in:

- disaster relief work;
- the rescue of persons in distress at sea in order to provide a place of safety for such persons;

- the combating or prevention of marine pollution; or
- other emergency operations designated to enhance maritime safety, the safety of life at sea, the safety of the population or the protection of the marine environment.

**7.9 Standard.** Public authorities shall, to the greatest extent possible, facilitate the entry and clearance of persons, cargo, material and equipment required to deal with situations described in Standard 7.8.

**7.10 Standard.** Public authorities shall grant prompt customs clearance of specialized equipment needed to implement security measures.

#### **D. National facilitation committees**

**7.11 Recommended Practice.** Each Contracting Government should consider establishing, in close cooperation with the maritime industry, a national maritime transport facilitation programme based on the facilitation requirements of this annex and ensure that the objective of its facilitation programme should be to adopt all practical measures to facilitate the movement of ships, cargo, crews, passengers, mail and stores, by removing unnecessary obstacles and delays.

**7.12 Recommended Practice.** Each Contracting Government should establish a national maritime transport facilitation committee or a similar national coordinating body, for the encouragement of the adoption and implementation of facilitation measures, between governmental departments, agencies and other organizations concerned with, or responsible for, various aspects of international maritime traffic, as well as port authorities, port facilities and terminals and shipowners.

## Appendix 1

### GENERAL DECLARATION (IMO FAL Form 1)

		Arrival	Departure
1.1 Name and type of ship		1.2 IMO number	
1.3 Call sign		1.4 Voyage number	
2. Port of arrival/departure		3. Date and time of arrival/departure	
4. Flag State of ship	5. Name of master	6. Last port of call/Next port of call	
7. Certificate of registry (Port; date; number)		8. Name and contact details of ship's agent	
9. Gross tonnage	10. Net tonnage		
11. Brief particulars of voyage (previous and subsequent ports of call; underline where remaining cargo will be discharged)			
12. Brief description of the cargo			
13. Number of crew	14. Number of passengers	15. Remarks	
Attached documents (indicate number of copies)			
16. Cargo Declaration	17. Ship's Stores Declaration		
18. Crew List	19. Passenger List	20. The ship's requirements in terms of waste and residue reception facilities	
21. Crew's Effects Declaration (only on arrival)	22. Maritime Declaration of Health (only on arrival)		
24. Date and signature by master, authorized agent or officer			

For official use















## Appendix 2

### Form of stowaway details referred to in Recommended Practice 4.6.2

<p style="text-align: center;"><b>SHIP DETAILS</b></p> <p>Name of ship:</p> <p>IMO number:</p> <p>Flag:</p> <p>Company:</p> <p>Company address:</p> <p>Agent in next port:</p> <p>Agent address:</p> <p>IRCS:</p> <p>Inmarsat number:</p> <p>Port of registry:</p> <p>Name of the Master:</p> <p style="text-align: center;"><b>STOWAWAY DETAILS</b></p> <p>Date/time found on board:</p> <p>Place of boarding:*</p> <p>* Include port, port facility number, berth and terminal information.</p> <p>Country of boarding:</p> <p>Date/time of boarding:</p> <p>Intended final destination:</p> <p>Stated reasons for boarding the ship:†</p>	<p>Surname:</p> <p>Given name:</p> <p>Name by which known:</p> <p>Gender:</p> <p>Date of birth:</p> <p>Place of birth:</p> <p>Claimed nationality:</p> <p>Home address:</p> <p>Country of domicile:</p> <p>ID-document type, e.g., Passport No.:</p> <p>ID Card No. or Seaman's Book No.:</p> <p>If yes,</p> <p>When issued:</p> <p>Where issued:</p> <p>Date of expiry:</p> <p>Issued by:</p> <p>Photograph of the stowaway:</p> <div style="border: 1px solid black; width: 100px; height: 80px; margin: 10px auto; text-align: center; vertical-align: middle;"> <p>Photograph if available</p> </div>
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† If the stowaway declares himself to be a refugee or an asylum seeker, this information shall be treated as confidential to the extent necessary to the security of the stowaway.

General physical description of the stowaway:	
First language:	Other languages:
Spoken:	Spoken:
Read:	Read:
Written:	Written:

**Other details:**

- 1) Method of boarding, including other persons involved (e.g., crew, port workers, etc.), and whether the stowaway was secreted in cargo/container or hidden in the ship:
  
- 2) Inventory of the stowaway's possessions:
  
- 3) Statement made by the stowaway:
  
- 4) Statement made by the master (including any observations on the credibility of the information provided by the stowaway):

Date(s) of interview(s):

Stowaway's signature:

Master's signature:

Date:

Date:

This additional information has been amended according with IMO  
Corrigenda June 2018 and November 2018

# Additional information on facilitation requirements



## Annex 1

### Arrival and departure of persons

#### A possible format for a covering letter referred to in Standard 3.3.1

*From:* Immigration or appropriate authority: [Name]  
Port/Airport: [Name]  
State: [Name]  
Telephone:  
Telex:  
Facsimile:

*To:* Immigration or appropriate authority: [Name]  
Port/Airport: [Name]  
State: [Name]

Enclosed is a photocopy of a fraudulent/falsified/counterfeit passport/ identity card.

Document number:

State in whose name this document was issued:

The above-mentioned document was used by a person claiming to be:

Surname:

Given name(s):

Date of birth:

Place of birth:

Nationality:

Residence:

This person arrived on [date] at the port of [name] on a ship which departed from [city and State] on [date] [voyage number].

The holder was refused entry to [name of State] and the shipowner responsible has been instructed to remove the passenger from the territory of this State on voyage number/flight [voyage number/flight number] departing at [time and date] from [name of port/airport].

The above-mentioned document will be required as evidence in the holder's prosecution and has been impounded. As this document is the property of the State in whose name it was issued, it will be returned, following prosecution, to the appropriate authorities of [name of State].

According to the Convention on Facilitation of International Maritime Traffic, 1965, as amended, the last State in which a person previously stayed and most recently travelled from is invited to accept him/her for re-examination when he/she has been refused admission to another State.

Additional information on facilitation requirements

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Date:

Name and signature of official:

Title:

Name of immigration or appropriate authority:

*(Warning: This is NOT an identification document)*

## **Annex 2**

### **IMDG Code, amendment 38-16, chapter 5.4 on Documentation**

#### **Chapter 5.4**

##### *Documentation*

- Note 1** The provisions of this Code do not preclude the use of electronic data processing (EDP) and electronic data interchange (EDI) transmission techniques as an alternative to paper documentation. All references to “dangerous goods transport document” in this chapter also include provision of the required information by use of EDP and EDI transmission techniques.
- Note 2** When dangerous goods are offered for transport, similar documents to those required for other categories of goods have to be prepared. The form of these documents, the particulars to be entered on them and the obligations they entail may be fixed by international conventions applying to certain modes of transport and by national legislation.
- Note 3** One of the primary requirements of a transport document for dangerous goods is to convey the fundamental information relative to the hazards of the goods. It is, therefore, necessary to include certain basic information on the document for a consignment of dangerous goods unless otherwise exempted or required in this Code.
- Note 4** In addition to the provisions of this chapter, other elements of information may be required by the competent authority.
- Note 5** In addition to the provisions of this chapter other additional information may be included. However, this information shall not:
- .1 divert attention from the safety information required by this chapter or by the competent authority;
  - .2 contradict the safety information required by this chapter or by the competent authority; or
  - .3 duplicate information already provided.

#### **5.4.1 Dangerous goods transport information**

##### **5.4.1.1 General**

**5.4.1.1.1** Except as otherwise provided, the consignor who offers dangerous goods for transport shall give to the carrier the information applicable to those dangerous goods, including any additional information and documentation as specified in this Code. This information may be provided on a dangerous goods transport document or, with the agreement of the carrier, by EDP or EDI techniques.

**5.4.1.1.2** When the dangerous goods transport information is given to the carrier by EDP or EDI techniques, the consignor shall be able to produce the information without delay as a paper document, with the information in the sequence required by this chapter.

##### **5.4.1.2 Form of the transport document**

**5.4.1.2.1** A dangerous goods transport document may be in any form, provided it contains all of the information required by the provisions of this Code.

**5.4.1.2.2** If both dangerous and non-dangerous goods are listed in one document, the dangerous goods shall be listed first, or otherwise be emphasized.

**5.4.1.2.3** *Continuation page*

A dangerous goods transport document may consist of more than one page, provided pages are consecutively numbered.

**5.4.1.2.4** The information on a dangerous goods transport document shall be easy to identify, legible and durable.

**5.4.1.2.5** *Example of a dangerous goods transport document*

The form shown in figure 5.4.5 is an example of a dangerous goods transport document.\*

**5.4.1.3** **Consignor, consignee and date**

The name and address of the consignor and the consignee of the dangerous goods shall be included on the dangerous goods transport document. The date the dangerous goods transport document or an electronic copy of it was prepared or given to the initial carrier shall be included.

**5.4.1.4** **Information required on the dangerous goods transport document**

**5.4.1.4.1** *Dangerous goods description*

The dangerous goods transport document shall contain the following information for each dangerous substance, material or article offered for transport:

- .1 the UN number preceded by the letters "UN";
- .2 the proper shipping name, as determined according to 3.1.2, including the technical name enclosed in parenthesis, as applicable (see 3.1.2.8);
- .3 the primary hazard class or, when assigned, the division of the goods, including, for class 1, the compatibility group letter. The words "Class" or "Division" may be included preceding the primary hazard class or division numbers;
- .4 subsidiary hazard class or division number(s) corresponding to the subsidiary risk label(s) required to be applied, when assigned, shall be entered following the primary hazard class or division and shall be enclosed in parenthesis. The words "Class" or "Division" may be included preceding the subsidiary hazard class or division numbers;
- .5 where assigned, the packing group for the substance or article, which may be preceded by "PG" (e.g. "PG II").

**5.4.1.4.2** *Sequence of the dangerous goods description*

The five elements of the dangerous goods description specified in 5.4.1.4.1 shall be shown in the order listed above (i.e. .1, .2, .3, .4, and .5) with no information interspersed, except as provided in this Code. Unless permitted or required by this Code, additional information shall be placed after the dangerous goods description.

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\* For standardized formats, see also the relevant recommendations of the UNECE United Nations Centre for Trade Facilitation and Electronic Business (UN/CEFACT), in particular Recommendation No. 1 (United Nations Layout Key for Trade Documents) (ECE/TRADE/137, edition 81.3), UN Layout Key for Trade Documents – Guidelines for Applications (ECE/TRADE/270, edition 2002), Revised Recommendation No. 11 (Documentary Aspects of the International Transport of Dangerous Goods) (ECE/TRADE/C/CEFACT/2008/8) and Recommendation No. 22 (Layout Key for Standard Consignment Instructions) (ECE/TRADE/168, edition 1989). Refer also to the UN/CEFACT Summary of Trade Facilitation Recommendations (ECE/TRADE/346, edition 2006) and the United Nations Trade Data Elements Directory (UNTDDED) (ECE/TRADE/362, edition 2005).

**5.4.1.4.3 Information which supplements the proper shipping name in the dangerous goods description**

The proper shipping name (see 3.1.2) in the dangerous goods description shall be supplemented as follows:

- .1 *Technical names for “n.o.s.” and other generic descriptions:* proper shipping names that are assigned special provision 274 or 318 in column 6 of the Dangerous Goods List shall be supplemented with their technical or chemical group names as described in 3.1.2.8.
- .2 *Empty uncleaned packagings, bulk containers and tanks:* Empty means of containment (including packagings, IBCs, bulk containers, portable tanks, road tank vehicles and railway tank wagons) which contain the residue of dangerous goods of classes other than class 7 shall be described as such by, for example, placing the words “EMPTY UNCLEANED” or “RESIDUE LAST CONTAINED” before or after the dangerous goods description specified in 5.4.1.4.1.1 to .5.
- .3 *Wastes:* For waste dangerous goods (other than radioactive wastes) which are being transported for disposal, or for processing for disposal, the proper shipping name shall be preceded by the word “WASTE”, unless this is already a part of the proper shipping name.
- .4 *Elevated temperature substances:* If the proper shipping name of a substance which is transported or offered for transport in a liquid state at a temperature equal to or exceeding 100°C, or in a solid state at a temperature equal to or exceeding 240°C, does not convey the elevated temperature condition (for example, by using the term “MOLTEN” or “ELEVATED TEMPERATURE” as part of the proper shipping name), the word “HOT” shall immediately precede the proper shipping name.
- .5 *Marine pollutants:* Except as provided in 2.10.2.7, if the goods to be transported are marine pollutants, the goods shall be identified as “MARINE POLLUTANT”, and for generic or “not otherwise specified” (N.O.S.) entries the proper shipping name shall be supplemented with the recognized chemical name of the marine pollutant (see 3.1.2.9). The term “MARINE POLLUTANT” may be supplemented with the term “ENVIRONMENTALLY HAZARDOUS”.
- .6 *Flashpoint:* If the dangerous goods to be transported have a flashpoint of 60°C or below (in °C closed-cup (c.c.)), the minimum flashpoint shall be indicated. Because of the presence of impurities, the flashpoint may be lower or higher than the reference temperature indicated in the Dangerous Goods List for the substance. For class 5.2 organic peroxides which are also flammable, the flashpoint need not be declared.

**5.4.1.4.4 Examples of dangerous goods descriptions:**

UN 1098, ALLYL ALCOHOL 6.1 (3) I (21°C c.c.)

UN 1098, ALLYL ALCOHOL, class 6.1, (class 3), PG I, (21°C c.c.)

UN 1092, Acrolein, stabilized, class 6.1 (3), PG I, (–24°C c.c.), MARINE POLLUTANT/  
ENVIRONMENTALLY HAZARDOUS

UN 2761, Organochlorine pesticide, solid, toxic, (Aldrin 19%), class 6.1, PG III, MARINE  
POLLUTANT

**5.4.1.5 Information required in addition to the dangerous goods description**

In addition to the dangerous goods description, the following information shall be included after the dangerous goods description on the dangerous goods transport document.

**5.4.1.5.1 Total quantity of dangerous goods**

Except for empty uncleaned packagings, the total quantity of dangerous goods covered by the description (by volume or mass as appropriate) of each item of dangerous goods bearing a



**5.4.1.5.7 Radioactive material**

**5.4.1.5.7.1** The following information shall be included for each consignment of class 7 material, as applicable, in the order given:

- .1 the name or symbol of each radionuclide or, for mixtures of radionuclides, an appropriate general description or a list of the most restrictive nuclides;
- .2 a description of the physical and chemical form of the material, or a notation that the material is special form radioactive material or low dispersible radioactive material. A generic chemical description is acceptable for chemical form;
- .3 the maximum activity of the radioactive contents during transport expressed in units of becquerels (Bq) with an appropriate SI prefix symbol (see 1.2.2.1). For fissile material, the mass of fissile material (or mass of each fissile nuclide for mixtures when appropriate) in units of grams (g), or appropriate multiples thereof, may be used in place of activity;
- .4 the category of the package, i.e. I – WHITE, II – YELLOW, III – YELLOW;
- .5 the transport index (categories II – YELLOW and III – YELLOW only);
- .6 for fissile material:
  - .1 shipped under one exception of 2.7.2.3.5.1 to 2.7.2.3.5.6, reference to that paragraph;
  - .2 shipped under 2.7.2.3.5.1 to 2.7.2.3.5.5, the total mass of fissile nuclides;
  - .3 contained in a package for which one of 6.4.11.2 (a) to (c) or 6.4.11.3 is applied, reference to that paragraph;
  - .4 the criticality safety index, where applicable.
- .7 the identification mark for each competent authority certificate of approval (special form radioactive material, low dispersible radioactive material, fissile material excepted under 2.7.2.3.5.6, special arrangement, package design, or shipment) applicable to the consignment;
- .8 for consignments of more than one package, the information contained in 5.4.1.4.1.1 to .3 and 5.4.1.5.7.1.1 to .7 shall be given for each package. For packages in an overpack, freight container, or conveyance, a detailed statement of the contents of each package within the overpack, freight container, or conveyance and, where appropriate, of each overpack, freight container, or conveyance shall be included. If packages are to be removed from the overpack, freight container, or conveyance at a point of intermediate unloading, appropriate transport documents shall be made available;
- .9 where a consignment is required to be shipped under exclusive use, the statement “EXCLUSIVE USE SHIPMENT”; and
- .10 for LSA-II, LSA-III, SCO-I and SCO-II, the total activity of the consignment as a multiple of  $A_2$ . For radioactive material for which the  $A_2$  value is unlimited, the multiple of  $A_2$  shall be zero.

**5.4.1.5.7.2** The transport document shall include a statement regarding actions, if any, that are required to be taken by the carrier. The statement shall be in the languages deemed necessary by the carrier or the authorities concerned, and shall include at least the following points:

- .1 supplementary requirements for loading, stowage, transport, handling and unloading of the package, overpack or freight container, including any special stowage provisions for the safe dissipation of heat (see 7.1.4.5.2), or a statement that no such requirements are necessary;
- .2 restrictions on the mode of transport or conveyance and any necessary routing instructions;
- .3 emergency arrangements appropriate to the consignment.

**5.4.1.5.7.3** In all cases of international transport of packages requiring competent authority approval of design or shipment, for which different approval types apply in the different countries concerned by the shipment, the UN number and proper shipping name required in 5.4.1.4.1 shall be in accordance with the certificate of the country of origin of design.

**5.4.1.5.7.4** The applicable competent authority certificates need not necessarily accompany the consignment. The consignor shall make them available to the carrier(s) before loading and unloading.

**5.4.1.5.8** *Aerosols*

If the capacity of an aerosol is above 1000 mL, this shall be declared in the transport document.

**5.4.1.5.9** *Explosives*

The following information shall be included for each consignment of class 1 goods, as applicable:

- .1** Entries have been included for "SUBSTANCES, EXPLOSIVE, N.O.S.", "ARTICLES, EXPLOSIVE, N.O.S.", and "COMPONENTS, EXPLOSIVE TRAIN, N.O.S.". When a specific entry does not exist, the competent authority of the country of origin shall use the entry appropriate to the hazard division and compatibility group. The transport document shall contain the statement: "Transport under this entry approved by the competent authority of ..." followed by the State's distinguishing sign for motor vehicles in international traffic of the country of the competent authority.
- .2** The transport of explosive substances for which a minimum water or phlegmatizer content is specified in the individual entry is prohibited when containing less water or phlegmatizer than the specified minimum. Such substances shall only be transported with special authorization granted by the competent authority of the country of origin. The transport document shall contain the statement "Transport under this entry approved by the competent authority of ..." followed by the State's distinguishing sign for motor vehicles in international traffic of the country of the competent authority.
- .3** When explosive substances or articles are packaged "as approved by the competent authority", the transport document shall contain the statement "Packaging approved by the competent authority of ..." followed by the State's distinguishing sign for motor vehicles in international traffic of the country of the competent authority.
- .4** There are some hazards which are not indicated by the hazard division and compatibility group of a substance. The shipper shall provide an indication of any such hazards on the dangerous goods documentation.

**5.4.1.5.10** *Viscous substances*

When viscous substances are transported in accordance with 2.3.2.5, the following statement shall be included in the transport document: "Transport in accordance with 2.3.2.5 of the IMDG Code."

**5.4.1.5.11** *Special provisions for segregation*

**5.4.1.5.11.1** For substances, mixtures, solutions or preparations classified under N.O.S. entries not included in the segregation groups listed in 3.1.4.4 but belonging, in the opinion of the consignor, to one of these groups (see 3.1.4.2), the appropriate segregation group name preceded by the phrase "IMDG Code segregation group" shall be included in the transport document after the dangerous goods description. For example:

"UN 1760 CORROSIVE LIQUID, N.O.S. (Phosphoric acid, acetic acid) 8 III IMDG Code segregation group 1 – Acids".

**5.4.1.5.11.2** When substances are loaded together in a cargo transport unit in accordance with 7.2.6.3, the following statement shall be included in the transport document: “Transport in accordance with 7.2.6.3 of the IMDG Code”.

**5.4.1.5.11.3** When acid and alkali substances of class 8 are transported in the same cargo transport unit, whether in the same packaging or not, in accordance with 7.2.6.4, the following statement shall be included in the transport document: “Transport in accordance with 7.2.6.4 of the IMDG Code”.

**5.4.1.5.12** *Transport of solid dangerous goods in bulk containers*

For bulk containers other than freight containers, the following statement shall be included on the transport document (see 6.9.4.6):

“Bulk container BK(x) approved by the competent authority of ...”

**Note:** “(x)” shall be replaced with “1” or “2”, as appropriate.

**5.4.1.5.13** *Transport of IBCs or portable tanks after the date of expiry of the last periodic test or inspection*

For transport in accordance with 4.1.2.2.2.2, 6.7.2.19.6.2, 6.7.3.15.6.2 or 6.7.4.14.6.2, a statement to this effect shall be included in the transport document, as follows: “Transport in accordance with 4.1.2.2.2.2”, “Transport in accordance with 6.7.2.19.6.2”, “Transport in accordance with 6.7.3.15.6.2” or “Transport in accordance with 6.7.4.14.6.2” as appropriate.

**5.4.1.5.14** *Dangerous goods in excepted quantities*

**5.4.1.5.14.1** When dangerous goods are transported according to the exceptions for dangerous goods packed in excepted quantities provided for in column 7b of the Dangerous Goods List and chapter 3.5, the words “dangerous goods in excepted quantities” shall be included.

**5.4.1.5.15** *Firework classification reference*

When fireworks of UN Nos. 0333, 0334, 0335, 0336 and 0337 are transported, the dangerous goods transport document shall include a classification reference(s) issued by the competent authority.

The classification reference(s) shall consist of the competent authority’s State, indicated by the distinguishing sign for motor vehicles in international traffic, the competent authority identification and a unique serial reference. Examples of such classification references are:

- GB/HSE123456
- D/BAM1234
- USA EX20091234.

**5.4.1.5.16** *Classification where new data is available (see 2.0.0.2)*

For transport in accordance with 2.0.0.2, a statement to this effect shall be included in the transport document, as follows “Classified in accordance with 2.0.0.2”.

**5.4.1.5.17** *Transport of UN Nos. 3528, 3529 and 3530*

For transport of UN Nos. 3528, 3529 and 3530, the transport document shall contain the following additional statement “Transport in accordance with special provision 363”.

**5.4.1.6** **Certification**

**5.4.1.6.1** The dangerous goods transport document shall include a certification or declaration that the consignment is acceptable for transport and that the goods are properly packaged, marked and

labelled, and in proper condition for transport in accordance with the applicable regulations. The text for this certification is:

“I hereby declare that the contents of this consignment are fully and accurately described above/below\* by the proper shipping name, and are classified, packaged, marked and labelled/placarded, and are in all respects in proper condition for transport according to applicable international and national government regulations.”

The certification shall be signed and dated by the consignor. Facsimile signatures are acceptable where applicable laws and regulations recognize the legal validity of facsimile signatures.

**5.4.1.6.2** If the dangerous goods documentation is presented to the carrier by means of EDP or EDI transmission techniques, the signature(s) may be electronic signature(s) or may be replaced by the name(s) (in capitals) of the person authorized to sign.

**5.4.1.6.3** When the dangerous goods transport information is given to a carrier by EDP or EDI techniques and subsequently the dangerous goods are transferred to a carrier that requires a paper dangerous goods transport document, the carrier shall ensure that the paper document indicates “Original received electronically” and the name of the signatory shall be shown in capital letters.

## **5.4.2 Container/vehicle packing certificate**

**5.4.2.1** When dangerous goods are packed or loaded into any container<sup>†</sup> or vehicle, those responsible for packing the container or vehicle shall provide a “container/vehicle packing certificate” specifying the container/vehicle identification number(s) and certifying that the operation has been carried out in accordance with the following conditions:

- .1** The container/vehicle was clean, dry and apparently fit to receive the goods;
- .2** Packages which need to be segregated in accordance with applicable segregation requirements have not been packed together onto or in the container/vehicle (unless approved by the competent authority concerned in accordance with 7.3.4.1);
- .3** All packages have been externally inspected for damage, and only sound packages have been loaded;
- .4** Drums have been stowed in an upright position, unless otherwise authorized by the competent authority, and all goods have been properly loaded and, where necessary, adequately braced with securing material to suit the mode(s)<sup>‡</sup> of transport for the intended journey;
- .5** Goods loaded in bulk have been evenly distributed within the container/vehicle;
- .6** For consignments including goods of class 1 other than division 1.4, the container/vehicle is structurally serviceable in accordance with 7.1.2;
- .7** The container/vehicle and packages are properly marked, labelled and placarded, as appropriate;
- .8** When substances presenting a risk of asphyxiation are used for cooling or conditioning purposes (such as dry ice (UN 1845) or nitrogen, refrigerated liquid (UN 1977) or argon, refrigerated liquid (UN 1951)), the container/vehicle is externally marked in accordance with 5.5.3.6; and
- .9** A dangerous goods transport document, as indicated in 5.4.1, has been received for each dangerous goods consignment loaded in the container/vehicle.

**Note:** The container/vehicle packing certificate is not required for portable tanks.

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\* As appropriate.

† See definition of “freight container” in 1.2.1.

‡ See *IMO/ILO/UNECE Code of Practice for Packing of Cargo Transport Units (CTU Code)*.

- 5.4.2.2** The information required in the dangerous goods transport document and the container/vehicle packing certificate may be incorporated into a single document; if not, these documents shall be attached one to the other. If the information is incorporated into a single document, the document shall include a signed declaration such as “It is declared that the packing of the goods into the container/vehicle has been carried out in accordance with the applicable provisions”. This declaration shall be dated and the person signing this declaration shall be identified on the document. Facsimile signatures are acceptable where applicable laws and regulations recognize the legal validity of facsimile signatures.
- 5.4.2.3** If the container/vehicle packing certificate is presented to the carrier by means of EDP or EDI transmission techniques, the signature(s) may be electronic signature(s) or may be replaced by the name(s) (in capitals) of the person authorized to sign.
- 5.4.2.4** When the container/vehicle packing certificate is given to a carrier by EDP or EDI techniques and subsequently the dangerous goods are transferred to a carrier that requires a paper container/vehicle packing certificate, the carrier shall ensure that the paper document indicates “Original received electronically” and the name of the signatory shall be shown in capital letters.

### **5.4.3 Documentation required aboard the ship**

**5.4.3.1** Each ship carrying dangerous goods and marine pollutants shall have a special list, manifest\* or stowage plan setting out, in accordance with regulation VII/4.2 of SOLAS, as amended, and with regulation 4.2 of Annex III of MARPOL, the dangerous goods and marine pollutants and the location thereof. This special list or manifest shall be based on the documentation and certification required in this Code. It shall contain in addition to the information in 5.4.1.4, 5.4.1.5 and, for UN 3359, in 5.5.2.4.1.1, the stowage location and the total quantity of dangerous goods and marine pollutants. A detailed stowage plan, which identifies by class and sets out the location of all dangerous goods and marine pollutants, may be used in place of such special list or manifest. A copy of one of these documents shall be made available before departure to the person or organization designated by the port State authority.

#### **5.4.3.2 Emergency response information**

- 5.4.3.2.1** For consignments of dangerous goods, appropriate information shall be immediately available at all times for use in emergency response to accidents and incidents involving dangerous goods in transport. The information shall be available away from packages containing the dangerous goods and immediately accessible in the event of an incident. Methods of compliance include:
- .1** appropriate entries in the special list, manifest or dangerous goods declaration; or
  - .2** provision of a separate document such as a safety data sheet; or
  - .3** provision of separate documentation, such as the *Emergency Response Procedures for Ships Carrying Dangerous Goods* (EmS Guide) for use in conjunction with the transport document and the *Medical First Aid Guide for Use in Accidents Involving Dangerous Goods* (MFAG).

### **5.4.4 Other required information and documentation**

- 5.4.4.1** In certain circumstances, special certificates or other documents are required such as:
- .1** a weathering certificate; as required in the individual entries of the Dangerous Goods List;
  - .2** a certificate exempting a substance, material or article from the provisions of the IMDG Code (such as, see individual entries for charcoal, fishmeal, seedcake);

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\* Refer to Amendments to the annex to the *Convention on Facilitation of International Maritime Traffic, 1965* (resolution FAL.10(35), adopted on 16 January 2009).

- .3 for new self-reactive substances and organic peroxides or new formulation of currently assigned self-reactive substances and organic peroxides, a statement by the competent authority of the country of origin of the approved classification and conditions of transport.

## **5.4.5 Multimodal Dangerous Goods Form**

- 5.4.5.1 This form meets the requirements of SOLAS, chapter VII, regulation 4, MARPOL, Annex III, regulation 4 and the provisions of this chapter. The information required by the provisions of this chapter is mandatory; however, the layout of this form is not mandatory.

### MULTIMODAL DANGEROUS GOODS FORM

This form may be used as a dangerous goods declaration as it meets the requirements of SOLAS, chapter VII, regulation 4; MARPOL, Annex III, regulation 4.

1 Shipper/Consignor/Sender		2 Transport document number		
		3 Page 1 of      pages	4 Shipper's reference	
6 Consignee		7 Carrier (to be completed by the carrier)		
		<b>SHIPPER'S DECLARATION</b> I hereby declare that the contents of this consignment are fully and accurately described below by the proper shipping name, and are classified, packaged, marked and labelled/placarded and are in all respects in proper condition for transport according to the applicable international and national governmental regulations.		
8 This shipment is within the limitations prescribed for: (Delete non-applicable)		9 Additional handling information		
PASSENGER AND CARGO AIRCRAFT	CARGO AIRCRAFT ONLY			
10 Vessel/flight No. and date	11 Port/place of loading			
12 Port/place of discharge	13 Destination			
14 Shipping marks      Number and kind of packages; description of goods*      Gross mass (kg)      Net mass (kg)      Cube (m <sup>3</sup> )				
15 Container identification No./ vehicle registration No.	16 Seal number(s)	17 Container/vehicle size and type	18 Tare mass (kg)	19 Total gross mass (including tare) (kg)
<b>CONTAINER/VEHICLE PACKING CERTIFICATE</b> I hereby declare that the goods described above have been packed/loaded into the container/vehicle identified above in accordance with the applicable provisions.† <b>MUST BE COMPLETED AND SIGNED FOR ALL CONTAINER/VEHICLE LOADS BY PERSON RESPONSIBLE FOR PACKING/LOADING</b>		<b>21 RECEIVING ORGANISATION RECEIPT</b> Received the above number of packages/containers/trailers in apparent good order and condition, unless stated hereon: RECEIVING ORGANISATION REMARKS:		
20 Name of company	Haulier's name		22 Name of company (OF SHIPPER PREPARING THIS NOTE)  Name/status of declarant  Place and date  Signature of declarant	
Name/status of declarant	Vehicle registration No.			
Place and date	Signature and date			
Signature of declarant	DRIVER'S SIGNATURE			

\* **DANGEROUS GOODS:**  
 You must specify: UN No., proper shipping name, hazard class, packing group (where assigned), marine pollutant and observe the mandatory requirements under applicable national and international governmental regulations. For the purposes of the IMDG Code, see 5.4.1.4.

† For the purposes of the IMDG Code, see 5.4.2.

## Documentary Aspects of the International Transport of Dangerous Goods Container/Vehicle Packing Certificate

The signature given overleaf in box 20 must be that of the person controlling the container/vehicle operation.

It is certified that:

The container/vehicle was clean, dry and apparently fit to receive the goods.

If the consignments include goods of class 1, other than division 1.4, the container is structurally serviceable.

No incompatible goods have been packed into the container/vehicle unless specially authorized by the competent authority.

All packages have been externally inspected for damage and only sound packages packed.

Drums have been stowed in an upright position unless otherwise authorized by the competent authority.

All packages have been properly packed and secured in the container/vehicle.

When materials are transported in bulk packagings, the cargo has been evenly distributed in the container/vehicle.

The packages and the container/vehicle have been properly marked, labelled and placarded. Any irrelevant mark, labels and placards have been removed.

When solid carbon dioxide (CO<sub>2</sub> – dry ice) is used for cooling purposes, the vehicle or freight container is externally marked in accordance with 5.5.3.6.

When this Dangerous Goods Form is used as a container/vehicle packing certificate only, not a combined document, a dangerous goods declaration signed by the shipper or supplier must have been issued/received to cover each dangerous goods consignment packed in the container.

**Note:** The container packing certificate is not required for tanks.

**MULTIMODAL DANGEROUS GOODS FORM**  
Continuation sheet

1 Shipper/Consignor/Sender	2 Transport document number			
	3 Page	of	pages	4 Shipper's reference
				5 Freight forwarder's reference
14 Shipping marks	Number and kind of packages; description of goods*	Gross mass (kg)	Net mass (kg)	Cube (m <sup>3</sup> )

\* **DANGEROUS GOODS:**  
You must specify: UN No., proper shipping name, hazard class, packing group (where assigned), marine pollutant and observe the mandatory requirements under applicable national and international governmental regulations. For the purposes of the IMDG Code, see 5.4.1.4.

#### **5.4.6 Retention of dangerous goods transport information**

**5.4.6.1** The consignor and the carrier shall retain a copy of the dangerous goods transport document and additional information and documentation as specified in this Code, for a minimum period of three months.

**5.4.6.2** When the documents are kept electronically or in a computer system, the consignor and the carrier shall be able to reproduce them in a printed form.