

SAFETY APPROVAL PLATES AND APPROVED CONTINUOUS EXAMINATION PROGRAMME (ACEP)

INFORMATION FOR SHIPPING COMPANIES AND THEIR AGENTS

This Fact Sheet has been issued to alert and advise shipping companies and their agents of the responsibility placed on them when adhering to Marine Orders Part 44 with regard to the safety of containers, which may require shipping companies to have a well established process for accepting and carrying Shippers Own Containers (SOC) containers to comply with Marine Orders Part 44.

Marine Orders Part 44 makes gives effect and provides for the International Convention for Safe Containers (CSC) 1972 (Convention), under the *Navigation Act 1912* and applies to and in relation to containers used in international or inter-State sea transport. All containers that are accepted for shipping, whether they are company owned or otherwise must comply with MO 44.

Maintenance

The owner of a container is responsible for maintaining that container in a safe condition and must arrange for a container to be examined in accordance with certain procedures and at prescribed intervals for the purpose of determining whether the container has any defect that could place any person in danger. For leased containers, by virtue of lease agreements the owner or lessor normally transfers these responsibilities to the lessee.

As part of minimum requirement for depot's, most shipping companies, instruct empty container depots to examine every container in accordance with the owners/lessors requirements that enters the empty yard for compliance with the owners/lessors respective CSC scheme. If within CSC, then the container must have a minimum prescribed time in accordance with the respective maintenance schemes provided under CSC (i.e. 90 days time left before next due plate update). In the case of ACEP, then it must be sound for the full 30 months (on equipment 2 ½ years or older). For any unit not conforming to owner/lessors CSC/ACEP scheme requirements, the depot is normally requested to quote to effect repairs to bring the container up to the owners/lessors standard or to advise the container owner or agent of the containers non-CSC conforming condition.

Examination of containers

- a) A container must be examined, initially, not later than 5 years after the date of manufacture and, subsequently, at intervals of not more than 30 months; or in accordance with an approved continuous examination program.
- b) A container must also be examined after the repair of any defect in the container or modification that could have placed any person in danger and before the container is loaded on to a ship following that repair or modification. In the case of a container in respect of which there is an approved continuous examination programme, a container must be examined after refurbishment of the container and before the container is loaded on to a ship following that refurbishment; and during an on-hire/off-hire interchange of the container and before the container is loaded on to a ship following that interchange.

- c) These containers that have been examined under (b) above must be re-examined; not later than the date when, but for the circumstance giving rise to the examination under (b), the container would have been due for examination in accordance with (a); or a date that is not more than 30 months after the date of the examination under (b).

Marking

For containers in respect of which there is an Approved Continuous Examination Programme, the container must be marked permanently and legibly by stamping, embossing, engraving or other method acceptable to the approving authorised organisation, with the letters as applicable the respective owners/lessors CSC scheme (IE:'ACEP (AUS)'). For other containers the date by which a container must undergo its initial examination must be clearly marked on its Safety Approval Plate. In addition, the date by which a container is to be next re-examined should be also be marked legibly on its Safety Approval Plate, or on the container as near as practicable to the Safety Approval Plate.

Containers not to be loaded or unloaded from a vessel

A person must not load a container on to, or unload a container from, a ship if:

(a) the person has reason to believe that the container is an unsafe container; or

(b) the container does not have a valid Safety Approval Plate affixed to it; or

(c) the date indicated on the Safety Approval Plate for the container to be re-examined has passed; or

(d) no date is indicated on the Safety Approval Plate for the container to be re-examined and the letters 'ACEP' and identification of the approving government are not marked on or near the Safety Approval Plate of the container; or

(e) the mass of the container (including its contents and any affixed ancillary equipment) exceeds the maximum operating gross mass of the container.

Removal of Safety Approval Plate when no longer valid

The owner of a container must remove the Safety Approval Plate on a container if:

(a) the container has been modified in a manner which would void the original approval and the information found on the Safety Approval Plate; or

(b) the container is removed from service and is not being maintained in accordance with this Part;

(c) approval has been withdrawn

Shipping companies have an obligation to remove all reference to CSC/ACEP scheme when containers are sold (deregistration), when containers that are sold. Authorities are concerned about the unauthorised use of CSC plates and ACEP markings on freight containers. Some shipping companies neutralise any containers that are sold by removing the Safety Plates. They also paint out all identification marks and numbers, so as to reduce the chances of these containers being utilised for carriage of cargo internationally. If this is not done at the time of sale, in order to reduce repercussions in the future, it has been suggested that the contract of sale should stipulate that the purchaser must carry this out task of painting out all identification marks and numbers prior to use. However, if containers are sold for reuse in container trade shipping companies have an obligation only to remove the Ownership and ACEP numbers and stickers, but CSC plates may remain. It is of course the new owners responsibility to ensure ongoing compliance with CSC Plate.

Leasing companies also have an obligation to adhere to these procedures.

Shippers Own Containers

Shipping companies have an obligation to ensure that containers that do not have a valid Safety Approval Plate affixed to it or the date indicated on the Safety Approval Plate for the container to be re-examined has passed is not loaded or unloaded from a vessel.

Most shipping companies now insist from all shippers of SOC that they make a declaration that the containers comply with CSC or insist on inspecting containers prior to being accepted for shipment as having valid Safety Approval Plates with at least 90 days until next examination affixed to the container and that it

is in fact safe to ship before the container is delivered to the Terminal. Leasing companies also have an obligation to adhere to these procedures.

It is recommended that shipping companies institute a process for auditing the documentation and physically checking the Safety Approval Plate. A suggested pro-forma declaration for shippers of SOC is appended below. Shipping companies generally requires all SOC to be presented complying with the Convention and to have a minimum of 90 days to run till the next examination date.

Most Shipping companies have instructed empty depots to inspect empty Tank containers presented for shipment are duly covered by relevant conditions in the Convention to ensure that either the Regulatory 2 ½ year pressure test or the 5-year Hydrostatic tests (or both) have been completed and that Compliance Plates are valid. Some shipping companies check compliance by checking the stamping on the plate, whilst others insist on the provision of a copy of the certificate, prior to acceptance for shipment.

To	ABCD Shipping Company
Attention	_____
We hereby confirm that the following CSC Plate is attached to: Container Number _____ and confirms that it complies with Marine Orders Part 44 and accept all responsibility for the container.	
CSC Plate details are as follows:	
CSC SAFETY APPROVAL	
Approval Reference	AUS _____
Date Manufactured	_____
Identification Number	_____
Maximum Operating Gross Mass	_____ Kg _____ lbs
Allowable Stacking Load for 1.8g	_____ Kg _____ lbs
Transverse Racking Test Force	_____ Newtons
Date of Next Examination	_____
Approved Continuous Examination Programme Details	_____

Company Name	_____
Signature	_____
Signatory's Name	_____
Date	_____

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Level 6, 131 York Street SYDNEY NSW 2000
ABN. 61 096 012 574

