



We take it personally

European Union Regulation 1875/2006 - Frequently Asked Questions (FAQ)

New EU requirements for inbound cargo on vessels destined for EU ports will come into effect on 31st December 2010. For more information about the new regulations, please see the below FAQ.

OOCL will keep you updated on the latest developments about implementation of the new regulation.

Should you have any questions, please contact your local customer service representative.

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EU Regulation

1. What is the EU regulation and its impact?

Answer:

The new regulations will be enforced from 1st January 2011. They introduce a new Process to enable Security Risk Analysis of all EU bound cargo, to be undertaken at the first country in EU (Office of First Entry). The system is called Inbound Control System (ICS)

Unlike similar regulations in force for other global countries, this is a stand alone Risk Analysis process. It is not connected to the eventual Inbound Customs Manifest, for which the current processes will still apply.

About Third Party Filing

2. Will you allow forwarders/NVOCCs as a self-filer?

Answer:

Under the regulations, carriers are legally responsible for filing. Third parties need to acquire the carriers' knowledge and consent. OOCL Corporate division is working on the process which will be made available in near future.

3. Does the carrier only need to file a master B/L (even if an NVOCC has issued a house B/L)?

Answer:

Yes, if the carrier files it will only be at the carrier master B/L level without reference to NVOCC house B/L.

Unlike, for example, USA, ICS is a single filing system - so either the carrier files at master B/L level or the NVOCC files at house B/L level (after consent from the carrier).

4. Once OOCL gives consent for a third party to file ENS, do we restrict the third party so that they must always file ENS for all shipment, or do we allow them to file ENS for a certain shipment and leave some shipments filed by OOCL?

Answer:

OOCL Corporate division is working on the process which will be made available in the near future.

5. What if the shipment is filed by a third party and OOCL does not receive the MRN for this "self ENS filing" shipment, do we hold the container?

Answer:

Yes; only when the MRN is received, there is proof of filing. Without this proof OOCL cannot load cargo as we cannot determine if a filing has been undertaken. Loading would mean non-compliance.

About EORI

6. EORI---Mandatory or Optional for ENS (as Shipper/ Consignee info)?

Answer:

EORI numbers are not mandatory for ENS, in which case the company name/address/postal code/city/country is mandatory for shipper & consignee (or notify in case of to order shipment)

Every "legal person" (company) that has had any dealings with EU customs in the past has been provided with an EORI number. EORI is a new reference number.

Any party that has an EORI number should provide this to the carrier as it will identify the customer with customs during risk assessment.

A party with EORI = party known to customs

A party without EORI = unknown to customs and thus results in a higher risk score during risk assessment.

7. EORI for NVOCC --- Carrier ENS should be submitted only for master B/L level. Even if there is actual Shipper/ & Consignee (on HBL level), Carrier should use EORI of NVOCC on master B/L?

Answer:

The carrier will not have knowledge of the HBL information as there is no need for an NVOCC to provide this information to the carrier. A carrier will not submit HBL information!

About Data Element:

8. Which information (data elements) will you require to complete ICS submissions?

Answer:

- Full name and address (including postal code) of shipper and consignee
- Full name and address (including postal code) of notify party where goods are carried under a negotiable "to order" B/L
- Container number
- Acceptable goods description in line with the *EU guidelines on acceptable and unacceptable terms for the descriptions of goods for exit and entry summary declarations*"
- Preferably the first four digits of the HS code for each goods item (HS code with a minimum length of 4 digits though 6-digit HS Code is highly recommended because of national concerns and other issues. HS code is not required by EU law when acceptable goods description in line with the *EU guidelines on acceptable and unacceptable terms for the descriptions of goods for exit and entry summary declarations* is provided.)
- Number and type of packages
- Cargo gross weight
- UN dangerous goods code where applicable
- Seal number
- Method of payment for transport charges in case of prepaid (for example "cash payment", "cheque payment", "electronic credit transfer", etc. (optional))

9. Is either Goods description or the first 4 digits of HS code mandatory?

Answer:

Either one is mandatory. Acceptable goods description in line with the *EU guidelines on acceptable and unacceptable terms for the descriptions of goods for exit and entry summary declarations*" (**not necessary if the 4 digits HS code is provided**)

10. Is there any restriction on BL shipping parties' information. i.e. if shipment is destined to Hamburg, the consignee or notify party must bear a German address. On the other hand, if shipment POR is Hong Kong, must the shipper bear a HKG address?

Answer:

No restrictions imposed by the legislation.

Parties however are subject to risk analysis and their locations may result in queries by customs.

11. Can the information (data elements) be submitted to you on a global scale by EDI or do you require it in paper format?

Answer:

Yes, we will accept EDI for such purpose

General:

12. Date of enforcement -- Dec.31, 2010 or Jan.01, 2011 is it EU arrival date or origin departure date?

Answer:

The so-called "transitional period" ends on December 31st 2010, so the regulation will be enforced as from January 1st 2011.

For deep-sea maritime traffic it will only be enforced for scheduled voyages that begin after midnight December 31, 2010

13. When is the latest that the information (data elements) has to be submitted?

Answer:

We will adopt the similar cut-off time as in US Advance Manifest. More information and the cut off time will be published in due course.

14. Will EU Customs at each state be available 24 hours 7 days a week?

Answer:

Customs systems will be available 24/7. Customs will in almost every member state only be available during their local office hours.

15. Short Sea --- What does this mean?

Answer:

Definition of Short Sea = Movements between Greenland, Faeroe Islands, Ceuta, Melilla, Norway, Iceland, ports on the Baltic Sea, ports on the North Sea, ports on the Black Sea or ports on the Mediterranean, all ports of Morocco and the EU Community (except French overseas departments, Azores, Madeira and Canary Islands)

16. Will the submission times be different for Short sea?

Answer:

In the case of short sea, the ENS has to be submitted no later than 2 hours prior to arrival.

Sample:

- Cargo moving between Rauma and Rotterdam,
 - Vessel calls St Petersburg after Rauma, prior to Rotterdam.
- => The ENS has to be submitted no later than 2 hours prior to Rotterdam arrival.

Note: In practice however the SI cut-off may be subject to local destination requirements and rules.

An ENS for intra EU traffic is required when cargo remains on board whilst the vessel-calls a non-EU port

17. What are your requirements for LCL cargo, if any?

Answer:

There is no difference on the requirement of FCL cargo.

18. We understand that the legislations applied to the 27 EU member states (including SUI/NOR); what about The Canaries, Azores, Reunion, etc...?

Answer:

The regulation applies for shipments to EU Community except French overseas departments, Azores, Madeira and Canary Islands.