



Australian Government

Department of Foreign Affairs and Trade

**Amendments to the Annex of the Convention on Facilitation of International Maritime
Traffic**

(London, 13 May 2022)

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RESOLUTION FAL.14(46)
(adopted on 13 May 2022)

**AMENDMENTS TO THE ANNEX TO THE CONVENTION ON FACILITATION OF
INTERNATIONAL MARITIME TRAFFIC, 1965**

THE FACILITATION COMMITTEE,

RECALLING article VII(2)(a) of the Convention on Facilitation of International Maritime Traffic, 1965, as amended, hereinafter referred to as "the Convention", concerning the procedure for amending the annex to the Convention,

RECALLING ALSO the functions which the Convention confers upon the Facilitation Committee for the consideration and adoption of amendments to the Convention,

HAVING CONSIDERED, at its forty-sixth session, amendments to the annex to the Convention proposed and circulated in accordance with article VII(2)(a) thereof,

1 ADOPTS, in accordance with article VII(2)(a) of the Convention, the amendments to the Convention, the text of which is set out in the annex to the present resolution;

2 DETERMINES, in accordance with article VII(2)(b) of the Convention, that the amendments shall enter into force on 1 January 2024 unless, prior to 1 October 2023 at least one third of Contracting Governments have notified the Secretary-General in writing that they do not accept the amendments;

3 REQUESTS the Secretary-General, in conformity with article VII(2)(a) of the Convention, to communicate the amendments contained in the annex to all Contracting Governments;

4 ALSO REQUESTS the Secretary-General to notify all Signatory Governments of the adoption and entry into force of the said amendments.

ANNEX

AMENDMENTS TO THE ANNEX TO THE CONVENTION ON FACILITATION OF INTERNATIONAL MARITIME TRAFFIC, 1965

The complete text of the annex to the Convention is replaced by the following:

"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:

Actual time of arrival (ATA). The date and time when a ship first comes to rest, whether at an anchorage or at a dock, in a port.

Actual time of departure (ATD). The date and time when a ship departs from a location, whether from an anchorage or from a dock, in a port.

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.

Authenticate. To establish and verify a claimed identity of the information provider or to verify the authenticity of the exchanged message(s).

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 other formalities necessary to:

- (a) permit goods to be imported, 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, personal items in everyday use and other articles, which may include currency, belonging to the crew and carried on the ship.

Crew member. Any person 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 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.

Declaration. Information provided by electronic means or, in exceptional circumstances, by non-electronic means to fulfil reporting requirements in accordance with Standard 2.1.

Estimated time of arrival (ETA). The date and time when a ship is expected to arrive at a specific geographical position, e.g. a port, an anchorage or a pilot boarding area in the vicinity of the port.

Estimated time of departure (ETD). The date and time when a ship is expected to depart from a specific geographical position, e.g. a port or an anchorage in the vicinity of the port.

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.

Manifest. Summary of various information 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 or 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 or 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/facility, offshore terminal, ship and repair yard or roadstead which is normally used for the loading, unloading of cargo, embarkation and disembarkation of passengers, repair and anchoring of ships, or any other place at which a ship can call.

Postal items. Letter-post and parcels, as described in the Acts of the Universal Postal Union currently in force, tendered to be carried by a ship for carriage by the designated operator of the country of origin and intended for delivery to the designated operator of the country of destination 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.

Regulated article. Plant, animal product, food product or plant product, storage place, packaging, conveyance, container, soil and any other organism, object or material capable of harbouring or spreading pests or diseases, deemed to require sanitary or phytosanitary measures, particularly where international maritime transportation is involved.

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 and national regulations to improve security on board ships and in port areas and

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. The owner of the ship or any other organization or person such as the manager or the bareboat charterer who has assumed the responsibility for operation of the ship, and any person acting on its behalf, excluding the ship agent.

Ship's documents. Certificates and other documents, including those in electronic form, which must be made available by a ship's master 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.

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. An environment that allows for the submission or provision of standardized and harmonized information and declarations to a single entry point, typically by electronic means.

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.

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.

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 diseases and their vectors or pests affecting humans, animals or plants.

1.1 **Standard.** In relation to the formalities, documentary requirements and procedures on the arrival, stay and departure of ships engaged in international voyages, public authorities shall require only the minimum necessary information.

1.1.1 *Not in use.*

1.2 *Not in use.*

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, cargo and persons or property on board.

C. Systems for the electronic exchange of information

1.3**bis** **Standard.** Public authorities shall establish, maintain and use systems for the electronic exchange of information.

1.3**ter** **Standard.** Public authorities, when introducing or changing 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 is made mandatory. A period of no less than 12 months shall be given for transition to a new system from the time all functional and technical specifications have been published.

Any new or changed system shall be technologically neutral and be compatible with other systems.

1.3**quart** **Standard.** Public authorities shall, during the transitional period referred to in 1.3**ter**, accommodate the provision of required information for clearance processes by alternative means.

When introducing new electronic message formats, public authorities shall continue to allow for the usage of existing electronic message formats for a time period to be determined in consultation with the parties concerned.

1.3**quin** **Standard.** Public authorities shall introduce arrangements to enable the provision of all the information required in accordance with Standard 2.1 to a "single window" by electronic means.

Consideration shall 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 and other provisions, as appropriate.

1.3~~sext~~ **Standard.** Public authorities shall combine or coordinate the electronic transmission of the data required on the arrival, stay and departure of ships, so as to ensure that information is submitted or provided only once and reused to the maximum extent possible.

1.4 *Not in use.*

1.5 *Not in use.*

1.6 *Not in use.*

1.6~~bis~~ **Standard.** For the electronic exchange of information to facilitate clearance processes, information required by public authorities for the arrival, stay and departure of the ship, persons and cargo shall be required to be submitted in conformity with internationally agreed standards, including UN Electronic Data Interchange for Administration, Commerce and Transport (UN/EDIFACT) Standards, the World Customs Organization (WCO) Data Model or International Standards Organization (ISO) Standards, taking into account the guidance developed by the Organization.

1.6~~ter~~ *Not in use*

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 digitalized;
- (d) adapt these systems for multimodal applications;
- (e) take appropriate steps to minimize the cost of implementing these systems to all parties concerned; and
- (f) endeavour to ensure compatibility and interoperability 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 interoperability between the systems of public authorities and other parties concerned.

1.8 **Standard.** Electronic transmission of required information shall be accepted from any location as long as the provider of the information has been certified and authenticated pursuant to the applicable requirements. Usage of a service provider in the jurisdiction to which the information is provided may not be required.

1.8.1 **Recommended Practice.** Information regarding certification and authentication requirements should be publicly and electronically available.

1.8.2 **Standard.** Public authorities shall accept the declarations referred to in Standard 2.1 when they are authenticated in a manner acceptable to the public authority concerned.

D. Illicit activities

1.9 **Recommended Practice.** Public authorities should seek to establish cooperation arrangements with shipowners and other parties concerned to improve their ability to combat illicit activities, including, but not limited to, drug smuggling and the illicit trafficking in wildlife, while providing enhanced facilitation. Such arrangements could be based on the World Customs Organization Memoranda of Understanding, the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and the associated guidelines.

E. Maritime corruption

1.9*bis* **Standard.** Contracting Governments shall encourage public authorities to assess the risks of corruption associated with the ship-shore interface in ports and address them by developing and implementing preventive measures to strengthen integrity, transparency and accountability. Public authorities shall also coordinate efforts to detect, investigate and sanction corruption related to ships' calls in the port, through national and international cooperation.

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.

F. 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.

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. To meet the information needs and regulatory requirements of the public authorities, the information to be provided by the shipowner is for ease of comprehension assembled in the declarations presented in this section. The information structured for electronic transmission might not necessarily correlate with these declarations. Specifically, the principles of transmitting once only and maximum reuse of the same information shall apply throughout. Nor do the declarations prejudice the method for making the information available to the public authorities concerned. This section shall not be read to preclude the public authorities from requiring inspection certificates and other documents, or the information contained in the electronic version of such documents, that must be available on board ship pertaining to its registry, measurement, safety, manning and other related matters.

A. General

2.1 **Standard.** Public authorities shall not require on arrival or departure of ships to which the Convention applies any declaration other than those described in this section. These declarations could be transmitted separately or in a combined electronic format according to the message implementation guidelines and the requirements of the electronic data exchange system.

The declarations for ship arrival and departure are:

- a) General Declaration
- b) Cargo Declaration
- c) Ship's Stores Declaration
- d) Crew's Effects Declaration
- e) Crew List
- f) Passenger List
- g) Dangerous Goods Manifest
- h) The special declaration for postal items as described in the Acts of the Universal Postal Union currently in force
- i) Maritime Declaration of Health as set forth by the International Health Regulations
- j) Ship Sanitation Control Exemption Certificate or Ship Sanitation Control Certificate or extension as set forth by the International Health Regulations
- k) Security-related information as required under SOLAS regulation XI-2/9.2.2
- l) Advance electronic cargo information for customs risk assessment purposes as set out in the WCO SAFE Framework of Standards
- m) Advance Notification Form for Waste Delivery to Port Reception Facilities.

2.1**bis** **Standard.** For declarations mentioned in points (a) to (g) of Standard 2.1, public authorities shall not require more than the information shown in appendix 1.

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

2.1.2 **Standard.** Public authorities shall develop procedures for the provision of pre-arrival and pre-departure information to facilitate 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 provision 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.

2.1.3**bis** **Recommended Practice.** Public authorities should, for the provision 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 *Not in use.*

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

B. Contents and purpose of declarations

2.2 **Standard.** The General Declaration shall be the standard declaration on arrival and departure providing information required by public authorities relating to the ship.

2.2.1 *Not in use.*

2.2.2 *Not in use.*

2.2.3 *Not in use.*

2.3 **Standard.** Without prejudice to Standard 2.3.4, Recommended Practice 2.3.4.1 or advance electronic cargo information requirements for customs risk assessment purposes, the Cargo Declaration shall be the standard declaration on arrival and departure providing information required by public authorities relating to the cargo.

2.3.1 *Not in use.*

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 provided.

2.3.3 *Not in use.*

2.3.4 **Standard.** Public authorities shall, in place of the Cargo Declaration, accept the ship's cargo manifest, if it is provided electronically and contains at least the information required by the public authorities in accordance with appendix 1 and Standard 2.3.2 and is authenticated in accordance with Standard 1.8.2.

2.3.4.1 **Recommended Practice.** As an alternative to Standard 2.3.4, public authorities may accept the transport document, provided it contains at least the information required in accordance with Recommended Practice 2.3.1 and Standard 2.3.2. Such transport document should be authenticated in accordance with Standard 1.8.2.

2.3.5 **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.

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

2.4.1 **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 loaded in the port and covered by another customs document presented for the purpose in that port.

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

2.5.1 **Standard.** Public authorities shall accept the Crew's Effects Declaration when it is authenticated in a manner acceptable to the public authority concerned. For the purpose of onboard verification, the public authorities may require each crew member to verify in a manner acceptable to the public authorities the declaration relating to 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 standard declaration required by public authorities containing information relating to the number and composition of the crew on the arrival and departure of a ship.

2.6.1 **Standard.** Where public authorities require information about the crew of a ship on its departure from the port, the Crew List declared on arrival at the port shall be accepted on departure, provided it is authenticated in accordance with Standard 1.8.2 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.

2.6.2 *Not in use.*

2.6.3 *Not in use.*

2.6.4 *Not in use.*

2.7 **Standard.** The Passenger List shall be the standard declaration required by public authorities containing the information 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 *Not in use.*

2.7.4 *Not in use.*

2.7.5 *Not in use.*

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

2.8.1 *Not in use.*

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

2.10 **Standard.** The Maritime Declaration of Health shall be the standard declaration, which will contain the information required by public authorities on the state of health on board a ship during the voyage and on arrival at a port.

The Maritime Declaration of Health shall be in accordance with the International Health Regulations. In addition, in accordance with the International Health Regulations, a valid Ship Sanitation Control Exemption Certificate or Ship Sanitation Control Certificate or extension shall be provided to public authorities to assess the risk of disease on board the ship.

2.10.1 **Standard.** The report of the security-related information shall be the standard declaration providing public authorities with the information regarding the status of the ship's security.

2.10.2 **Standard.** The Advance Notification Form for Waste Delivery to Port Reception Facilities shall be the standard declaration providing public authorities with the information regarding the ship's waste reception needs.

C. Use of alternative means of reporting, in exceptional circumstances, where means of electronic reporting are unavailable

2.11 **Standard.** In exceptional circumstances where means of electronic transmission are unavailable, public authorities shall have readily available alternative reporting means for a ship's arrival and departure. Public authorities shall make public any alternative reporting means available, to the extent possible.

2.12 *Not in use.*

2.12.1 *Not in use.*

2.12.2 *Not in use.*

2.12.3 *Not in use.*

2.13 **Recommended Practice.** A paper list compiled by the shipowners for their own use should be accepted in place of a paper Passenger List, provided it contains at least the information required in accordance with appendix 1.

Public authorities should likewise accept in place of a paper Cargo Declaration a paper copy of the ship's manifest or of the transport documents, provided they contain at least the information required in accordance with appendix 1.

2.13.1 **Standard.** If in case of exceptional circumstances public authorities determine that the only option available for transmitting the declarations provided for in this annex is 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.

D. 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 declare 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.

E. Completion of declarations

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

2.16 *Not in use.*

2.16.1 **Standard.** Public authorities shall accept a signature, when required, by any electronic means consistent with national laws.

2.17 **Standard.** Public authorities of the country of any intended port of arrival, discharge or transit shall not require any declaration 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.

F. Errors and amendments in declarations and penalties therefor

2.18 **Standard.** Public authorities shall, without delaying the ship, allow correction of errors in a declaration 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 declaration is fully checked and the corrections can be effected without delay.

2.19 **Standard.** If errors are found in the information transmitted, which has been authenticated by or on behalf of a shipowner or master, 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.

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

G. 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 declarations 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, and any applicable penalties, for the provision of the declarations.

2.24 **Standard.** With regard to ships calling at ports for this purpose and where public authorities require the General Declaration, this declaration shall not contain more information than mentioned in appendix 1 and, wherever possible, shall contain less.

2.25 **Standard.** Where 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.

2.25**bis** **Standard.** The public authorities under the International Health Regulations shall advise the shipowner as far in advance as possible of their intent to apply public health control measures to a ship, and shall provide, where available, written information concerning the methods employed.

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 *Not in use.*

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 identification 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 or 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.

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 or 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 declaration provided for in this annex.

3.5 **Recommended Practice.** Public authorities which require written supplementary information, other than as necessary to complete any declaration 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.** A traveller in possession of an International Certificate of Vaccination or Prophylaxis that conforms to the International Health Regulations containing proof of vaccination against yellow fever shall not be treated as suspect, even if coming from an area where the World Health Organization has determined that a risk of yellow fever transmission is present.

The list of countries and territories requiring proof of yellow fever vaccination and the countries at risk of yellow fever is available on WHO's public website.

3.8 **Recommended Practice.** Medical examination of persons on board or of persons disembarking from ships should normally be limited to those persons for whom there is evidence of an imminent public health risk. Such examinations should be carried out in accordance with the national law and relevant articles of 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 **Recommended Practice.** Among the official documents of identity, a Contracting Government should agree to accept, in lieu of a passport, per Recommended Practice 3.1.1, as a basic document providing public authorities with information relating to the individual member of the crew on arrival or departure of a ship, an identity document issued in accordance with relevant ILO Conventions, or else a valid and duly recognized seafarer's identity document.

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 **Recommended Practice.** Contracting Governments are encouraged to enter into agreements to accept from seafarers in place of a passport a valid seafarer's identity document, when this document guarantees the readmission of the bearer to the country which issued the document. Such agreements may provide for acceptance of a valid seafarer's identity card by public authorities to include instances 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 or her ship or transferring to another ship; and
- (b) passing in transit to join his or her ship in another country, or for repatriation, or for any other purpose approved by the authorities of the country concerned.

3.10.3 **Recommended Practice.** Public authorities of a Contracting Government recognizing a seafarer's identity document as an alternative to a passport 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 (ETA), 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.

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 or her inadmissibility.

3.15.3 **Recommended Practice.** For use at port 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 port 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 port 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 disease or any other significant public health risk.

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 in accordance with national law.

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 or 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 or 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 or she so wishes subject to the public authorities' admissibility and visa requirements.

3.40 **Recommended Practice.** A passenger in transit who is continuing his or her journey from the same port in the same ship and does not wish to go ashore 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 or 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 and security 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.

3.44*bis* **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 passports or, if applicable, identity documents accepted by the relevant Contracting Government in lieu of a passport, as mentioned in Recommended Practice 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 ship agent, 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 securely, so that an early return or repatriation of the stowaways will take place. All appropriate measures shall be taken in order to avoid situations where stowaways must stay on board ships for a significant period of time.

4.2.1 **Recommended Practice.** Public authorities, ports, shipowners or masters should not give any payments, or other benefits to the stowaways, beyond the minimal requirements to ensure the security, general health, welfare and safety of the stowaways while on board or onshore, as that might act as an incentive to reoffend or as an encouragement to other persons attempting to stow away on board ships.

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.

4.3.1.3 **Recommended Practice.** All cases of stowaways detected in port while attempting to board a ship or ships should be reported to the appropriate port authorities, which will inform all nearby ships. Ships should follow the guidance of the appropriate port and law enforcement authorities.

Any procedures should be conducted in such a manner as to cause a minimum of interference and to prevent unnecessary delays to ships.

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.

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. Such searches should take place as early as possible, as referenced in the ISPS Code, and after all cargo operations have finished.

4.3.2.5 **Recommended Practice.** Contracting Governments are encouraged to ensure the use of appropriate non-intrusive means and technologies or measures to detect stowaways.

4.3.2.6 **Recommended Practice.** Contracting Governments should consider entering into arrangements for exchange of information and best practices regarding detection of stowaways. The confidentiality and integrity of the information collated and shared should be ensured. The use of the information should be for official purposes only. However, Contracting Governments should also consider sharing relevant information to the extent necessary and as appropriate with shipowners and other parties to prevent future stowaway incidents.

4.3.3 **National sanctions**

4.3.3.1 **Recommended Practice.** Where appropriate, Contracting Governments should be encouraged to 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 in a manner consistent with humanitarian principles, including those mentioned in Standard 4.1. Due consideration must always be given to the operational safety and security of the ship and the safety and well-being of the crew, the stowaways and any other persons present on board.

4.4.2 **Standard.** Contracting Governments shall require that shipowners and 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 or she is on board, including providing him or 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 document as specified in appendix 3.

4.6.3 **Standard.** Contracting Governments shall instruct shipowners and masters operating ships entitled to fly their flag that when a stowaway declares himself or herself to be a refugee or an asylum seeker, this information shall be treated as confidential to the extent necessary for the security of the stowaway. When stowaways declare themselves to be a refugee or an asylum seeker, information regarding the declaration or intention of the stowaway shall not be shared with public authorities of the stowaway's country of origin or of habitual residence.

4.7 Notification to the International Maritime Organization

4.7.1 **Standard.** Contracting Governments shall report all stowaway incidents of which they become aware to the Secretary-General of the International Maritime Organization, taking into account the relevant guidelines of the Organization.

D. Deviation from the planned route

4.8 **Recommended Practice.** Contracting Governments and their public authorities should recommend shipowners operating ships entitled to fly their flag to advise 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 stowaways 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 stowaways remain on board for a significant period of time.

Irrespective of whether or not a ship deviates from the planned route, the disembarkation of stowaways who declare themselves to be a refugee or an asylum seeker should not be conducted in their (alleged) country of origin or any other country from which they have fled and in which they claim a risk of harm.

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 from 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, or the health of the crew, of other persons present on board or of 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 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 alleged nationality will be required to assist in verifying the stowaway's nationality and providing emergency travel documentation.

4.11.3 **Recommended Practice.** Cooperation with foreign embassies in determining the nationalities of stowaways should be sought through cooperation mechanisms to mutually understand and resolve the true facts of each case.

4.12 **State of embarkation**

4.12.1 **Standard.** When it has been established to their satisfaction that stowaways have boarded 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.

4.12.1.1 **Recommended Practice.** The designated authority of the port where the stowaways boarded should undertake an investigation into how the stowaways managed to gain access to the ship and consider modifying security provisions, as appropriate, and thereafter provide feedback to the appropriate public authority at the port of disembarkation.

4.12.2 **Standard.** When it has been established to their satisfaction that attempted stowaways have boarded 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 or 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 and the appropriate public authority at ports of call in:

- identifying the stowaway and determining his or 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 or her country of origin or to the point where the stowaway commenced his or 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.

In accordance with Standard 4.6.3, the flag State should not be notified if stowaways declare themselves to be a refugee or an asylum seeker and the flag State is their (alleged) country of origin from which they have fled and in which they claim a risk of harm.

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 inform the shipowner on whose ship the stowaway was found 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 competent 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 or 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, 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 cargoes can be entered and cleared, insofar 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 port 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 port 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.

5.3**bis** **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 for re-export or importation, and should, whenever available, use the information contained in the pre-arrival declaration for this purpose, provided that it has been provided in a timely and complete manner.

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 with 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 onshore 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 declarant's premises or another place authorized by the relevant public authority; and
- (c) provision 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 in order to accelerate and simplify storage, clearance and re-export processes.

5.14.1 **Recommended Practice.** Public authorities should facilitate and terminate as quickly as possible 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 identified 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 or is to be 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 by 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 providing such data and as set out in the transport document that is or evidences the contract of carriage. Thus, the shipowner can base the provision of the information 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

A. General

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

6.1.1 **Standard.** Public authorities of a State not Party to the standards and regulations set out by the World Organization for Animal Health and the International Plant Protection Convention shall endeavour to apply the provisions of these standards and regulations relevant for 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 the International Health Regulations when such arrangements will facilitate the application of those Regulations, in particular, but not exclusive to:

- (a) the direct and rapid exchange of public health information between neighbouring territories of different States;
- (b) the health measures to be applied to international coastal traffic and to international traffic in waters under their sovereignty and jurisdiction;
- (c) the health measures to be applied in contiguous territories of different States at their common frontier;
- (d) arrangements for carrying affected persons or affected human remains by means of transport specially adapted for the purpose; and
- (e) deratting, disinsection, disinfection, decontamination or other treatment designed to render goods and ship free of disease-causing agents.

6.3 **Recommended Practice.** Where Sanitary or Phytosanitary Certificates or similar documents are required in respect of shipments of certain animals, plants or derived food products thereof or other regulated articles, requests by public authorities for such certificates and documents and their required content should be technically justified, exact and concise and widely publicized. Contracting Governments should cooperate with a view to harmonizing such requirements, including the possibility of providing the required information by electronic means.

6.4 **Standard.** Public authorities shall seek the cooperation of shipowners to ensure compliance with any requirements, including those in the International Health Regulations, 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.

6.4.1 **Standard.** Ships shall not be refused free pratique by Contracting Governments (public health authorities) for public health reasons; in particular, they shall not be prevented from embarking or disembarking, discharging or loading cargo or stores, or taking on fuel, water, food and supplies. Contracting Governments may subject the granting of free pratique to inspection and, if a source of infection or contamination is found on board, the carrying out of necessary disinfection, decontamination, disinsection or deratting, or other measures necessary to prevent the spread of the infection or contamination.

6.4.2 **Recommended Practice.** Subject to a public health risk assessment, public authorities may require on arrival or departure inspection of baggage, cargo, containers, ships, goods, postal parcels and human remains, subject to applicable international agreements and relevant articles of the International Health Regulations, duly taking into account Recommended Practice 5.5.

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 or prophylaxis required by the public authorities of the countries concerned, as well as the International Certificate of Vaccination or Prophylaxis conforming to the International Health Regulations. Public authorities shall take all possible measures to have vaccinators use the International Certificate of Vaccination or Prophylaxis in order to assure uniform acceptance.

6.6 **Recommended Practice.** Public authorities should provide facilities for the completion of the International Certificate of Vaccination or Prophylaxis as well as facilities for vaccination at as many convenient locations as feasible.

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

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

6.8*bis* **Standard.** Contracting Governments and relevant authorities shall ensure that ship's crew who require immediate medical care while in their territory are given access to medical facilities ashore and that ship's crew are able to replenish their medication during a ship's call.

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.

6.9*bis* **Recommended Practice.** Contracting Governments and relevant authorities should facilitate prompt and efficient disembarkation of crew to receive medical care at medical facilities ashore, including access to medical prescriptions, and should ensure that this is effectively managed through good communication and cooperation between the ship and the relevant authorities ashore.

6.9*ter* **Recommended Practice.** Contracting Governments and relevant authorities should ensure that ship's crew are promptly admitted to clinics and hospitals ashore, without difficulty and irrespective of nationality, religious belief or flag of their ship, and, whenever possible, arrangements should be made to ensure, when necessary, the continuation of treatment to supplement the medical facilities available to ship's crew.

6.10 **Standard.** Except in the case of an emergency constituting a grave danger to public, plant or animal health, a ship shall not, on account of any other public, plant or animal health reason, be prevented by the public authorities for a port from discharging or loading cargo or ship's stores.

B. Response to a public health emergency of international concern

6.11 **Standard.** Contracting Governments and their relevant authorities shall, to the greatest extent possible, allow ships and ports to remain fully operational, in order to maintain complete functionality of supply chains during a public health emergency of international concern in line with the International Health Regulations and any relevant recommendations of WHO.

6.12 **Recommended Practice.** Contracting Governments and their relevant authorities should facilitate the continuing operation of shipping, and of ports under their jurisdiction, to allow the transport of marine cargoes so that supply chains are not disrupted and to allow the global economy to continue to function during a public health emergency of international concern.

6.13 **Recommended Practice.** Contracting Governments and their relevant authorities, when implementing policies and measures to protect public health, should also avoid the introduction of unnecessary interference to ship and port operations, including the movement of ship's crew for the purposes of crew changes, repatriation and travel of crews, as well as the wider functionality of port ecosystems (terminals, warehouses, rail and trucking services, etc.) during a public health emergency of international concern.

6.14 **Recommended Practice.** Contracting Governments and their relevant authorities, when implementing policies and measures to protect public health, should engage with appropriate stakeholders within their national shipping and port sectors to discuss coordination and arrangements, and any contingencies to secure continued facilitation of maritime trade, including port hinterland connections, during a public health emergency of international concern.

6.15 **Standard.** Public authorities shall provide ships with relevant information, where available, about the applicable public health measures, prior to arrival at a port or anchorage in its territory, to enable ships to implement their relevant plans and procedures and to provide their crews with the necessary guidance.

6.16 **Recommended Practice.** Contracting Governments and their relevant authorities are encouraged to provide ships visiting ports or anchorages in their territory with information related to the public health emergency of international concern, including on recommended health protection measures based on scientific or medical advice (e.g. on standard infection prevention measures, personal protective equipment (PPE) and cleaning and disinfection procedures).

6.17 **Recommended Practice.** Without prejudice to the relevant Articles of the International Health Regulations (2005), Contracting Governments and their relevant authorities should request the masters of ships visiting ports or anchorages in their territory, to:

- a) report any cases of illness or symptoms on board, related to the public health emergency of international concern, using the Maritime Declaration of Health in accordance with the International Health Regulations, as early as possible before arrival, to the relevant authority in the port;
- b) monitor shipboard personnel regularly, while the ship is visiting ports or anchorages in their territory, for the exhibition of any symptoms; and
- c) report any changes in circumstances of the health of shipboard personnel to the relevant authority in the port.

6.18 **Standard.** Contracting Governments and their relevant authorities shall ensure to the greatest extent possible a safe ship-shore interface during a public health emergency of international concern.

6.19 **Recommended Practice.** Contracting Governments and their relevant authorities should assess any risks to ships and ports during a public health emergency of international concern and ensure that they are effectively managed through good communication and cooperation between relevant authorities ashore and the ship.

6.20 **Recommended Practice.** Contracting Governments and their relevant authorities should also ensure that policies and measures to protect public health do not obstruct the provision of essential services to ships, including the delivery of provisions, supplies or spare parts during the public health emergency of international concern.

6.21 **Recommended Practice.** Contracting Governments and their relevant authorities should take account of recommendations of the Organization relevant to ensuring to the greatest extent possible a safe ship-shore interface between ship and shore-based personnel.

6.22 **Standard.** Contracting Governments and their relevant authorities shall ensure that port workers and ship's crew, regardless of their nationality or flag of their ship, when in their territory, are designated as key workers (or equivalent) providing an essential service during a public health emergency of international concern.

6.23 **Standard.** Contracting Governments and their relevant authorities shall, in accordance with relevant international maritime regulations, continue to facilitate ship's crew changes to the greatest extent possible, including the travel and repatriation of crew, during a public health emergency of international concern applying appropriate public health measures, as well as to ensure access to visas in accordance with the applicable national legislation and procedures.

6.24 **Recommended Practice.** Contracting Governments and their relevant authorities should take account of recommendations of the Organization relevant to the facilitation of crew changes and travel by ship's crew during a public health emergency of international concern.

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 (ETA) or departure (ETD) 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 or extensions thereto, 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 every charge shall:

- (a) conform to this tariff;
- (b) not exceed the actual cost of the service rendered; and
- (c) be levied without distinction as to nationality, domicile or residence of any person concerned or as to the flag, registry or ownership of the ship.

The tariff, and any amendment thereto, shall be published at least 10 days in advance of any levy thereunder.

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 reasonable 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 sufficient services are provided for the accomplishment of the formalities in respect of both 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:

- public health response activities;
- 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.

7.9.1 **Recommended Practice.** In the situations described in Standard 7.8, public authorities should not require the declarations mentioned in Standard 2.1 with the exception of, if it is indispensable, the General Declaration. Public authorities should in such situations waive the time limits and any applicable penalties for the provision of the declaration.

7.10 **Standard.** Public authorities shall grant prompt customs clearance of specialized equipment needed to implement safety and 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 port terminals and shipowners.

APPENDIX 1*

The maximum information that may be required by public authorities for the declarations (Standard 2.1 bis)

Information Elements	General Declaration	Cargo Declaration	Ship's Stores Declaration	Crew's Effects Declaration	Crew List	Passenger List	Dangerous Goods Manifest
Authentication information							
Date and signature by master, authorized agent or officer	23	10	12	9	18	19	16
Voyage information							
Arrival or departure	Tick Box	Tick Box	Tick Box		Tick Box	Tick Box	
Voyage number	1.4	1.3	1.4	1.4	1.4	1.4	1.4
Date and time of arrival, actual	3		3		3	3	
Date and time of arrival, estimated	3		3		3	3	
Date and time of departure, actual	3		3		3	3	
Date and time of departure, estimated	3		3		3	3	
Brief particulars of voyage	11						
Last port of call	6		5		5		
Next port of call	6		5				
Port of arrival	2		2		2	2	
Port of departure	2		2		2	2	
Port of discharge		5					4
Port of loading		5					3
Port period of stay			7				
Previous port of call	11						
Subsequent port of call	11						

* The numbers in the columns indicate the numbers assigned to the corresponding information elements in the paper-based FAL declarations (see appendix 2).

Information Elements	General Declaration	Cargo Declaration	Ship's Stores Declaration	Crew's Effects Declaration	Crew List	Passenger List	Dangerous Goods Manifest
Ship information							
Port of registry	7						
Ship call sign	1.3		1.3	1.3	1.3	1.3	1.3
Ship flag State	4	3	4	2	4	4	2
Ship gross tonnage	9						
Ship IMO number	1.2	1.2	1.2	1.2	1.2	1.2	1.2
Ship name	1.1	1.1	1.1	1.1	1.1	1.1	1.1
Ship net tonnage	10						
Ship stores article name			8				
Ship stores location on board			10				
Ship stores quantity on board			9				
Ship type	1.1						
Certificate of registry issue date	7						
Certificate of registry number	7						
Name and contact details of ship's agent	8						16
Crew and passenger information							
Name of master	5	4					
Number of crew	13						
Number of passengers	14						
Number of persons on board			6				
Crew effect quantity on board				7			
Crew effects description				7			
Crew effects sequence number				3			
Crew member rank or rating				6	9		
Passenger in transit indicator						18	
Passenger port of disembarkation						17	

Information Elements	General Declaration	Cargo Declaration	Ship's Stores Declaration	Crew's Effects Declaration	Crew List	Passenger List	Dangerous Goods Manifest
Passenger port of embarkation						15	
Passenger visa number						16	
Person country of birth					12	9	
Person date of birth					11	8	
Person family name				4	7	5	
Person gender					13	10	
Person given names				5	8	6	
Person identity or travel document expiry date					17	14	
Person identity or travel document issuing State					16	13	
Person identity or travel document number					15	12	
Person identity or travel document type					14	11	
Person nationality					10	7	
Person on board sequence number					6		
Person place of birth					12	9	
Cargo information							
Cargo brief description	12						
Cargo item description of goods		7					
Cargo item gross volume		9					
Cargo item gross weight		8					
Cargo item Harmonized System (HS) Code		7					
Cargo item marks and numbers		6					7
Cargo item number of packages		7					
Cargo item package type		7					
Dangerous goods additional information							12
Dangerous goods EmS number							15

Information Elements	General Declaration	Cargo Declaration	Ship's Stores Declaration	Crew's Effects Declaration	Crew List	Passenger List	Dangerous Goods Manifest
Dangerous goods flashpoint							12
Dangerous goods IMO hazard class							10
Dangerous goods marine pollutant type							12
Dangerous goods mass							14
Dangerous goods number of packages							13
Dangerous goods package type							13
Dangerous goods packing group							11
Dangerous goods proper shipping name							9
Dangerous goods shipper's reference number							6
Dangerous goods subsidiary risks							10
Dangerous goods technical specifications							9
Dangerous goods UN number							8
Dangerous goods volume							14
Stowage position on board							5
Transport contract number		Bill of lading number					
Transport equipment identification number		6					7
Vehicle identification number (VIN)							7
General							
Measurement unit		8 9					12 14
Remarks	15						

APPENDIX 2

**Declarations that may be required in paper form by the public authorities
in exceptional circumstances (Standard 2.11)**

**GENERAL DECLARATION
(IMO FAL Form 1)**

		<input type="checkbox"/> Arrival	<input type="checkbox"/> 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 (date; number) and Port of registry.		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)		
23. Date and signature by master, authorized agent or officer			

CARGO DECLARATION
(IMO FAL Form 2)

		Arrival	Departure	Page number
1.1 Name of ship		1.2 IMO number		
1.3 Voyage number		2. Port where report is made		
3. Flag State of ship		4. Name of master		
5. Port of loading/Port of discharge				
B/L No.	6. Marks and Numbers	7. Number and kind of packages; description of goods or, if available, the Harmonized System (HS) Code	8. Gross weight	9. Measurement
10. Date and signature by master, authorized agent or officer				

SHIP'S STORES DECLARATION
(IMO FAL Form 3)

		Arrival	Departure	Page number
1.1 Name of ship		1.2 IMO number		
1.3 Call sign		1.4 Voyage number		
2. Port of arrival/departure		3. Date of arrival/departure		
4. Flag State of ship		5. Last port of call/Next port of call		
6. Number of persons on board		7. Period of stay		
8. Name of article	9. Quantity	10. Location on board	11. Official use	
12. Date and signature by master, authorized agent or officer				

CREW'S EFFECTS DECLARATION
(IMO FAL Form 4)

Page number

1.1 Name of ship			1.2 IMO number		
1.3 Call sign			1.4 Voyage number		
2. Flag State of ship					
3. No.	4. Family name	5. Given names	6. Rank or rating	7. Effects ineligible for relief from customs duties and taxes or subject to prohibitions or restrictions	8. Signature
9. Date and signature by master, authorized agent or officer					

CREW LIST
(IMO FAL Form 5)

Arrival Departure Page number

1.1 Name of ship					1.2 IMO number			1.3 Call sign		1.4 Voyage number	
2. Port of arrival/departure					3. Date of arrival/departure			4. Flag State of ship		5. Last port of call	
6. No.	7. Family name	8. Given names	9. Rank or rating	10. Nationality	11. Date of birth	12. Place of birth	13. Gender	14. Nature of identity document	15. Number of identity document	16. Issuing State of identity document	17. Expiry date of identity document
18. Date and signature by master, authorized agent or officer											

PASSENGER LIST
(IMO FAL Form 6)

Arrival Departure Page number

1.1 Name of ship				1.2 IMO number				1.3 Call sign					
1.4 Voyage number			2. Port of arrival/departure			3. Date of arrival/departure			4. Flag State of ship				
5. Family name	6. Given names	7. Nationality	8. Date of birth	9. Place of birth	10. Gender	11. Type of identity or travel document	12. Serial number of identity or travel document	13. Issuing State of identity or travel document	14. Expiry date of identity or travel document	15. Port of embarkation	16. Visa number if appropriate	17. Port of disembarkation	18. Transit passenger or not
19. Date and signature by master, authorized agent or officer													

DANGEROUS GOODS MANIFEST

(IMO FAL Form 7)

(As required by SOLAS 74, chapter VII, regulations 4.2 and 7-2.2, MARPOL, Annex III, regulation 4.2 and chapter 5.4, paragraph 5.4.3.1 of the IMDG Code)

Page number

1.1 Name of ship				1.2 IMO number			1.3 Call sign			
1.4 Voyage number		2. Flag State of ship			3. Port of loading			4. Port of discharge		
5. Stowage position	6. Reference number	7. Marks and numbers - Freight container identification no(s). - Vehicle registration no(s)	8. UN number	9. Proper Shipping Name/(Technical specifications)	10. Class/ (Subsidiary risk(s))	11. Packing group	12. Additional information/Marine pollutant/Flashpoint/etc.	13. Number and kind of packages	14. Mass (kg) or Volume (L)	15. EmS
16. Shipping agent										
16.1 Place and date										
Signature of agent										

APPENDIX 3

Stowaway details referred to in Recommended Practice 4.6.2

<p>SHIP DETAILS</p> <p>Name of ship: IMO number: Flag: Company: Company address:</p> <p>Agent in next port: Agent address:</p> <p>IRCS: Recognized mobile satellite service identity:</p> <p>Port of registry: Name of master:</p> <p>STOWAWAY DETAILS</p> <p>Date/time found on board: Place of boarding: Country of boarding: Date/time of boarding: Intended final destination: Stated reasons for boarding the ship: Surname: Given name: Name by which known: Gender:</p>	<p>Date of birth: Place of birth: Claimed nationality: Home address: Country of domicile:</p> <p>ID-document type, e.g. Passport no.:</p> <p>ID card no. or Seaman's Book no.: If yes, When issued: Where issued: Date of expiry:</p> <p>Issued by:</p> <p>Photograph of the stowaway:</p> <div data-bbox="804 1093 1034 1361" style="border: 1px solid black; padding: 10px; text-align: center;"> <p>Photograph if available</p> </div> <p>General physical description of the stowaway:</p>
<p>First language: Spoken: Read: Written:</p>	<p>Other languages: Spoken: Read: Written:</p>

Other details:

Method of boarding, including other persons involved (e.g. crew, port workers), and whether the stowaway was secreted in cargo/container or hidden in the ship:

Inventory of the stowaway's possessions:

Statement made by the stowaway:

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:

نسخة صادقة مصدّقة من نصّ التعديلات على اتفاقية تسهيل حركة الملاحة البحرية لعام 1965 ، في صيغتها المعدّلة ، (الاتفاقية) ، الذي اعتمده لجنة التسهيلات التابعة للمنظمة البحرية الدولية في 13 أيار/مايو 2022 في دورتها السادسة والأربعين ، بموجب المادة VII(2)(a) من الاتفاقية ، والذي يرد في مرفق القرار FAL.14(46) ، والمودع نصّه الأصلي لدى الأمين العام للمنظمة البحرية الدولية .

此件系国际海事组织便利委员会于公元二零二二年五月十三日在其第四十六届会议上按经修正的《1965年便利国际海上运输公约》(《公约》)第VII(2)(a)条通过并载于第FAL.14(46)号决议附件中的《公约》修正案文本的校正无误副本，其原件由国际海事组织秘书长保存。

CERTIFIED TRUE COPY of the text of the amendments to the Convention on Facilitation of International Maritime Traffic, 1965, as amended, (the Convention), adopted on 13 May 2022 by the Facilitation Committee of the International Maritime Organization at its forty-sixth session, in accordance with article VII(2)(a) of the Convention and set out in the annex to resolution FAL.14(46), the original of which is deposited with the Secretary-General of the International Maritime Organization.

COPIE CERTIFIÉE CONFORME du texte des amendements à la Convention visant à faciliter le trafic maritime international, 1965, telle que modifiée (la Convention), qui ont été adoptés le 13 mai 2022 par le Comité de la simplification des formalités de l'Organisation maritime internationale à sa quarante-sixième session, conformément à l'article VII 2) a) de la Convention, et figurent en annexe à la résolution FAL.14(46), et dont l'original est déposé auprès du Secrétaire général de l'Organisation maritime internationale.

ЗАВЕРЕННАЯ КОПИЯ текста поправок к Конвенции по облегчению международного морского судоходства 1965 года с поправками (Конвенция), одобренных 13 мая 2022 года Комитетом по упрощению формальностей Международной морской организации на его сорок шестой сессии в соответствии со статьями VII 2) а) Конвенции и изложенных в приложении к резолюции FAL.14(46), подлинник которых сдан на хранение Генеральному секретарю Международной морской организации.

COPIA AUTÉNTICA CERTIFICADA del texto de las enmiendas al Convenio para facilitar el tráfico marítimo internacional, 1965, enmendado (el Convenio), adoptadas el 13 de mayo de 2022 por el Comité de facilitación de la Organización Marítima Internacional en su 46º periodo de sesiones, de conformidad con lo dispuesto en el artículo VII 2) a) del Convenio, y que figuran en el anexo de la resolución FAL.14(46), cuyo texto original se ha depositado ante el Secretario General de la Organización Marítima Internacional.

عن الأمين العام للمنظمة البحرية الدولية :

国际海事组织秘书长代表:

For the Secretary-General of the International Maritime Organization:

Pour le Secrétaire général de l'Organisation maritime internationale :

За Генерального секретаря Международной морской организации:

Por el Secretario General de la Organización Marítima Internacional:

于伦敦，
London,
Londres, le
Лондон,
Londres,



لندن ، في

13.09.2022