

RESOLUTION FAL.8(32) Adopted on 7 July 2005
ADOPTION OF AMENDMENTS TO THE CONVENTION ON FACILITATION OF
INTERNATIONAL MARITIME TRAFFIC, 1965, AS AMENDED

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

HAVING CONSIDERED, at its thirty-second 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 November 2006 unless, prior to 1 August 2006, 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. FURTHER 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, AS AMENDED

Section 1 - Definitions and general provisions

A. *Definitions*

1 The following new definitions “Customs clearance” and “Customs release” are added after the existing definition “Cruise ship”:

“Customs clearance. Accomplishment of the customs formalities necessary to permit goods to enter home use, to be exported or to be placed under another Customs procedure.

Customs release. Action taken by Customs authorities to permit goods undergoing clearance to be placed at the disposal of the persons concerned.”

2 The existing definition “Data carrier” is deleted.

3 In the existing definition “Document”, the existing text is replaced by the following new text:

“Document. Information presenting data by electronic means or by non-electronic means.”

4 The following new definition “Estimated time of arrival” is added after the definition “Document”:

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

5 The existing definition “Mail” is deleted.

6 The following new definition “Manifest” is added after the new definition “Estimated time of arrival (ETA)”:

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

7 In the existing definition “Passengers’ accompanied baggage”, the words “of goods” are added after the words “contract of carriage”.

8 The following new definition “Postal items” is added after the existing definition “Port”:

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

9 In the existing definition “Security measures”, the existing text is replaced by the following new text:

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

10 The following new definition “Ship's documents” is added after the existing definition “Shipowner”:

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

11 The following new definition “Temporary admission” is added after the existing definition “Stowaway”:

“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 due to the use made of them.”

12 In the existing definition “Transport document”, the word “Document” after the title is replaced by the word “Information”.

B. General provisions

13 In the existing Standard 1.1, the following sentence is deleted:

“Where a specific list of particulars is set out in this annex, public authorities shall not require to be furnished such of those particulars as they consider not essential.”

14 In the existing Recommended Practice 1.1.1, the words “automatic data-processing and -transmission techniques” are replaced by the words “systems for the electronic exchange of information”.

15 The existing Recommended Practice 1.3 is amended to read as follows:

“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 and, where possible, use information technology. Such measures and procedures (e.g. risk management and cross-checking of information) should be implemented in such a manner as to cause a minimum of interference with, and to prevent unnecessary delays to, ships and persons or property on board.”

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

C. *Electronic data-processing techniques*

16 The existing title “C. Electronic data-processing techniques” is replaced by “Systems for the electronic exchange of information”.

17 In the existing Standard 1.4, the words “electronic data interchange (EDI) techniques” are replaced by the words “systems for the electronic exchange of information required by public authorities for the arrival, stay and departure of the ship, persons and cargo”.

18 In the existing Standard 1.6, the words “electronic data interchange (EDI) techniques” are replaced by the words “systems for the electronic exchange of information”.

19 In the existing Recommended Practice 1.7, the words “electronic data interchange (EDI) techniques” are replaced by “systems for the electronic exchange of information”.

20 In the existing Recommended Practice 1.7(e) and (f), the word “techniques” is replaced by the word “systems”.

21 The following new Recommended Practices 1.7.1 and 1.8.1 are added after the existing Recommended Practices 1.7 and 1.8 respectively:

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

1.8.1 **Recommended Practice.** Contracting Governments should encourage public authorities to introduce arrangements to enable trade and transport operators including ships to submit all the information required by public authorities in connection with the arrival, stay and departure of ships, persons and cargo, avoiding duplication, to a single entry point.”

22 In the existing Standard 1.8, the words “electronic data interchange (EDI) techniques” are replaced by the words “systems for the electronic exchange of information” and the word “techniques” is replaced by the word “systems”.

D. *Illicit drug trafficking*

23 The existing Recommended Practice 1.11 is deleted:

24 The following new section “E - Control techniques” is added after the existing section “D – Illicit drug trafficking”:

“E. *Control techniques*

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

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

thereby facilitating the legitimate circulation of persons and goods.”

Section 2 – Arrival, stay and departure of the ship

A. General

25 In the existing Standard 2.1, the new document “Dangerous Goods Manifest” is added after the existing document “Passenger List”.

26 The following new Recommended Practices 2.1.2, 2.1.3, 2.1.4 and 2.1.5 are added after the existing Standard 2.1.1:

“2.1.2 **Recommended Practice.** Public authorities should develop procedures to use pre-arrival and pre-departure information in order to facilitate the processing of information required by public authorities for the expedited subsequent release/clearance of cargo and persons.

2.1.3 **Recommended Practice.** National legislation should specify the conditions for the lodgment 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 substantially 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 if the time required for the voyage is shorter than the basic rule.

2.1.4 **Recommended Practice.** Public authorities should not require the lodgment of a separate General Declaration, Cargo Declaration, Crew List and Passenger List if the data elements contained in these documents are included in the pre-arrival information.

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

- (a) develop systems for the electronic transmission of data for the lodgment of pre-arrival and pre-departure information; and
- (b) consider the re-use or subsequent use of the pre-arrival and pre-departure information in subsequent procedures as part of all the information required for the release/clearance of passengers and cargo.”

B. Contents and purpose of documents

27 In the existing Standard 2.2, the word “information” is replaced by the word “data”.

28 In the existing Recommended Practice 2.2.1, the word “a” after the words “the departure of” is replaced by the word “the”.

29 In the existing Recommended Practice 2.2.2, the word “information” is replaced by the word “data” and a new bullet “• the ship's requirements in terms of waste and residue reception facilities” is added after the existing bullet “• position of the ship in the port”. The first bullet is replaced by the words “Name, type and IMO number of ship”. In the second bullet, the word “nationality” is replaced by the words “flag State”. In the sixth bullet, the word “address” is replaced by the words “contact details”. A new bullet is added after the first one as follows: “• call sign”. A new bullet is added after the last one as follows: “• last port of call/next port of call”.

30 In the existing Standard 2.2.3, the word “a” after the words “shall accept” is replaced by the words “that the” and the word “is” is added after the words “General Declaration”.

31 In the existing Standard 2.3, the word “information” is replaced by the word “data”.

32 In the existing Recommended Practice 2.3.1, the word “data” is added after the word “following” and the words “or, if available, the HS code ^{*}” are added at the end of the bullet “• container identification”, where appropriate; marks and numbers and kind of packages; quantity and description of the goods. A new “Note” is added after the existing “Note” as follows:

“Note: To facilitate the processing of information required by public authorities, all parties involved should use an appropriate description of the goods and refrain from using generic terms, such as “general cargo”, “parts”, etc.”

The first bullet in 2.3.1(a) and (b) is replaced by the words “Name and IMO number of ship”. A new bullet is added in (a) and (b), after the first one as follows: “• flag State of ship”. In the existing third bullet, the words “port arrived from” are replaced by the words “port of loading”. In the third bullet in (b), the word “destination” is replaced by the word “discharge”. A new bullet is added in (a) and (b), after the third one as follows: “• call sign”.

33 In the existing Standard 2.3.3, the word “a” after “shall accept” is replaced by the words “that the” and the word “is” is added after the words “Cargo Declaration”.

34 In the existing Recommended Practice 2.3.4.1, the word “information” is replaced by the words “data required and identified”.

35 In the existing Standard 2.4.1, the word “a” after “shall accept” is replaced by the words “that the”, and the word “is” added after the words “Stores Declaration”.

36 In the existing Standard 2.5.1, the word “a” after “shall accept” is replaced by the words “that the”, and the word “is” added after the words “Crew's Effect Declaration”.

37 In the existing Standard 2.6, the word “providing” is replaced by the words “required by” and the words “with information” are replaced by the words “containing data”.

38 In the existing Standard 2.6.1, the word “data” is added after the word “following” and the bullet “• arriving from port” is replaced with a bullet “• last port of call”. The first bullet is replaced by the words “Name and IMO number of ship”. A new bullet is added after the first one as follows: “• flag State of ship”. A new bullet is added after the first one as follows: “• call sign”.

39 In the existing Standard 2.6.2, the word “a” after “shall accept” is replaced by the words “that the” and the word “is” is added after the words “Crew List”.

40 In the existing Standard 2.7, the word “providing” is replaced by the words “required by” and the words “with information” are replaced by the words “containing the data”.

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

41 In the existing Recommended Practice 2.7.3, the word “information” in the first sentence is replaced by the word “data”: New bullets “• type of identity document supplied by the passenger” and “• serial number of identity document” are added after the existing bullet “• place of birth”; and a new bullet “• transit passenger or not” is added after the existing bullet “• port and date of arrival of the ship”. The first bullet is replaced by the words “Name and IMO number of ship”. A new bullet is added after the first one as follows: “• flag State of ship”. A new bullet is added after the first one as follows: “• call sign”.

42 In the existing Standard 2.7.5, the word “a” after “shall accept” is replaced by the words “that the”, and the word “is” added after the words “Passenger List”.

43 In the existing Standard 2.8.1, in the third bullet the word “Nationality” is replaced by the words “Flag State”. A new bullet is added after the first one as follows: “• Call sign”.

44 The existing Standard 2.9 is amended to read as follows:

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

45 In the existing Standard 2.10, the words “providing information” are replaced by the words “containing the data”.

D. Documents on departure

46 In the existing Recommended Practice 2.12.2, the words “for the purpose” are added before the words “in that port”.

47 The existing Standard 2.12.3 is amended to read as follows:

“2.12.3 **Standard.** Where public authorities require information about the crew of a ship on its departure from the port, one of the copies of the Crew List presented on arrival at the port shall be accepted on departure, provided it is signed again by the master or an officer duly authorized by him, and endorsed 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.”

F. Completion of documents

48 In the existing Recommended Practice 2.15, the word “information” is replaced by the word “data”.

49 In the existing Standard 2.16, the word “information” is replaced by the word “documents” and the words “automatic data processing techniques” are replaced by the words “the use of information technology”.

G. Errors in documentation and penalties therefore

50 In the existing Standard 2.19, the word “the” is added between the words “violate” and “laws” and the words “of the port State” are added at the end of the paragraph.

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

51 The words “persons rescued at sea” are added to subsection H to read as follows:

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

52 The words “persons rescued at sea” are added to and the words “and status” are deleted from, Standard 2.20 to read as follows:

“2.20 **Standard.** Public authorities shall seek the co-operation 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.”

53 In the existing Standard 2.24, the word “information” is replaced by the word “data” and the word “that” is replaced by the word “those”.

Section 5 - Arrival, stay and departure of cargo and other articles

54 In the existing Recommended Practice 5.3, the word “mail” is replaced by the words “postal items” and the words “or importation” are added between the words “sea” and “should”.

55 The existing Recommended Practice 5.5 is amended to read as follows:

“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 clearance is carried out simultaneously at one place and with a minimum of delay.”

B. *Clearance of cargo*

56 The existing Standard 5.7 is amended to read as follows:

“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.”

57 The following new Recommended Practice 5.7.1 is added after the existing Standard 5.7:

“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.”

58 The existing Recommended Practice 5.9 is deleted.

59 In the existing Recommended Practice 5.10, the words “the revised” are added to the words “Kyoto Convention”.

60 The following new Recommended Practice 5.10.1 is added after the existing Recommended Practice 5.10:

“5.10.1 **Recommended Practice.** Public authorities should consider the introduction of simplified procedures for authorized persons allowing:

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

61 In the existing Standard 5.11, the words “by using risk assessment to target cargo for examination” are deleted at the end of the paragraph.

62 In the existing Recommended practice 5.14, the words “electronic data interchange (EDI) techniques” are replaced by the words “systems for the electronic exchange of information”.

63 The following new Recommended Practice 5.14.1 is added after the existing Recommended Practice 5.14:

“5.14.1 **Recommended Practice.** Public authorities should endeavour to quickly clear the transit procedure covering goods from another State awaiting loading.”

C. Containers and pallets

64 In the existing Standard 5.15, the word “import” is replaced by the word “admission”.

65 In the existing Standard 5.18, the word “importation” is replaced by the word “admission”.

Section 7 – Miscellaneous provisions

C. *Emergency assistance*

66 The existing Standard 7.8 is amended to read as follows:

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

- disaster relief work;

- the rescue of persons in distress at sea in order to provide a place of safety for such persons;
- the combating or prevention of marine pollution; or
- other emergency operations designated to enhance maritime safety, the safety of life at sea, the safety of the population or the protection of the marine environment.”

Appendix 1 - IMO FAL Forms

67 The IMO FAL Forms 1 to 7 are amended as follows:

“IMO GENERAL DECLARATION

		<input type="checkbox"/> Arrival	<input type="checkbox"/> Departure
1.1 Name and type of ship 1.2 IMO number 1.3 Call sign		2. Port of arrival/departure	3. Date - time of arrival/departure
4. Flag State of ship	5. Name of master	6. Last port of call/Next port of call	
7. Certificate of registry (Port; date; number)		8. Name and contact details of ship's agent	
9. Gross tonnage	10. Net tonnage		
11. Position of the ship in the port (berth or station)			
12. Brief particulars of voyage (previous and subsequent ports of call; underline where remaining cargo will be discharged)			
13. Brief description of the cargo			
14. Number of crew (incl. master)	15. Number of passengers	16. Remarks	
Attached documents (indicate number of copies)			
17. Cargo Declaration	18. Ship's Stores Declaration		
19. Crew List	20. Passenger List	21. The ship's requirements in terms of waste and residue reception facilities	
22. Crew's Effects Declaration*	23. Maritime Declaration of Health*		

24. Date and signature by master, authorized agent or officer

For official use

IMO FAL
Form 1

* Only on arrival.

IMO CARGO DECLARATION

[illegible]

10. Date and signature by master, authorized agent or officer

* Transport document No.

Also state original ports of shipment in respect to goods shipped on multimodal transport document or through bills of lading.

IMO SHIP'S STORES DECLARATION

[illegible]

12. Date and signature by master, authorized agent or officer

IMO CREW'S EFFECTS DECLARATION

Convention on Facilitation of International Maritime Traffic

8. Date and signature by master, authorized agent or officer

* e.g. wines, spirits, cigarettes, tobacco, etc.

Convention on Facilitation of International Maritime Traffic

12. Date and signature by master, authorized agent or officer

IMO PASSENGER LIST

<input type="checkbox"/> Arrival		<input type="checkbox"/> Departure		Page No.			
1.1 Name of ship 1.2 IMO number 1.3 Call sign		2. Port of arrival/departure		3. Date of arrival/departure			
4. Flag State of ship							
5. Family name, given names	6. Nationality	7. Date and place of birth	8. Type of identity document	9. Serial number of identity document	10. Port of embarkation	11. Port of disembarkation	12. Transit passenger or not

10. Date and signature by master, authorized agent or officer

DANGEROUS GOODS MANIFEST

PAGE NUMBER (e.g. 5 of 7)

(As required by SOLAS 74, chapter VII, regulations 4.5 and 7-2.2, MARPOL 73/78, Annex III, regulation 4(3) and chapter 5.4, paragraph 5.4.3.1 of the IMDG Code)

NAME OF SHIP
VOYAGE REFERENCE
CALL SIGN

IMO NUMBER
PORT OF LOADING

FLAG STATE OF SHIP
PORT OF DISCHARGE

MASTER'S NAME
SHIPPING AGENT

BOOKING/ REFERENCE NUMBER	MARKS & NUMBERS CONTAINER ID. NO(s). VEHICLE REG. NO(s).	NUMBER AND KIND OF PACKAGES	PROPER SHIPPING NAME	CLASS	UN NUMBER	PACKING GROUP	SUBSIDIARY RISK(S)	FLASH - POINT (IN °C,c.c.)	MARINE POLLUTANT	MASS (kg) GROSS/NET	EmS	STOWAGE POSITION ON BOARD

AGENT'S SIGNATURE _____

MASTER'S SIGNATURE _____

PLACE AND DATE _____

PLACE AND DATE _____

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