

REPORT ON RECEIPTS OF HNS CONTRIBUTING CARGO

made in accordance with

Article 20 of the Protocol of 2010 to the International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea, 1996 (2010 HNS Protocol)

The 2010 HNS Protocol requires that an expression of consent to be bound by the Protocol shall be accompanied by the submission to the Secretary-General of the International Maritime Organization of data on the total quantities of contributing cargo liable for contributions received in that State during the preceding calendar year in respect of the general account and each separate account.

An expression of consent which is not accompanied by the data referred to above shall not be accepted by the Secretary-General.

Each State which has expressed its consent to be bound by the Protocol shall annually thereafter, on or before 31 May until the Protocol enters into force for that State, submit to the Secretary-General data on the total quantities of contributing cargo liable for contributions received in that State during the preceding calendar year in respect of the general account and each separate account.

States should use the form on page 3 of this document to report the aggregate amount of HNS contributing cargo reported by receivers. A separate reporting form for receivers is available for States to forward to their receivers.

The form on page 3 should be signed by a competent Government authority to indicate that the information given is complete and that the figures are correct. The report must be correctly signed before it is submitted, together with a formal expression of consent to be bound by the Protocol, to:

The Secretary-General
International Maritime Organization
4 Albert Embankment
London SE1 7SR
United Kingdom

The form on page 3 is designed to assist in the ratification/accession process only. Once the Protocol has entered into force, each State Party is required to communicate the information to the Director of the HNS Fund, in accordance with the Internal Regulation the Assembly develops.

State Model Reporting Form

**To be submitted to the Secretary-General of IMO on receipts of contributing cargo
pursuant to Article 20 of the 2010 HNS Protocol**

STATE _____

YEAR _____

RECEIPTS OF CONTRIBUTING CARGO

As defined on pages 5 and 6, or use the HNS Finder at [hnsconvention.org/Pages/FinderOverview.aspx](https://www.imo.org/About/Conventions/Conventions%20and%20Agreements/Pages/FinderOverview.aspx)

Account	Quantity (metric tonnes)
General	
Bulk solids	<input type="text"/>
Other HNS*	<input type="text"/>
Total	<input type="text"/>
Oil	
Persistent oil	<input type="text"/>
Non-Persistent oil	<input type="text"/>
Total	<input type="text"/>
LNG**	
Total	<input type="text"/>
LPG***	
Total	<input type="text"/>

*Defined under Article 3 of the 2010 HNS Protocol (see page 5)

**Liquefied natural gases of light hydrocarbons with methane as the main constituent

*** Liquefied petroleum gases of light hydrocarbons with propane and butane as the main constituents

NOTES

- While there is no reporting requirement for HNS transported in packaged form, compensation for incidents involving them will be covered under the Convention.
- Contribution is levied only in case of an incident.

SIGNATURE OF GOVERNMENT OFFICIAL

Signature _____ Date _____

Name _____

Title _____

Address _____

Phone _____ Fax _____

E-Mail _____



ACCOUNTS AND SECTORS

1. GENERAL ACCOUNT

The HNS Fund will have a general account, which will be divided into at least two sectors:

- a) solid bulk materials referred to in Article 3, section 5 (a) (vii) ("Bulk solids"); and
- b) other substances ("Other HNS")

2. SEPARATE ACCOUNTS

The HNS Fund will also have three separate accounts for:

- (a) oil as defined in Article 3, section 5(a) (i) (oil account)*;
- (b) liquefied petroleum gases of light hydrocarbons with propane and butane as the main constituents (LPG) (LPG account), as referred to in article 3, section 5 (a) (v)*; and
- (c) liquefied natural gases of light hydrocarbons with methane as the main constituent (LNG) (LNG account), as referred to in article 3, section 5 (a) (v)*.

3. CONTRIBUTIONS TO THE GENERAL ACCOUNT

Subject to the provisions on associated persons in article 16.5 of the 2010 HNS Convention, annual contributions to the general account shall be made in respect of each State Party by any person who was the receiver, in that State, of aggregate quantities exceeding 20,000 tonnes of contributing cargo falling within the "Bulk solids" and "Other HNS" sectors.

4. CONTRIBUTIONS TO THE SEPARATE ACCOUNTS

Subject to the provisions on associated persons in article 16.5 of the 2010 HNS Convention, annual contributions to separate accounts shall be made in respect of each State Party:

- a) **oil account:**
 - i. by any person who has received in that State in the preceding calendar year, or such other year as the Assembly may decide, total quantities exceeding 150,000 tonnes of contributing oil as defined in article 1, paragraph 3 of the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1971, as amended, and who is or would be liable to pay contributions to the International Oil Pollution Compensation Fund in accordance with article 10 of that Convention; and
 - ii. by any person who was the receiver in that State in the preceding calendar year, or such other year as the Assembly may decide, of total quantities exceeding 20,000 tonnes of other oils carried in bulk listed in appendix I of Annex I to the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, as amended.
- b) in the case of the **LPG account**, by any person who in the preceding calendar year, or such other year as the Assembly may decide, was the receiver in that State of total quantities exceeding 20,000 tonnes of LPG; and
- c) in the case of the **LNG account**, by any person who in the preceding calendar year, or such other year as the Assembly may decide, immediately prior to its discharge, was the receiver of an LNG cargo discharged in a port or terminal of that State, except in the case where article 1bis (b) and (c) are applicable.

*See next page.

5. CONTRIBUTING CARGO

Alternatively, use the HNS Finder to confirm if a substance qualifies as a contributing cargo at hnsconvention.org/Pages/FinderOverview.aspx.

Article 3 of the 2010 HNS Protocol states that article 1, paragraph 5, of the Convention is replaced by the following text:

- (a) "any substances, materials and articles carried on board a ship as cargo, referred to in (i) to (vii) below:
- i. oils, carried in bulk, as defined in regulation 1 of Annex I to the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, as amended;
 - ii. noxious liquid substances, carried in bulk, as defined in regulation 1.10 of Annex II to the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, as amended, and those substances and mixtures provisionally categorized as falling in pollution category X, Y or Z in accordance with regulation 6.3 of the said Annex II;
 - iii. dangerous liquid substances carried in bulk listed in chapter 17 of the International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk, as amended, and the dangerous products for which the preliminary suitable conditions for the carriage have been prescribed by the Administration and port administrations involved in accordance with paragraph 1.1.6 of the Code;
 - iv. dangerous, hazardous and harmful substances, materials and articles in packaged form covered by the International Maritime Dangerous Goods Code, as amended;
 - v. liquefied gases as listed in chapter 19 of the International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk, as amended, and the products for which preliminary suitable conditions for the carriage have been prescribed by the Administration and port administrations involved in accordance with paragraph 1.1.6 of the Code;
 - vi. liquid substances carried in bulk with a flashpoint not exceeding 60°C (measured by a closed-cup test);
 - vii. solid bulk materials possessing chemical hazards covered by the International Maritime Solid Bulk Cargoes Code, as amended, to the extent that these substances are also subject to the provisions of the International Maritime Dangerous Goods Code in effect in 1996, when carried in packaged form; and
- (b) residues from the previous carriage in bulk of substances referred to in (a)(i) to (iii) and (v) to (vii) above."

Article 3, paragraph 2 of the 2010 HNS Protocol states that the following text is added to the definition under article 5(a) and (b):

5bis "Bulk HNS" means any hazardous and noxious substances referred to in article 1, paragraph 5(a)(i) to (iii) and (v) to (vii) and paragraph 5(b).

5ter "Packaged HNS" means any hazardous and noxious substances referred to in article 1, paragraph 5(a)(iv).

Article 3, paragraph 3 of the 2010 HNS Protocol defines "contributing cargo" as:

- 10 "Contributing cargo" means any bulk HNS which is carried by sea as cargo to a port or terminal in the territory of a State Party and discharged in that State. Cargo in transit which is transferred directly, or through a port or terminal, from one ship to another, either wholly or in part, in the course of carriage from the port or terminal of original loading to the port or terminal of final destination shall be considered as contributing cargo only in respect of receipt at the final destination.