

# 2010 HNS CONVENTION

International Convention on Liability and Compensation  
for Damage in Connection with the Carriage of  
Hazardous and Noxious Substances by Sea, 2010

## THE HNS REPORTING SYSTEM



# FACILITATION OF THE ENTRY INTO FORCE AND HARMONIZED INTERPRETATION OF THE HNS PROTOCOL 2010

## GUIDANCE BY IMO LEGAL COMMITTEE

- **Overview and consolidated text** of the 2010 HNS Convention (adopted at **LEG 98** on **18 April 2011**)
- **Guidelines on reporting of HNS contributing cargo** (adopted during the **HNS Workshop** held at **IMO** on **12 and 13 November 2012** and endorsed at **LEG 100** on **19 April 2013**)
- **HNS Correspondence Group** reported at **LEG 102** and **103**: mandate was extended to **LEG 104** in **2017**



# IMPLEMENTATION ISSUES PRIOR TO ENTRY INTO FORCE

- **Work on identification of receivers;** procedures to **collect and audit data** on contributing cargo
- HNS somewhat more complicated than IOPC Fund system, but **achievable**
- National procedures **correspond** with reporting procedures HNS Fund

## WHAT WE WANT TO KNOW:

- **Relevant quantities** received by **physical receivers**
- **Quantities** that will contribute; but also: **relevant for entry into force**
- **List of contributors** to HNS Fund after entry into force



# IMPLEMENTATION ISSUES PRIOR TO ENTRY INTO FORCE

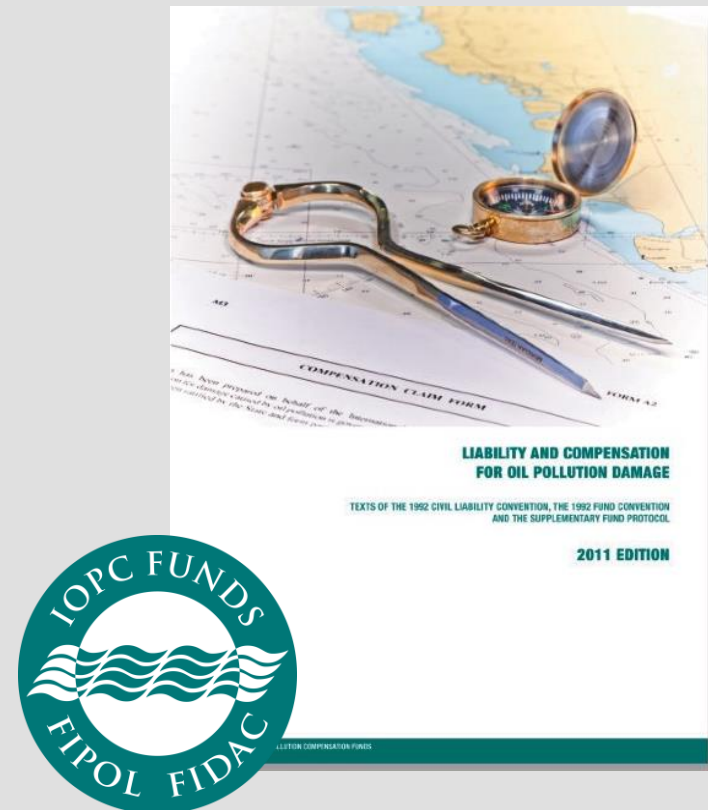
## HNS FUND: BASIC SAME SYSTEM AS IOPC FUND

- **Contributor** Article 1 par. 4:
- **Physical receiver** in port, or
- **Principal** of physical receiver (**after** entry into force)

## HOW DO WE KNOW?

**Basic same system** as IOPC Fund:

- **Article 21 par.1**
- **State Party** reports to IMO





# IMPLEMENTATION ISSUES PRIOR TO ENTRY INTO FORCE

## HNS FUND: BASIC SAME SYSTEM AS IOPC FUND

- **Every receiver** > 15,000 tonnes **Bulk HNS** reports to competent authority in **Contracting State**, or
- **Any** appointed **principal** > 15,000 tonnes **Bulk HNS** has to report (suggested **after** entry into force)
- **Any LPG receiver** > 15,000 tonnes has to report
- **Any LNG receiver** (and titleholder if art. 19 par.1 *bis*(b) is applicable)
- **Oil account receiver** > 150,000 tonnes has to report on same basis as IOPC Fund
- **Any receiver** > 15,000 tonnes of **non-persistent oil**



# IMPLEMENTATION ISSUES PRIOR TO ENTRY INTO FORCE

## CONTRACTING STATE REPORTS TO IMO (on basis Article 45, paragraphs 4 and 6):

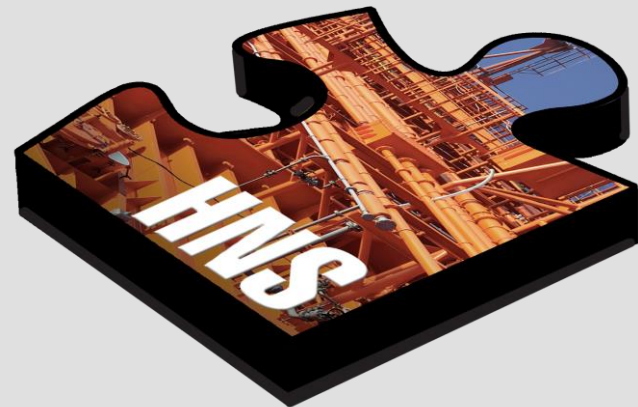
- **Total of bulk HNS** received by any physical receiver > 20,000 tonnes
- Appointed principals > 20,000 tonnes bulk HNS (suggested **after** entry into force to HNS Fund)
- **Total of LPG** received by any LPG receiver > 20,000 tonnes
- **Total of LNG** received by any LNG receiver (or titleholders as in art.19 par.1 *bis*(b))
- **Total of persistent oil** received by any Oil account receiver > 150,000 tonnes on same basis as IOPC Fund
- **Total of non-persistent oil** received by any receiver > 20,000 tonnes of non-persistent oil



# IMPLEMENTATION ISSUES PRIOR TO ENTRY INTO FORCE

## NATIONAL PROCEDURES SAME AS UNDER IOPC:

- Physical receivers/principals **report themselves**
- **Contracting State** verifies on basis **national procedures**
- **Verification and audit** (eg. information by customs, reporting procedures etc.)
- **Co-operation** governmental authorities
- **Intergovernmental co-operation**; also with HNS Fund



# IMPLEMENTATION ISSUES PRIOR TO ENTRY INTO FORCE

## CONCLUSION:

### HNS Fund: basic same system as IOPC Fund

- Contributor: **physical receiver** in port (or principal)
- Obtaining knowledge by **self-reporting/governmental audit**





# QUESTIONS AND ANSWERS



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