



International Oil Pollution
Compensation Funds

Agenda Item 5	IOPC/MAY23/5/1/2	
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1992 Fund Assembly	92AES27	●
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2010 HNS CONVENTION

RESULTS OF QUESTIONNAIRES AND HNS WORKSHOP

Note by the Secretariat

Summary:

In January 2023, the Secretariat finalised a note summarising the main HNS reporting issues to be resolved before entry into force of the 2010 HNS Convention and proposing a number of possible solutions to those issues. That note also contained two questionnaires to encourage contracting States, and those expected to soon ratify, to provide information on their domestic legislation regarding HNS reporting. The responses to the questionnaires gave the States the opportunity to inform the Secretariat of any issues they have faced and to raise any questions they might have regarding some of the more advanced issues related to HNS reporting.

A summary of the responses received to the questionnaires and an analysis of those responses, in particular in respect of the proposals made by the Secretariat regarding possible solutions to the reporting issues, are set out in this document.

A summary of the discussions which took place during the HNS Workshop on 3 and 4 April 2023, which included an initial discussion of the questionnaire results and proposals, is also provided.

Action to be taken: 1992 Fund Assembly

The 1992 Fund Assembly is invited to

- (a) take note of the information;
- (b) consider the results of the questionnaires and the Secretariat's comments in respect of the issues identified relating to the reporting of HNS cargoes; and the Secretariat's proposed solutions to those issues; and
- (c) provide comments and views as it deems appropriate.

1 Introduction

- 1.1 As reported in document IOPC/MAY23/5/2, in January 2023, the Secretariat finalised a note summarising the main HNS reporting issues to be resolved before entry into force of the 2010 HNS Convention and proposing a number of possible solutions to those issues. That note also contained two questionnaires to encourage contracting States, and those expected to soon ratify, to provide information on their domestic legislation regarding HNS reporting. The responses to the questionnaires gave the States the opportunity

to inform the Secretariat of any issues they have faced and to raise any questions they might have regarding some of the more advanced issues related to HNS reporting.

- 1.2 A key goal for the Secretariat in distributing those questionnaires was to gather information to help develop an efficient and jointly approved system for reporting HNS contributing cargo, which is considered essential to facilitating entry into force of the Convention, as well as the effective functioning of the HNS Fund once established.
- 1.3 A summary of the responses received to the questionnaires and an analysis of those responses, in particular in respect of the proposals made by the Secretariat regarding possible solutions to the reporting issues, are set out in section 2.
- 1.4 A summary of the discussions which took place during the HNS Workshop on 3 and 4 April 2023, which included an initial discussion of the questionnaire results and proposals, is also provided in section 3.

2 Analysis of the Questionnaires related to the reporting obligations under the 2010 HNS Convention

2.1 Background information

- 2.1.1 Regarding the HNS reporting requirement, it is important to remind contracting States that prior to the entry into force of the Convention, they need only to report the total quantities of contributing cargo received in their country, without specific details. However, once the Convention is in force, more detailed HNS reports and a list of companies will be required. It is therefore of utmost importance to ensure that the applicable rules are clear for all parties and integrated in their domestic law before the HNS Convention enters into force.
- 2.1.2 The questionnaires described in section 1 provided States with an opportunity to inform the Secretariat of any issues they have faced and to raise any questions they might have regarding some of the more advanced issues related to HNS reporting, in particular the clarification of terms such as the 'Receiver', the 'Principal', the 'Agent' (and other types of names used to describe these roles). Clarification of and the discussion of solutions to any issues should assist all interested parties in managing their reporting process going forward, including agreeing with the Secretariat the support they require in order to identify individual contributors and any other issues raised.
- 2.1.3 Twelve completed questionnaires were submitted to the Secretariat. They contained interesting information which helps the Secretariat to continue its work to develop documentation aimed at clarifying certain aspects of HNS reporting. This documentation should also assist all parties to better manage their reporting process going forward. States can also request assistance from the Secretariat with the identification of individual contributors and any other issues.

2.2 General summary of the responses to the questionnaires

- 2.2.1 The Secretariat received 12 fully completed questionnaires. Five further States responded to the request in general terms but did not complete the questionnaires as it was considered less useful since they were at an early stage in the implementation and accession process.
- 2.2.2 The style of response was variable depending on each State's level of progress regarding the reporting legislation. Some States, whether contracting States or not, did not necessarily have all regulations in place at that time.
- 2.2.3 The questionnaires highlighted that not all contracting States were completely ready to meet the requirements for the entry into force of the Convention. As such, it was a useful exercise, which showed that some States required particular assistance from the Secretariat to ensure the full implementation of the Convention in the near future.

2.3 Summary of the answers to the specific questions

2.3.1 Question 1: Have you made the HNS reporting obligation a mandatory task in your domestic legislation?

Twelve States responded 'yes'.

2.3.2 Question 2: Have you identified individual companies that will have to submit reports of HNS contributing cargo to the Government?

Seven States responded 'yes', mostly providing their methodology as described below.

2.3.3 Question 3: How do you currently or how do you plan to identify the individual reporting companies?

Mixed answers were received, mostly referring to:

- Contact with industry associations;
- Legislation forcing companies to declare themselves;
- Actions by the relevant administration, linked with other key players like ports;
- Electronic or human systems to record the identification of companies and changes when required.

2.3.4 Question 4: If you have made the rules applicable to the reporting of HNS contributing cargo mandatory in your domestic legislation, are you:

(a) Using Article 1.4(a) as the basis for your legislation?

Eight States indicated that they were fully using Article 1.4(a). Three States reported that they were only using the physical receiver aspect for now, pending final clarification of the whole rules after the entry into force of the Convention.

(b) Using Article 1.4(b) as the basis of your legislation?

No State has chosen that option.

2.3.5 Question 5: Would you consider using Article 1.4 (b) as described by the IOPC Funds in Annex I of the Questionnaire?

Three States indicated that they understood the value of such proposal but raised concerns about the risk of leaving the actual responsibility to submit the reports and pay the HNS cargoes to the physical receivers, instead of leaving some of that responsibility to the Principals.

2.3.6 Question 6: Does your domestic legislation include anything regarding sanctions for not reporting HNS cargo?

Eleven States have adopted types of sanctions, either for lateness or for the submission of incorrect information. These can include financial penalties and imprisonment.

2.3.7 Question 7: Have you established the national authorities responsible for the management of HNS?

Twelve States have established national authorities to manage their HNS commitments.

2.3.8 Question 8: What source of information have you used to check the figures provided by the receivers?

Most referred to the access to Customs as well as industry-provided figures and ports data. Four European States have mentioned their intention to use the National Maritime Single Window (NMSW Report) to help identifying the HNS received in their country.

2.4 Information provided in the note containing the questionnaires regarding the main issues that have to be urgently resolved

Relationship between Physical Receiver and Principal if the Receiver acts as an Agent

2.4.1 As set out in the questionnaire cover note, the definition of the ‘Receiver’ of contributing cargo is mentioned in Article 1.4 of the 2010 HNS Convention.

Article 1.4 (a)

2.4.2 Under that definition, it is the person who “physically receives” contributing cargo discharged in the ports and terminals of a State Party, who is deemed to be the “Receiver”. However, if at the time of receipt, the person who is the “physical receiver” of the cargo acts as an “Agent” for another person (called the “Principal”) and who is subject to the jurisdiction of any State Party, then the “Principal” shall be deemed to be the “Receiver”, but only if the “Agent” discloses to the HNS Fund the details of the “Principal”.

2.4.3 By default, such a definition necessarily brings the potential for more administration and regulation of not only the Physical Receiver but the Principal too, and could even lead to lower overall HNS contributing cargo being reported if the Principals fail to reach the necessary reporting thresholds. To clarify those points, the following set of definitions for the terminology could be used in reference to the obligations of the reporting of HNS contributing cargo:

“Receiver” means either:

A “Physical Receiver”, which is the entity who physically receives contributing cargo discharged in the ports and terminal of a State Party.

Or

A “Principal”, which will be deemed to be the “Receiver” if the contributing cargo has been physically received by an “Agent” on behalf of the “Principal” with two conditions:

1. The “Principal” is subject to the jurisdiction of a State Party to the 2010 HNS Convention; and
2. The “Agent” discloses the “Principal” to the HNS Fund.

Article 1.4 (b)

2.4.4 Another option, that the Secretariat proposed in the questionnaire as the most practical one, is the use of Article 1.4(b) by States. In that part of the Article, States can decide in their national law who is the “Receiver”, on the condition that the total contributing cargo received under such law is substantially the same as the total received under Article 1.4(a).

2.4.5 The Agent/Principal option in Article 1.4(a) seems to be causing difficulties when States are implementing the Convention and it also raises a lot of practical issues, both for States and for the future HNS Fund. This could also lead to uncertainty and possibly unfair application of the Convention in cross-border States, which should clearly be avoided.

2.4.6 On that basis, the IOPC Funds has proposed that it could be decided that States must ensure that their national law identifies the Physical Receivers as the “Receiver” of contributing cargo in their ports and

terminals. For that to occur, the solution should be to use the option of Article 1.4(b) under which States can rely on the physical receiver only, and not use the Agent/Principal option within Article 1.4(a). This would mean that States put the obligation of reporting and contributing solely on the Physical Receivers, in the same way as they do for the purpose of managing oil reporting and contributions for the IOPC Funds. This will significantly simplify the management of reporting and contributions for States and for the HNS Fund.

2.4.7 The Physical Receiver acting as an Agent could then make a contractual arrangement with the Principal to be reimbursed for any contributions due to the HNS Fund for that received cargo. States could either regulate this in their domestic law or alternatively leave this to the parties to agree in a contract. Such a (commercial) contractual arrangement could also cover the situation in which the Physical Receiver acting as an agent is located in a contracting State while the Principal is not. The Agent and the Principal will already have commercial contracts regulating delivery, payments and other particulars of the trade. A reimbursement clause for HNS costs would form a part of their contractual arrangements.

2.4.8 This interpretation of Article 1.4(b) could therefore offer a solution to the difficulties presented by the Agent/Principal option and relieve States and the HNS Fund from the administrative burden of keeping track of Agents and Principals. In addition, this solution ensures that HNS cargoes are reported in full as it will not be possible to use a potential “threshold” for every Principal in that case.

Summary of the responses to the questionnaires on this matter

2.4.9 In respect of the relationship between the Physical Receiver and Principal if the Receiver acts as an Agent, it is noted from the responses to the questionnaires that:

- A majority of States (contracting or not yet) are supportive of Article 1.4 (a) where they consider that the receiver shall mean the person who physically receives contributing cargo in ports or terminals; and if the person who physically receives the cargo is an agent for another who is subject to the jurisdiction of any State Party, then the principal shall be deemed to be the receiver if the agent discloses the principal to the HNS Fund.
- Some States are waiting for the definite official confirmation of the rule before the entry into force of the Convention.
- Article 1.4(b), as suggested by the IOPC Funds in Annex I of the questionnaire, reduces the administrative burden for administrations and the HNS Fund. However, some countries, in which a lot of HNS cargo is received through ports and then transited to other neighbouring countries, responded that they would be negatively impacted if they were to use Article 1.4(b). They consider that putting the reporting obligation on the physical receiver risks adding a considerable burden on physical receivers.
- Moreover, in order to ensure the support of these receivers to provide information on receiving HNS cargo, some States are of the opinion that this extra administrative burden should not be put solely on the physical receivers (running the risk of losing their support and willingness to provide data, etc).

Conclusions

2.4.10 From the comments made in response to the questionnaires and during the HNS workshop (see below), it seems that the IOPC Funds’ proposal was understood as being limited to a transfer of responsibility from the Principals to the Agents, and that there were no protections against the risk that Agents become automatically responsible for the payment of all contributions.

2.4.11 However, the IOPC Funds proposal is actually to ensure that the Physical Receiver, acting as an Agent, could have a (commercial) contractual arrangement with the Principal, to be reimbursed for any contributions due to the HNS Fund for that received cargo. This is a matter that will need to be further developed and better communicated to ensure that the entire concept is clear for States and contributors.

2.4.12 Instead, the majority of States declared their preference for the complete application of the Article 1.4(a) despite the recognised complications which can be caused by the multiplication of different types of companies involved in the reporting process.

2.5 Management of Principal Receivers located in other States than the location of the Physical Receiver

2.5.1 The issue of the management of Principal Receivers located in other States than the location of the Physical Receiver will only arise if a State follows Article 1.4(a) (Agent/Principal option). It can be broken down into two sub-issues, (a) and (b) below.

(a) Determining the State responsible for HNS volumes in cross-border cases and the States to which both the Agent and the Principal should submit their reports

2.5.2 Some States are particularly concerned by this type of situation, because of the large number of Physical Receivers acting as Agents for Principals in their own country or others, and whether Principals in those other countries would be bound by the Convention, in particular during the first years after the entry into force of the Convention where only few States would be parties.

(b) Reporting thresholds in trans-border Agents networks

2.5.3 The reporting thresholds for Agents and Principals located in the same or different contracting States will create difficulties with the volume thresholds applicable to all Agents and Principals when preparing their reports. That is the case of low-volume Agents or Principal receivers, where the risk is that some of those do not report since being below the "threshold", and thus less HNS cargo could be reported than what was delivered in reality after sea transport. Given the potential complexity of managing these issues, it is important to keep in mind that these could be solved efficiently by using the definition of Article 1.4(b), as proposed above.

2.5.4 The Agent does not necessarily have knowledge of the total amounts that the Principal has received, because the Principal can have several Agents. Therefore, to the individual Agent, the fact that it has only received a relatively small amount of cargo for a Principal would not necessarily indicate that this cargo will not have to be reported, and paid for, by the Principal.

2.5.5 If the Agent and the Principal should have to report to authorities in different States Parties, the question would also have relevance for the role of the HNS Fund in cross-checking the information received from different States Parties.

Summary of the responses to the questionnaires on this matter

2.5.6 In respect of the Management of Principals located in other States than the location of the Physical Receiver, it is noted from the responses to the questionnaires that:

- If the Principal's registered office is outside the State where the Agent is based, this Principal shall be represented by a legal entity via a locally registered office. If no legal representative is appointed, the Agent is presumed to be the legal representative of the Principal.
- In that case, the Agent/Physical Receiver should declare in the State where it received the HNS cargo, in particular if the Principal is not in a State Party.

- Some questions were raised about the Principals in other States. If those States are not Parties, the HNS quantities received by those Principals have actually to be reported by the original Physical Receiver. That can also happen if some States use (a) and others (b). This suggests opting for Art 1.4(b) to remove that issue.
- After identifying the company that physically received the cargo (Physical Receiver), the administration will also identify the Principal(s) through the cooperation of the Physical Receiver if it is an "Agent".

Conclusions

2.5.7 The situation described above is a complicated matter which can be difficult to manage. The reference for the quantities of contributing HNS cargo received in a State Party is what get received by Physical Receivers after sea transport. The use of the Agents/Principals methodology may lead to a reduction of contributing HNS cargo, in particular if some Principals receive volumes which are below the Convention's thresholds. That is the same as cases where Agents pass the reporting obligation to Principal receivers which may not be based in States Parties. This issue would be particularly important in the early years of the entry into force of the HNS Convention, as it will take a few years to have a large number of States Parties.

2.6 Identification of the actual receivers within contracting States

2.6.1 It is important for States to identify their actual receivers, to be in a position to provide their own contributing cargo reports, when the Convention comes into force. Indeed, Article 21 states that each contracting State shall ensure that any person liable to pay contributions [...] appears on a list to be established and kept up to date by the Director [of the HNS Fund].

2.6.2 In addition, it is also a risk for the contracting State which has failed to submit contributing cargo to be temporarily suspended from the 2010 HNS Convention (Article 45.7). Another risk is described in Article 21*bis* where no compensation shall be paid for any incident in a contracting State that does not submit its HNS reports.

Summary of the responses to the questionnaires on this matter

2.6.3 In respect of the identification of the actual receivers within contracting States, it is noted from the responses to the questionnaires that:

- For most States, several meetings with relevant stakeholders and sectorial organisations of HNS cargo were conducted to ensure that information was shared early and the reporting obligation clearly explained.
- In two States, individual companies that receive HNS, either as an Agent/Physical Receiver or Principal, report directly to the authorities through an online reporting system which facilitates the monitoring of the companies, thanks to the annual recording of the list of companies and the quantities of contributing HNS cargo.
- For some States, officially sharing the reporting requirements with industry associations, who then pass the information onto companies who determine whether they need to report, was helpful to quickly get a detailed list of relevant companies. Comparing reports from past years and reaching out to certain companies if considered necessary, was listed as useful to ensure the appropriate and regular understanding of the system by the companies.
- For a couple of States, the administration does not keep a fixed list of receivers but would re-launch the request to the industries on a yearly basis for verification before starting the reporting

process.

- Before ratification, when possible, it is effective to hold informal meetings with the industry, organisations and other authorities to identify individual reporting companies, in order to ensure that all parties are identified and aware of their approaching obligation. One State ran a survey on HNS receivers and quantities of contributing cargo which was carried out before their HNS reporting legislation entered into force.
- After ratification, it is important to maintain contacts with the relevant authorities and industry organisations to identify even more individual reporting companies.
- In general, companies have been identified using information received from organisations within the chemical industry, from ports and from reports to the IOPC Funds for those involved with the handling of permanent oils. However, some States are still making efforts to ensure that certain categories such as mineral ores, metals and concentrates, as well as relevant grains and cereals are correctly identified and reported accordingly. This issue appears to be linked with the government agency or ministry in charge of the management of that Convention possibly being unfamiliar with these other categories or industries.
- Ensuring good cooperation is in place with other relevant authorities and departments, such as industry or agriculture ministries, to obtain information on all companies that are eligible for reporting is important to ensure that all information is made available. In that regard, port authorities and customs are widely used for verifying the data submitted by the companies and to ensure that all related companies are properly listed.
- In order to improve access to the relevant HNS data and ensure a common system for the European Union States, four States have mentioned their intention to use the National Maritime Single Window (NMSW Report) to help identifying the HNS received in their country. If adopted, it would require some discussion at the European Union level to explore the possibility of using the European based project: European Maritime Single Window environment (EMSWe) to that effect.

Conclusion

- 2.6.4 It is clear that the relevant industry associations are the most useful resources and should be contacted by the States authorities. In addition to having access to the relevant companies, it is also useful to obtain a higher level of knowledge for some HNS sectors that are not well known by the identified authority. The Secretariat of the IOPC Funds will conduct some research in order to offer States Parties access to data and contacts in order to help in that regard. Several States also emphasised the importance of accessing the information available from ports and customs when verifying the reports and the list of companies.
- 2.6.5 Obtaining access to detailed HNS data, including the list of HNS products, the companies involved and current and past reports, all through an electronic database, would facilitate the work of the authorities in verifying the accuracy of the reported data. This was recognised as a key tool and has been identified as a priority in the existing IOPC Funds Action Plan to provide the best possible support to all States Parties. The intention is to develop an in-house reporting and financial structure which will operate in connection with the current HNS Finder.

3 Summary of the HNS Workshop in March 2022

- 3.1 As proposed by Canada at the March 2022 session of the 1992 Fund Assembly, a workshop aimed at assisting States in their work towards ratification of the 2010 HNS Protocol, with particular emphasis on preparing implementing legislation and HNS cargo reporting, took place at the IMO Headquarters in

London on 3 and 4 April 2023. The event was organised by Canada in cooperation with IMO and the IOPC Funds and was attended by over 200 representatives from States and industry who participated in the event either in person or remotely.

- 3.2 The workshop included a number of presentations and discussion sessions, with Mr François Marier (Canada) acting as moderator. The Director, Mr Gaute Sivertsen, and HNS Project Officer, Mr Thomas Liebert, both delivered presentations and actively participated in the event, responding to questions and taking part in discussions throughout the workshop.
- 3.3 The programme covered a wide range of issues, such as domestic implementation, risks and claims of HNS incidents, industry views on the importance of the HNS Convention, HNS reporting requirements and the future implementation of the Convention. It included expert speakers who shared their experiences from their own specialised areas. A number of States also shared their experiences relating to implementation of the Convention and several industry representatives expressed their support for the Convention whilst sharing important insights into their practices.
- 3.4 Several organisations representing all sides of the industry: the European Chemical Industry Council (Cefic), the Federation of European Tank Storage Associations (FETSA), the International Chamber of Shipping (ICS), the Oil Companies International Marine Forum (OCIMF), the International Group of P&I Associations (International Group) and the World LPG Association (WLPGA) were all unanimous in wanting to see the HNS Convention enter into force. Whilst some concerns were voiced about aspects specific to their particular sectors, and the need for a level playing field was reiterated, the “polluter pays” principle and the concept of globally shared responsibility were cited as reasons to support the Convention.
- 3.5 During the second day of the workshop, the IOPC Funds Secretariat led the session entitled ‘HNS reporting requirements’, which examined how the reporting process will function once the HNS Convention enters into force. It also provided information on the work carried out by the 1992 Fund in relation to the general preparations for the setting up of the HNS Fund and its first HNS Fund Assembly.
- 3.6 The Director explained that the administrative work to keep track of the IOPC Funds’ 250 contributors from its worldwide membership was already substantial. Based on that experience, he indicated that the HNS Fund will probably have 10 times as many contributors, making the management of HNS reporting extremely difficult. As a consequence, more human and technical resources would be required, raising costs which would be borne by the governments and the industry.
- 3.7 He explained that, following previous discussions with a number of States, it was recognised that an efficient and jointly approved system for reporting HNS contributing cargo was key to ensuring the success of the Convention and that the workshop should help to highlight in detail the challenges faced by States and industry in relation to the reporting of HNS as contributing cargo. With that in mind, he confirmed that the IOPC Funds had put forward proposals for a simplified method of HNS reporting, as proposed in the Questionnaires provided before the workshop and described in Section 2 of this document.
- 3.8 Regional break-out groups were also organised to allow for exchanges between States that were interested in sharing information and to work through issues. An update to the larger group was then provided by a representative from each group when the workshop resumed. It included the suggestion to prepare a short one-page document, which was high-level and to the point and targeted at Ministerial level, answering the fundamental questions: what are the benefits of the Convention and the solutions now being adopted to make its management easier.
- 3.9 It was interesting to see from the workshop that flag States were now focusing on this instrument with the intention to join it soon. An important matter since the International Group raised the issue, was that ships that will be registered in non-States Parties will need State convention certificates but won’t be able to obtain those certificates from their own State registries, if they are not States Parties. States Parties will

need to ensure that they can comply with the requirement and potentially agree to issue their certificates to ships under non-State Party flags. Through experience from similar conventions, some States Parties were not able to issue these certificates since legislation only allowed them to issue certificates to ships under their registry. Belgium, France and the Netherlands indicated that they will be able to deliver certificates to ships from non-States Parties.

- 3.10 Providing technical assistance for the implementation of this Convention into national legal frameworks, including the issue of HNS reporting, but also legal aspects and claims handling procedures, would also be appropriate as this was widely expressed by most States.
- 3.11 In that regard, the IMO Secretariat, through the IMO Integrated Technical Cooperation Programme (ITCP) or for States that do not fall under this programme, has been organising further regional and national workshops, often in conjunction with the IOPC Funds Secretariat and the International Group of Protection and Indemnity Associations (International Group), to promote the ratification and implementation of the international liability and compensation regime, including HNS.
- 3.12 Given the clear interest expressed by Member States on this type of support, States are encouraged, individually or as a group, to submit requests to IMO or the IOPC Funds for such activities.
- 3.13 However, observing that requests from Member States and industry for assistance and information have become more regular and complex than in previous years, it is important that a specific programme of assistance on HNS matters is organised. With a structured programme and the existing HNS training content that the IMO and the IOPC Funds' Secretariats have available, it will be possible to ensure that all States implement all aspects of the HNS Convention and its rules. This could include the application of similar processes by States when obtaining the HNS reports from their industry and could facilitate their correct submission to the future HNS Fund Secretariat.
- 3.14 Mr Marier summarised the exchanges carried out over the course of the two days, noting the importance of putting into place a global HNS liability and compensation regime. He noted the interest of States to coordinate their implementation, highlighting the collaboration of European States, and pointed out that although States appreciated the tools and resources already available, more tools and technical training would be of interest to States considering becoming a Party to the Convention. Progress on ratification by countries was noted, and the meeting was reminded that once the conditions are met, there will be 18 months before the treaty enters into force, during which time a lot of decisions will need to be taken.
- 3.15 During his closing remarks, IMO's Director of Legal Affairs and External Relations, Mr Frederick Kenney, was pleased to observe that all key groups had been represented at the workshop and recognised that they each had different requirements in respect of the management of HNS and the Convention itself. He confirmed that IMO, together with the IOPC Funds, would focus their work on providing wide and effective support to facilitate the entry into force of the Convention.
- 3.16 The IOPC Funds' Director, Mr Gaute Sivertsen, resonated those words and reaffirmed the commitment of the IOPC Funds to supporting States and delivering the tasks it had been assigned in order to prepare for the entry into force of the Convention and the creation of the HNS Fund Secretariat. He reiterated the importance of finding pragmatic solutions to the complex issue of reporting. He also indicated that the draft HNS Claims manual would be ready for approval, together with other administrative tasks relating to the establishment of the HNS Fund in preparation for when the Convention enters into force.
- 3.17 The presentations delivered at the workshop are available to download via the document library of the HNS website: www.hnsconvention.org. In addition, IMO has produced a summary of the HNS workshop which can be found in the Media Centre section of its website <https://www.imo.org/en/MediaCentre/MeetingSummaries/Pages/Workshhop-on-the-2010-HNS-Convention.aspx>

4 Director's considerations

- 4.1 The Director was pleased that several States had responded to the questionnaires and with the interest and discussions at the workshop in April. He looks forward to hearing the views of States and further discussions of the results of the questionnaires and the workshop at the current session of the Assembly.
- 4.2 Such views and discussions will be analysed in detail and integrated accordingly in the HNS Action Plan of the Secretariat.

5 Action to be taken

1992 Fund Assembly

The 1992 Fund Assembly is invited to

- (a) take note of the information;
 - (b) consider the results of the questionnaires and the Secretariat's comments in respect of the issues identified relating to the reporting of HNS cargoes and its proposed solutions to those issues; and
 - (c) provide comments and views as it deems appropriate.
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