

Provisional regulations for handling second-hand vehicles in the Port of Antwerp.

For the period from 1 July 2011 to 31 December 2011

Art. 1 Definitions:

Art. 1.1: Second-hand vehicle:

Second-hand vehicles are all vehicles (as defined in Title I of VLAREM [Environment, Nature and Energy Department], chapter 1, Art. 1. 43°) that are not new and are not refuse, i.e. a motorised means of transport with the exception of vessels.

Art. 1.2: Handling:

By handling is meant all operations that are necessary for loading and unloading ships, and delivery to and removal from terminals.

Art. 1.3: Fore-quay:

The definition in Title III of the VLAREM (Art. 1.1.2, chapter 5.48) applies.
Staying on the fore-quay is only allowed to enable the handling as defined in article 1.2.

Art. 1.4: Additional cargo

Additional cargo is understood to mean all goods that are not part of the vehicle as such but which are shipped in or with the vehicle.

Art. 2: Acceptance criteria for vehicles:

Acceptance criteria that a vehicle has to meet and which are to be checked by the concessionaire:

- vehicles must be drivable;
- bonnet, boot lid and doors must be present. The two front-doors, viz. the driver's and passenger's door, have to be in working order and it should be possible to open them manually.
- vehicles must not leak (e.g. fuel, oil, battery fluid, coolant);
- driver's seat must be present and like the passenger's seat must be completely free. If no passenger's seat is present, the place provided for it also has to be completely free
- vehicles may not show any visible traces that they have been cut into pieces and subsequently welded together again

- there should not be any visible signs present that could indicate that the structure of the vehicle has been damaged (e.g. reinforcement beams or straps);
- there should not be any signs of major fire, structural damage, such as sagging chassis plates, substantial damage to the bodywork, missing tyres, loose parts, etc.
- Every tanker and tank truck must be accompanied by a cleaning and gas-free certificate.
- All basic units + 3.5 ton (trucks, buses, tractors, road material, closed, heavy delivery vans (“big vans”), and closed trucks) must be SELF-PROPELLED and able to drive into the terminal and move around under their own power.
- In the event of a problem with a unit loaded piggyback or on a trailer, the entire combination will be rejected until the problem with the unit has been resolved.

If it is determined that one of these acceptance criteria is not met, the vehicle must be refused access to the terminal.

Art. 3: Information:

Art. 3.1 Information that has to be available at the terminal:

The following information has to be known to the terminal operator for every vehicle that is admitted to the terminal:

- at least the 6 last figures of the chassis number
- name and address of the shipper or agent
- company name of the carrier; and the number plate of the delivery lorry/tractor unit
- name and address of the forwarding agent, if applicable;
- name of the loading ship, if known;
- port of destination

Art. 3.2: Information provision

When asked, the concessionaire submits to an authorised regulatory government service a list of the vehicles present at the terminal that are approved for shipment. This list has to contain the following information:

- information defined in art. 3.1;
- date of delivery at the terminal;
- scheduled date of loading if available

Art. 4: Rejected vehicles:

Vehicles that are rejected by the terminal according to the provisions of article 2 are not permitted to come on to the terminal site and have to be removed immediately (to the shipper).

The terminal has to submit to the carrier the “rejected vehicles” form for signature. The latter contains the instructions which the carrier has to follow by order of the Port Captains Service (HKD) and for compliance with the regulations issued by the HKD. A copy of this submitted form is immediately forwarded to the HKD.
(controle.gevgoed.hkd@haven.antwerpen.be)

Rejected vehicles may not be offered for shipment to any terminal in the Port of Antwerp area unless their condition has been correctly amended so that they do meet the acceptance criteria.

Art. 5: Stay on the fore-quay:

The delivery and positioning of vehicles for shipment have to take place under the terms of the loading and unloading of ships. The name of the definitive port of unloading must be known before the vehicles are admitted to the fore-quay.

The length of stay has to be as short as possible and may be a maximum of 42 calendar days. This period can be extended exceptionally but always only after approval by the HKD. Vehicles that are not shipped after this period have to be removed (to the shipper).

Art. 6: Provisions with respect to security at the terminal:

Before vehicles may be positioned on the quay the following documents have to be submitted to the HKD for approval

- plan of the positioning of the vehicles indicating the distances between the vehicles;
- location of the fire-safety equipment;
- instructions for the terminal personnel with respect to acceptance criteria and positioning of the vehicles;
- emergency procedures for fire and pollution with statement of the drills performed.
- means available at the terminal for cleaning up pollution and extinguishing fires.

Every pollution incident has to be cleared up immediately in an appropriate and environmentally-friendly manner. As stipulated in the bye-laws, the concessionaire is responsible for the cleanliness of his concession.

Art. 7: Additional cargo:

Art. 7.1: Provisions for additional cargo

No additional cargo may be placed at the terminal.

Additional cargo has to be in accordance with all applicable national and international regulations such as customs regulations, European regulation on the transfer of waste products, Basel Convention, etc (not inclusive).

IMDG goods, in whatever quantity, are strictly prohibited

Soiled goods are strictly prohibited

Art. 7.2: Additional provisions for lorries and vehicles > 3.5 ton

Every lorry and/or vehicle of more than 3.5 ton including additional cargo has to be accompanied by a weigh bill that is not older than 4 hours and on which the following information is stated:

- company that performed the weighing
- date and time of the weighing
- identification of the vehicle (including chassis number)
- weight of the loaded vehicle

Trucks and vehicles of more than 3.5 ton including additional cargo are to be regarded as containers and therefore, apart from the provisions imposed herein, also have to meet all administrative conditions and rules for handling loaded containers.

Art. 7.3: Non-compliant additional cargo

A vehicle whose additional cargo does not comply with the rules stated above is to be regarded as a non-compliant vehicle and has to be rejected.

Vehicles that are found to have irregular additional cargo at the terminals, or which are suspected of containing irregular additional cargo, can be blocked by the competent authorities. After inspection by the latter they have to be removed or brought into conformity within 5 working days.

Art. 8: Measures with respect to fire safety:

Vehicles have to be positioned in such a way that burning vehicles are accessible at all times for the extinguishing equipment of the fire brigade.

Taking into account the reach of the fire hoses of the local fire brigade, the vehicles have to be positioned in blocks of no more than 30 metres with a gap that enables intervention by the fire brigade. (If the fire brigade gives explicit permission, this distance may be extended depending on the range of the fire-brigade equipment)

Art. 9: Measures with respect to checks:

In order to enable checks of the vehicles as well as the additional cargo to be performed, vehicles should be positioned in such a way that they are always accessible.

If this is not possible, when requested, the terminal has to immediately do what is necessary to place the designated vehicle in an unencumbered position and thus enable any check to be carried out.

Checks on additional cargo of vehicles > 3.5 ton that are performed by the authorities have to be carried out at an approved body.

Art. 10: Miscellaneous:

Art. 10.1 Fitting out of quays and terminals

The fitting-out conditions for terminals which handle second-hand vehicles as well as possible interim measures will be laid down in a separate regulation.

Art. 10.2 Term of validity of these regulations

These provisional regulations come into force on 1 July 2011 and are valid until 31 December 2011. In the absence of definitive regulations on 31 December 2011, the regulations that were approved by the Board of Directors of Antwerp Port Authority on 5 April 2011, will be in force again on 1 January 2012.