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Title: International Maritime Organization (IMO) CSC/ACEP Information Paper

The Institute of International Container Lessors (IICL) engages in leasing marine cargo containers to ship operators and others on a broad international basis. Paramount to our members is the important issue of safety and the compliance of various standards and regulations as set forth by international bodies such as the International Maritime Organization (IMO) and International Standards Organization (ISO). With this Technical Bulletin the IICL would like to specifically address an issue dealing with the IMO's CSC/ACEP program.

CSC

In 1972 the IMO adopted the Convention for Safe Containers (CSC 1972) to maintain a high level of safety and facilitate the international transport of containers by providing uniform international safety regulations.

The CSC also saw fit to include provisions in the CSC convention which addresses containers which are leased and the requirements of the lessee.

IICL member companies specifically and more importantly contractually address these same issues with each of their customers.

The purpose of this bulletin is to bring attention to this contractual obligation as well as address a specific area of the regulation and the requirements of the lessee.

The IMO regulations supplement, CSC.1/Circular 138/Revision 1 (Revised Recommendations on Harmonized Interpretation and Implementation of the International Convention for Safe Containers, 1972, as amended) in Section 12.4.4.3 speaks to "Containers operated by a lessee". *In Section 12.4.4.3.1 it states, "Containers marked with an NED (next examination date) but operated by a lessee with an approved continuous examination program should be re-marked by the fitting of the lessee's ACEP reference decal and removal or covering of the next examination date".*

The IICL's member's position regarding this Section is listed below and is working to amend / clarify this section with the IMO to read as follows:

"Containers marked with an NED (next examination date) or ACEP but operated by a lessee with an approved continuous examination program should be re-marked by the fitting of the lessee's ACEP reference decal and removal or covering of the next examination date or lessor ACEP"

It should be pointed out that Section 12.4.4.3.2 further explains containers marked with an ACEP reference but operated by a lessee with a periodic examination scheme (PES) should be re-marked by the removal or covering of the ACEP reference and the fitting of an NED decal following the first examination under the lessee's examination scheme. This revised language and position specifically outlines the responsibility of the lessee and their responsibility to comply with the IMO regulations regarding this issue.