

**PRECAUTIONS AGAINST CONTACTING FISHING NET IN NINGDE WATERS, CHINA**

Being Ingosstrakh's P&I correspondent for China, Huatai Insurance Agency & Consultant Service Ltd. provides useful information on precautions against contacting fishing nets in Ningde Waters.

As it stands, four similar incidents on contacting with fishing nets (Set-net Type, 定置网) occurred in the Ningde waters where the foreign ship always choose to drop anchor to wait for berth of Ningde Port or Kement Port of Fujian Province. These incidents caused the ship's propeller twined by the fishing net, some fishermen attended onboard irrationally and rejected to disembark before settlement.

It should be noted, that above waters are not the regulated anchorage for vessels and it is not marked in the sea charts. Nevertheless, since the local anchorage is small or occupied by the small ships, big foreign ships have no other option but to drop anchor in this area. It is however unusual that several similar incidents occurred in a short period consecutively, which therefore gave rise to the local port authorities' attention.

Basing on collected information, a sketch shows the position of the incident area including the position of 5 fishing nets and the navigation trace (A to B and C to D).



For avoidance of contact with fishing nets, vessels always have to choose a proper position to drop the anchor outside the fishing net areas. Entering this areas in night time are not welcomed, however, providing that there is no other option, an ultimate level of care and proper look-out should be performed, every fishing boat trying to approach the ship should be warned. In case of the contact, fishermen's attending onboard shall be prohibited. We also encourage Insureds trading to these areas to contact the local agent for additional information on location of fishing nets.

### **DETENTION OF SHIPS FOR DROPPING ANCHOR AT INDONESIAN TERRITORIAL WATERS**

As we have recently reported in our news alert, the information came from Ingostrakh's P&I Correspondent in South Asia region – SEAsia Ltd about detention of some ships most of which were bound to Singapore, for dropping the anchor at Indonesian territorial waters at around Eastern OPL.

We would like to once again point Insured's attention that in accordance with Laws of Indonesian Republic no. 17 Year 2008 regarding Shipping, Article no. 194 Paragraph 3:"All foreign vessels using Indonesian archipelagic sea lanes in the voyage should not deviate except in an emergency." For dropping anchor at Indonesian waters, a prior notice to Indonesian Port Authority should be given. Those ships ignored the above said regulations and were subsequently detained and escorted to sail to Tanjung Uban or Batam Anchorage by Indonesian Navy.

In light of above, Insureds are recommended to report to Indonesian port authorities even in case of temporary anchorage in Indonesian Waters so to avoid any problems.

### **THE EORI NUMBER: "ECONOMIC OPERATORS REGISTRATION AND IDENTIFICATION NUMBER" - HOW TO OBTAIN IT**

Our Spanish P&I Correspondents and Lawyers INDECO provide comprehensive information on EORI number issue. Recently, we have been approached several times by the Owners re this issue, so we believe that below would be very useful for Insureds who have frequent trade to Spanish ports.

EORI stands for "Economic Operators Registration and Identification number" and has been mandatory since the 1st of July 2009 according to the 'Safety and Security Amendment' to the Community Customs Code. It is a single registration number for economic operators that is necessary for customs activities across the European Union. This number is supposed to be positive for both, economic operators and customs officers, because it enables administrative tasks making procedures simpler, as well as it plays a role in identifying security risks and streamline procedures. It is said to be more efficient to have one common type of identification number across the EU, both for customs authorities and economic operators.

This number is usually automatically given to Spanish operators, but not to foreign companies, entities without legal personality or non-resident companies, whose tax identification numbers begin with M/X/Y, N y W. These companies need to request by written their wish to be registered addressed to "Dependencia Provincial de Aduanas" or the corresponding tax authority or digitally, through "la Sede Electrónica de la AEAT – ADUANAS". After requesting the EORI Number, another request to link this Number with the NIF number of the company will also be necessary.

The EORI Number is not given to companies who already have it or were given it by another European Community State.

### THE EORI NUMBER: WHAT FOR?

The EORI Number is necessary for any economic operator established in the customs territory of the European Union wishing to trade and also for economic operators not established in the customs territory of the Union for all the following situations:

- To lodge a customs declaration in the customs territory of the Union;
- To submit an Entry Summary Declaration (ENS)
- To lodge an Exit Summary Declaration (EXS)
- To lodge a temporary storage declaration in the customs territory of the Union
- To act as a carrier for the purposes of transport by sea, inland waterway or air;
- To act as a carrier who is connected to the customs system and wishes to receive any of the notifications provided for in the customs legislation regarding the lodging or amendment of entry summary declarations.

Persons other than economic operators shall be registered in following situations:

- where such registration is required by the national legislation of a Member State;
- where the person engages in operations for which an EORI number must be provided according to the EU customs legislation.

### WHAT DOCUMENTS ARE REQUESTED TO CARRIERS BY SEA?

- A Security Declaration for the Authorized Economic Operators, which is basically a declaration on the security / safety conditions of the goods being transported.
- This Security Declaration of OEA form needs to be signed by the person that is registered as authorized to represent the company before the BVI Authorities.
- An Application Form
- A copy of the passport for natural persons or a document of the trade register of the Chamber of Commerce or
- Certified copy of an official document displaying identification data that has been issued by the trade register authorities or a Chamber of Commerce in the third country, like for example, the Certificate of Incorporation and Incumbency. The document may not be older than six months.

### TO WHICH AUTHORITY CAN IT BE REQUESTED?

The EORI number can be obtained by requesting the assignment of the EORI number to the customs authorities of the EU country in which they are established, by those established in the customs territory of the Union.

For those not established in the customs territory of the Community, the assignment of the EORI number should be requested to the customs authorities of the EU country responsible for the place where they first lodge a declaration or apply for a decision.

### HOW LONG DOES IT TAKE TO OBTAIN IT?

After requesting it and being assigned by the Tax Agency, approximately 48 hours later the EORI number is activated and cargo can be traded.