

Loss Prevention Bulletin

Ship Type: All

Trade Area: Ivory Coast

Bulletin 129 - 02/00 - Customs Fines - Ivory Coast

We have been advised by TCI Africa CI (Club Correspondents) in Abidjan of recent articles in the Ivory Coast press referring to alleged cases of fraud involving considerable sums of money with their origin in the mis-declaration of quality, origin and quantity on bagged cargoes of sugar from South America.

Whereas we have recently experienced cases of apparent shortlandings on cargoes from Brazil, the origin of problem cargoes is not exclusively South American and includes some North European ports.

A typical case is that of a vessel which loaded in Antwerp. On arrival in Abidjan the original seals on hatch covers and hold entries placed in the loadport were checked and found to be intact. Although the Master did not have an official draft survey carried out with shippers' representatives, he confirmed that his own draft survey indicated that the quantity loaded reflected that on the bills of lading.

All cargo was discharged into one quayside warehouse and delivery to receivers was only commenced **after** discharge of the whole parcel.

The outturn tally, carried out under ship's tackle, indicated a shortlanding of 2000 bags. As a result all parties (including the Master) physically checked the quantities discharged into the warehouse and the shortlanding of 2000 bags was confirmed.

The possible origins of the shortlanding are not numerous.

Short shipment in the load port (criminal or otherwise)

We are usually told that the tally in such developed ports is carried out automatically on the conveyor belt and cannot therefore be wrong!

Seals which can be tampered with

A second case in Abidjan is that of a vessel where the crew were caught red handed selling bags of sugar and discharging these at night into dug out canoes while the vessel waited in the lagoon for a berth.

The Ivory Coast customs authority have always imposed heavy fines on alleged discrepancies between the official outturn report and the manifested quantity and it is feared that a combination of newly promoted officers with a mandate from the new military régime to stamp out corruption and the wide publicity being given to the alleged frauds will result in even greater vigilance on the part of the authorities.

In order to be best prepared to defend the Members's position , TCI Abidjan recommend that the following measures be taken:

- **Hatch covers and access ways to holds should be sealed by an independent company with inviolable seals in the load port no matter where it may be.**
- **If loading operations are automated and the bag count is also automated, then there should be a back up method of controlling the stevedore's/shippers figures.**

- **A joint draft survey should be carried out by all interested parties both in the load port and the discharge port.**
- **The holds should be unsealed and this witnessed jointly by all parties including customs.**
- **Sealing/unsealing of the holds and joint draft surveys should be carried out in any intermediate ports.**
- **The vessel should employ security personnel, preferably from the official port police, throughout the stay of the vessel in an Ivorian Coast port.**
- **A joint tally should be organised at the most efficient point, and in order to be certain a second tally should be carried out on delivery jointly with the warehouse supervisor.**

Members may be concerned at the last point of this advice, but we should point out that there is a difference between the commercial liabilities of an owner vis à vis cargo interests and their liabilities to customs fines. As far as customs are concerned, the ship owner's responsibility does not cease at the ship's tackle but in the port customs shed (magasin câle) i.e. the customs shed in the port is considered as an extension of the ship's holds.

It is clear that to carry out all the foregoing suggestions will prove expensive and an unwelcome addition to owners' costs. TCI Abidjan suggest however that if these steps are not taken, a heavy increase in customs fines can be anticipated.

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