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CSC.1/Circ.154
7 June 2016

**INSTRUCTIONS FOR USE AND INFORMATION CONCERNING
THE GLOBAL ACEP DATABASE**

1 The Maritime Safety Committee, at its eighty-eighth session (24 November to 3 December 2010), adopted, by resolution MSC.310(88), amendments to the International Convention for Safe Containers, 1972 (CSC 1972), to include new specifications regarding Safety Approval Plates, describing the validity of, and elements to be included in, approved examination programmes.

2 Prior to the creation of the Global ACEP Database, authorities and industry stakeholders had no means to check the validity of an Approved Continuous Examination Programme (ACEP) and no way of knowing whether the container owner/operator to whom it was initially delivered continued to meet the requirements of the programme. This lack of transparency gave rise to safety and compliance concerns that the Global ACEP Database and these Instructions intend to address.

3 The Maritime Safety Committee, at its ninety-sixth session (11 to 20 May 2016), having considered the proposal by the Sub-Committee on Carriage of Cargoes and Containers, at its second session, approved the Instructions for use and information concerning the Global ACEP Database, as set out in the annex.

4 Member States are invited to bring these Instructions to the attention of all parties concerned.

ANNEX

INSTRUCTIONS FOR USE AND INFORMATION CONCERNING THE GLOBAL ACEP DATABASE

1 Introduction

1.1 The *Revised recommendations on harmonized interpretation and implementation of the International Convention for Safe Containers, 1972, as amended* (CSC.1/Circ.138/Rev.1, as amended by CSC.1/Circ.151), approved by the Maritime Safety Committee, at its ninety-sixth session (11 to 20 May 2016), refer to the obligation for Administrations that deliver Approved Continuous Examination Programmes (ACEPs), or have ACEPs delivered under their responsibility, to make the list of their ACEPs publicly available (CSC.1/Circ.138/Rev.1, paragraph 9.1, as amended by CSC.1/Circ.151).

1.2 CSC 1972, as amended, also requires that Administrations review these ACEPs periodically (CSC.1/Circ.138/Rev.1, paragraphs 7.2 and 7.3, as amended by CSC.1/Circ.151) in order to monitor that the conditions which prevailed when the ACEP was initially granted are still met by the container owner*/operator.

1.3 Prior to the creation of the Global ACEP Database, authorities and industry stakeholders had no means to check the validity of an ACEP and no way of knowing whether the container owner/operator to whom it was initially delivered continued to meet the requirements of the programme. This lack of transparency gave rise to safety and compliance concerns that the Global ACEP Database and these Instructions intend to address.

2 Use of the Global ACEP Database by Administrations

2.1 In order to ensure the ACEP visibility intended by the Contracting Parties in making the amendment to the Convention, and in order to arrange for a single means for regulators and industry to obtain and access information regarding all ACEP approvals, the Global ACEP Database has been established by Bureau International des Containers et du Transport Intermodal (BIC) and endorsed by the Maritime Safety Committee of the Organization (MSC 93/22, paragraph 9.3) as a method that can be used by Administrations to make their lists of ACEP programmes publicly available as required in CSC 1972.

2.2 In this regard, CSC.1/Circ.138/Rev.1 and CSC.1/Circ.143, as amended by CSC.1/Circ.151 and CSC.1/Circ.152, respectively, have been updated to urge Administrations to use the database as the means to publish their ACEP programmes.

3 Administrative procedures associated with the database

3.1 The Global ACEP Database is located at www.bic-acep.org. Its opening page lists the Administrations that have informed the Organization that they have ACEP programmes as well as those Administrations that have entered their ACEP programme information to the Global ACEP Database. For each of these latter Administrations, the opening page also indicates when their ACEP programme information was most recently validated.

* Refer to CSC 1972 article II, paragraph 10 and CSC.1/Circ.138/Rev.1, paragraph 2.2.

3.2 In order for each Administration to begin entering its ACEP information in the database, it is necessary to have an account created by BIC, which maintains the database for the benefit of Administrations. Administrations intending to utilize the Global ACEP Database are urged to contact BIC directly via the contact form located at www.bic-acep.org. BIC will verify the eligibility of each Administration from information provided by the Organization.

3.3 Governments that are not Contracting Parties to CSC 1972 may enter their approved programmes in the Global ACEP Database. However, because ACEP is a significant element of the Convention and in the Organization's efforts to enhance container safety, it is strongly recommended that such Governments consider becoming a Contracting Party.

3.4 The database works on a two-level basis for the delivery and publication of ACEPs:

- .1 each Administration is assigned a role called "**ADMIN**" and this role is created by BIC as described in paragraph 3.2. Each Administration remains responsible for the publication of an up-to-date list of ACEPs delivered under its authority;

Note: the individual designated as ADMIN cannot directly enter ACEP approvals in the database; this must be done by an Approved Competent Authority, as described below.

- .2 the operational level is the **Approved Competent Authority (ACA)**, who is in charge of issuing ACEPs, performing audits and updating ACEP details in the database. An ACA can be part of the Administration itself or be a third party. The ACA must be designated by the ADMIN in the Global ACEP Database.

Note: An ADMIN can designate multiple ACAs and the same ACA can be designated by several ADMINS.

3.5 Once an ACEP is entered for a **Container Owner/Operator (CO)** in the database an account is created for that CO.

3.6 Further information on the operation of the database can be found in the user guide, located at www.bic-acep.org.

4 Transfer of an ACEP

4.1 The Global ACEP database provides for the possibility to transfer an ACEP from one CO to another. However, it must be noted that the commonly-used ACEP number structure currently carries the country code of the Administration and the short name of the ACA that issued the number.

4.2 In case of a merger or acquisition involving two COs with ACEP approvals issued by the same ACA, transfer of an ACEP number to the acquiring CO can easily be done and is fully described in the user guide.

4.3 In case of a merger or acquisition involving two COs with ACEP approvals issued by two ACAs, and/or two different Administrations, both the ACA and the CO of the container fleet acquired must contact BIC in writing (or email) to request the transfer of the ACEP number of the acquired container fleet.

- .1 once the relevant requests have been received, BIC will delete the ACEP number of the fleet being acquired and will confirm the deletion to all involved ACAs and COs.

- .2 upon confirmation from BIC of the deletion of an ACEP corresponding to the acquired container fleet, the ACA in charge of the CO acquiring the fleet may then add the ACEP number to the acquiring CO who then will be owning/operating a combined container fleet with two ACEP numbers.
- .3 the transferred ACEP will carry a country code and an ACA identifier which do not match the country and the ACA of the acquiring CO. It should be noted that CSC 1972 (annex 1, regulation 2, paragraph 3b) specifies that the Contracting Party which has granted approval of the programme shall be displayed on the container.

Note: ACEP numbers are unique and duplication is impossible in the database and the deletion of data is not permitted by the users. However, BIC has, as the "Super Administrator", the ability to physically delete entries in the database upon the written request (or email) of the Administration or its appointed ACA.

5 Integrity of data

5.1 Only logged-in users with the appropriate rights corresponding to their profiles are authorized to create, change, or amend data in the Global ACEP Database, including all management dates such as the actual dates of validity, audit, and renewal. Deletion of data may only be carried out by a BIC "Super Administrator". The BIC Super Administrator will only delete data upon the written requests (or email) by an ADMIN or ACA following careful consultations with BIC regarding the impact of the deletion on the database structure and content. (See user guide for a description of the users' profiles).

5.2 For details on the Global ACEP Database's server architecture, see the user guide.

5.3 The Global ACEP Database was designed solely as a global tool to allow stakeholders to publish and consult ACEP approvals. No other container or user data is permitted to be stored in the database, and the database may not be used for any other services or purposes.

5.4 The Global ACEP Database is available for public review on www.bic-acep.org. Anyone accessing the web page can view the ACEP number, the CO, the issuing authority (ACA), and the Administration (ADMIN) under which the ACEP is approved. Anyone accessing the web page will also have ability to email the point of contact for the CO and the ACA.

5.5 Only designated ACAs can create, change or amend information concerning ACEPs under their control, including designating and changing points of contact/persons in charge.

5.6 The database was developed and is run according to current standards related to internet security.

6 Data in the database

6.1 The Global ACEP Database is designed to provide visibility of all valid ACEPs issued by any Administration to all parties needing such information. Administrations, their ADMIN and ACAs are reminded of their responsibility for maintaining the accuracy of the ACEP information that they have entered to the database, and that any container stopped due to missing, inaccurate and/or outdated ACEP data may have economic, operational and liability implications for the CO, shipper and consignee.

6.2 If a discrepancy is identified with an ACEP and/or its data, the authorized (or control) officer who identifies the discrepancy should contact the relevant Administration that issued the ACEP or the ACA on whose behalf the ACEP was issued to try to address the discrepancy. The objective of such communication is to ensure that no container with a valid ACEP is stopped because of a lack of access to information regarding the ACEP approval or because such information is incomplete or not up to date.

6.3 If containers, covered by an ACEP, as referred to in paragraph 6.2 above, have no serious structural deficiencies (CSC 1972, annex III, and CSC.1/Circ.138/Rev.1 as amended by CSC.1/Circ.151), then the container should be released without further delay. Any remaining issues regarding the validity of the ACEP should be dealt with in due course once the relevant ADMIN, ACA and CO have been identified.

6.4 A list of Governments who have entered their list of ACEPs in the Global ACEP Database will be visible in the database. These Administrations should validate the ACEP data on an annual basis; for each Administration the database will indicate the most recent validation date.

6.5 A separate list of Governments who have informed the Organization that they have ACEPs* and have not entered them in the Global ACEP Database will also be visible in the database.

6.6 The aforementioned two lists on the Global ACEP Database will assist authorized (or control) officers in determining the validity of an ACEP number and associated data and whether a need exists to contact the Administration or a third party, acting on its behalf, that issued the ACEP in order to confirm the validity of the ACEP number. Once all ACEP programmes have been entered to the Global ACEP Database, the database will have only one list, thus drastically reducing the need for direct government-to-government contacts in matters pertaining to ACEP numbers.

6.7 Responsibility for the completeness and accuracy of the ACEP data entered into the database rests solely with each Administration and its appointed ACA(s).

6.8 To facilitate timely updates, the Global ACEP Database provides automated alert messages to advise of upcoming events related to validity dates of the ACEP. ADMINs, ACAs and CO will receive the automated alerts (see user guide for more detail).

6.9 In addition, the Global ACEP Database will send an annual message to each ADMIN with the list of all the ACEPs currently under their responsibility, with a request to log into the system and validate that the list is valid and complete and that all dates are correct. The message serves to remind Administrations (and by extension, their appointed ACA(s)) of their responsibility to keep the ACEP information they have entered to the Global ACEP Database accurately and permanently updated.

6.10 BIC's role is to:

- .1 ensure the database is always available;
- .2 ensure the integrity and security of the data;
- .3 create ADMIN accounts upon request, following verification as outlined in paragraph 3.4 above; and
- .4 provide support to all users when appropriate.

* Refer to the *List of locations of publicly available ACEP information* (CSC.1/Circ.153).

6.11 COs cannot create, change, or amend data in the Global ACEP Database.

6.12 Should a CO discover a discrepancy related to its ACEP, it should immediately contact the responsible ADMIN and/or ACA, using the mail-to function in the database, with a detailed request to amend its ACEP. The trace of the request will be stored in the CO's mail software (sent items), but not in the database.

6.13 The database does not provide follow-up tools to ensure that ADMIN and ACA take action on the requested change. However, an alert message is automatically sent to the CO once a change has been made to its ACEP.

6.14 Reference is made to the user guide regarding the issues discussed in this section.

7 Dependent territories and non-Contracting Parties

7.1 Dependent territories may receive from a Contracting Party the authority to publish and deliver ACEPs. In such cases, the dependent territory should inform the Organization for inclusion on the list maintained by the Organization.*

7.2 Most ACEPs are delivered by Contracting Parties to the Convention. However, as previously mentioned, some Governments, while not being a Contracting Party, may decide to implement ACEPs. In such cases, the Government should inform the Organization for inclusion on the list maintained by the Organization*.

8 Any other matters

8.1 When an ACEP is delivered, a delivery date is assigned to the ACEP and cannot be changed after entry and confirmation into the database.

8.2 The ACEP can be associated either to a new "ACEP Group" which may contain only the single ACEP being entered, or to an existing ACEP Group which already contains one or several ACEPs previously delivered to that CO (see user guide for clarification on the use of the group structure).

8.3 Next audit date and renewal date (no more than every 5 years and 10 years, respectively, as defined in the Convention) are set at the ACEP Group level, which allows the ACA to update in one step the dates for all ACEPs assigned to a given CO when auditing/reviewing that CO.

8.4 As already mentioned, ADMINS, ACAs and COs will be advised in advance by automatic messages when an audit or renewal date is approaching.

8.5 ACEPs remain visible for all users even when an audit or renewal date is overdue. However, all logged-in users will have a visual indication that an action is required.

8.6 BIC will make a yearly report on the activity of the Global ACEP Database, and the results of any audit carried out in that year, at each session of the Sub-Committee on the Carriage of Cargoes and Containers (CCC), and will address any questions raised regarding the report and the functioning of the database.

* Refer to the *List of locations of publicly available ACEP information* (CSC.1/Circ.153).

8.7 BIC will make the database available for audit upon request by interested parties (i.e. Member Governments or relevant non-governmental organizations in consultative status with the Organization). The scope of the audit would be agreed by BIC and the interested parties. For coordination and/or information purposes only, such a request should be made at the session of the Sub-Committee on Carriage of Cargoes and Containers in conjunction with the yearly report submitted by BIC.

8.8 BIC, a non-profit, non-governmental organization with consultative status with the Organization, is providing the database at no cost to the Organization or Contracting Parties and their ACAs.
