

20 February 2004

## **TO ALL MEMBERS**

Dear Sirs

### **US CUSTOMS REGULATIONS – ADVANCE ELECTRONIC PRESENTATION OF CARGO INFORMATION**

We refer to our Circular dated 17 February 2004. It has since been possible to achieve some further clarification of a number of the issues arising from the CBP's new requirements. These are highlighted below:

#### ***Application***

It has been clarified that an AMS declaration is also required for cargo loaded in US ports. A declaration is also required if the cargo is not to be discharged in the US and is in transit for Foreign Ports.

#### ***Carrier***

There is continuing uncertainty over the CBP definition of a Carrier. A further description provided was 'the entity that controls the conveyance' such as the head owner or the bareboat charterer. However, it is unclear whether a time charterer may be deemed to be the Carrier and – while attempts to obtain a definitive explanation are ongoing – it may be that the CBP will ask to see a copy of individual charterparties in order to reach a decision on a case by case basis.

#### ***Standard Carrier Alpha Code (SCAC)***

Once a SCAC has been received, it should be faxed to the CBP at +1 703 921 7173, for the attention of Charles Bennett, specifying whether the SCAC holder is a Carrier or an NVOCC.

#### ***International Carrier Bond (ICB)***

It is understood that market facilities have been established to facilitate the provision of the required security. Developments will be monitored and reported but, in the meantime, Members seeking additional information about any commercial facilities available should contact the Club.

Members will be advised of any further significant developments by way of additional Circulars. However, interim bulletins will also be posted on the Club's website: [www.lss.com](http://www.lss.com) in the Reports and Circulars section - to which Members are encouraged to refer for regular news updates.

Yours faithfully  
A BILBROUGH & CO LTD  
(Managers)