

# Revision of the **Reporting Formalities Directive** with the aim to establish **European Maritime Single Window environment**

## Interview guide for port community systems

### **Introduction**

The European Commission, Directorate-General for Mobility and Transport (DG MOVE) [see attached Letter of Support], has given COWI and Gartner the task to analyse the current lack of a harmonised implementation of the Reporting Formalities Directive 2010/65/EU (RFD) in the Member States, to analyse barriers for achieving the expected efficiency gains from the RFD, and to analyse possible options, legislative and non-legislative, and technical solutions, to overcome the barriers.

This interview guide contains a number of questions that will be addressed at the interview. We hope that you will have the time to think about the questions beforehand. We very much look forward to the interview, and to discussing the questions with you. We envisage that the interview will take 1-1½ hours.

Thank you!

## 1. Stakeholder characteristics

Characteristic	Answer
1.1 Name of interviewee	Mees van der Wiel
1.2 Name of company	Portbase
1.3 Contact information	<a href="mailto:m.vander.wiel@portbase.com">m.vander.wiel@portbase.com</a> +31 (0)6 11023697
1.4 Type of company (private/public, international, national, regional, other)	Private organisation, shareholders: Port of Rotterdam and Port of Amsterdam
1.5 Number of EU Member States in which company operates	Mainly the Netherlands, with customers from about 10 EU countries
1.6 Business area	Port community system
1.7 Turnover	€ 17M
1.8 Number of employees (in EU Member States)	98

## 2. The support of Port Calls and related management tasks

What is the functional scope of your port community system?

Activities supported / functionality provided	Explanation
<ul style="list-style-type: none"> <li>- <b>Functionality for notifications to:</b></li> <li>- <b>port authorities</b> <ul style="list-style-type: none"> <li>- notification of pre-arrival and ship security information</li> <li>- notification of dangerous cargo</li> <li>- notification of waste</li> </ul> </li> <li>- <b>port operators</b> <ul style="list-style-type: none"> <li>- harbour dues for sea and inland vessels</li> </ul> </li> <li>- <b>customs</b> <ul style="list-style-type: none"> <li>- notification of pre-arrival</li> <li>- notifications for import and export cargo (ICS / ECS)</li> <li>- notifications for transit cargo (NCTS)</li> <li>- Notification Ship's Stores</li> <li>- specific national notifications on i.e. local clearance procedures, customs inspections etc.</li> </ul> </li> <li>- <b>Food and consumer products authority</b> <ul style="list-style-type: none"> <li>- declaration for food and consumer products</li> <li>- veterinary inspections</li> </ul> </li> <li>- <b>Border patrol</b> <ul style="list-style-type: none"> <li>- Notification Crew and Passengers</li> </ul> </li>   <li>- <b>B2B services:</b></li> <li>- <b>Terminal</b> <ul style="list-style-type: none"> <li>- Discharge and loading lists</li> <li>- Hinterland cargo planning (pre-notification of container pick-up and delivery at container terminals for barge, rail and road operators)</li> </ul> </li> </ul>	<p>The PCS of Portbase is a neutral and open electronic platform enabling intelligent and secure exchange of information between public and private stakeholders in order to improve the competitive position of the sea ports communities.</p> <p>It optimises, manages and automates port and logistics processes through a single submission of data and connecting transport and logistics chains</p> <p>Detailed info on: <a href="https://www.portbase.com/en/services/#list">https://www.portbase.com/en/services/#list</a></p>

How many/which ports do you support?

Please explain

All Dutch seaports (Rotterdam, Amsterdam, Delfzijl, Eemshaven, Harlingen, Vlissingen, Terneuzen, Den Helder, Scheveningen)

Who are your paying customers?

Please list types (port authorities, ship agents, etc.)

Ship agent  
Terminal / Empty depot  
Forwarder  
Exporter / Importer  
Shipping company  
Barge operator  
Rail operator, rail haulier  
Road haulier  
Port authorities  
Port operators  
Customs

Who are using your system?

Please list types (port authorities, ship agents, etc.)

Ship agent  
Terminal / Empty depot  
Forwarder  
Exporter / Importer  
Shipping company  
Barge operator  
Rail operator, rail haulier  
Road haulier  
Port authorities  
Port operators  
Customs  
Border Patrol  
Food and consumer products authority

If applicable, what were the major changes caused by the implementation of the NSW?

## Please explain

The NSW in the Netherlands consists of three main components:

1. **Single Window interface**

A new interface with Dutch authorities. Previously the Digipoort system was used. That system functioned as a mailbox for Dutch authorities. A notifying party made a connection with Digipoort and had to deliver 1-on-1 messages for each authority. A party had to deliver multiple variances of the same information. The Portbase PCS functioned as an intermediary, ensuring notifiers to have a single submission of data whilst sending the needed variances to the Digipoort system. The Single Window interface has replaced this. It is basically also a mailbox with a little added functionality for checking message specifications and copying of information. In the Dutch SW setup, a message containing information for multiple authorities only needs to be sent once. The Single Window copies this to the relevant authorities. Since this is only applicable for a limited dataset, the real benefit is very low. Portbase needed to connect with the new interface. The technical setup was quite complicated which led to significant costs.

2. **New WCO dataformat (version 3.6)**

All messaging to the Single Window was changed to the new WCO dataformat v3.6 (GOVXML or GOVCBR messages), where other EU countries still use format v2.0 (but only for messages to customs). This comprised messages from Port Authorities to the Dutch SSN system (SPOC NL) as well as messages on all ICS and ECS processes. Dutch customs also added notifications not required from the 2010/65 regulation to ensure a real Single Window setup. In total we changed 18 outgoing messages and 11 incoming messages to the new message format. Due to changes in message implementation, we were also forced to change the business flow of several applications.

3. **New electronic notifications**

Information on crew and passengers (to Dutch Border Patrol) and information on provisions and ship stores on board on arrival (to Dutch customs) were previously only sent by email directly from the Ship agent to the involved authority. This information was added to the Single Window setup and needed to be sent by electronic messages (in WCO dataformat). On request of our customers we created two new services to convert Excel-templates to the required messages.

The impact from the Dutch NSW implementation on our systems was huge. This consisted of a major overhaul of the information exchange with dutch authorities where we worked very closely together with these authorities. The project lasted for about 2 ½ years. Our customers (the notifiers) noticed very little of this overhaul, except for the new electronic notifications of course. The PCS, as an intermediary, ensured the notifiers could work as usual using the web screens of the PCS or their own electronic messaging (such as the internationally wide spread used IFTMCS EDIFACT messages for cargo declarations). The PCS converts all information to the desired WCO dataformat.

What would be the impact for your systems and customers of joining the current reporting for port calls with customs entry summary declarations in one data reporting submission?

## Please explain

This depends heavily on the way this is implemented. The most important factor is that reporting of port calls is often not done by the same party that reports the entry summary declaration. Looking at container transport, you will see that the local agent of the shipowner will report the port call, whilst several different cargo agents will report the entry summary declarations. The PCS already offers services to cope with this complex variety of parties involved in container transport. If the implementation differs too much from the way trade takes place, this might cause an enormous impact on our systems, but moreover on our customers.

What data do you currently reuse between port calls?

It is not quite clear what is meant by “between port calls”? Do you mean between port calls in different ports (so for instance a vessel sailing from Antwerp to Rotterdam)? Do you mean for the same vessel in the same port (so for instance a liner visiting Rotterdam every 14 days)? Or do you mean sharing data on vessels that carry the same cargo (so for instance containers discharged from a vessel from Singapore to Rotterdam which are transited with a feeder vessel from Rotterdam to Bremen)?

For every business case the PCS already offers services where information is being re-used. There is

however no information exchange between different ports yet, since legal obligations and data protection rules restrict good business cases. We are currently investigating to implement re-use between ports for Security information and waste information.

The biggest issues are:

- Who is the owner of the information? It is, of course, not possible to share commercially sensitive data between parties without a proper authentication/autorisation mechanism
- Which party is the responsible party for notifying authorities. For instance: it is possible to share data from the Port of Antwerp to the Port of Rotterdam, but there is always one (local) party responsible for fulfilling the obligations. This party should deliver the final “click on the button” to notify the authorities.

Data	Reused between ship calls (X, if supported in your system)	Explanation
<b>Ship identification</b>	X	Portbase has a ship database which is used for every reporting formality Between different port calls for the same vessel in the same port: YES Between different port calls for different vessels in the same port (transit cargo): N/A Re-use for logistic purposes (i.e. hinterland cargo transport): N/A
<b>Ship particulars (Flag state, Gross Tonnage, etc.)</b>	X	Portbase has a ship database which is used for every reporting formality Between different port calls for the same vessel in the same port: YES Between different port calls for different vessels in the same port (transit cargo): N/A Re-use for logistic purposes (i.e. hinterland cargo transport): N/A
<b>Port call data (Voyage number, ETA, ETD, Next Port, etc.)</b>	X	Between different port calls for the same vessel in the same port: NO, this is data that changes on every ship call Between different port calls for different vessels in the same port (transit cargo): YES, ETA and ETD are useful information elements on transit cargo Re-use for logistic purposes (i.e. hinterland cargo transport): YES
<b>Voyage</b>	X	Between different port calls for the same vessel in the same port: N/A Between different port calls for different vessels in the same port (transit cargo): YES Re-use for logistic purposes (i.e. hinterland cargo transport): YES
<b>Pre-arrival 72 hrs notification</b>		Between different port calls for the same vessel in the same port: N/A, this is data that changes on every ship call Between different port calls for different vessels in the same port (transit cargo): N/A Re-use for logistic purposes (i.e. hinterland cargo transport): N/A

<b>Dangerous and polluting goods</b>	X	<p>Between different port calls for the same vessel in the same port: NO</p> <p>Between different port calls for different vessels in the same port (transit cargo): YES</p> <p>Re-use for logistic purposes (i.e. hinterland cargo transport): YES, dangerous cargo on departure is derived from dangerous cargo on arrival.</p>
<b>Customs arrival details</b>	X	<p>Between different port calls for the same vessel in the same port: YES</p> <p>Between different port calls for different vessels in the same port (transit cargo): YES</p> <p>Re-use for logistic purposes (i.e. hinterland cargo transport): YES</p>
<b>Consignment</b>	X	<p>Between different port calls for the same vessel in the same port: N/A</p> <p>Between different port calls for different vessels in the same port (transit cargo): YES</p> <p>Re-use for logistic purposes (i.e. hinterland cargo transport): YES</p>
<b>Customs formalities details</b>	X	<p>Between different port calls for the same vessel in the same port: N/A</p> <p>Between different port calls for different vessels in the same port (transit cargo): YES</p> <p>Re-use for logistic purposes (i.e. hinterland cargo transport): YES</p>
<b>Cargo items</b>	X	<p>Between different port calls for the same vessel in the same port: N/A</p> <p>Between different port calls for different vessels in the same port (transit cargo): YES</p> <p>Re-use for logistic purposes (i.e. hinterland cargo transport): YES</p>
<b>DPG details</b>	X	<p>Between different port calls for the same vessel in the same port: N/A</p> <p>Between different port calls for different vessels in the same port (transit cargo): YES</p> <p>Re-use for logistic purposes (i.e. hinterland cargo transport): YES, dangerous cargo on departure is derived from dangerous cargo on arrival.</p>
<b>Data on Ship's Stores</b>		<p>Between different port calls for the same vessel in the same port: N/A</p> <p>Between different port calls for different vessels in the same port (transit cargo): N/A</p> <p>Re-use for logistic purposes (i.e. hinterland cargo transport): N/A</p>
<b>Waste information</b>		<p>Between different port calls for the same vessel in the same port: N/A</p> <p>Between different port calls for different vessels in the same port (transit cargo): N/A</p> <p>Re-use for logistic purposes (i.e. hinterland cargo transport): N/A</p>
<b>Waste disposal information</b>		<p>Between different port calls for the same vessel in the same port: N/A</p> <p>Between different port calls for different vessels in the same port (transit cargo): N/A</p> <p>Re-use for logistic purposes (i.e. hinterland cargo transport): N/A</p>

<b>Waste delivery receipt</b>		<p>Between different port calls for the same vessel in the same port: N/A</p> <p>Between different port calls for different vessels in the same port (transit cargo): N/A</p> <p>Re-use for logistic purposes (i.e. hinterland cargo transport): N/A</p>
<b>Security information</b>		<p>Between different port calls for the same vessel in the same port: N/A</p> <p>Between different port calls for different vessels in the same port (transit cargo): N/A</p> <p>Re-use for logistic purposes (i.e. hinterland cargo transport): N/A</p>
<b>Number of persons on board</b>	X	<p>Between different port calls for the same vessel in the same port: YES</p> <p>Between different port calls for different vessels in the same port (transit cargo): N/A</p> <p>Re-use for logistic purposes (i.e. hinterland cargo transport): N/A</p>
<b>Passengers list</b>		<p>Between different port calls for the same vessel in the same port: NO, GDPR rules restrict this. The information on arrival is however re-used on depart of the vessel.</p> <p>Between different port calls for different vessels in the same port (transit cargo): N/A</p> <p>Re-use for logistic purposes (i.e. hinterland cargo transport): N/A</p>
<b>Crew list</b>		<p>Between different port calls for the same vessel in the same port: NO, GDPR rules restrict this. The information on arrival is however re-used on depart of the vessel.</p> <p>Between different port calls for different vessels in the same port (transit cargo): N/A</p> <p>Re-use for logistic purposes (i.e. hinterland cargo transport): N/A</p>
<b>Crew's Effects</b>		<p>Crew's effects are not electronically notified</p>
<b>Health</b>		<p>Health information is not electronically notified</p>
<b>Civil Liability Certificate for Oil Pollution Damage</b>	X	<p>Between different port calls for the same vessel in the same port: YES</p> <p>Between different port calls for different vessels in the same port (transit cargo): N/A</p> <p>Re-use for logistic purposes (i.e. hinterland cargo transport): N/A</p>
<b>Civil Liability Certificate for Bunker Oil Pollution Damage</b>	X	<p>Between different port calls for the same vessel in the same port: YES</p> <p>Between different port calls for different vessels in the same port (transit cargo): N/A</p> <p>Re-use for logistic purposes (i.e. hinterland cargo transport): N/A</p>
<b>Ship defects</b>		<p>Between different port calls for the same vessel in the same port: N/A</p> <p>Between different port calls for different vessels in the same port (transit cargo): N/A</p> <p>Re-use for logistic purposes (i.e. hinterland cargo transport): N/A</p>



### 3. Options to solve the problem

A number of different options to solve the problem have already been formulated. You are of course most welcome to suggest other options. In the following, we would like you to assess how these options may (or may not) reduce your administrative burden from reporting formalities, improve your business opportunities, and may lead to wider or unintended impacts.

The already-formulated options, that we would like to assess, cover:

#### A Non-legal measures:

- a1 providing EU support (financial and/or expertise) to facilitate voluntary EU harmonised reporting interfaces and harmonised maximum data set
- a2 organising events (workshops, seminars, conferences) to stimulate cooperative behaviour and trust and so to overcome some of the barriers for re-using/sharing of data

#### B Legal measures (i.e. review of RFD):

- b1 establishing a legal framework for an EU harmonised reporting environment – based on Port Community Systems, National Single Windows, or a European Single Window
- b2 introducing a maximum data set consisting of all information, regulatory and operational, required to complete a port clearance request
- b3 providing detailed rights and rules on re-use of data, endorsing the 'once-only principle'
- b4 setting up a governance mechanism for development and maintenance of technical specifications, access and re-use of data, data liability, data protection, user management, cyber security, service level requirements, and rules for provision of open and private data for third parties

#### C Technical solutions:

- c1 European Maritime Single Window (EMSW) is established by the EU (EMSA) as a shared service for reporting and distribution to national authorities (existing NSWs are either adapted to the reporting standard or replaced by the EMSW)
- c2 EU provides software to the Member States – that enable them to provide harmonised NSW reporting facilities to shipping companies (ship agents), and that enable national authorities to received data and to give feedback (existing NSWs may be adapted to the reporting standard)
- c3 EU establishes a shared service for reporting and receiving feedback, while it provides Member States with software (reference implementation) where national authorities may consult and use the data provided

Option questions	Selected option(s)	Explanation
3.1 Which of the options do you assess are best at solving the RFD problem (reducing the barriers)? – you may suggest more and/or combinations of options, or alternative options [you may also explain why the other options will have no or only little impact]	A combination of B2 (first), B1, A2 and A1	Just one option is not enough. A set of measures should be taken to solve the RFD problem. Please note that this should be in line with other Single submission initiatives . There should be a decentralised approach, respecting current systems, in which impact on current implementation should be minimised.
3.2 Which of the options do you assess have the largest impact on your administrative burden?	B3, B4, C1, C2, C3	All these options would have a significant impact on the Dutch NSW implementation and from there on, on the systems delivering information to Dutch authorities.
3.3 Which of the options do you assess have the largest impact on your business opportunities?	C1 (negative impact)	The centralised approach will have a severe negative impact on the Dutch NSW implementation. The NSW must be adapted, the PCS must be adapted and systems of notifying parties must be adapted. All to a large extent. Thus making the costs of doing business significantly higher.
	A1 (positive impact)	A harmonised data set over EU member states, can have a positive impact for business since exchange of information will be made easier. But only if the harmonised data set complies with international standards.

Please assess the likely size of the impact on you of the different options – focusing on the options that you have assessed to have the largest impacts. Hence, for each of these options we would like your assessment of the impact on your administrative burden, on your business opportunities, and on wider or unintended impacts.

Administrative burden	Answer	Explanation
3.4 Total change (increase/decrease) in time spend on reporting formalities per port call (man-hours)	?	Portbase, as a PCS, does not spend time on reporting formalities as such. We facilitate a process that should be as easy as possible. For our clients we see changes, but since the PCS acts as an intermediary and already facilitates an easy process, this change would be quite limited.  However, when a centralised approach (C1) is chosen, this will change the way systems cooperate with eachother. Also we see that a central system is a possible big single point of failure for which all kinds of countermeasures have to be taken. The administrative burden with option C1 would then be huge for PCS's as well as our customers.
3.5 For which reporting formalities will you experience the largest change?	C1	

Business opportunities	Answer	Explanation
3.6 What is your average fee (earning) to a shipping company per cargo ship call? – will it change (increase/decrease) as a result of the option (by how much)?	? € 10 - € 20,-	Not quite sure what you ask here. I am not aware of the average earnings of shipping companies. The average earnings of Portbase per cargo ship call vary much, based on the amount of data being exchanged and services offered. For a general cargo ship with limited data exchanged (no container vessels), costs per ship call for using the Portbase service are about € 10 - € 20,- per shipcall.  When option C1 is chosen, this could easily double. With all the other options, costs will most probably increase due to system changes.
3.7 How much do you expect maritime cargo transport will change as a result of the option (e.g. % increase/decrease)?	-10 to 0%	I expect none of the options will have a significant positive effect on maritime cargo transport since costs will mostly be higher. For excessive changes, such as option C1, we expect maritime cargo to decrease by 5-10% with a shift to other transportation means such as rail (Silk road) or air
3.8 How much do you expect your services to cargo shipping companies will change as a result of the option (e.g. EUR or % increase/decrease)?	-20 tot +50%	For options A and B, we expect services to increase, since this will enhance data sharing and therefor business opportunities. Depending on the option this will vary from several %'s to 50%. All options under C will have a negative impact on our services, with a huge administrative burden.
3.9 What is your average fee (earning) to a shipping company per passenger ship call? – will it change (increase/decrease) as a result of the option (by how much)?	€ 10 - € 20,-	There is no difference in fees between cargo ships and passenger ships for Portbase
3.10 How much do you expect maritime passenger transport will change as a result of the option (e.g. % increase/decrease)?	0	No change
3.11 How much do you expect your services to passenger shipping companies will change as a result of the option (e.g. EUR or % increase/decrease)?	0	No change
3.12 How much will re-use/sharing of data change maritime involvement in multimodal transport business opportunities?		PCS are already heavily involved in multimodal business and information exchange. The PCS already re-uses information in a wide extent.
3.13 Do you expect other changes to your business opportunities as a result of the options? – which/how large?	No	

Wider or unintended impacts	Answer	Explanation
3.14 Do expect the options to have wider social impacts (e.g. employment, working conditions, safety and health)?		<p>All technical solutions will have a significant impact on the reporting process and will therefor change the way business is done. Given the huge costs involved, this will impact costs on global trade and therefor will have a significant impact on social issues. In which extent is hard to define yet. Combined with the impact on Brexit these might be huge for ports in NW Europe.</p> <p>Furthermore, we expect that the complexity of the process for the business will increase significantly. This is contra-dictionary to the WTO TFA agreement that is looking after less complexity in processes to simplify the trade.</p>
3.15 Do expect the options to have wider environmental impacts (e.g. fuel consumption)?		<p>Yes, if the costs on trade increase in the EU (with technical solutions C), shipping companies might choose cheaper countries as hubs even if this means an increase in fuel consumption.</p>
3.16 Do expect the options to have unintended impacts? – which?		<p>With a centralised solution, the data quality might be a unforeseen issue.</p> <p>Next to that it is good to mention that information on Entry Summary Declaration is dependent on tax secrecy laws, Crew and passenger data is dependent on GDPR and this data should not be shared with other authorities.</p>