

Convention on Facilitation of International Maritime Traffic (FAL)

Adoption: 9 April 1965; Entry into force: 5 March 1967

The Convention's main objectives are to prevent unnecessary delays in **maritime traffic, to aid co-operation between Governments, and to secure the highest practicable degree of uniformity in formalities and other procedures.** In particular, the Convention reduces the number of declarations which can be required by public authorities.

Most human activities are regulated, either by precedent, convention or regulation. Most regulations are essential - but sometimes they come to be regarded not only as unnecessary but also as a significant burden on the activities they are supposed to control. Few activities have been more subject to over-regulation than international maritime transport.

This is partly because of the international nature of shipping: countries developed customs, immigration and other standards independently of each other and a ship visiting several countries during the course of a voyage could expect to be presented with numerous forms to fill in, often asking for exactly the same information but in a slightly different way.

General structure

The FAL Convention consists of **16 articles** and **one annex**. The articles contain, inter alia, general provisions, the scope of the convention, and the notification and entry into force requirements.

The Annex of the FAL Convention contains the "Standards" and "Recommended Practices" on formalities, documentary requirements and procedures which should be applied on arrival, during their stay, and on departure to the ships, their crews, passengers, baggage and cargo. It also includes implementation procedures and appendixes that provide additional information to the Convention. The structure of the Annex is as follows:

1. Definitions and general provisions;
2. Arrival, stay and departure of the ship;
3. Arrival and departure of persons;
4. Stowaways;
5. Arrival, stay and departure of cargo and other articles;
6. Public health and quarantine, including sanitary measures for animals and plants;
7. Miscellaneous provisions.

Appendix 1 **IMO FAL Forms**

Appendix 2 **Form of stowaway details referred to in Recommended Practice 4.6.**

Standards and recommended practices

The Convention defines standards as internationally-agreed measures which are "necessary and practicable in order to facilitate international maritime traffic" and recommended practices as measures the application of which is "desirable".

The Convention provides that any Contracting Government which finds it impracticable to comply with any international standard, or deems it necessary to adopt differing regulations, must inform the Secretary-General of IMO of the "differences" between its own practices and the standards in question. The same procedure applies to new or amended standards.

In the case of recommended practices, Contracting Governments are urged to adjust their laws accordingly but are only required to notify the Secretary-General when they have brought their own formalities, documentary requirements and procedures into full accord.

This flexible concept of standards and recommended practices, coupled with the other provisions, allows continuing progress to be made towards the formulation and adoption of uniform measures in the facilitation of international maritime traffic.

Recent amendments to the FAL Convention

The 2016 amendments

Adoption: 8 April 2016

Entry into force: 1 January 2018

These amendments introduce new definitions for Cargo Transport Unit (CTU), clearance, freight container, the International Ship and Port Facility Security (ISPS) Code, master, ship agent, shipper and single window.

Since 9 April 2019, **Electronic exchange of information** is mandatory with a transition period of no less than 12 months. The text now refers to the use of "Single Window" systems and has been revised in a gender neutral format.

All IMO FAL forms were revised except for Ship's Stores Declaration (IMO FAL Form 3). Three additional documents were introduced for ship's clearance that may be required by the shore authorities, i.e. security-related information as required under SOLAS regulation XI-2/9.2.2, Advance electronic cargo information for customs risk assessment purposes, and Advanced Notification Form for Waste Delivery to Port Reception Facilities.

Additional guarantees have been included relating to the shore leave of crew members.

The 2009 amendments
Adoption: 16 January 2009
Entry into force: 15 May 2010

The amendments are related to sections concerning contents and purpose of documents; arrival and departure requirements and procedures; measures to facilitate clearance of passengers, crew and baggage; and facilitation for ships engaged on cruises and for cruises passengers. The amendments introduced the text of "voyage number", and new IMO FAL Forms were approved.

The 2005 amendments
Adoption: 7 July 2005
Entry into force: 1 November 2006

The amendments are intended to modernize the Convention in order to enhance the facilitation of international maritime traffic, including a Recommended Practice for public authorities to develop the necessary procedures in order to use pre-arrival and pre-departure information to facilitate the processing of information, and thus expedite release and clearance of cargo and persons; a Recommended Practice that all information should be submitted to a single point to avoid duplication; encouragement of electronic transmission of information; and the addition of references to the International Ship and Port Facility Security (ISPS) Code and SOLAS chapter XI-2 in the Standards and Recommended Practices which mention security measures; and amendments to the IMO Standardized FAL Forms (1 to 7).

A further amendment relates to persons rescued at sea. A standard in Section 2 - Arrival, stay and departure of the ship, in section H Special

measures of facilitation for ships calling at ports in order to put ashore sick or injured crew members, passengers, persons rescued at sea or other persons for emergency medical treatment. The amendment requires public authorities to facilitate the arrival and departure of ships engaged in the rescue of persons in distress at sea in order to provide a place of safety for such persons.

The 2002 amendments

Adoption: 10 January 2002

Entry into force: 1 May 2003

The amendments add new standards and recommended practices for dealing with stowaways.

Another amendment relates to the Dangerous Goods Manifest (FAL Form 7), which becomes the basic document providing public authorities with the information regarding dangerous goods on board ships.