Rijkswaterstaat
Ministerie van Infrastructuur en Waterstaat

RWS INFORMATIE

Explanatory notes to the HNS Convention reporting form

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Introduction

These explanatory notes pertain to the HNS Convention reporting form that is forwarded to the receivers of HNS substances. Chapter 1 provides a general explanation. Chapter 2 explains the relevant threshold values. Chapter 3 sets out which substances are covered by the HNS Convention. Chapter 4 contains an explanation for receivers.

Communication is sent from the email address hns@rws.nl on behalf of Rijkswaterstaat. Please use this email address to submit reporting forms and/or requests for information.

Information about the HNS Convention and the reporting procedure is available on Rijksoverheid.nl.

1 General

All the countries that have ratified the HNS Convention are obliged to annually report the tonne volumes of HNS substances received by the individual receivers of such substances. To this end, at the beginning of every year, the receivers are requested to indicate the tonne volume received in the preceding calendar year. Only the first receipt of any product must be taken into consideration.

1.1. Cross check

Rijkswaterstaat sends out a request for data and submits the required report. Following receipt of the data, Rijkswaterstaat will conduct a cross-check. The cross-check is performed using data provided by Statistics Netherlands (CBS). It is not intended for enforcement purposes but rather to verify the reliability of the data received with greater certainty.

1.2. Reporting

Companies that are reasonably presumed to exceed the threshold values set in the HNS Convention will receive a reporting form to be completed and returned.

Reporting is done by means of a reporting form that is sent along with the request. The reporting form is available on Rijksoverheid.nl as well. The reporting form comprises two different forms:

- First physical receiver after transport by sea / agent, and
- Principal.

Please complete the form “first physical receiver after sea transport / agent” if you are the first physical receiver of HNS substances. These are often terminals and storage companies, but can also be companies that receive HNS substances on-site for their own proces.

You can choose to refer to a principal. A principal is a company on whose behalf you are the first physical receiver of the HNS substances. A principal is often an industrial end user. If you choose this option, you as the first physical receiver (agent) must inform the designated company (principal).

As first physical receiver you may also be the end user of the received HNS substances, for example, if the company premises are located in the port and the company receives the HNS substances immediately after their sea transport. In such cases, please complete the form “first physical receiver after sea transport / agent” as well.

Please complete the form “principal” if you received a copy of the agent's form indicating the quantity of HNS substances that have been received on your behalf as the principal.

Please see chapter 4 for more information about how and what to report.

1.3. Ratification of the HNS Convention

The Netherlands, Belgium and Germany will ratify the HNS Convention together. The Netherlands is ready for ratification but is coordinating with the other two countries when ratification will take place. This is expected to be in the first half of 2026. The HNS Convention will enter into force 18 months after ratification. The necessary national approval and implementation for the HNS Convention was approved by the Senate on March 12, 2024. More information can be found at: uitvoeringswet HNS-verdrag (36.331) - Eerste Kamer der Staten-Generaal (information in Dutch).

2 Threshold values

The HNS Convention covers four accounts, each featuring its own threshold value. You are obliged to report if you receive more tonnes than the threshold value of the account:

- The quantities concern annual totals.
- The reporting requirements only pertain to bulk substances. You do not have to report packaged substances.

Please see chapter 3 for more information on the HNS substances and the associated accounts.

Account	**Threshold**
General • Bulk solids • Other HNS	20,000 tonnes
Olie • Persistent oil • Non-persistent oil	 150,000 tonnes 20,000 tonnes
LPG	20,000 tonnes
LNG	0 tonnes

Source: IMO (edited)

2.1. General

In the reporting form, the "general" account is divided into two categories: bulk solids and other HNS substances. The threshold value is 20,000 tonnes for "solid bulk" and "other HNS" added together.

2.2. Oil

The account "oil" is divided into two categories: persistent oil and non-persistent oil. The threshold for persistent oil is 150,000 tonnes. The threshold for non-persistent oil is 20,000 tonnes.

2.3. LPG

The threshold for LPG is 20,000 tonnes.

2.4. LNG

The threshold for LNG is 0 tonnes, meaning that every tonne of LNG must be reported.

2.5. Lower thresholds

The threshold values in the reporting form are intentionally slightly lower than those specified in the above table, to monitor which companies are approaching the threshold value. Data on such quantities will not be used for any other purposes.

2.6. Transshipment

The reporting obligation does not apply to HNS substances that are part of transshipment. These are substances that are declared to customs upon entry into the Netherlands as a re-export notification, being substances that will leave the country (the Union) again. If substances are not declared as such to customs, but later leave the Netherlands again, they cannot be distinguished as being transshipment and must therefore be reported.

3 HNS substances

3.1. HNS finder

The HNS finder can be used to determine whether the substances received by your company qualify as contributing cargo under the HNS Convention. The HNS finder enables you to search the list of all HNS substances. For each substance covered by the Convention, the HNS finder also indicates the account to which the HNS substances belong. This information is needed for the reporting form. Please see chapter 2 for more information about the accounts.

The HNS Finder operates in English. More information and an explanation of how to search for substances in the HNS Finder is provided in the "Finder overview" (immediately below the HNS Finder) and in the Guidance Notes to the HNS Finder.

3.2. Search results

Search results or the entire database can be downloaded from the results page as a CSV file by clicking on the orange "search current data" button and subsequently on the black "save search results as .csv" button.

The HNS finder is updated regularly. Please ensure you always work with the most recent version of the HNS finder.

3.3. Relevant legislation and regulations

It is important to know that the HNS finder is not based on European legislation and regulations, meaning that the HNS finder does not work with, for example, UN numbers as used in the Netherlands according to the ADR, RID and ADN.

In international shipping and IMO documentation, which is used for the HNS Convention, UN numbers are only formally recognized within groups* (iv) and (vii). UN numbers are used in other legislation and regulations, such as ADR, RID and ADN, but for the HNS Convention the connection is only made with groups* (iv) and (vii).

This means that UN numbers in the HNS finder will only give results if the UN number is used in the IMDG code according to groups* (iv) and (vii). If the UN number is not in these groups*, the HNS finder will not give any results. In other words: there are UN numbers in the HNS finder, but these are based on certain parts of the IMDG Code. The UN numbers in the HNS finder are not linked to ADR, RID and ADN.

Results from searching with UN numbers will not be accepted as this will give a false result.

*3.3.1. Groups**

(i)	oils, carried in bulk, as defined in regulation 1 of Annex I of MARPOL
(ii)	noxious liquid substances (NLS), carried in bulk, as defined in regulation 1.10 of Annex II of MARPOL including substances and mixtures provisionally categorized with a Pollution Category of X, Y or Z
(iii)	dangerous liquid substances carried in bulk which are listed in chapter 17 of the IBC Code or which have had preliminary suitable carriage conditions prescribed by Administrations involved in shipments in accordance with this Code
(iv)	dangerous, hazardous and harmful substances, materials and articles in packaged form as covered by the IMDG Code
(v)	liquefied gases carried in bulk as listed in chapter 19 of the IGC Code and products for which preliminary suitable carriage conditions have been prescribed by the Administrations involved in shipments in accordance with this Code
(vi)	liquid substances carried in bulk with a flashpoint not exceeding 60°C (as measured by a closed-cup test)
(vii)	solid bulk materials possessing chemical hazards as covered by the IMSBC Code to the extent that these substances are also subject to the provisions of the IMDG Code in effect in 1996, when carried in packaged form

Bron: HNS finder guidance notes

3.3.2. Safety Data Sheet (SDS)

For products for which a Safety Data Sheet (SDS) is available, the name relevant to the HNS can usually be found in the SDS.

The SDS may contain multiple names: product name, commercial name, chemical name, and synonyms. For this, look in section 1 (product information) of the SDS. Try all the names listed here. If the HNS finder does not provide any results, it does not mean that the substance in question is not covered by the HNS Convention.

The SDS can also indicate under which name the substance is transported according to various legislations if applicable. For this, look in section 14 (transport information) of the SDS. Try all the names listed here. If the HNS finder does not provide any results, it does not mean that the substance in question is not covered by the HNS Convention.

Please note

The conclusion that it is not an HNS substance may only be drawn if one searches for legislation and regulations relevant to the HNS Convention, see section 3.3.1.

4 Receivers

4.1. Debt fund

Only after the occurrence of a shipping incident involving the transport of hazardous and noxious substances that extends beyond the liability of the shipowner will the companies need to pay according to the quantity of HNS substances received. If need be, payments will be spread over multiple years. Thus, rather than a savings fund, the HNS fund can be defined as a debt fund.

To cover administrative costs, an additional levy of EUR 0.01 per tonne will be charged once the Convention has entered into force.

4.2. Reporting

In the first quarter of each subsequent calendar year, you will receive a request from Rijkswaterstaat by e-mail (via hns@rws.nl) to report how many tonnes of HNS substances you have received in the previous calendar year. The deadline for reporting is March 15th.

You only need to report if the amount of HNS substances received exceeds the threshold values. Please see chapter 2 for more information about the threshold values.

4.3. Reporting as physical receiver (option A)

The first physical receiver of HNS substances after transport by sea is responsible for reporting the substances. It is important that you have received the substances, even though you may not be the (direct) owner or importer, or do not process the substances yourself. It concerns the physical location where the HNS substances are received.

First physical receivers of HNS substances are usually terminals and storage companies. However, the first physical receiver may also be the end user of the HNS substances, for example, if the company premises are located in the port and the company receives the HNS substances immediately after their sea transport.

To report as physical receiver, the total quantity of HNS substances received per account for the reporting year must be entered on one reporting form. Please use the form "first physical receiver after sea transport / agent" for this. It is not necessary to provide information about companies for whom you may receive these substances.

Payment for the received HNS substances will only apply when the HNS Convention enters into force. This is expected to be in 2027.

4.4. When using Agent/Principal (option B)

If you, as the physical first receiver, receive these substances on behalf of another company and you do not choose to report and (where applicable) pay for the total quantity yourself, you may use the Agent/Principal situation.

The reporting then works as follows:
The agent (first physical receiver) reports according to the form "first physical receiver after sea transport / agent". On this form the total quantity of HNS substances received by the first physical receiver is reported. This is including the quantities received for any principals (possible end users).

The agent may then refer to one or more principals by filling in the attachment in the reporting form. Please fill in one attachment per principal. You can add multiple attachments in the reporting form. An explanation of how to add multiple attachments is described in the form.

Referral to a principal is only possible if:

- The principal is located in a country that has signed the HNS Convention, and
- The principal is known to the agent.

The reporting form has a drop-down menu that lists the countries that have signed the HNS Convention. If the country where the principal is located is not listed, referral to the principal is not possible.

The principal's details must also be filled in on the reporting form. If you do not have these details, referral to the principal is not possible.

The agent sends a copy of the attachment to the principal concerned so that the principal knows which quantity the agent has reported to Rijkswaterstaat that was intended for the principal. Any coordination on the quantities is between the agent and the principal. The agent does not pay for these quantities. The costs for reporting after the entry into force of the convention are for the principal. If the principal is not located in a country that has signed the HNS Convention or the principal is unknown, the costs are for the agent.

Please note you are not required to disclose a principal as an agent. As an agent, you may choose not to disclose a principal and report and pay for everything yourself.

When using Agent (first physical receiver)/Principal (end user) situation:

Agent required to pay for HNS substances received:	• Agent chooses not to disclose a principal and to report and pay everything (option A) • Principal is located in a country that has not ratified the HNS Convention • Principal is unknown
Principal required to pay for HNS substances received:	• Principal is located in a country that has ratified the HNS Convention and is known, and agent discloses principal (option B)

4.4.1. Principal

As principal you will receive a copy of the appendix of the agent's form indicating the quantity of HNS substances intended for you, as the principal in question. This form has also been sent to Rijkswaterstaat by the agent. Any coordination regarding the quantities is between the agent and the principal.

The principal reports to Rijkswaterstaat using the "principal" form. It is possible that you may have used multiple agents as principal. This form reports the total quantity of HNS substances received. After the Convention has entered into force, the costs of these quantities are for the principal when reporting.

4.5. Countries that have ratified the HNS Convention

The countries that have currently ratified the HNS Convention are Canada, Norway, Denmark, South Africa, Turkey, Latvia, Slovakia and France. The Netherlands will ratify the Convention simultaneously with Belgium and Germany.