

---

Contact person	Number of contact	Date
Aline Douxfils aline.douxfils@mobilif.fgov.be	+32 2 277 42 25	24/01/2025

---

### Subject: Invitation to submit a report according to the 2010 HNS Convention –

For several years, Belgium has been taking steps towards the implementation of the International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea (2010 HNS Convention). The purpose of this Convention is to guarantee adequate, prompt and effective compensation for damage to persons and property, covering the cost of clean-up operations, restoration measures as well as economic losses linked to the transport of hazardous and noxious substances (HNS) by sea.

Once the 2010 HNS Convention enters into force, it will establish a clear two-tier system of liability and compensation:

1. The **first tier** is covered by compulsory insurance taken out by shipowners, who are entitled to limit their liability up to a maximum amount.
2. A **second tier** of compensation is covered by the HNS Fund in the limited cases where the first tier does not adequately cover an incident up to a maximum amount. It is financed by contributions from the receivers of HNS, namely companies and other entities that receive quantities of substances transported by sea that exceed the thresholds established by the Convention. The operation of the 2010 HNS Convention, and the establishment of an HNS Compensation Fund, presupposes the establishment of **an annual reporting system**, based on the well-functioning model of the reporting system already active in the framework of the Oil Pollution Conventions<sup>1</sup> and the IOPC Funds.

The Belgian legal framework<sup>2</sup> is in place and allows Belgium to join this Convention in the near future, in a harmonized approach with our neighbors the Netherlands and Germany. With the legal framework adopted in 2022 and a first reporting exercise that took place last year, everything is in place for the second reporting exercise to be performed in 2025, based on the data of 2024.

Given the fact that the 2010 HNS Convention has not entered into force yet, there is no contribution to pay after reporting. After the entry into force of the Convention, contributions will be calculated proportionally. It is expected that an initial payment will be necessary to establish the HNS Fund, then payments will only be expected when an incident happens (no annual contribution).

**What are HNS?** HNS are substances identified in a number of IMO Conventions and Codes, representing a wide array of chemical substances of varying properties and hazards, which include both bulk cargoes and packaged

---

<sup>1</sup> International Convention on Civil Liability for Oil Pollution Damage, 1992 (CLC 1992) and International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage 1992 (FUND 1992).

<sup>2</sup> **Law of 23rd June, 2022** relating to the implementation of the 2010 HNS Convention ([https://www.ejustice.just.fgov.be/cgi\\_loi/change\\_lg.pl?language=nl&la=N&cn=2022062303&table\\_name=wet](https://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=nl&la=N&cn=2022062303&table_name=wet)) and **Royal Decree of 22nd November, 2022** implementing the 2010 HNS Convention and amending various royal decrees ([https://www.ejustice.just.fgov.be/cgi\\_loi/change\\_lg.pl?language=nl&la=N&cn=2022112210&table\\_name=wet](https://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=nl&la=N&cn=2022112210&table_name=wet)). Both texts are available in French and in Dutch.



goods. Bulk cargoes can be solids, liquids, including both persistent and non-persistent oils, and liquefied gases, such as liquefied natural gas (LNG) or liquefied petroleum gas (LPG). A complete list can be found at <https://www.hnsconvention.org/hns-finder/>.

**Who is a receiver with regards to the HNS Convention ?** The Convention recognizes two types of receivers. First, there is the physical receiver, who is the person or company that physically receives the goods unloaded from a ship. Secondly, there is the principal receiver, who is the person or company on whose behalf the goods were received at a Belgian port. Each receiver has to fill their own form.

**I hereby invite physical and principal receivers of hazardous and noxious substances to complete the corresponding reporting forms, as attached to this letter, and to send it to the Control of Navigation by March 15, 2025. All questions and forms can be sent to [dgmar.reg@mobilif.fgov.be](mailto:dgmar.reg@mobilif.fgov.be).**

Sincerely,

*Peter Claeysens,*  
Director General Shipping, Federal Public Service Mobility and Transport