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FONASBA ANNUAL MEETING

2010

ECASBA PLENARY MEETING

12th OCTOBER 2010

THE STATE OF PLAY 2011

JONATHAN C. WILLIAMS FICS, GENERAL MANAGER

SO WHAT HAS HAPPENED SINCE LAST TIME?

- Commission Appointed
- DG-TREN splits into DG-ENERGY and DG-MOVE
- E-Maritime initiative launched
- MCCIP Issues
- Action on Emission Control Areas (ECAs)

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EUROPEAN COMMISSION

- Jose Manuel Barroso re-elected as President
- Siim Kallas (Estonia) appointed as Transport Commissioner
- Maria Damanaki (Greece) Maritime Affairs and Fisheries)*
- Algirdas Šemeta (Lithuania) Taxation and Customs Union
- Janez Potočnik (Slovenia) Environment
- Connie Hedegaard (Denmark) Climate Action*

* Newly elected to Commission in 2009

EUROPEAN COMMISSION

- DG-TREN split into DG-ENERGY and DG-MOVE (Mobility and Transportation)
- Matthias Ruete appointed Director General DG-MOVE
- Fotis Karamitsos remains Director, Unit C, Maritime Transport (formerly G)
- Dimitrios Theologitis remains Head of Unit C3, Maritime Transport Policy, Ports and Inland Waterways

EUROPEAN COMMISSION

- DG-TAXUD remains largely unchanged
- Walter Deffaa appointed Director General DG-TAXUD
- Mirosław Zielinski remains Director, Unit C, now A, Customs Policy, Legislation and Tariffs
- Maria-Manuela Cabral remains Head of Unit C1, now A1, Customs Policy and Electronic Customs

CURRENT ISSUES - MOVE

- E-Maritime
- Common European Maritime Transport Space without Barriers
 - Authorised Regular Shipping Services
- EMSA New Inspection Regime
- Port Reception Facilities
- Short Sea Shipping
- TEN-T Revision/Motorways of the Sea

WHAT IS E-MARITIME?

A project aimed at enhancing the movement of goods by sea across Europe in the most efficient, cost effective and safest way, utilising the latest data transmission technologies and making best use of the freedoms available through the application of single market facilitations

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AND IN PRACTICE THIS MEANS?

- Streamlining the exchange of information amongst relevant parties
- Bringing uniformity to statutory ship reporting procedures
- Avoiding the need for information to be input more than once
- Removing unnecessary and bureaucratic rules, regulations and procedures
- Enhancing the collection of data for security, statistical and other purposes

HOW DOES E-MARITIME AIM TO ACHIEVE THESE OBJECTIVES/1

- Through the introduction of standardised procedures for statutory reporting requirements including:
 - Ship arrival and departure information (IMO-FAL/VTMS)
 - Waste reception notification
 - Port State Control compliance
 - ISPS Code reporting
 - Customs formalities
 - Immigration
 - Port health

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HOW DOES E-MARITIME AIM TO ACHIEVE THESE OBJECTIVES/2

- Through the establishment of national single windows linking up with, and using the facilities of, databases such as SafeSeaNet and THETIS
- By increased use of satellite tracking for vessels and electronic communication between the ship and shore
- The introduction of CEMTSwB and MCC
- Establishing port single windows

HOW MIGHT THIS AFFECT THE AGENT ? (BAD)

- Failing to fully understand the role of the agent
- Failing to recognise that non-statutory (commercial) work is undertaken during a port call
- Changing local practices and procedures that have been developed and honed through close cooperation within the port environment and best suits its needs
- Basing new procedures on one particular sector of the shipping industry e.g. the big container lines/ports
- Introducing new systems and methodologies, rather than using those already in place
- Allowing other parties to undertake the agent's work.....
- or allowing another entity to take on the role of port single window

HOW MIGHT THIS AFFECT THE AGENT ? (GOOD)

- Streamlining statutory procedures
- Harmonising reporting timelines
- Removing unnecessary and bureaucratic procedures
- No need to input information more than once
- Ensuring statutory authorities operate 24/7 and so work to the vessel's deadlines
- Nominating the agent as the port single window

WHY SHOULD THE AGENT BE THE SINGLE WINDOW?

The agent is:

- Currently acting in the anticipated role
- Fully aware of ALL the actions required during the port call, statutory and commercial
- Has up to date and unrivalled knowledge of working practices across all sectors of the port and related services and
- a close and effective working relationship with the port and statutory authorities and commercial service providers
- Able to demonstrate high levels of service provision and professionalism through FONASBA Quality Standard
- Able to seamlessly take on new responsibilities

So there is...

- No need to establish a new profession for this task (Commission default position)

SO, WHAT IS ECASBA DOING ABOUT THIS?

- Ensuring the role of the agent and his value to the efficient movement of goods through the port is fully recognised by all concerned, e.g. the presentation at EMD
- Maintaining regular and close dialogue with DG-MOVE as the initiative develops
- Liaising with other sectors of the maritime industry to gather support for the “agent as single window” concept
- Promoting the benefits of the FONASBA Quality Standard accreditation as a means of identifying high-quality agency service providers
- Intervening in IMO to promote the concept of the agent as single window (FAL Committee meeting September 2010)
- Invited to provide expert on E-maritime for working group – Jan Willem van der Heul (Netherlands)

WHAT SHOULD ECASBA MEMBERS BE DOING?

- Ensuring the role of the agent and his value to the efficient movement of goods through the port is fully recognised by all relevant authorities and other parties in the Member State
- Maintaining regular and close dialogue with national authorities as the initiative develops – the Council of Ministers is as important as DG-MOVE
- Keeping ECASBA up to date on local developments
- Liaising with other sectors of the maritime industry to gather support for the agent as single window concept
- Promoting the benefits of FONASBA Quality Standard accreditation amongst member companies

CONCLUSION

- This is the biggest threat and opportunity to face the agency sector for many years
- The current estimate for introduction is 2020
- The agent already is the port single window, we just need to convince the authorities.....!!
- This requires action at all levels:
 - international (FONASBA/IMO)
 - regional (ECASBA/Commission)
 - national (associations/Member States)
- We are all in this together, ECASBA cannot do it alone
- The penalty for failure will be significant...!

CURRENT ISSUES - MOVE

Common European Maritime Transport Space without Barriers

- Considerable overlap with E-Maritime
- Authorised Regular Shipping Services – change to criteria, now based on record on compliance with customs formalities
- Streamlining and harmonisation of inspection procedures
- Implementation of IMO-FAL forms Europe-wide
- Ongoing issues with DG-TAXUD

CURRENT ISSUES - MOVE

EMSA New Inspection Regime

- Aims to provide enhanced protection from sub-standard shipping by:
 - ranking vessels in high, medium and low risk categories based on qualitative criteria, including reputation of owners/operators
 - surveying all vessels calling at EU ports
 - but frequency of surveys based on risk category and
 - risk categories regularly updated
 - Enhanced exchange of data amongst EU member states and Paris MOU members (EU + Russia and Canada) using THETIS database and SafeSeaNet
- Implementation date 1st January 2011
- ECASBA chosen by EMSA to promote NIR amongst agency community

CURRENT ISSUES - MOVE

Port Reception Facilities Review

- Commission to review 2000/59/EC
- Ongoing discussions in IMO
 - Review of MARPOL Annexes – particularly V, Cargo residues
- FONASBA member of IMO industry PRF Forum

Short Sea Shipping

- Only thing moving is the cargo! Over to Antonio for more news...

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CURRENT ISSUES - MOVE

TEN-T Revision/Motorways of the Sea

TEN-T Review/1

- Consultation on-going since 2009
- Now concentrating on ports and hinterland connections
- Industry support for dual level core and comprehensive networks
- Core (framework) network comprising main ports and major transport routes. Comprehensive network feeds into core
- Innovation to be key in both networks – intelligent transport, decarbonisation, low emissions, reductions in administrative burdens/simplification/harmonisation etc.
- Appropriate financing required, present facilities (eg. Marco Polo) not adequate

CURRENT ISSUES - MOVE

TEN-T Revision/Motorways of the Sea

TEN-T Review/2

- Concerns remain over concentration of cargo flows...
- and concentration on containerised traffic
- Current, practical and commercial market-based expertise MUST be utilised, no theoretical concepts
- All maritime trades should be covered, dry and liquid, bulk and unitised
- Short sea shipping must gain from initiative
- Action to avoid distortion of competition
- Project must enhance competitiveness and effectiveness of European transport at all levels

CURRENT ISSUES - TAXUD

- Modernised Customs Code Implementation Procedures
- Advance Cargo Declaration Regime
- Authorised Economic Operators
- Customs Valuations
- Actions on Miscalculated Cargo

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CURRENT ISSUES - TAXUD

- Modernised Customs Code Implementation Procedures/1
 - Political pressure to introduce July 1st 2013
 - Trade Contact Group (TCG) does not believe this is achievable
 - Significant reduction in simplifications and other enhancements currently available to industry
 - Lack of consultation between TAXUD and TCG
 - Impossible deadlines for consultations
 - Failure of TAXUD to accurately represent TCG concerns to MS
 - No tripartite meetings, Commission/MS/TCG
 - Commission looking for one voice from industry
 - Sheer volume of information to be processed

CURRENT ISSUES - TAXUD

- Modernised Customs Code Implementation Procedures/2
 - TCG calling on TAXUD to increase level of consultation to that indicated in the agreed ToFR
 - Commission should appreciate and respect the level of knowledge and experience available within industry and utilise same to best advantage
 - Currently TCG is concerned the consultation is a box ticking exercise rather than a frank and open exchange of views
 - So far as possible same level of information should be provided to trade as to MS – and with same timelines to allow adequate consultation
 - Amended documentation must clearly show where changes are made
 - 1st October – TCG request to delay project to allow agreement on IT standard rejected by TAXUD

CURRENT ISSUES - TAXUD

- Advance Cargo Declaration Regime/1
 - To be introduced in all EU M/S from 01.01.2011
 - Similar to US scheme but covers all sectors and reporting timelines vary:
 - Deep sea* containers: 24 hours **before loading** at overseas port (for import) and 24 hours **before loading** at an EU port for export cargo
 - Deep sea* bulk: 4 hours **before arrival** in an EU port for imports and 4 hours **before departure** from an EU port for exports
 - Short Sea* and combined transport: 2 hours **before arrival** in an EU port for imports and 2 hours **before departure** from an EU port for exports

* Distinction on geographical lines – Baltic/Med ports count as short sea

CURRENT ISSUES - TAXUD

- Advance Cargo Declaration Regime/2
 - New forms:
 - Entry Summary Declaration (ENS) for imports
 - Exit Summary Declaration (EXS) for exports
 - ENS/EXS not required for intra-European cargo
 - EXS not required for cargo ROB or loaded at an EU port for discharge outside the Community
 - ENS to be lodged at first port of arrival in EU, covers all cargo for discharge in EU ports
 - Manifest still required for each discharge port, will require to contain country-specific information
 - More from Vito this afternoon!

CURRENT ISSUES - TAXUD

- Authorised Economic Operators
 - Still no defined, tangible benefits for accredited companies leading to...
 - very poor take up across Europe, presently only approx. 2,750 companies with AEO status (2,200 in ECASBA Member States)
 - MCCIP may force companies to apply for AEO in order to gain access to simplifications

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CURRENT ISSUES - TAXUD

- Customs Valuations
 - Significant concerns over changes to method of determining valuations for customs purposes
 - “First sale/last sale” rule

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CURRENT ISSUES - TAXUD

- Actions on Misdeclared Cargo
 - ECASBA letter to TAXUD January 2009, followed up with meeting March 2009.
 - Apparent lack of interest within TAXUD to rectify, Member State issue
 - May 2010, WSC taking up with TAXUD, ECASBA providing support to WSC so hopeful of progress

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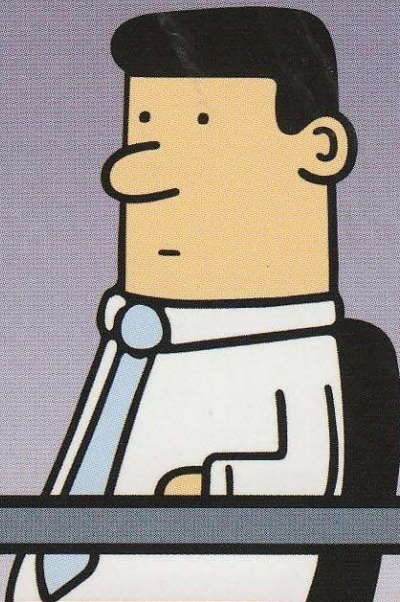
CURRENT ISSUES – ENV/CLIMA

Emission Control Areas – Review of Sulphur Directive

- 0.1% Sulphur Emissions for N. Sea and Baltic ECA's in 2015
- Major concerns for short sea shipping industry on cost and practicalities
- Will result in modal backshift from sea to road due to significant fuel price rises
- ECSA/ITMMA study calls for impact assessments before staged introduction
- Joint industry letter to Kallas and Potočnik May 2010
- October 2010 - Transport Ministers accept concerns and agree to monitor technical developments
- Also agree to look at variation in sulphur limits around Europe – possible harmonisation?

AND FINALLY....

DOES ANYONE HAVE
A QUESTION DESIGNED
TO INCREASE MY
WORKLOAD FOR YOUR
ENTERTAINMENT?





THE END
THANK YOU

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