

# FONASBA

## MINUTES OF THE LINER & PORT AGENCY COMMITTEE PLENARY MEETING HELD AT THE HOTEL INTERCONTINENTAL TOKYO BAY AT 09.00 a.m. ON THURSDAY, OCTOBER 21<sup>st</sup> 2005

### Present:

|                    |   |
|--------------------|---|
| Mr. J.A. Good FICS | Chairman, Liner & Port Agency Committee |
| Mr. P.J. Wood FICS | President                               |
| Mr. M. Duin        | Vice Chairman                           |

|                        |               |                        |                          |
|------------------------|---------------|------------------------|--------------------------|
| Mr. P. Campbell        | Argentina     | Mr. K. Murasi          | Japan                    |
| Mr. R. Garcia Piñero   | Argentina     | Mr. Y. Hira            | Japan                    |
| Mr. D. Craig           | Argentina     | Mr. K. Saito           | Japan                    |
| Mr. A. Wolf            | Argentina     | Mr. T. Saita           | Japan                    |
| Mr. G. Gordon Findlay  | Brazil        | Mr. S. Miki            | Japan                    |
| Mr. M. Froio           | Brazil        | Mr. K. Yamamori        | Japan                    |
| Mr. D.M. Gama          | Brazil        | Mr. K. Nakaue          | Japan                    |
| Mr. J.C. Ribiero Gomes | Brazil        | Mr. V. Vaicekauskas    | Lithuania                |
| Mr. M. Tudor           | Croatia       | Mr. A. Mantrach        | Morocco                  |
| Mr. C.P. Papavassiliou | Cyprus        | Mr. A. Sibari          | Morocco                  |
| Mr. A. Houtved FICS    | Denmark       | Mr. K.F. Eriksen       | Norway                   |
| Mr. T. Paulsen         | Denmark       | Mr. A. Belmar da Costa | Portugal                 |
| Mr. G.J. Heinonen      | Finland       | Mr. B. Bobone          | Portugal                 |
| Mr. R. Sandberg        | Finland       | Mr. E. Bandelj         | Slovenia                 |
| Mr. C. Génibrel        | France        | Mr. N. Warner          | South Africa             |
| Mr. K. Bültjer         | Germany       | Mrs. B. Blomqvist      | Sweden                   |
| Mr. J.W. Barclay FICS  | Great Britain | Mrs. M. Collins        | USA                      |
| Mr. J.A. Foord FICS    | Great Britain | Mrs. J. Cardona        | USA                      |
| Mr. P. Demeter         | Hungary       | Mr. G. Knudsen         | Intertanko               |
| Capt. S. Finkei        | Hungary       | Mr. P.G.D. Smith       | ITIC                     |
| Mr. N. Ganzarski       | Israel        | Mr. G. Wramfelt MICS   | The Shipbrokers Register |
| Mr. U. Masucci         | Italy         | <b>Observers</b>       |                          |
| Mr. M. Paifelman       | Italy         | Mr. R. C. Salonga      | Philippines              |
| Mr. T. Iigaki          | Japan         | Mr. A.V. Tablizo       | Philippines              |
| Mr. E. Itoh            | Japan         | Mr. B.W.S. Salonga     | Philippines              |

### In Attendance

|                        |                 |
|------------------------|-----------------|
| Mr. J.C. Williams FICS | General Manager |
|------------------------|-----------------|

### Item

### Action

#### 1/2. **President's Welcome/ Chairman's Opening Remarks**

The **President** and **Chairman** welcomed all those present to the Meeting and extended a particular welcome to the guests from the Philippines.

#### 3.

#### **Minutes of the Previous Meeting Held Istanbul, October 7th 2004**

The minutes had been circulated previously and as no comments had been received in advance, or were made at the meeting, the **minutes were approved.**

#### 4. **Matters Arising Not Otherwise Covered in the Agenda**

There were no matters arising that were not otherwise covered in the agenda.

#### 5. **Range Committee Reports**

The **Chairman** asked representatives of the FONASBA Range Committees to give a brief report

on their activities over the past year. Copies of the presentations/reports given by CIANAM and the FAR EAST, MABSA, NORDIC and US range committees are attached to these minutes. BRISCOM did not send a report. **Mrs. Cardona** also gave a brief summary of the implementation of ASBA's quality certification programme. She also said that concern was growing in the US at the ever-increasing number of charterer's nominations of agents. Of particular concern was the question of where the agent's allegiance lay in conflict of interest situations. These concerns were shared by those present.

## 6. **Recognising the Value of the Agent to the Shipping Industry**

The meeting discussed, at length, the article in "Fairplay" magazine in July and the issues raised. It was clear that all those present shared the concerns relating to the issues that it highlighted. It was agreed that remedial action required to be taken at all levels - from individual companies, through national associations to FONASBA - in order to raise awareness. Both **Mr. Masucci** and **Mr. Mantrach** felt that more should be done outside the industry and **Mr. Papavassiliou** said that local associations could do more to involve related organisations in their activities, through attendance at meetings etc. **Mr. Foord** reminded the meeting that associations could generate income for their members by providing services to statutory agencies, such as Customs, Immigration, port health etc. Speaking on behalf of Intertanko, Mr. Knudsen said that his organisation was already actively encouraging its members to give support to the concept of fair remuneration for the level of knowledge, expertise and experience that the agent put at the disposal of the owner. This information was very well-received and the **Chairman** asked **Mr. Knudsen** to pass FONASBA's thanks on to Intertanko. **The General Manager** then presented a paper proposing a two-tier plan of action by which FONASBA could begin to redress the balance. He suggested that FONASBA should commence discussions with other major international shipowning groups, such as the International Chamber of Shipping and BIMCO with a view to securing their support for the fair remuneration campaign. Furthermore he reported that Intercargo had suggested that FONASBA endeavour to develop an internationally recognised quality standard for agents. A copy of his presentation is attached. The meeting endorsed these suggestions and recommended that action be taken as soon as possible.

JCW

## 7. **ISPS Code Implementation**

Mr. Duin made a presentation on the security card system. A copy of his presentation is attached.

## 8. **Any Other Business**

**Mr. Smith** drew the attention of the meeting to an article in the ITIC magazine, "The Intermediary" on the subject of agents' liability for ISPS Code reporting. He said that in a number of jurisdictions, including Singapore and the US, agents could be held jointly and severally liable with the master and owners of the vessel for failures to correctly report a vessel's ISPS status. In Singapore this was a criminal offence and so the agent could face a custodial sentence.

This provoked a discussion on the ability, or otherwise, of agents to secure adequate remuneration for the increased responsibilities relating to ISPS Code compliance.

**Mr. Wramfelt** suggested that in order to fairly represent both sectors of the agency industry, the L&PA Advisory Panel should be split, to cover liner issues and port/tramp agency issues separately. The **Chairman** said he would consider practicality of establishing separate working groups to cover the three areas and report back.

JAG

## 9. **Date and Place of Next Meeting**

The **Chairman** advised that the next Plenary Meeting of the Liner & Port Agency Committee would take place at the Marrakech Annual Meeting in October 2006.

**There being no further business to discuss, the Chairman brought the meeting to a close.**

JCW/11.05