

**MINUTES OF THE PLENARY MEETING OF
THE LINER & PORT AGENCY COMMITTEE HELD AT
SOFITEL HOTEL MARRAKECH
AT 9.30 a.m. ON THURSDAY, NOVEMBER 2nd 2006**

Present:

Mr. J.A. Good FICS	Chairman
Mr. P.J. Wood FICS	FONASBA President
Mr. M. Duin	Vice Chairman

In Attendance:

Mr. J.C. Williams FICS	General Manager
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Mr. P. Campbell	Argentina	Mr. M. Gorgoni	Italy
Mr. R. Garcia Piñero	Argentina	Mr. A. Marzullo	Italy
Mr. G. Hernandez	Argentina	Miss. E. Masucci	Italy
Mr. J. Hunter	Belgium	Mr. U. Masucci	Italy
Mr. X. van Engelen	Belgium	Mr. V. Totorizzo	Italy
Mr. J. Tsatsas	BIMCO	Mr. G.E. Duci	Italy
Mr. S. Larsen	BIMCO	Mr. F. Carlini FICS	Italy
Mr. Mr. Froio	Brazil	Mr. T. Iigaki	Japan
Mr. G. Gordon Findlay	Brazil	Mr. E. Itoh	Japan
Mr. M. Bonelli	Brazil	Mr. K. Nakaue	Japan
Mr. J.C. R. Gomes	Brazil	Mr. M. Casanueva	Mexico
Mr. L. Oliveira da Silva	Brazil	Mr. V. Banovic	Montenegro
Mr. J.E. Lopes	Brazil	Mr. M. Bennis	Morocco
Mr. S. Kraichev	Bulgaria	Mr. A. El Glaoui	Morocco
Mr. M. Tudor	Croatia	Mr. R. El Guennouni	Morocco
Mr. E. Kouzapas	Cyprus	Mr. A. Mantrach	Morocco
Mr. G. Sarris	Cyprus	Mr. F. Nasser	Morocco
Mr. C.P. Papavassiliou	Cyprus	Mr. K. Frode Eriksen	Norway
Mr. A. Houtved	Denmark	Mrs. G.C. Noer	Norway
Mr. T. Paulsen	Denmark	Mr. H. Sander	Norway
Mr. G.J. Heinonen	Finland	Mr. J. Azerado	Portugal
Mr. S. Lomberg	Finland	Mr. A. Belmar da Costa	Portugal
Mr. R. Sandberg	Finland	Mr. M. Thoumas	Senegal
Mr. C. Génibrel	France	Mr. E. Bandelj	Slovenia
Mr. F. LeBars	France	Mr. J. Nieto	Spain
Mr. J.W. Barclay FICS	Great Britain	Mrs. B. Blomqvist	Sweden
Mr. J.A. Foord FICS	Great Britain	Mrs. J. Cardona	USA
Mr. P. Demeter	Hungary	Mrs. M. Collins	USA
Mr. B. Szalma	Hungary	Mr. T. Binh	Vietnam
Mr. G. Knudsen	Intertanko	Mr. B.M. Hung	Vietnam
Mr. R. Zuck	Israel	Observer	
Dr. R. Corrias	Italy	Mr. P. Titchener	Multiport

Item

Action

1. President's Welcome

The **President** welcomed those all present, extending a particular welcome to **Mr. Tsatsas**, attending his first FONASBA Annual Meeting, and also **Mr. Larsen**.

2. Chairman's Opening Remarks

The **Chairman** added his welcome to all those present.

3. Minutes of the Last Meeting held Tokyo, October 21st 2005

With no comments having been received previously or made at the meeting, the minutes **were approved.**

4. Matters Arising

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

5. Range Committee Reports

Reports from the Far East and Nordic range committees had been circulated previously, those of MABSA and the US were tabled and CIANAM made a presentation. At the request of the Chairman, a representative of each committee summarised the main points.

For the Far East Committee, **Mr. Iigaki** highlighted the significant improvement in the fortunes of the major Japanese shipping lines, moving from large losses on container operations to profitability on the back of high earnings from tramp operations.

For CIANAM, **Mr. Campbell** summarised the recent activity within the committee and the region, the significant economic activity in central and south America and, as an example of the problems which rapid economic growth can bring, highlighted the problems relating to the development of the paper pulp industry in Uruguay which is having an adverse environmental impact on the Argentine side of the Mar del Plata. He said CIANAM was actively involved in trying to resolve these issues.

Mr. Bandelj, reporting on the MABSA meeting held on October 31st, mentioned the lack of support for the committee from the member associations. **Mr. Papavassiliou** echoed this concern, reminding those present that in terms of membership, MABSA was the largest of the range committees and potentially the one with the largest and most varied agenda. He therefore called on all associations represented within MABSA to support the work of the committee.

Mr. Sandberg summarised the contents of the Nordic report, emphasising the problems with Danish public port authorities trying to establish themselves in agency activities as well as investing in non port-related activities, the need for a tonnage tax to stem the loss of Finnish-owned vessels and the campaign to establish English as the primary language for pilotage operations, and also highlighted the significant increases in import, export and internal tonnage in the Baltic Sea.

For the USA, **Mrs. Cardona** briefly mentioned the introduction of electronic crew manifesting, expansion of the Container Security Initiative and the C-TPAT regime and the planned introduction of the Transport Workers ID Card Scheme.

The **Chairman** thanked all the range committee chairmen, and their members, for their reports.

Copies of the MABSA, US and CIANAM reports are attached to these minutes. *(Please note that the size of the original CIANAM presentation prevents its circulation and so a simplified copy has been attached instead).*

6. L&PA Working Group Reports

The **Chairman** reminded the meeting of the decision taken in Tokyo to establish two working groups, covering port agency and liner agency. The coordinators of both groups had circulated reports in advance and the **Chairman** asked them to summarise the contents.

Mr. Knudsen (port agency) introduced the members of his group and acknowledged the good

geographical spread already in place but said further members would be very welcome. The group had already started to look at quality standards for ship agents in conjunction with the FONASBA proposals (see item 7) and also remuneration for non-liner agents.

Mr. Foord (liner agency) also introduced his group and echoed **Mr. Knudsen's** call for further volunteers. Although his group had not yet started work he expected that amongst other topics it would be looking at the EC action on liner conferences and the globalisation of the industry. He also picked up the point from the MABSA range committee as to whether or not line-owned agents were agents in the accepted sense or owners by another name. He also said that the group will also be proactive, particularly on the issue of liner agents remuneration.

7. Proposed FONASBA Quality Standard

With the draft quality standard having been circulated previously, and at the request of the **Chairman**, the **General Manager** summarised the thinking behind the initiative and also the main points of the standard itself, as follows:

- There is a demonstrable need for a quality standard for the ship agency industry
- If FONASBA does not develop a standard, it is likely that one will be imposed on the industry from outside
- A FONASBA developed standard would be appropriate, relevant and workable
- The proposal includes a mechanism for recognising existing quality standards, both external (e.g. ISO/national govt. etc.) and internal (e.g. ICS/ASBA and other assns.)
- It also recognises the need to be capable of implementation by all member assns. so cannot be too onerous/complex/expensive
- It should, however, be sufficiently robust to gain acceptance by governments, IMO and other industry bodies such as BIMCO, INTERTANKO and Intercargo
- Granting of the standard would be a benefit of FONASBA membership and therefore only available to companies in FONASBA member associations. Any company leaving its association would have the standard withdrawn.

During the discussions that followed, it was clear there was broad support for the concept, although there was some concern at the ability of all associations to administer the standard to the required level and the impact on smaller agents of the need to have professional indemnity insurance. The **General Manager** said that it would be necessary to reach mutual agreement on the burden of administration that would fall on the members but there was no compulsion on any association to implement the standard and compliance was not a condition of FONASBA membership. It was also agreed that developing such a standard would be very good for the international, external profile of FONASBA.

The **Chairman** asked **Mr. Tsatsas** for the views on BIMCO on such a proposal. He said that BIMCO supports the setting of standards in all areas of the shipping industry and any action to provide an acceptable standard for the agency community should be supported. He expressed some concern, however, that the issue could get too complex. Any such initiative should be as easy to administer as possible, he said.

For INTERTANKO, **Mr. Knudsen** said his organisation would consider making compliance with the FONASBA standard a condition of Associate membership of INTERTANKO.

Summarising the discussion, the **Chairman** said that given the overall support for the project it should go forward. He suggested that a small sub-committee be established to undertake the task and asked the **General Manager** to seek volunteers.

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8. FONASBA Standard Port Agency Conditions (SPAC)

The **Chairman** explained the background to the reasons for the development of the current

SPAC and also advised that BIMCO had recently been considering the development of a standard port agency contract, perhaps based on the FONASBA form which had been provided to BIMCO for information.. The purpose of reviewing the document at this meeting was to ascertain if there was a need to update it in the light of recent changes in maritime law/practice.

Mrs. Cardona said that ASBA felt the document was very useful and still relevant. **Mr. Barclay** suggested, however, that clause 4, relating to payment of disbursements and actions to be taken in cases of non-payment, should be revised.

Mr. Tsatsas said that although BIMCO had decided not to proceed with development of their own port agency contract, the FONASBA form was a very good checklist for the establishment of a port agency relationship.

The **General Manager** suggested that it may be appropriate to make reference to the duties of the agent in relation to filing ISPS Code compliance information as set out in the new FONASBA/ITIC ISPS Code clause.

As there was little in the way of input from the floor to suggest any changes to the document, the **Chairman** suggested that the **General Manager** liaise with **Mr. Barclay** and propose to the membership for review any changes thought appropriate

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9. INTERTANKO's Poseidon Challenge

At the request of the **Chairman**, the **President** gave the meeting an update on the Poseidon Challenge and FONASBA's commitment to develop a guide to port reception facilities for tanker vessels. He said that the response to date had been good but a number of member associations had not replied. It was FONASBA's aim to provide the consolidated information to INTERTANKO ahead of the 2007 Tanker Event in Houston in late March and so asked the **General Manager** to reissue the survey form with a request that all associations respond by the end of the year.

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For INTERTANKO, **Mr. Knudsen** said this was a major, high profile initiative covering all sectors of the global shipping industry and INTERTANKO was looking forward to receiving the information from FONASBA in the New Year.

10. Members' Issues

The **Chairman** said that both the Japanese and Mexican associations had suggested FONASBA develop a checklist of remuneration headings for port agents and a first draft, based on those in use in the UK, had been circulated ahead of the meeting. Also circulated for info was a copy of the 2003 liner agents' remuneration survey. It was agreed that such lists would be very useful and so member associations were asked to review both lists and notify any additional headings so that comprehensive lists for both port and liner agents could be developed.

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11. Credit Conditions for Port Agents

Mr. Duin made a short presentation on the actions being undertaken by liner agents in the port of Rotterdam to regulate the extension of credit to shippers. A copy of his presentation is attached. *(Please note that the size of the original presentation prevents its circulation and so a simplified copy has been attached instead).*

12. Any Other Business

Following the discussion on agents' remuneration, both **Mr. Findlay** and **Mr. Campbell** said their associations would appreciate receiving indicative port charge information for various vessels in ports worldwide. The **Chairman** asked both associations to draft a set of standard

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vessel types/sizes and the commodities to be carried that could then be circulated to member associations for completion and return.

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Mr. Foord reminded the meeting that this was the last to be held under the chairmanship of **Mr. Good** and asked all those present to show their appreciation. The meeting gave **Mr. Good** a standing ovation, following which **Mr. Good** thanked the meeting for their tribute. He said the committee had made significant progress in recent years and he was sure this would continue under **Mr. Génibrel**, his nominated successor. He also thanked his Vice Chairman and the members of his Advisory Panel for their support.

13. Date and Place of Next Meeting

The **Chairman** advised that the next Plenary meeting of the Liner & Port Agency Committee would be held in Buenos Aires during the 2007 Annual Meeting, the exact date will be notified in due course

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

JCW/11.2006