



**FONASBA**  
**EDUCATION/LICENSING**  
**(RECOGNITION) OF SHIPPING AGENTS**  
**AND BROKERS**  
**Survey Report**

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VP for Education

Lima, Oct. 22<sup>nd</sup> 2013.

# Structure of presentation

1. Introduction – Background to the Survey
2. Goals of the Survey
3. Formation, chronology and structure of Questionnaire
4. Results of the Survey
5. Conclusion
6. Next steps
7. Discussion

# Background to Survey (Education)

First FONASBA *Education Survey* led by Allan Houtved, Coordinator of the ECASBA Education and Training Working Group, presented at AGM at Venice, October 2012

–Participated 14 countries

–Questionnaire consisted of 11 questions

–Goal of Survey was to identify shipping education programs among the Member States

–Issues identified:

- Need for education in agency and broking sector
- Lack of practical maritime knowledge
- Lack of awareness of the maritime sector amongst the general public and legislators causing issues with regard to recruitment and retention
- Shortage of suitable trained lecturers within the industry
- Companies reducing their support for education programs
- A need for education in the sector and an opportunity for FONASBA to take lead in promoting it amongst wider membership, to coordinate and assist efforts to expand the quality of those programs (...)

During AGM at Venice it was agreed to elect VP for Education to ensure that:

- all such issues are represented on the highest, FONASBA level
- to promote, coordinate and develop education initiatives within the Federation

# Background to Survey (Recognition...)

During the ECASBA Advisory Panel Meeting held in Hamburg, May 2013, the aim of the Working Group was defined:

- To obtain the recognition of the role of Ship Agent at the European level
- To perform survey in order to collect relevant information on the role, functions, responsibilities and laws that regulate the activity of ship agent

Agreed that collection of data should be incorporated into comprehensive survey performed on FONASBA level.

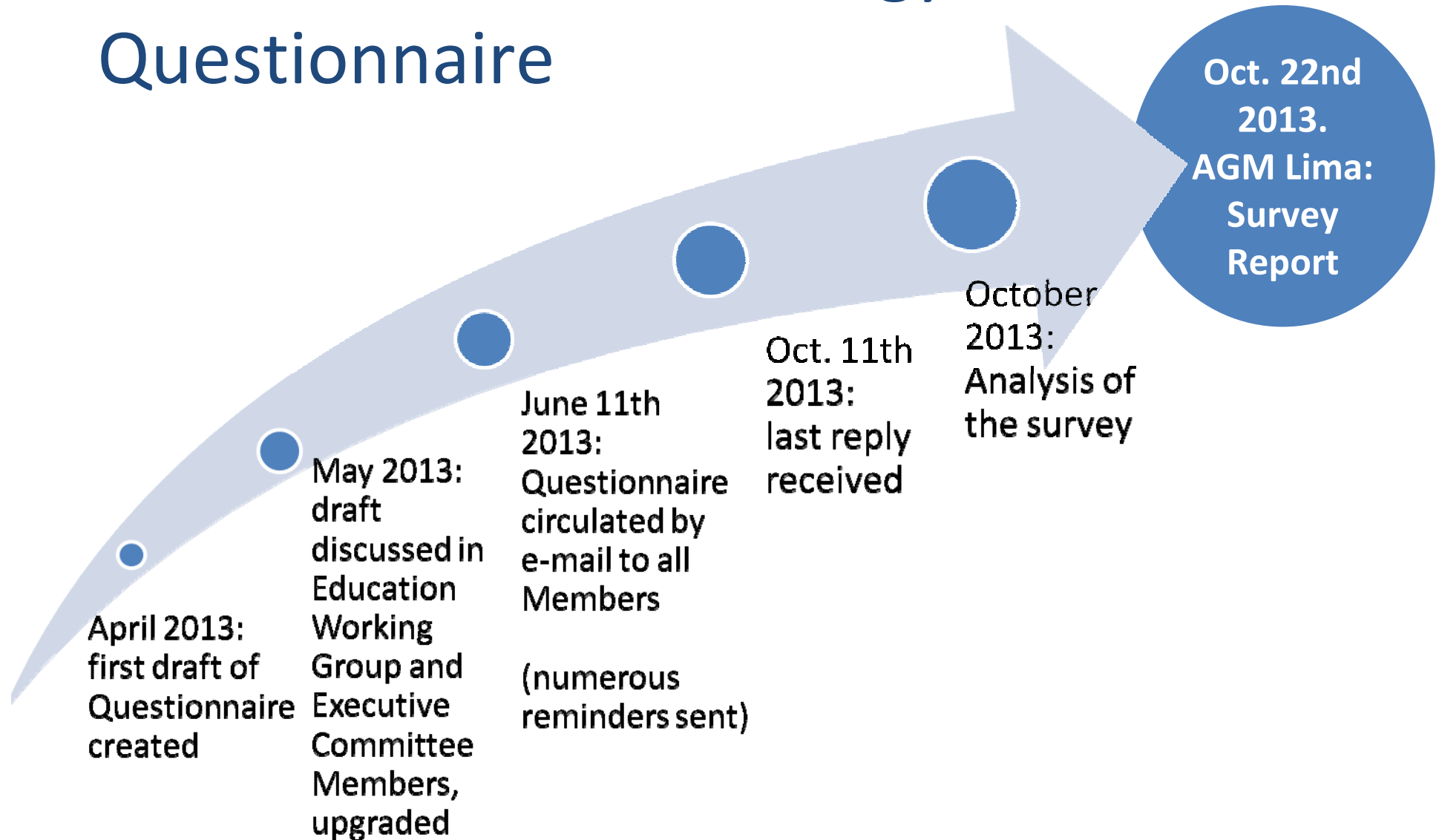
# Goals of the Survey

To obtain, on FONASBA Member States level, a comprehensive, accurate and up to date overview of the current:

- legal status of Ship Agent and Ship Brokers
- level of recognition of the profession
- licensing of Ship Agents and Ship Brokers
- information regarding the provision of education courses provided by members
- initiatives proposed by the Members that FONASBA should undertake

and to use all this information as a platform from which to take further actions in this regard.

# Formation and chronology of the Questionnaire



# Questionnaire Structure

- Questionnaire consists of 34 questions
- Questionnaire covers:
  - Legal status (rules or regulations governing the legal standards relevant to ship agents and/or ship brokers in each country)
  - Questions related to Ship Agents
  - Questions related to Ship Brokers
  - Information regarding the provision of education courses provided by members
  - Member-proposed initiatives that FONASBA should undertake

# Participants in survey

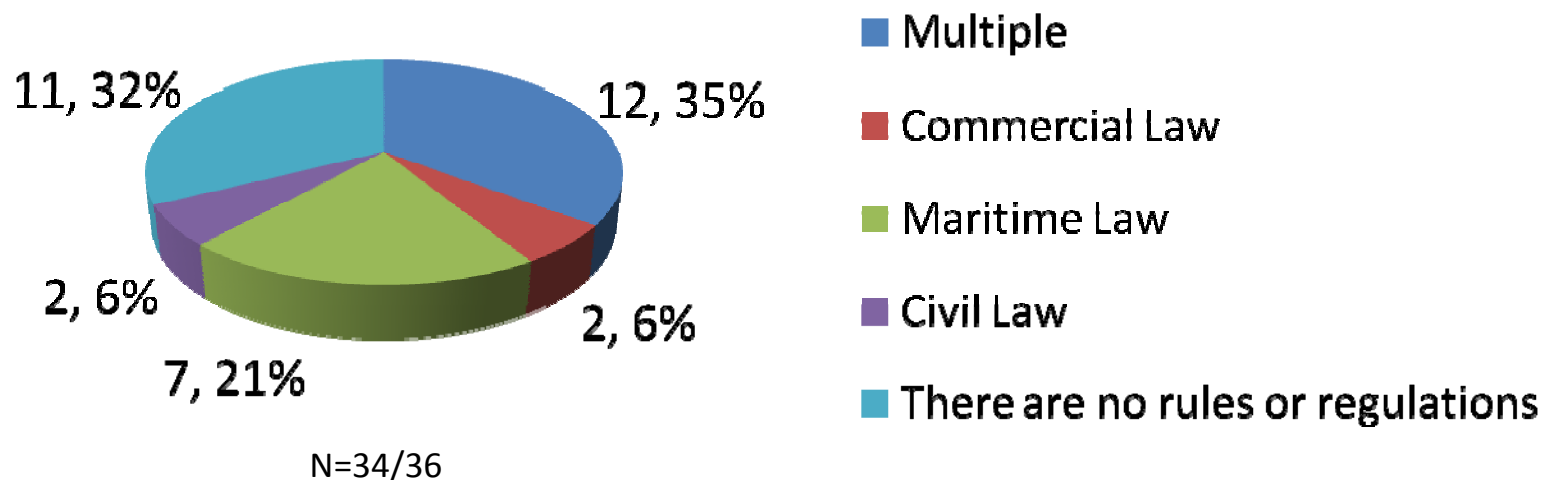
## Participated in the survey (36 countries)

Argentina	Croatia	Hungary	Jordan	Norway	Spain
Australia	Cyprus	India	Lebanon	Peru	Sweden
Belgium	Denmark	Ireland	Malta	Poland	Tunisia
Brazil	Finland	Israel	Mexico	Portugal	Turkey
Bulgaria	France	Italy	Morocco	Slovenia	United Kingdom
China	Germany	Japan	Netherlands	South Africa	USA

## Did not return Questionnaire (7 countries)

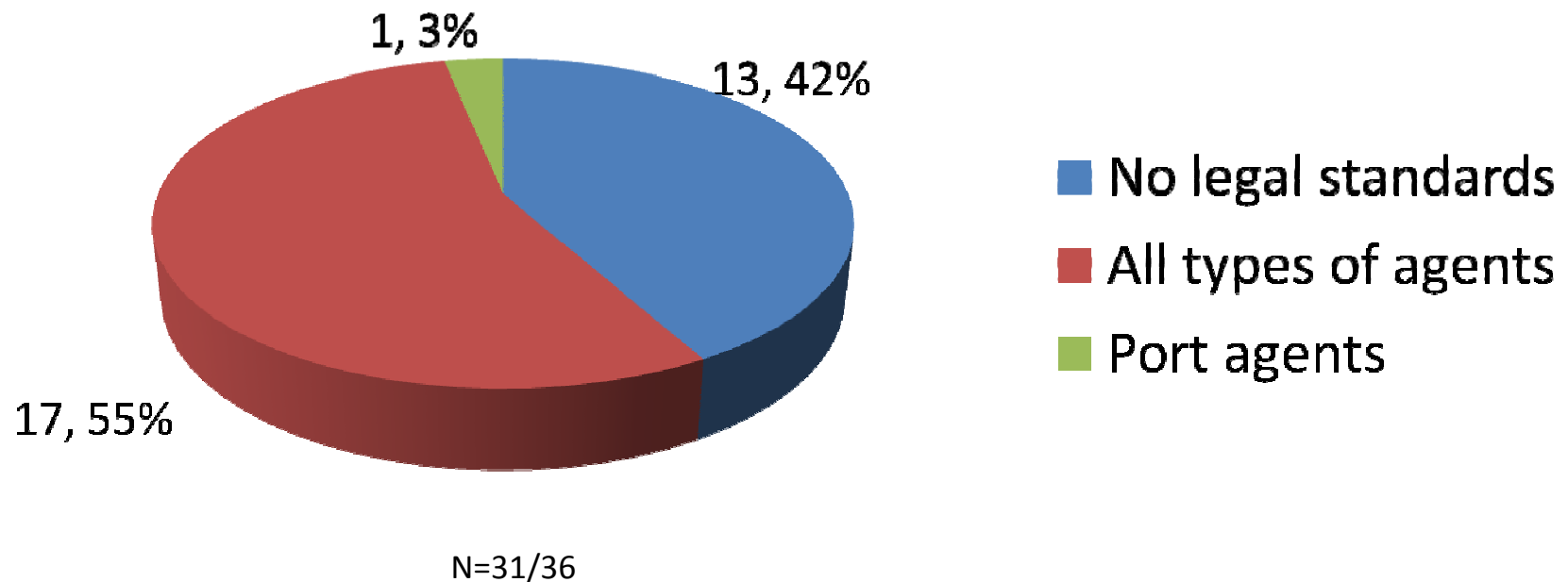
Dubai	Philippines
Greece	Russia
Kenya	Sri Lanka
Nigeria	

## 1. Which rules or regulations govern the legal standards relevant to ship agents and/or ship brokers in your country:

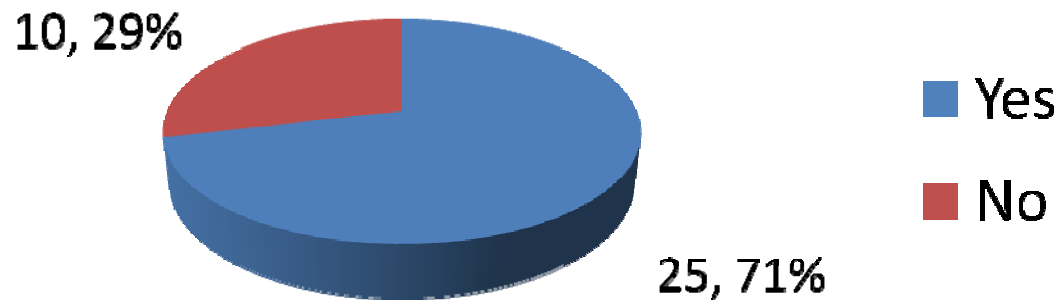


Country	If there are no legal standards, are any categories subject to informal standards or other form of regulation?
<b>Bulgaria</b>	Port activities, required documents for clearance and other activities are all regulated by the local maritime laws and ordinances
<b>Denmark</b>	No – but some have obtained Fonasba Quality Certificate
<b>Norway</b>	We have our own set of rules and standards that are applicable for our members
<b>UK</b>	Institute of Chartered Shipbrokers
<b>USA</b>	Ship Agents must register with US Customs & Border Protection and secure an International Carrier Bond to enter and clear vessels at US ports on behalf of their principals. Many US ports require ship agents to sign a tariff to operate in their port. All port service providers must apply for a Transportation Worker ID card, issued by the federal government following a background check. This card provides unescorted port access.

## 2. Which categories of ship agents or ship brokers are subject to legal standards?

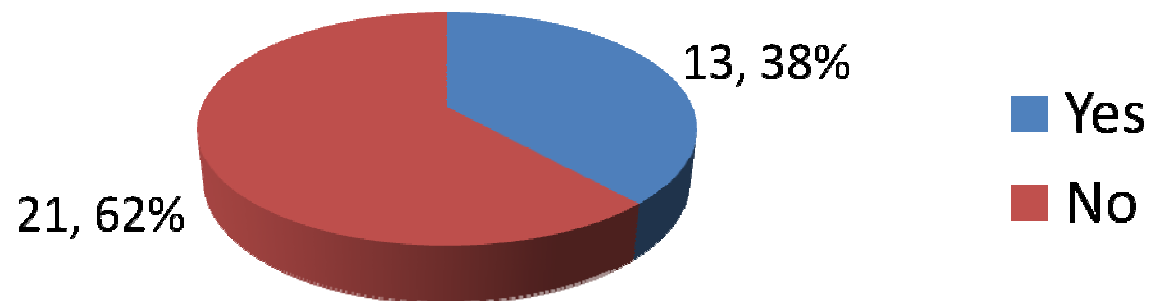


4. Is the profession of ship agent recognised by your national authorities?



N=35/36

5. Is the nomination of a shipping agent by the Principal mandatory under national law?

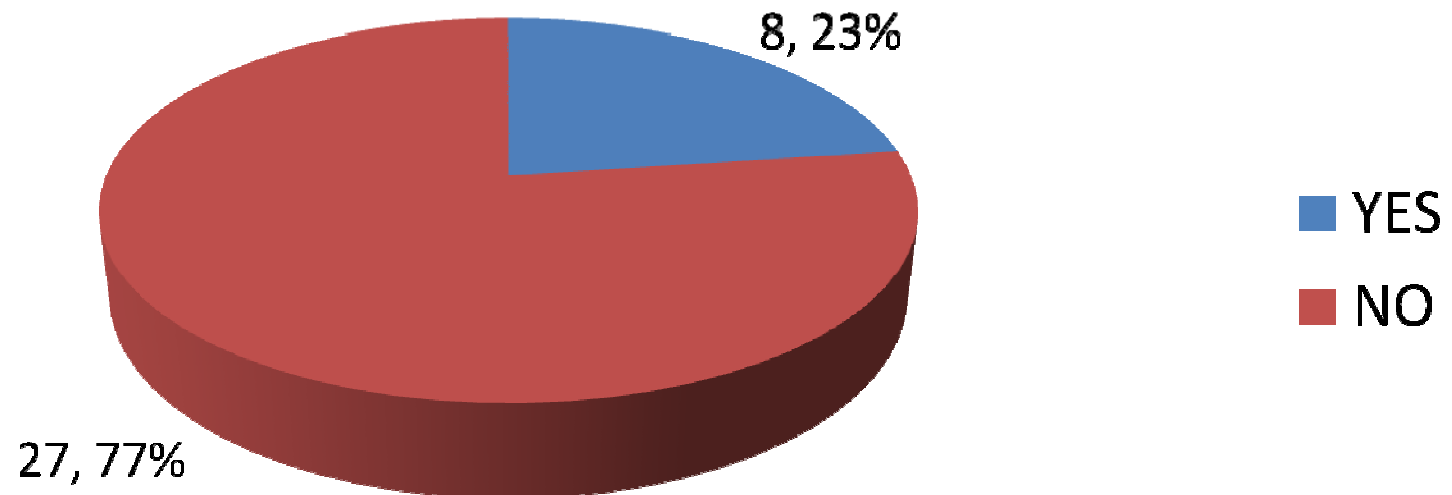


N=34/36

## 6. Which national authority (if any) is in charge of the register of shipping agency companies?

<b>Argentina</b>	Customs
<b>Israel</b>	Ports and Custom Authorities
<b>South Africa</b>	Customs and The National Ports Authority.
<b>Croatia</b>	Harbourmaster's Office
<b>Spain</b>	Port Authority in each port, which are dependent on Ministry of Development.
<b>Australia</b>	Maritime Safety Authority
<b>Jordan</b>	Maritime Authority
<b>Mexico</b>	Direction General de Marina Mercante
<b>Tunisia</b>	Direction Generale de la Marine Marchande
<b>Peru</b>	National Port Authority - Ministry of Transport and Communications Customs House
<b>China</b>	Ministry of Transport
<b>Japan</b>	Ministry of Land Infrastructure Transport and Tourism/ Maritime Bureau
<b>Morocco</b>	Ministry of Equipment and Transport (Department of Merchant Marine)
<b>Lebanon</b>	Ministry of Transport and Public Works
<b>Portugal</b>	IPTM (Government)
<b>Italy</b>	Chamber of Commerce
<b>Slovenia</b>	Ministry of infrastructure
<b>Finland</b>	Commercial Register
<b>Poland</b>	General Register of Companies
<b>France</b>	Trade and companies national register
<b>Brazil</b>	Ministry of Economy (legal Company opening authorization) and for operational procedures at the Port - Customs, Navy, Healthy and Port Authority, Agriculture Ministry, Federal Police

### 7. Are shipping agents required to undergo any form of state licensing, professional examination or certification under national law?

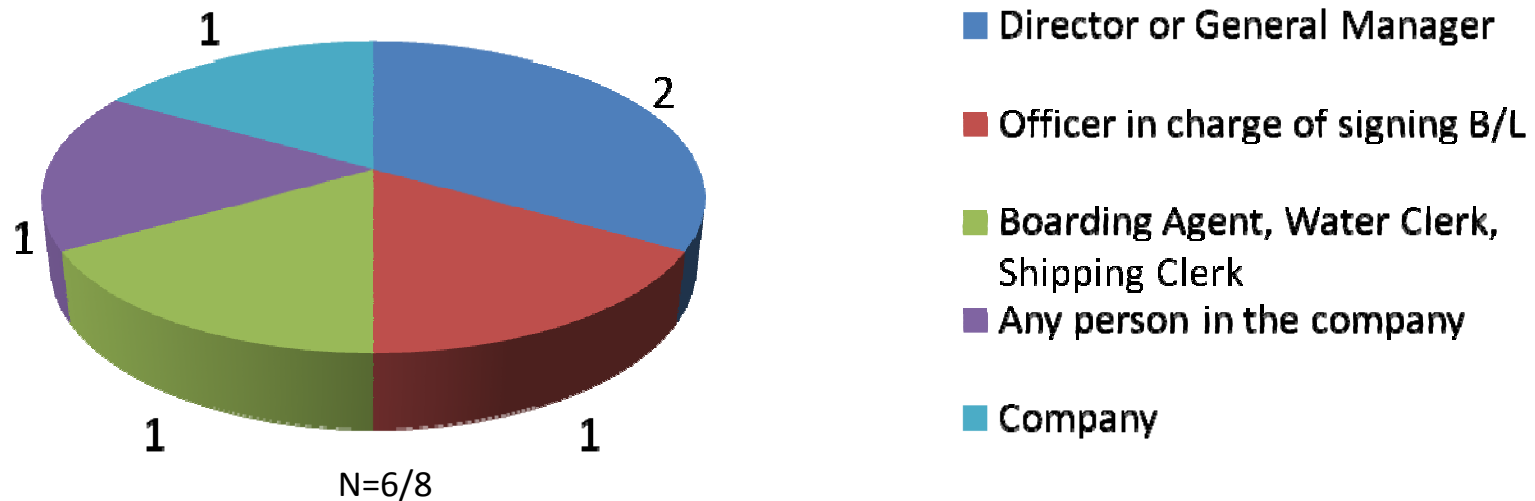


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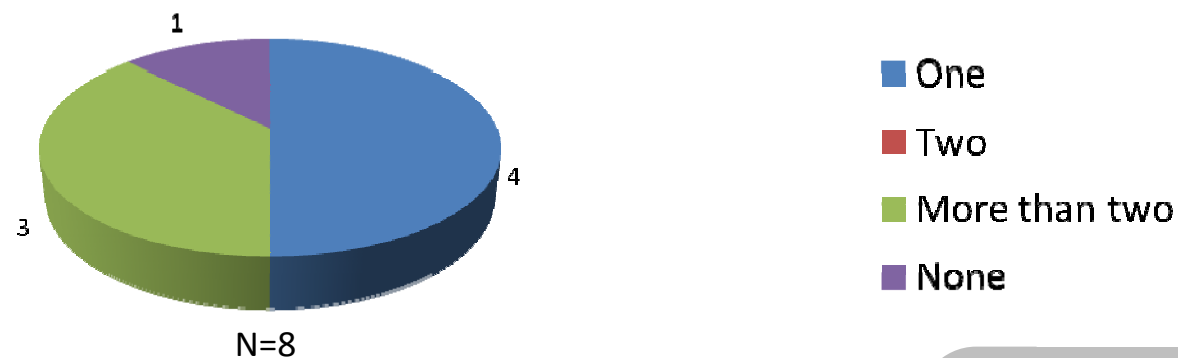
YES

1.	Argentina	5.	Peru
2.	Croatia	6.	Slovenia
3.	Italy	7.	Spain
4.	Morocco	8.	Tunisia

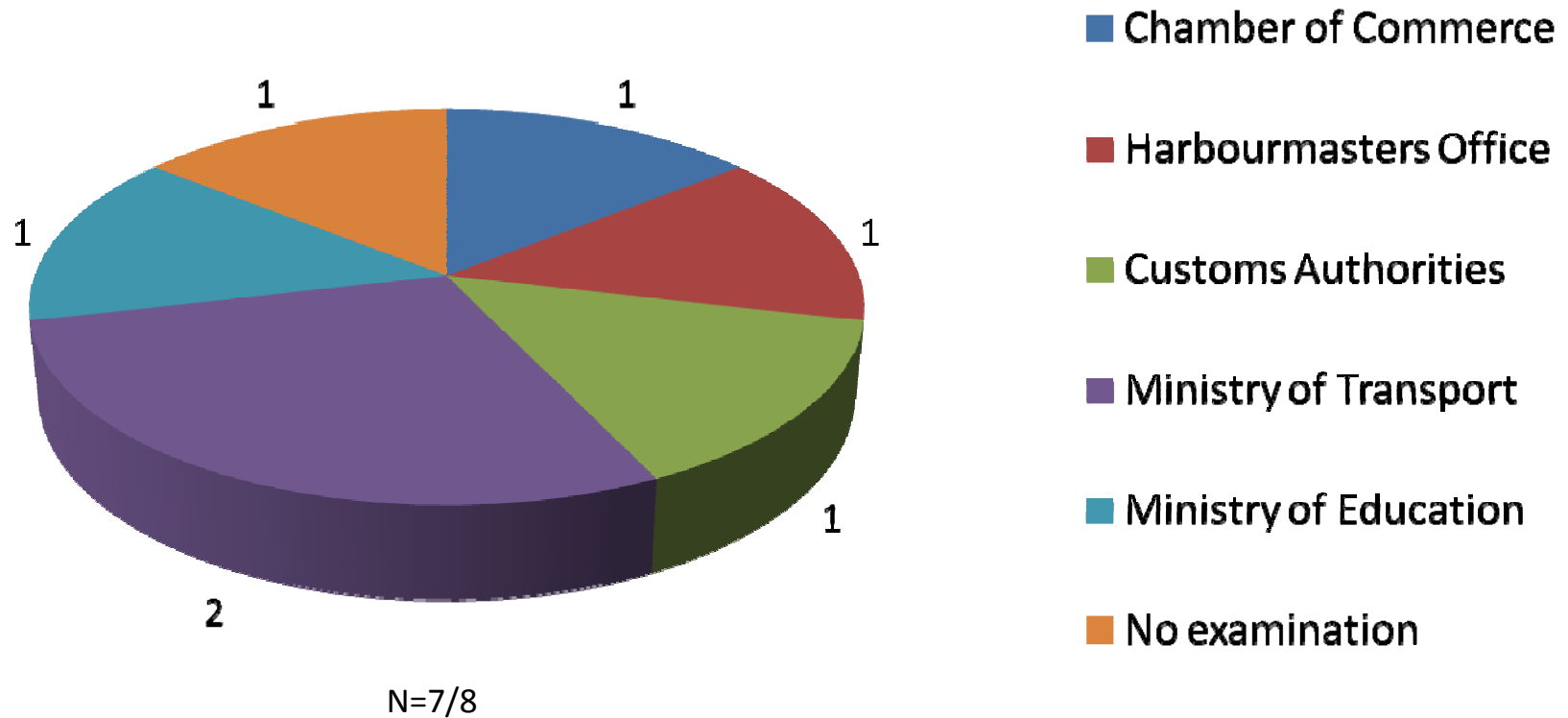
### 8. If Yes, which individual within a shipping agency is required to hold the state license?



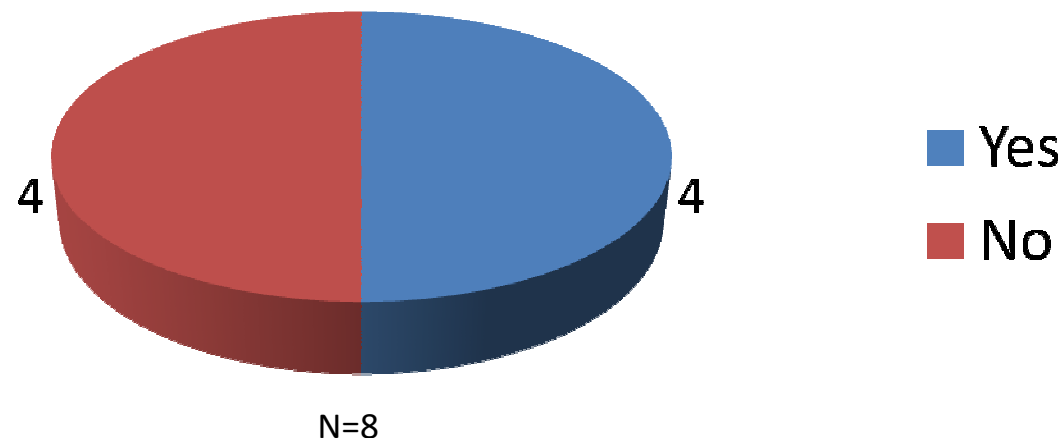
### 9. How many individuals within a shipping agency are required to hold the state licence?



### 10. Which public body is responsible for state licensing examinations for ship agents?

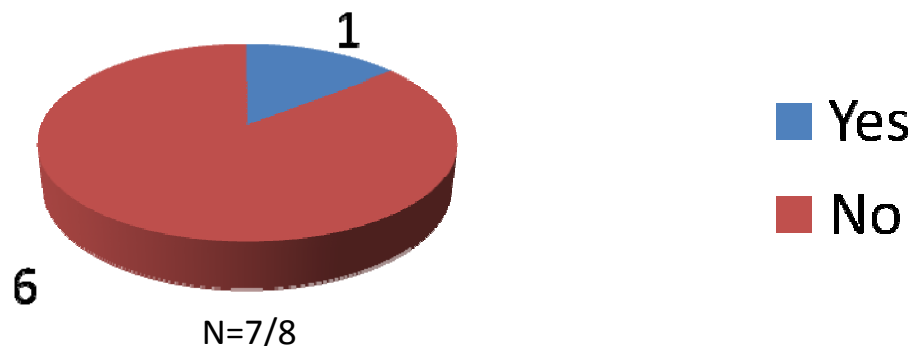


### 11. Are shipping agents licenses issued for a limited period of time?



Country	Period
Morocco	10 years
Peru	12 months
Spain	They can apply for the license for a period of time or for an indefinite time.
Croatia	Indefinite period of time

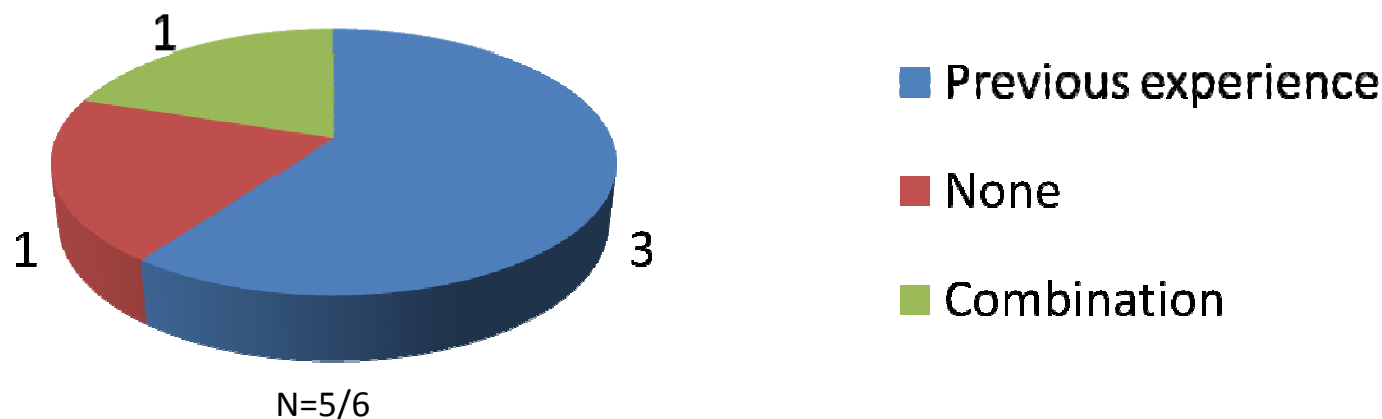
## 12. Is the completion of a professional training course required for the licensing of a ship agents?



Example of *License of Registration in the Register of Maritime Agents*, issued by Harbour Master's Office in Croatia:

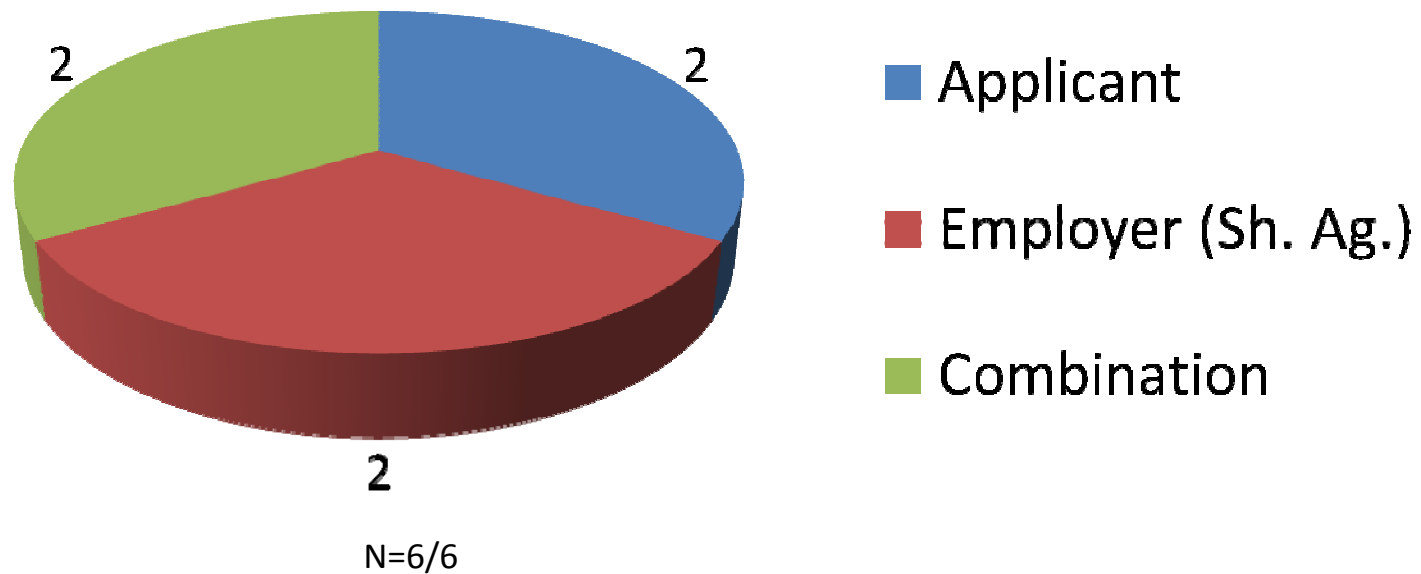
REPUBLIKA HRVATSKA REPUBLIC OF CROATIA	
MINISTARSTVO POMORSTVA, PROMETA I VEZA MINISTRY OF MARITIME AFFAIRS, TRANSPORT AND COMMUNICATIONS	
LUČKA KAPETANIJA: HARBOUR MASTER'S OFFICE:  KLASA: _____ UR. BROJ: _____ JMBG: _____  <div style="border: 1px solid black; width: 60px; height: 60px; margin: 0 auto;"></div>	ISKAZNICA O UPISU U UPISNIK POMORSKIH AGENATA LICENCE OF REGISTRATION IN THE REGISTER OF MARITIME AGENTS  _____ (ime i prezime - Name and Surname)  _____ (mjesto i datum rođenja - Place and date of birth)

### 13. What are the requirements for any state examination for shipping agents?

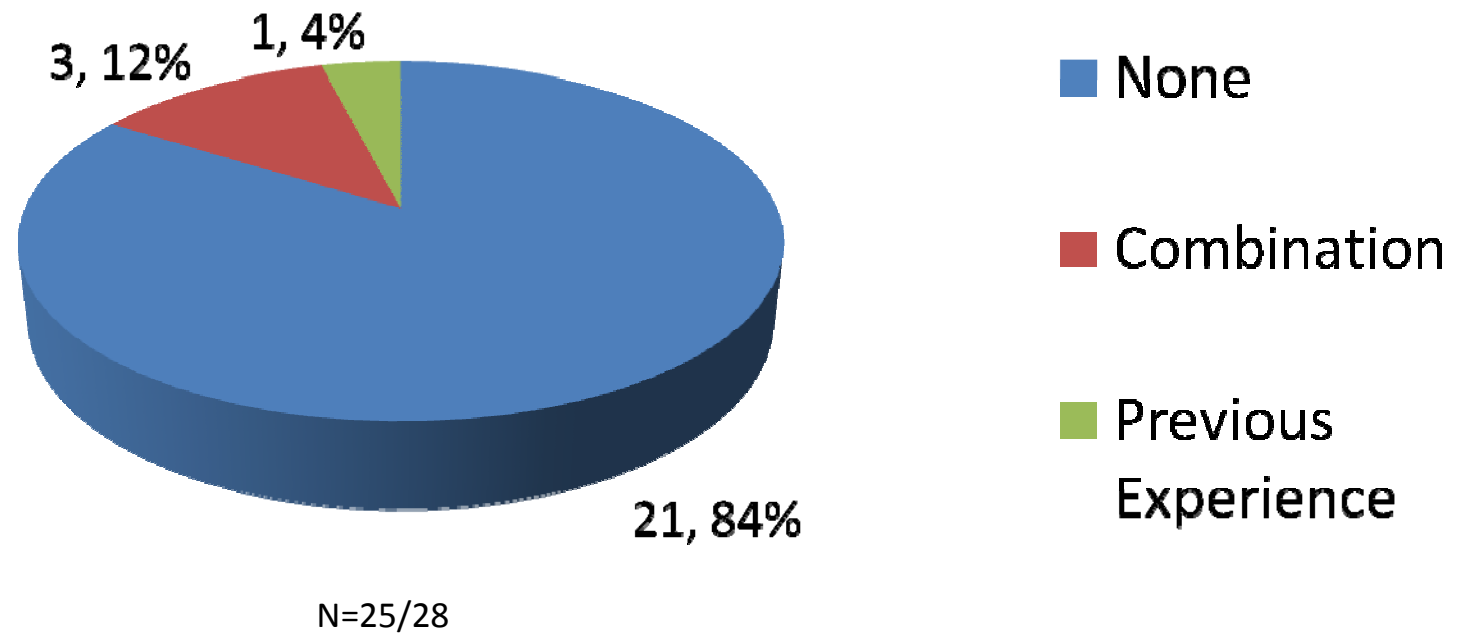


Country	13. What are the requirements for any state examination for shipping agents?
<b>Slovenia</b>	Three years in maritime agency business
<b>Croatia</b>	Secondary (high) school education One year of practice in the field of Maritime Agency’s activities or two years in Maritime activities i.e. navigation for seamen at least in the role of deck or engine officer. Knowledge of the following subjects to be verified: 1. Maritime Agency’s activities; 2. Contract of employment of the ships; 3. Elements of commercial and financial activity; 4. English language.
<b>Italy</b>	Secondary school diploma 2 years of previous experience in a ship agency.
<b>Peru</b>	Shipping Agencies have to be in full compliance with local regulations, letter of guarantee and Civil Law for a Peruvian Company. Port Authority, City Hall, Customs and Tax Entity have to approve and grant permits before.

### 14. Who bears the cost of the state license examination fee?



15. If state licensing is NOT required, what qualifications (if any) are required for shipping agents?

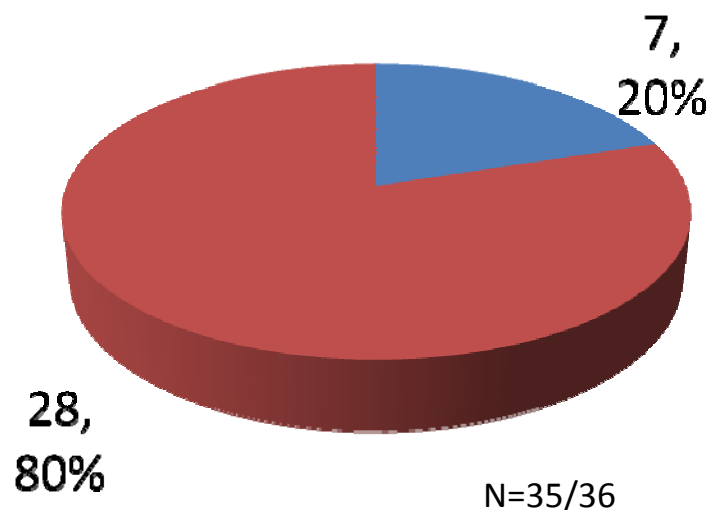


## 15. If state licensing is NOT required, what qualifications (if any) are required for shipping agents?

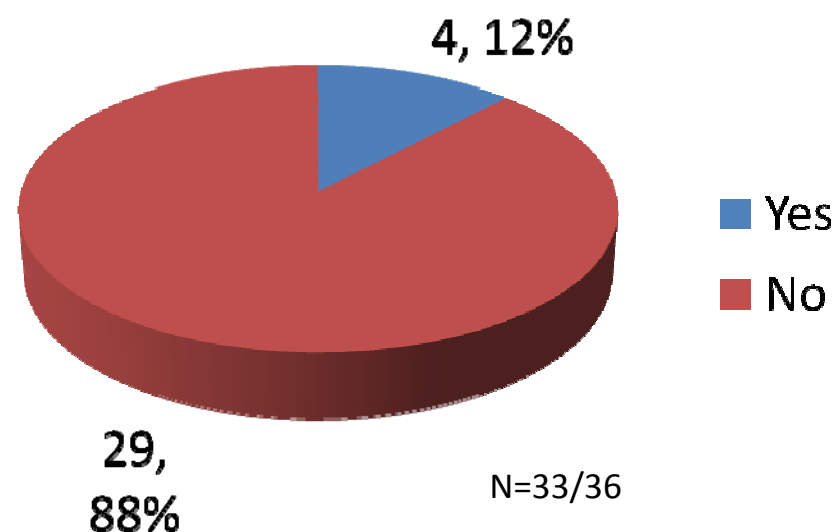
<b>Bulgaria</b>	Requirements pointed by agency companies, usually university degree in Economics and mandatory English language + local laws governing the activities of agents; or none if internal company education program is in place
<b>China</b>	Having at least two senior executives with no less than three years experience in international maritime transportation business operations.
<b>Jordan</b>	Years of education: BA degree from university Previous experience: 5 years in a shipping company Approval of agent(s) of good repute Other : have a well equipped office in the Aqaba city with more of 4 Employees
<b>Lebanon</b>	Years of education: university degree recommended + Previous Experience: 3 years in agency managerial position + Approval of Agents of Good Repute: clean public record + Other - please specify: recognition of the Lebanese Shipping agents Syndicate
<b>Mexico</b>	Se extiende una Carta Mandato (to extend a Mandate Letter)
<b>Finland</b>	Years of education, Previous Experience, None - officially
<b>Germany</b>	None. But almost 100% of the agents/ brokers have the same education. Actually they all have a degree "shipping merchant/businessman/-woman". This degree is protected by law. As mentioned during the ECASBA Meeting in Hamburg you need a three year training parallel in a company and school (Duale Ausbildung). But this degree is not a requirement to start an agency. Absolutely everybody can start an agency. Even the terms "ship agent" and "ship broker" are not protected by law.
<b>Sweden</b>	None - anyone can open up as ship agent in Sweden!

## 16. Is professional indemnity insurance mandatory?

**For the company:**

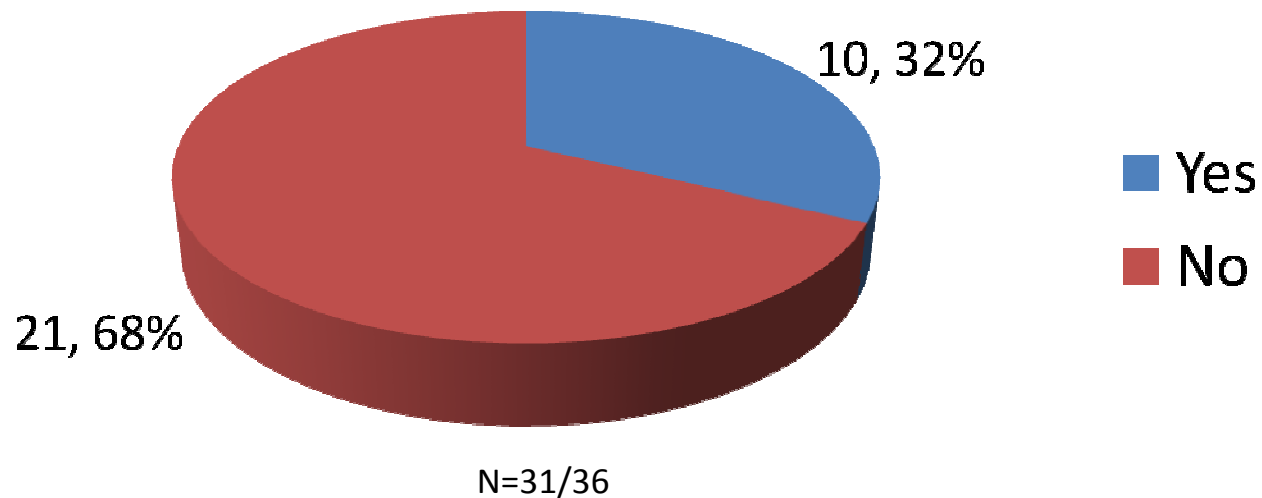


**For the individual:**

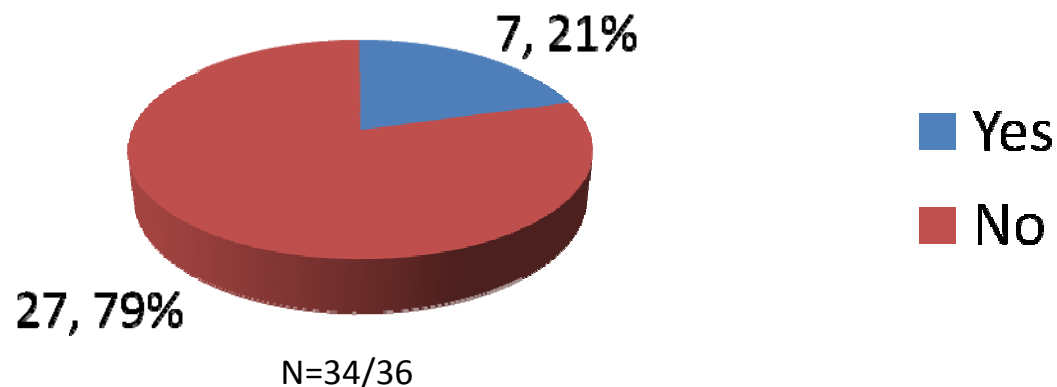


Country	Indemnity insurance, for the individual
Italy	Full period of activity (usually renewed yearly)
Morocco	Renewable every year
Slovenia	Request with FONASBA QUALITY CERTIFICATE

17. Is there any security that the ship agent must issue in order to carry out their activities?

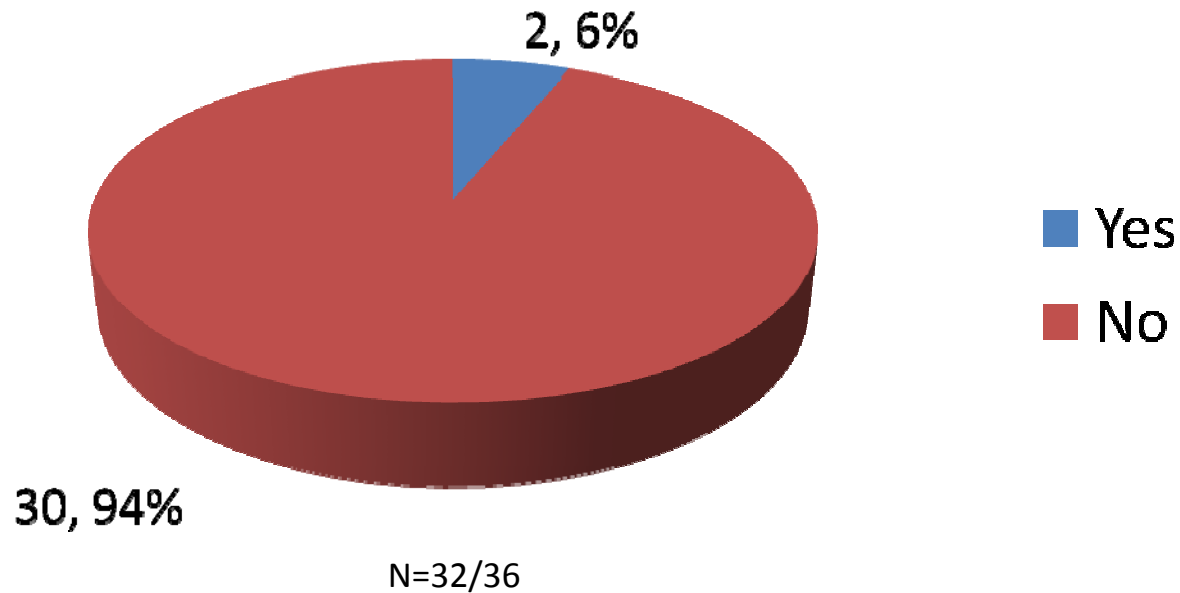


## 18. Are there any rules regarding the remuneration of shipping agents?



<b>Croatia</b>	According to the Law “The Maritime Agent has the right to fees and its expenses as well as expenses incurred for and on behalf of its Principal”.
<b>Lebanon</b>	Tariff approved by the Ministry of Transport
<b>Poland</b>	The Polish Shipbrokers’ Association has the Agency Fee tariff
<b>Australia</b>	Minimum wages for employees only are State legislated, there is an award rate for Clerks (Customs and/or Shipping and/or Forwarding Agents)
<b>Bulgaria</b>	Mandatory social security and health insurance hence minimal salary for the specific position in the company. Minimal salaries differ per different branches of the
<b>Peru</b>	Peruvian Labor Law set a minimum wage or salary

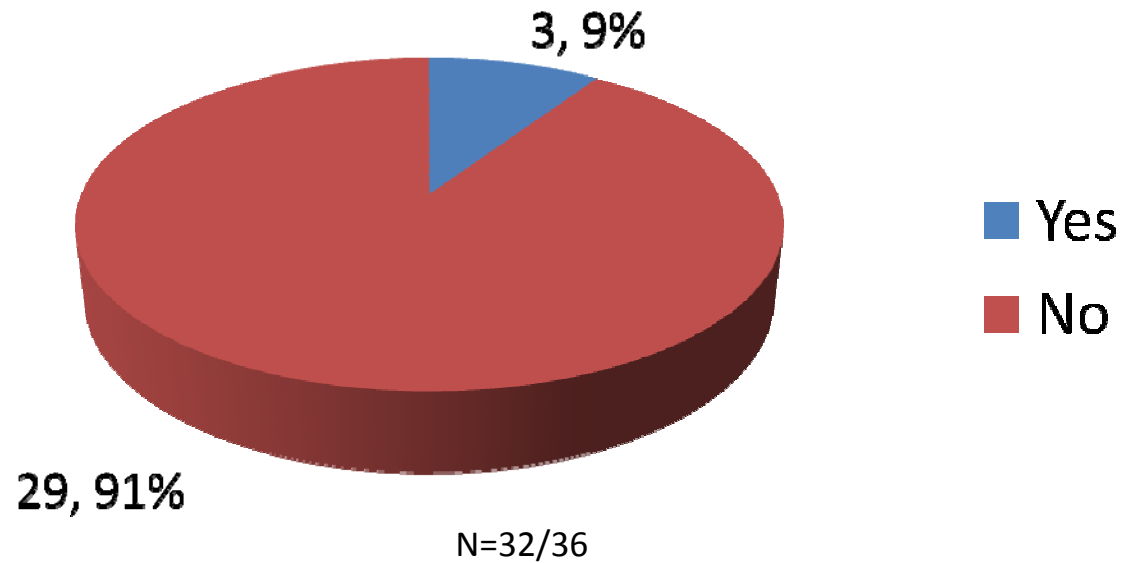
### 19. Are there any restrictions on the shipping agent in relation to carrying out his activities in other countries?



**Poland** Depending on governing law in countries where such service is to be performed

**South Africa** Not from a South African perspective but rather depending on the laws of the other country.

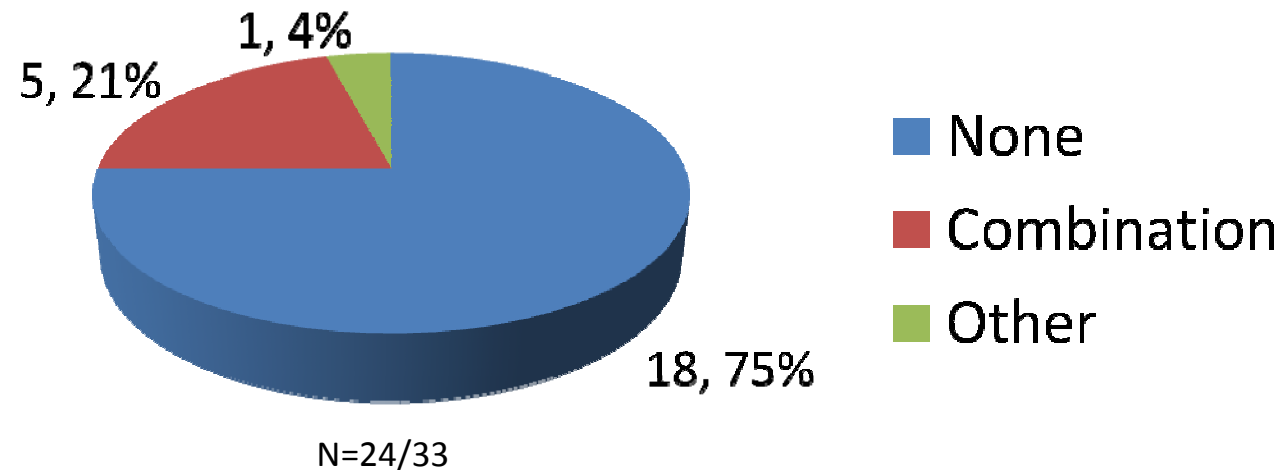
## 20. Is a broker's license mandatory in your country?



	Country
1.	Italy
2.	Jordan
3.	Tunisia

Country	Italy	Jordan	Tunisia
<b>21. If Yes, is the state licensing examination mandatory against national law?</b>	Yes	No	N/A
<b>22. Which public body is responsible for state licensing examinations for ship brokers?</b>	Chamber of Commerce	Professional Association of Ship Agents with the Jordan Maritime Authority	DGMM Direction Generale de la Marine Marchande
<b>23. Are ship brokers licenses issued for a limited period of time?</b>	No	Yes: one year and automatically renewable yearly	No
<b>24. Which national authority (if any) is in charge of the register of ship broking companies?</b>	Chamber of Commerce	Jordan Maritime Authority	DGMM Direction Generale de la Marine Marchande
<b>25. What are the requirements for any state examination for ship broking companies?</b>	Other: exam	Years of education: university degree Previous experience:4 years Well equipped office	Years of education: 2-4, depends of diploma quality Previous experience
<b>26. Who bears the cost of the state license examination fee?</b>	Individual	N/A	Depends on common agreement

## 27. If state licensing is NOT required, what qualifications (if any) are required for ship brokers?

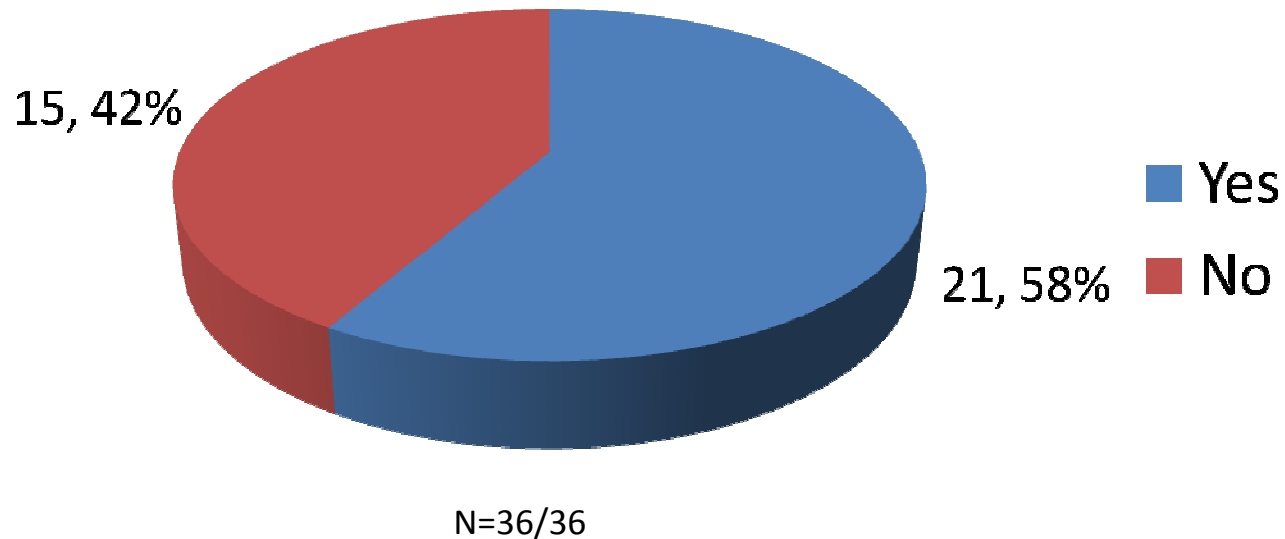


**Bulgaria** Requirements pointed by ship broker companies, usually university degree in economics and mandatory English language  
 Knowledge in international and local maritime law;  
 or None due to internal company education program

**Lebanon** University degree is recommended  
 Previous Experience: 3 years of agency managerial position

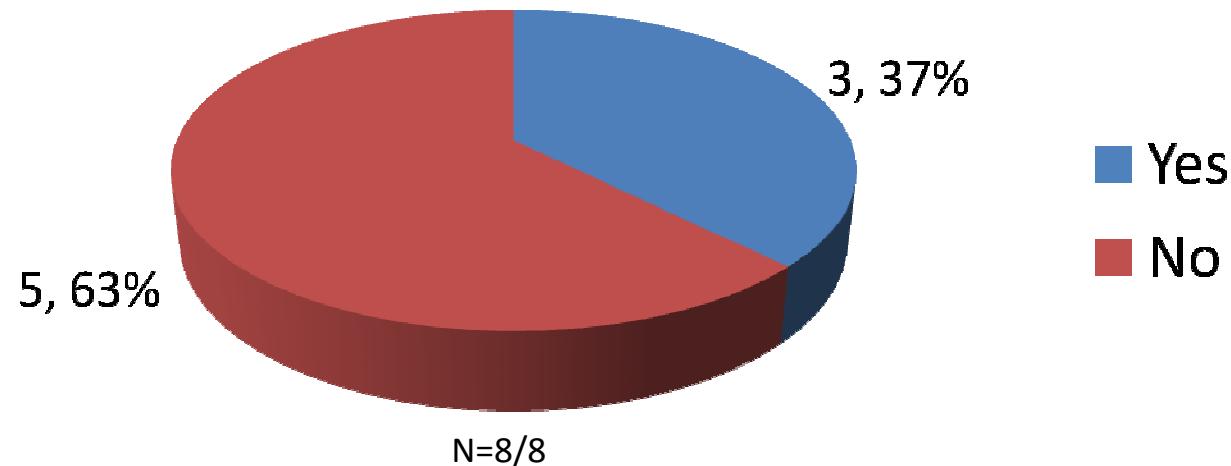
**Peru** Previous experience and Reputation in local Market is recommended, but not compulsory

28. In your opinion, are there enough adequately trained or educated people available to work in the shipping agency and ship broking sectors in your country?



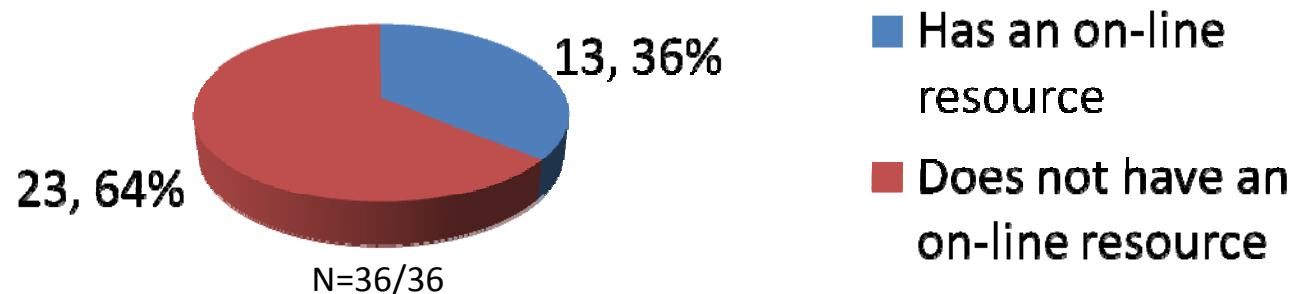
**USA** US maritime colleges typically do not provide undergraduate training to operate as a ship broker or agent. Most focus on sailing and issuance of Coast Guard Mariner licenses.

29. Does your national association provide any professional training courses required for the state license examination for ship agents or ship brokers?



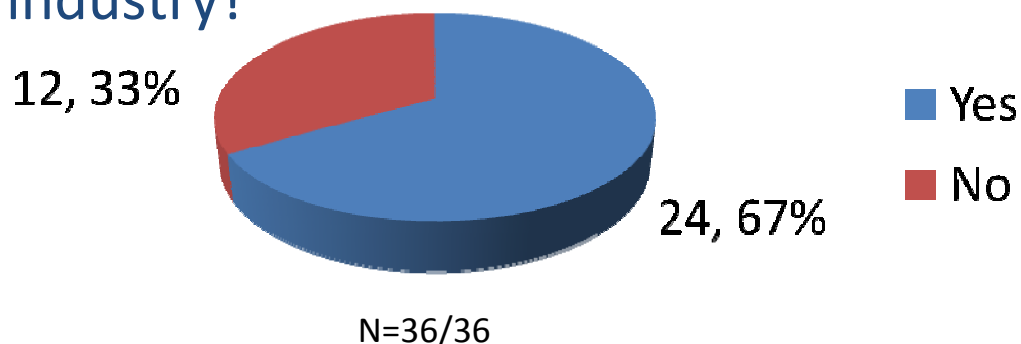
<b>Argentina</b>	Maritime Law
<b>Peru</b>	Upgrading and Updating seminars on commercial trade, customs regulations , tax & labor regulations , shipping and port industry documentary and operational matters
<b>Slovenia</b>	20 school hours course and then examinations by Commission nominated by Ministry of infrastructure

30. Please provide a link to information on professional education and training courses on your association's website



<b>Argentina</b>	<a href="http://www.cecmi.com.ar">www.cecmi.com.ar</a>
<b>Australia</b>	<a href="http://shippingaustralia.com.au/courses-and-careers/courses/">http://shippingaustralia.com.au/courses-and-careers/courses/</a>
<b>Japan</b>	<a href="http://www.jafsa.jp/">http://www.jafsa.jp/</a>
<b>Mexico</b>	<a href="http://www.amanac.org.mx">http://www.amanac.org.mx</a>
<b>Netherlands</b>	<a href="http://www.stc.nl">www.stc.nl</a>
<b>Norway</b>	<a href="http://shipbroker.no/tjenester/skipsmeglerutdanning/">http://shipbroker.no/tjenester/skipsmeglerutdanning/</a>
<b>Peru</b>	<a href="http://www.apam-peru.com">www.apam-peru.com</a> ; <a href="mailto:capacitacion@apam-peru.com">capacitacion@apam-peru.com</a>
<b>Portugal</b>	<a href="http://www.agepor.pt">http://www.agepor.pt</a>
<b>Turkey</b>	<a href="http://www.gbdacademy.com">http://www.gbdacademy.com</a>
<b>United Kingdom</b>	<a href="#">Institute of Chartered Shipbrokers</a>
<b>USA</b>	<a href="http://216.119.85.209/education/">http://216.119.85.209/education/</a>
<b>Brazil</b>	<a href="http://www.sindamar.com.br">www.sindamar.com.br</a> , <a href="http://www.sindario.com.br">www.sindario.com.br</a> , <a href="http://www.sindamares.com.br">www.sindamares.com.br</a>

### 31. Does your association provide any professional seminars and/or lectures on a regular basis for members or others from the shipping industry?



<b>Argentina</b>	Maritime Law
<b>Belgium</b>	Entrusted to PORTILOG which is a sister company of the Jure professional organizations (ship agents, forwarders, warehouses, shipping companies) - seminars are organized in close consultation with the professional organizations on basis of their input and requirements
<b>Bulgaria</b>	If necessary, due to change in laws governing business practices or at the request of a certain number of members of the association. Same for the specific training courses.
<b>Cyprus</b>	Duties and responsibilities, laws and regulations etc.
<b>Brazil</b>	A Navy department is in charge to apply several courses to Maritime companies (terminal, Port operators, Ship Agency) and applicable courses to Ship Agency are offered with no costs to Ship Agents though FENAMAR Members.

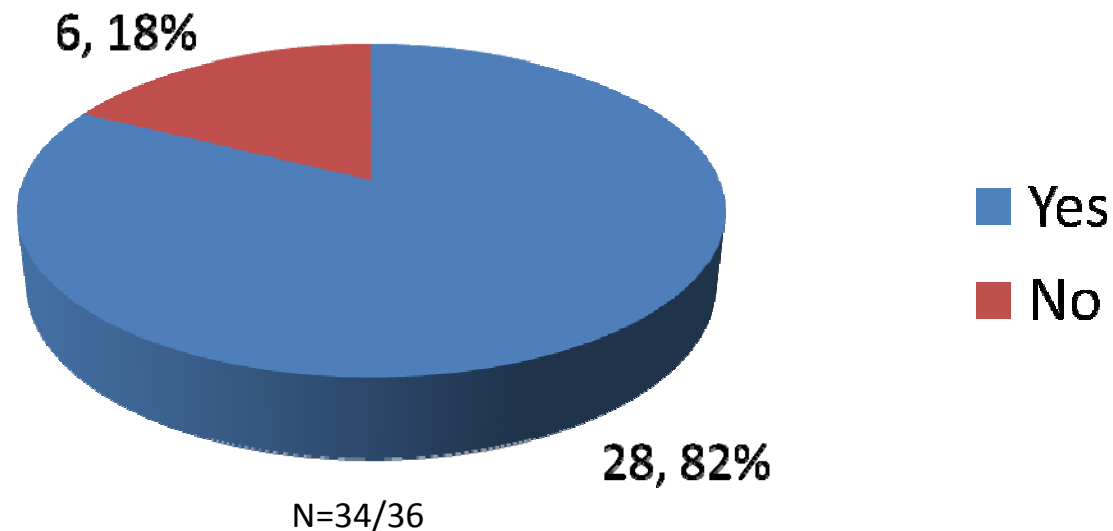
### 31. Does your association provide any professional seminars and/or lectures on a regular basis for members or others from the shipping industry?

<b>Finland</b>	Not regularly. Current matters, customs/EU issues/ships clearing
<b>Germany</b>	Monthly lectures for young brokers and agents during the winter half year about current issues, e.g. Hong Kong Convention, Ship finance or piracy....
<b>India</b>	Regular seminars shipping required
<b>Israel</b>	A yearly shipping academic curriculum at the Rupin College
<b>Italy</b>	ICS courses + video conference + Seminars/lecturers/courses at local level.
<b>Japan</b>	JAFSA opens various seminars led by lecturers who have experience in maritime industries or else. Also JAFSA invites young staff to attend a trial practice with utilizing maneuvering simulator.
<b>Jordan</b>	From members and others
<b>Morocco</b>	Information and training sessions on port operations, national regulations concerning our profession, etc.
<b>Norway</b>	We provide the ICS TutorShip program in Norway

### 31. Does your association provide any professional seminars and/or lectures on a regular basis for members or others from the shipping industry?

<b>Peru</b>	Inhouse and external seminars are performed on a regular basis under a years program
<b>Portugal</b>	Customs; IMDG Code; Tramping; etc.
<b>Slovenia</b>	Concerning professional standard to obtain a title “maritime agent” we are currentily in negotiations with Ministry of Education
<b>Spain</b>	Our Association collaborates with the Foundation, which provides online professional training seminars (AEO, International Trade, etc.)
<b>Tunisia</b>	Yearly magazine
<b>Turkey</b>	Masterclass Courses are delivered by Shipbrokers’ Association of Turkey on fundamental subjects such as Bills of Lading, Charter Parties, Laytime, Maritime Law etc.
<b>United Kingdom</b>	See website
<b>USA</b>	All are invited to participate, but participation is not mandatory for members.

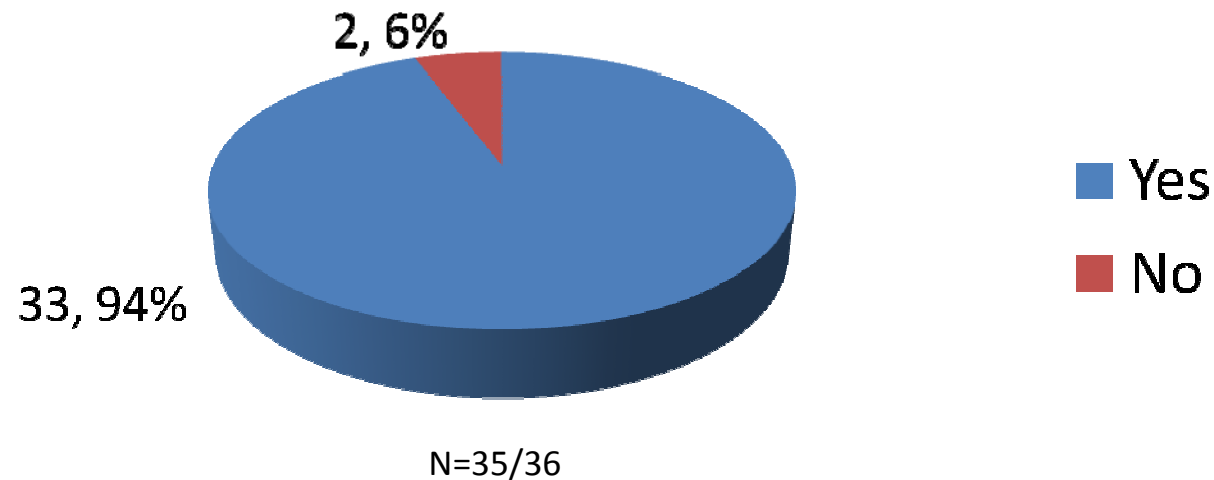
### 32. Do you think a manual for ship agents and brokers should be issued by FONASBA?



**South Africa** No, as basic terms may apply but each country has its own idiosyncrasies.

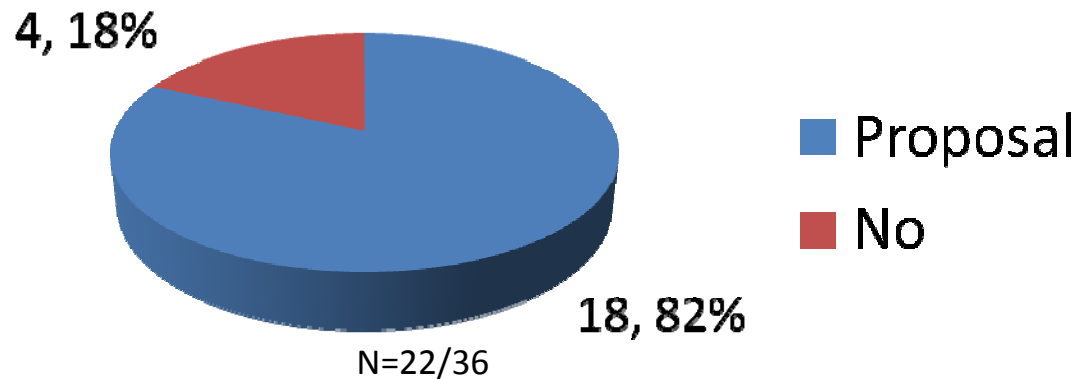
**USA** No – not sure that this would be easy to do given differences in the requirements/activities of same around the world.

33. Do you think that FONASBA should collate and circulate to the membership information on education and training programmes provided by external organizations?



**USA** FONASBA member education offerings should be easily accessed by course type via the FONASBA website.

34. Are there any other initiatives you would like to see FONASBA undertake in terms of education and training for ship brokers and shipping agents?



**Turkey** FONASBA should regulate ship broking ethics by national associations' members better.  
 FONASBA should also grant Quality Standards to the associations that allow individual membership such as Shipbrokers' Association of Turkey. Ship broking is an individual profession.

**Belgium** Provide kind of a "pool" for guest speakers (high level) on very particular, specialized items

### 34. Are there any other initiatives you would like to see FONASBA undertaking in terms of education and training for ship brokers and shipping agents?

<b>Denmark</b>	Formal recognition by EU. Minimum requirement to be implemented
<b>Croatia</b>	To issue a kind of FES (FONASBA Education Standard) for employees as additional condition to get FQS. The professional standards should be made by FONASBA while professional trainings as well as courses/seminars should be organized by National Associations.
<b>South Africa</b>	In South Africa there are institutions that are currently providing training in relation to Ships Agencies and Ships Brokers. It may be interesting to see what FONASBA sees as being pertinent to performing the role of a Ships Agent or Ships Broker.
<b>UK</b>	We should give approval system to recognized courses and qualifications. We should avoid promoting courses provided by for-profit-only companies.
<b>Jordan</b>	To work together with BIMCO master class training courses
<b>Sweden</b>	We should cooperate with the Institute of Chartered Shipbrokers
<b>Brazil</b>	Provide a partnership with recognized international education institutes to offer/bring to Country members special conditions to implement a list of interesting courses

### 34. Are there any other initiatives you would like to see FONASBA undertaking in terms of education and training for ship brokers and shipping agents?

<b>Cyprus</b>	FONASBA should organize periodically tailor-made education programs to its members/associations
<b>India</b>	Regular updates from all sources on the subject
<b>Germany</b>	Exchange of information about the national education systems
<b>USA</b>	FONASBA should promote member education offerings via the website. The secretary needs to be familiar with all member offerings and be able to refer/direct those who inquire to appropriate website.
<b>Italy</b>	Online courses
<b>Peru</b>	Online training to collate all new trends in the industry – including e-commerce – paperless trade and paperless customs – single window for commerce and others.
<b>Morocco</b>	live training or e-learning
<b>Lebanon</b>	To introduce a special workshop for whoever is interested after the annual agency. Each year this can handle a topic of interest for shipping agents and/or shipbrokers.

# Conclusions

- In survey participated 36 countries or 84% of the total number of Members
- Survey has met the set goals and represents objective insights and baseline assessments within the Member States of the:
  - Legal status of the Ship Agents and Ship Brokers
  - Level of licensing of the professions
  - Level of recognition of the professions
  - Information regarding the provision of education courses provided by the Members
  - Initiatives proposed by the Members that FONASBA should undertake

# Conclusions

- In 11 countries (32%) there are no rules or regulations governing the legal standards relevant to ship agents and/or ship brokers and in 12 countries (35%) rules governing the legal standards are met in more different laws
- Nomination of a shipping agent by the Principal is not mandatory under national law in 21 countries (62%)
- There are totally different national authority (if any) in charge of the register of shipping agency companies
- Only in 8 countries some forms of state licensing, professional examination or certification exist
- There are completely different public bodies who are responsible for state licensing examinations for ship agents (in countries where certification exist)

# Conclusions

- In 6 countries professional training course is required for the licensing of a ship agent; in the same time there are different requirements for state examination for shipping agents
- In the countries where state licensing is NOT required, different qualifications (if any) are required for shipping agents
- Professional indemnity insurance is not mandatory for the companies (80%) neither for the individuals (88%)
- There are no restrictions on the shipping agent in relation to carrying out his activities in other countries (94%)
- Only in 3 countries broker's license are mandatory
- In 18 countries there are no qualifications required for ship brokers

# Conclusions

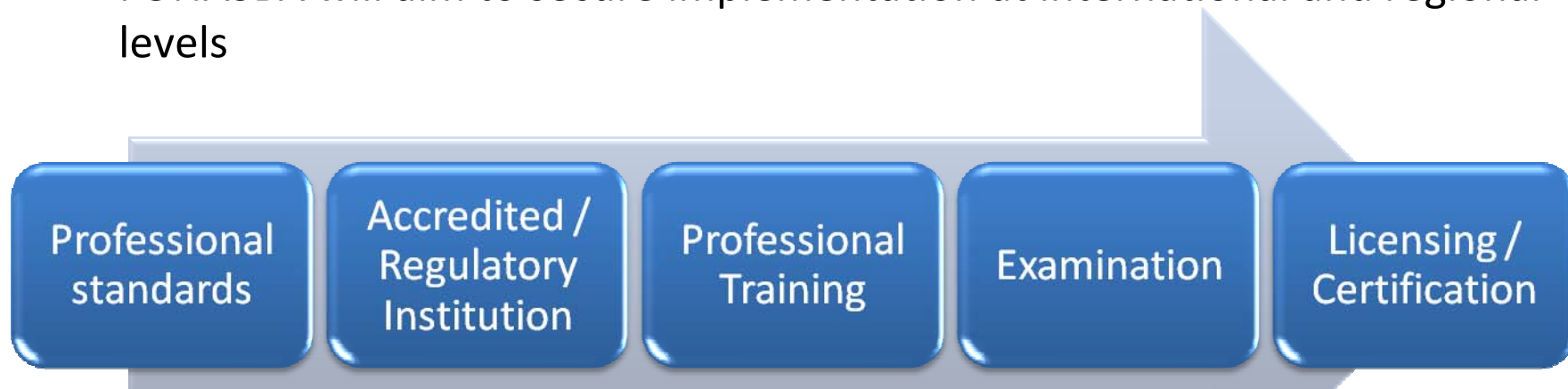
- In 21 countries (58%) it is considered that there are enough adequately trained or educated people available to work in the shipping agency and ship broking sectors
- In 23 countries (64%) there are no on-line (association`s website) resources on education and training courses
- In 24 countries (67%) associations are providing professional seminars and/or lectures on a regular basis for members or others from the shipping industry
- In 28 countries (82%) it is considered that a Manual for ship agents and brokers should be issued by FONASBA
- In 33 counties (94%) it is considered that FONASBA should collate and circulate information on education and training programs provided by external organizations to the members
- 18 countries gave proposal / initiatives what they would like to see FONASBA undertake in terms of education and training for ship brokers and shipping agents

# The next steps

- Survey findings = platform from which to take further actions
- Current action plan for **education**, Executive Committee approved:
  1. FONASBA website should include collected information on education courses offered by Members.
  2. FONASBA should include a virtual library with the reference list literature.
  3. FONASBA to review existing education provision and requirements within membership and in discussion with existing FONASBA education providers propose new courses to provide a comprehensive suite of programmes to cover all aspects of the ship agency and ship broking professions.

# The next steps

- Action plan for **recognition**, Executive Committee approved:
  1. FONASBA will work with and support member associations to achieve appropriate national recognition or licensing (as appropriate)
  2. FONASBA will promote the concept of recognition or licensing of ship brokers and ship agents in all relevant international and regional fora
  3. Once recognition or licensing is achieved in a majority of member states, FONASBA will aim to secure implementation at international and regional levels



# Q&A



Image source: <http://penigma.blogspot.com/2012/04/alecsinking-ship-corporate-members.html>



*...for participating in the survey!*