

FONASBA MEMBERSHIP ENQUIRY



RESPONSE SUMMARY

ORIGINATING ASSOCIATION:	AANTA (Angola)
ENQUIRY DETAILS:	<i>Do your national authorities require any level of ownership or supervision of a ship agency company by citizens of the country as a condition of it operating - whether licensing is required or not? If so what is the level of ownership/supervision and how is it monitored?</i>
Date:	November 2014

ASSOCIATION	RESPONSE
ARGENTINA	No licensing and no limitation for foreign shareholders.
AUSTRALIA	Shipping Australia reports that there are no ownership restrictions on Shipping Agencies in Australia.
BELGIUM	In Belgium there is no licence whatsoever required to operate as a ship agent. Therefore any level of ownership by local national citizens is not relevant at all. We believe that such a condition, especially in the case of an exclusive ownership, is forbidden in the whole EU.
BRAZIL	No restrictions in Brazil also no licensing required.
BULGARIA	In Bulgaria we do not have licensing of agents. There is no requirement for the ownership of companies to be limited to Bulgarian citizens. Companies in Bulgaria must be registered and operate under our laws but their owners may be foreign nationals. Branches of foreign companies are also registered with additional provisions stated in our Commerce Law.
CROATIA	There is no limitation on foreign share ownership. Regarding licensing there is existing regulation for ship agency business and certification/licensing is mandatory. For more information, suggest to see our website with the detailed information: http://www.asbac.hr/en/conditions_to_conduct_activity.html
CYPRUS	In reply to your enquiries in the above regard (resulting from the AANTA request) please be advised that in Cyprus there are not any restrictions for the ownership or supervision of a ship agency company by Cypriots as a condition for the operation of any vessel. Instead, anybody is allowed to become a Shipping Agent provided that a shipping agency company is registered/established locally subject to the approval by the Registrar of Companies based on the existing Legislation and under certain terms and conditions (such as a white criminal

	register of the owners/shareholders, Greek speaking persons in the Company, sufficient financial strength of the shareholders etc.)
DENMARK	In Denmark you may establish a shipping agency, also foreign enterprises. In the latter case the foreign enterprise may take 100% ownership or do it via partnerships with Danish enterprises.
DUBAI	Fifty-one per cent participation by UAE nationals is the general requirement for all UAE established companies except: Where the law requires 100% local ownership; In the Jebel Ali Free Zone; In activities open to 100% AGCC ownership; Where wholly owned AGCC companies enter into partnership with UAE nationals; In respect of foreign companies registering branches or a representative office in Dubai; In professional or artisan companies (e.g. consulting, educational service) where 100% foreign ownership is permitted. Commercial / Professional / Industrial licenses are issued for a period of one year and renewable yearly at the prescribed fees.
FINLAND	No ownership restrictions applicable in Finland. Customs however require that agents need to be creditworthy i.e. financially solid
FRANCE	Please be informed that in France the profession of ships' agent is totally free/open. Anyone may set up an organization/company without the ownership/supervision restriction described by our Angola colleagues
GERMANY	We have no restrictions for foreigners running an agency, neither do we have or any kind of licensing system
GREAT BRITAIN	No citizen requirement for ownership - companies can be owned by non UK citizens. No licensing of agents in UK
HUNGARY	There is no any restriction in Hungary as far as the ownership of an agency company concerned. Licensing is not required either.
IRELAND	No licensing requirements or limitation on foreign share ownership.
ISRAEL	Our national authorities do not require any level of ownership or supervision of a ship agency company by citizens of our country, as a condition of it operating and that licensing is not required. Of course, every ship agent must be registered with the Customs and port authorities in order to being able to operate as such.
ITALY	In Italy there are no ownership restrictions for a company to operate, but there is a professional law with general requirements to be registered as a ship agency.

JAPAN	In Japanese ports, it is necessary to get prior approval from governmental sector concerned to offer their service of cargo handling operation in the port. Meanwhile, it is not compulsory to offer ship's agency service but required to register their service in advance to maritime bureau concerned. Hope above will comply with their inquiry.
JORDAN	According to Jordanian law, ownerships open to all nation up to 100%, Shipping agencies up to 50% shares.
KENYA	Until 2011, no requirement on any level of ownership or supervision of a ship agency company by citizens of the country existed. However, Kenya Maritime Authority which regulates Maritime activities in Kenya made it a requirement in the Merchant Shipping Act 2009 that shipping agents and logistic
LEBANON	National authorities in Lebanon require at least 51% equity share to be controlled by Lebanese citizens as a condition of creating a shipping agency and subsequently obtaining its license by the Ministry of Transport.
MALTA	There is no requirement for any local ownership of a ship agency company in Malta, nor is there any form of licensing of ship agents.
MEXICO	Mexico there are no limits for foreign investment to solicitation ships, but the company has to be registered as a company in Mexico, though the company has to get a permit from the Mexican government to Directorate General of Merchant Marine.
MOROCCO	Moroccan citizenship is not obligatory to obtain a license to practice as a shipping agent. The person applying for the license may therefore be foreign but must they meet the educational and financial conditions required by regulation.
NETHERLAND	No supervision whatsoever is required in the Netherland.
PANAMA	When establishing a shipping Company or shipping agency in Panama, there are no restrictions as to what nationality the owners/representatives are for requesting a license or permit. Any citizen can apply for a licence to operate and is same requested from the Panama Maritime Authority.

PERU	There is no restriction for the inflow of capitals into shipping service corporations or for any other port activity. There is no requirement of property by a native Peruvian.
POLAND	There is no ownership restriction for ship agency companies.
PORTUGAL	In Portugal licensing is required but no restrictions regarding nationalities.
SLOVENIA	Anybody can apply to open an agency through the Court and in a few days is registered. He has only to apply with all requested documents and this is all.
SPAIN	We inform you that Spanish authorities require no level of ownership or supervision of a ship agency by Spanish citizens as a condition of it operating. The owners can be from anywhere.
SWEDEN	In Sweden any one can open up a ship agency company.
TUNISIA	License is required and Tunisian nationality should be 51%
TURKEY	<p>According to the Regulation regarding Shipping Agents, save for provisions of Turkish Commercial Code, Shipping Agents shall operate with the work permit to be given by Administration and with Shipping Agency Certificate of Authority to be drawn up within this frame.</p> <p>In order to obtain Certificate of Authority:</p> <p>a) Natural persons: Shall be a citizen of Republic of Turkey, b) Legal persons: Shall be one of the companies stated in Turkish Commercial Code and be duly founded</p>
USA	There are no restrictions for operating/owning an agency company in the USA.