

**MINUTES OF THE
LINER & PORT AGENCY COMMITTEE
PLENARY MEETING HELD AT
THE CLARION POST HOTEL
GOTHENBURG, SWEDEN
AT 9.00 a.m. ON THURSDAY, 9th OCTOBER 2014**

Present:

Mr. J.A. Foord FICS	Chairman
Mrs. M. Collins	President FONASBA
Mr. R. Garcia Piñeiro	Vice Chairman

In Attendance:

Mr. J.C. Williams FICS	General Manager
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Mr. J. Dulce	Argentina	Dr. Y. Sebba	Israel
Mr. G. Hernandez	Argentina	Mr. U. Masucci MICS	Italy
Mr. S. Diaz Mathé	Argentina	Mr. F. Carlini FICS	Italy
Mr. X van Engelen	Belgium	Mr. V. Totorizzo	Italy
Mrs. H. Bruggeman	Belgium	Ms. L. Tropa	Italy
Mr. G. Gordon Findlay	Brazil	Mr. A. Banchemo	Italy
Mr. W. Rocha Jnr.	Brazil	Mr. E. Zerbi	Italy
Mr. A. Zanin	Brazil	Mr. T. Iigaki	Japan
Mr. M. Neri	Brazil	Mr. T. Saita	Japan
Capt. N. Hristov	Bulgaria	Mr. M. Andrade Gomez	Mexico
Mr. Liu Gaixin	China	Mr. F. Orozco	Mexico
Capt. J. Karmelić	Croatia	Mr. V. Banovic	Montenegro
Mr. C.P. Papavassiliou	Cyprus	Mr. A. Mantrach	Morocco
Mr. E. Kouzapas	Cyprus	Mr. B. Kjeldsen	Morocco
Mr. T.D. Paulsen	Denmark	Mr. A. Belmar da Costa	Portugal
Mr. J. Sebbelin FICS	Denmark	Mr. E. Bandelj	Slovenia
Mrs. N. Nandkumar	Dubai	Mr. N. Warner	South Africa
Mr. G.J. Heinonen	Finland	Mr. L. Lindebäck	Sweden
Mr. J. Vikström	Finland	Mr. J. Kelly	USA
Mr. S. Lomberg	Finland	Mrs. J. Cardona	USA
Mr. C. Bele	France	Mr. S. Larsen	BIMCO
Mr. A. Gourdon	France	Ms. M. White	INTERTANKO
Dr. A. Geisler	Germany	Mr. A. Jamieson	ITIC
Mr. A. Dobson FICS	Great Britain	Mr. G. Wramfelt MICS	Shipbrokers' Register
Mr. D. Barrett	Great Britain	Mr. D. Pirjak	Shipbrokers' Register
Mr. N. Ingle	Great Britain	Observers	
Mr. B. Szalma	Hungary	Mr. A. Mataragas	Greece

This meeting was undertaken in compliance with FONASBA's Anti-Trust and Competition Policy and at no time were any discussions undertaken in relation to: fixing of terms, prices or rates, matters relating to particular customers or suppliers, boycotting or black listing particular customers or suppliers, dividing markets or customers or otherwise seeking to distort competition

Item

Action

1. President's Welcome, Chairman's Opening Address

The **President** welcomed all those present to the 2014 Liner & Port Agency Committee Plenary Meeting. The **Chairman** also gave his welcome to all those present and also expressed his thanks to the Swedish Association for having hosted this meeting.

The **General Manager** reminded those present that the meeting was being held in accordance with FONASBA's Anti-Trust and Competition Policy, which was read out for the avoidance of

doubt.

2. Minutes of the Previous Meeting

The minutes of the meeting held in Lima on 24th October 2013 had been circulated previously. With no comments having been made at the meeting, or previously, the **minutes were approved.**

3. Matters Arising

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

4. Range Committee Reports

The Asia, CIANAM, MASBA and Nordic reports were presented by messrs. **Iigaki, Dulce, Bandelj** and **Lomberg** respectively. Copies of the reports are available for download from the Members' Area of the website. The meeting then discussed a number of issues raised by the Committees. Particular areas of concern were the variation in the application of VAT on agency services as indicated in the Nordic report and the continued multiplicity of documentation involved in maritime transport. Whilst the application of VAT to agency services was a matter for members to take up with national administrations, it was agreed that FONASBA and ECASBA should continue to work to achieve a reduction in the administrative burden through initiatives such as the Reporting Formalities Directive.

5. FONASBA Quality Standard Update

The **General Manager** updated the meeting on the current status of the Quality Standard, reporting that it was in place in 23 countries and covering 357 companies. It was agreed that those associations yet to adopt the Standard should do so as soon as possible in order to enhance its value to shipowners and operators and, as a consequence, to FONASBA.

The **General Manager** was tasked with contacting individually all those associations that had not yet adopted the Standard and encourage them to start the implementation process.

The **President** endorsed the comments of the **Chairman**, stating that there was growing pressure from ship owners and operators to expand coverage of the Standard and it was therefore important to ensure that there was sufficient support for it from FONASBA members to justify the increasing enthusiasm from shipowners. Failure to capitalise on this support would fatally weaken the Standard project. She then introduced Mr. **Pirjak** who, whilst representing the Shipbrokers' Register, was a Marine Superintendent in Rotterdam. At the **President's** invitation he recounted a situation where his company was seeking an agent in Durban and the first place he looked was the FONASBA Quality Standard. He said that for many shipowners, their first reference when seeking a quality agent, especially at short notice, were the Register, the Quality Standard or the BIMCO membership list. Expanding the number of FQS approved agents on a global basis would therefore be of great assistance to ship operators – as well as enhancing the value of the project.

6. L&PA Port Procedures Survey

The **Chairman** invited Mr. **Gordon Findlay** to make a presentation on the current status of the Survey. Demonstrating the survey in real time, Mr. **Gordon Findlay** reported that it now covered 37 member countries and 215 ports. Whilst this was a noticeable, and welcome, improvement on previous years, he said that a number of members had still not provided any information and others had only contributed a small number. The strength and value of the survey to the wider shipping world, he said, lay in the number and range of ports (bulk ports being somewhat less well-covered in many countries) covered and so it was vital that all member associations contributed as many ports as possible. He also reminded the meeting of the relative ease by which common information could be input for a number of ports and also of the facility for more than one party to contribute to provide information on a port or range of ports.

As well as adding new information, it was also necessary to ensure the data already in the survey was kept up to date, Mr. **Gordon Findlay** said. A number of modifications were planned for the survey that would both ease data entry and also enhance the information available for bulk ports. Data on customs procedures was another area of vital importance to FONASBA members and

the wider community and here again additional and updated information was needed.

Concluding his presentation, Mr. **Gordon Findlay** recommended that any association with a question on a port procedure should consult the Procedures Survey to see if it is covered before requesting the Secretariat issue an enquiry. If there was an issue of particular concern that was not covered in the survey, it could always be added, he said.

7. “Intelligent Exchange”

The **Chairman** introduced Richard Morton, Secretary General of the International Port Community Systems Association (IPCSA) and invited him to make a presentation to the meeting on port community systems (PCS), the work of IPCSA and the relationship between the PCS and the agent. The agent, as the provider of the information, was key to the entire process and without the active support of agents the PCS could not operate effectively. In this latter regard, the Chairman reminded the meeting that in many cases the PCS was owned by the agency community. He added that both organisations valued the link so highly that IPCSA was FONASBA’s newest Club Member and that FONASBA was the first Associate Member of IPCSA. A copy of the presentation is available for download from the website.

Following the presentation Mr. Morton answered questions from delegates on the following:

- How do PCS’ operate in smaller ports? There is no minimum port size limit for using a PCS and any port can opt to join the local or national system. Access can be made available via web interfaces so there is little in the way of set up costs for users. Using a PCS over traditional methods of data exchange frees up both agents and the authorities to concentrate on their primary tasks.
- How can an agent, or a group of agents, start the process of establishing a PCS in a new country? The main issue is getting the authorities on board. Until they are fully supportive of the project, and ready to commit resources to preparing to receive information via the PCS, the project cannot proceed. The reluctance of statutory authorities to commit to using a PCS was the main issue preventing their more widespread coverage.

8. IMO Initiative on Container Weight Verification

The **Chairman** made a presentation (available from the website) on the current status of the IMO container weighing initiative. With the proposed changes to the SOLAS regulations expecting to be introduced in 2016, he said it was vital that member associations engage with their national authorities to ensure that procedures to minimise the impact of rejected containers on customs formalities, port and agency operations were adopted in good time. He said that implementation of the regulations in many countries was being devolved to the maritime safety authorities. It was therefore necessary for agents to be involved to ensure that any proposed measures were in practical and so far as possible in accordance with current port and agency practice.

In order to check on progress, he said the survey that formed the basis of his presentation would be repeated before the 2015 annual meeting.

9. IMO-FAL Revision

The **General Manager** updated the meeting on progress within the FAL Committee on the project to update the Convention. He confirmed FONASBA’s active participation in the correspondence group and also confirmed that the definition of the ship agent that FONASBA had proposed remained in the draft and it was therefore hoped this would eventually be adopted as part of the new Convention. This, he said, was the first time that a definition of the ship agent had been included in an IMO Convention and this was a major step forward in recognising the role of the agency community.

10. Market Sector Reports

The **Chairman** invited Mr. Tidblad, Mr. Hermansson and Dr. **Sebba** to deliver their presentations on the Ro/Ro market, ship agency in Scandinavia and the container market respectively. Copies of the presentations are available from the website. The presentations were very well received by the meeting and a number of questions were taken after each one.

11. Standard Liner & General Agency Agreement Review

The **Chairman** advised that a sub-group had been appointed and was reviewing existing agency documents to identify common features and examples of current practice, in order that they could be incorporated in to the main body of the new agreement. It was expected that this task would be completed soon, enabling the group to move on to developing the additional sector-specific clauses. Any additional agency agreements or clauses from Members would be welcomed by the Group to enhance their database.

12. Members' Suggestions for the Committee's Future Work Programme

The **Chairman** reminded the meeting that the L&PA Committee was ready and willing to undertake any projects that the membership wished to nominate. All suggestions would be very welcome and he asked that issues for action be sent to him via the Secretariat.

13. Any Other Business

Mrs. **Cardona** updated the meeting on ASBA's ongoing discussions with DA-Desk. She reported that they were refusing to pay the agent for extra days incurred over the standard attendance period as a result of delays such as waiting for the berth. She admitted that as the main aim of DA-Desk was to save owners money, this development was perhaps not unexpected but it was a concern to see it being openly discussed. She also advised that DA-Desk had instituted new log-in procedures for users of their system and recommended all agents to comply.

14. Date and Place of Next Meeting

The **Chairman** advised that the next Plenary Meeting of the Chartering & Documentary Committee would take place on Wednesday 14th October 2015 in Vitoria, Brazil,

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

JCW/04.2015