

# FONASBA MEMBERSHIP ENQUIRY



## RESPONSE SUMMARY

<b>ORIGINATING ASSOCIATION:</b>	Centro de Navegacion Argentina
<b>ENQUIRY DETAILS:</b>	<p><i>a) Can a foreign vessel carry cargo between two ports in your country?</i></p> <p><i>b) If so, can a foreign vessel leave a cargo that will be picked by other foreign vessel of the same shipowner/ shipping line to be carried to another port in the same country?</i></p>
<b>COPY REPLY TO:</b>	gherenu@centrodenavegacion.org.ar
<b>CLOSING DATE FOR REPLIES:</b>	Friday, 15 <sup>th</sup> May 2015

ASSOCIATION	RESPONSE
BRAZIL	<p>In Brazil, only Brazilian companies are allowed to offer transport between Brazilian ports.</p> <p>In very special cases a WAIVER can be granted by ANTAQ (Brazil Waterways Agency) in case no Brazilian flags vessels are available for specific routes.</p>
BELGIUM	<p>As a general rule within the European Community there is freedom to provide cabotage services within all member states of the EU for all European Union vessels/shipowners. For the relevant regulations and explanations thereof, see:</p> <p><a href="http://ec.europa.eu/transport/modes/maritime/internal_market/services_en.htm">http://ec.europa.eu/transport/modes/maritime/internal_market/services_en.htm</a></p> <p><a href="http://europa.eu/rapid/press-release_IP-14-453_en.htm">http://europa.eu/rapid/press-release_IP-14-453_en.htm</a></p> <p><a href="http://ec.europa.eu/transport/modes/maritime/news/doc/com(2014)232_en.pdf">http://ec.europa.eu/transport/modes/maritime/news/doc/com(2014)232_en.pdf</a></p> <p>For non European Union vessels/shipowners, there is no common EU policy. Belgium has no national legislation on maritime cabotage, which may have to do with the contours of the coastline (abt. Only 60 kms long) and geographical properties of the Belgian ports. Transport between Belgian ports is done by land or inland waterway.</p>
CROATIA	<p>In principle, in CROATIA it is not possible, for the time being, that foreign vessel carries cargo between two ports.</p> <p>If foreign vessel intend to carry cargo between two domestic ports it is mandatory to obtain approval from the Ministry of transport, who are checking between national shipping companies if they can or cannot perform such transport. If national company can perform such transport then Ministry refuses such request of</p>

	<p>the foreign company. CROATIA recently joined EU and after transition period we should apply EU rules on cabotage.</p>
CYPRUS	Due to the fact that Cyprus is a small island, cabotage doesn't apply.
DENMARK	<p>a) Yes. B) Yes.</p>
DUBAI	<p>Yes Foreign Vessels can move cargo between two ports in the UAE. You can also leave cargo to be picked up by later vessel of same ship owner / line. However Foreign Vessel operating between UAE Ports can only do so for a period of 21 Days. Beyond that approvals are required and navigation licence needed.</p>
FRANCE	<p>a) Yes. B) Yes.</p>
GERMANY	<p>Only ships with a German or EU flag are allowed to carry cargo between two ports in Germany? There can be an exemption for a foreign vessel if no German or EU flagged (?) tonnage is available. If you would like to get an exemption to have to call one following points of contacts. They will check if German/ EU Tonnage is available by asking the market - in fact they send an email to those brokers/shipowners who asked to be on a mailing list. If no proper tonnage is available you get the exemption.</p> <ul style="list-style-type: none"> <li>• GDWS - Außenstelle Nord, Kiel; Telefon: 0431 3394-0 und -8212, Telefax: 0431 3394-6399,</li> <li>• GDWS - Außenstelle Nordwest, Aurich; Telefon: 04941 602-362, Teleax: 04941 602-378,</li> <li>• GDWS - Außenstelle Mitte, Hannover; Telefon: 0511 9115-3358 und -3352, Telefax: 0511 9115-3355</li> <li>• GDWS - Außenstelle West, Münster; Telefon: 0251 2708-368, Telefax: 0251 2708-369,</li> <li>• GDWS - Außenstelle Südwest, Mainz; Telefon: 06131 979-361 und -363, Telefax: 06131 979-159,</li> <li>• GDWS - Außenstelle Süd, Würzburg; Telefon: 0931 4105-358, Telefax: 0931 4105-355,</li> <li>• GDWS - Außenstelle Ost, Madgeburg; Telefon: 0391 2887-3311, Telefax: 0391 2887-3030.</li> </ul>
ITALY	<p>Cabotage in Italy is subject to the Navigation Code, art. 224 (which is the implementation of Council Regulation 3577/92 EEC). Therefore, EU vessels are fully entitled to perform cabotage, if they comply with all conditions for carrying out Cabotage in Italy. Non-EU vessels are not entitled to perform cabotage.</p>
JAPAN	<p>Regrettable to mention, but any foreign vessel are not permit to arrange coastal transportation between two ports in Japan as per internal law( Article 3 of Ship Law). As exceptional case, subject to a prior approval by governmental sector concerned</p>

	<p>Foreign ship owners/shipping lines able to carry empty containers for their equipment.</p> <p>Otherwise, it is exclusively restricted to effect coastal transportation of cargo by Japanese ship owner/shipping line with well advanced application to government sector.</p>
KENYA	In Kenya we have only one port - Mombasa Port. Second Port with a total of 32 berths under construction.
LEBANON	<p>a) Yes.</p> <p>b) Yes.</p> <p>CABOTAGE regulations are not enforced in Lebanon. Vessels are free to trade in and out smoothly as long as cargo declarations are made according to local customs regulations.</p>
NETHERLANDS	All questions can be answered with a YES.
MALTA	Please note that that the above enquiry details are not applicable in our country.
MEXICO	<p>Mexico allows foreign vessels to discharge foreign trade cargoes in any Mexican port to later be picked up by the same shipping line vessels and carried to their final destination out of Mexico, only by notifying this to customs as transshipment.</p> <p>What is not allowed is to discharge foreign trade cargoes into one Mexican port and charged to another foreign vessel (even if it 's the same shipping line) to carried it to another Mexican port. Mexico considers the second vessel 's operation as cabotage navigation and this is limited to Mexican-flagged vessels. We are still discussing this matter with our maritime authorities.</p>
MOROCCO	The cabotage between two Moroccan ports is exclusively reserved for the Moroccan flag.
PANAMA	In Panama it is possible for a foreign flagged vessel to transport cargo from one port to another port within the country, as long as an operation license is obtained.
PERU	In Peru the transfer of cargo between two national ports only can be done by a boat Peruvian flag , the law prohibits this transfer can be performed by a foreign-flagged ship.
SPAIN	<p>A foreign vessel can carry cargo between two Spanish ports provided that she has an European Union flag.</p> <p>In case of foreign vessels with a non-European flag, they must ask our Merchant Navy for an exemption applied to a trip in particular and to a vessel specifically. Then this body circulates it amongst the Spanish Shipowners Associations in order to check whether some European Union vessel could provide that service/route. In case there is no EU-Vessel that can do it, then a non EU-Vessel could carry cargo between two Spanish ports.</p>

SLOVENIA	As we have only one commercial port we have no such problems.
SWEDEN	a) If you belong to EU, or if the flag-state have a bilateral agreement with Sweden, or if you seek for a temporally permission the answer is YES b) Yes.
TURKEY (TURKISH SHIPBROKERS ASSN)	A foreign vessel can not carry cargo between two ports in our country.
UK	Please be advised there are no restrictions applying in UK. It is possible for any flagged vessel to trade between UK ports, and cargo can be transhipped by same ship/line to any other vessel.
USA	USA - NO Only American flag vessels can transport cargo between two USA ports