

ISSUE NO.  
43  
JUNE  
2016



#### Inside this issue:

Membership News	2
Education	2
Container Weighing	3
Quality Standard	4
Port Procedures Survey	4
Membership Surveys	5
Standard Document Update	5
Member Association Visits	6
Website and Social Media	6
FONASBA/ECASBA events	9
Relations with International Organisations	10
European Update	12
Photo Pages	14

# THE NEW HORIZON



## THE FEDERATION OF NATIONAL ASSOCIATIONS OF SHIP BROKERS AND AGENTS

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### 2015-16 YEAR END UPDATE

Dear Friends,

As we are just about to mail you the membership invoices for a new financial year, I believe it is an ideal moment for us to look back at the past year and reflect on whether we all feel that FONASBA is on the right track.

As I had the opportunity to mention during our letter of January this year, we are very aware at the Executive Committee that the Ship Agents and Ship Brokers we represent are part of an extremely difficult market. Also, we are all facing growing challenges to remain competitive and financially sound, as we strive to survive in a market that continuously demands more and higher quality services, while our responsibility increases.

As such, it is absolutely clear to us that FONASBA must remain service oriented, vital, supportive and professionally relevant, not only to your Association, but also to your Members, who must see real added-value in your affiliation to us. Our actions over the last year are summarized in the following pages and, while I believe that FONASBA has clearly made some important progress, it is really only you who can tell us whether we are indeed providing meaningful services and what requires more focus or correction from our side.

One of the areas we have tried to improve is to ensure a closer contact and to better communicate with our Members. As you will notice from this report, in the last 2 years, besides our usual contacts in our AGM, the ECASBA and CIANAM meetings and in other events, we have visited 23 countries, including our current members and prospective ones, which was certainly extremely insightful and helped us to better understand the needs of our Members, while also giving us the chance to explain the FONASBA work more in detail.

You and your Members are the only reason for our existence and, as mentioned before, we only make sense if we can provide real added-value to you and your members. So, I would really appreciate to receive your straight-forward opinion on the work being done by FONASBA, which is absolutely crucial for us to continue improving. Please send your comments to me at: [president@fonasba.com](mailto:president@fonasba.com) and I will immediately convey them to the Executive Committee and our Secretariat for prompt consideration.

Meantime, I look forward to seeing all of you in this year's Annual Meeting in London, where we will again have the chance to discuss our present and future activities, projects and direction in person.

Kind personal regards,

**GLEN GORDON FINDLAY — PRESIDENT**

## **MEMBERSHIP NEWS** ([www.fonasba.com/fonasba-member/fonasba-membership-list](http://www.fonasba.com/fonasba-member/fonasba-membership-list))

FONASBA continues to expand its worldwide membership and during this past year we have been pleased to welcome the following members to the Federation:

Full Members: Association Professionnelle des Agents Maritimes Algeriens (APAMA), Algeria; Union des Consignataires et Armateurs de Côte d'Ivoire (UCACI), Ivory Coast and Centro de Navegación (Uruguay)

Associate Members: Acconage Consignation Transit S.A. (ACT), Mauritania; Holland Hellenic Shipping Agencies, Greece; Riada Shipping and Logistics, Libya and the Ukrainian Shipbrokers' Club, Ukraine.

All our new members are very warmly welcomed to the Federation.

Expansion of our membership coverage is of course vital in ensuring that FONASBA can continue to claim to speak with authority on behalf of the international ship agency and ship broking sectors. In order to extend our coverage even further therefore, Regional

Vice President for Africa and the Middle East Aziz Mantrach recently accompanied the President, Glen Gordon Findlay, on an extensive tour of the region, where they visited potential new members in Iran, Abu Dhabi, Bahrain and Egypt. Together with Regional Vice President for the Americas, Javier Dulce, the President also visited Chile. As a result of these visits we are confident that a number of new membership applications will follow shortly.

FONASBA has also been in contact with the Arab Federation of Chambers of Shipping, an organisation based in Cairo and representing maritime interests across the Arab world, including FONASBA's existing members in Dubai, Jordan, Lebanon and Morocco.

Whilst the Chamber is prevented by its statutes from joining any organisation not based in the region, it signed a Memorandum of Understanding with FONASBA earlier this year, allowing both bodies to cooperate and provide mutual support in promoting the value of the ship agency and ship broking sectors to maritime trade. *(See the Photo Pages)*

## **EDUCATION** ([www.fonasba.com/education-and-training](http://www.fonasba.com/education-and-training))

The inaugural FONASBA Young Ship Agent or Broker award got off to a flying start last year with seven entries from within the membership. From these the Award Committee, comprising FONASBA Honorary Member and Past President Gunnar J. Heinonen, Education Vice President Capt. Jakov Karmelić and Charlotte Kirk FICS, Marketing Director of ITIC, chose Renan Queiroz of Fortaleza, Brazil, as the first winner. Renan therefore joined FONASBA delegates and guests at the 2015 Annual Meeting Gala Dinner held in Vitória in October to receive his prizes, which were generously supported by ITIC and BIMCO. *(See the Photo Pages)*.

Entries for the 2016 Young Agent and Broker Award opened in November last year and by February eleven proposals for papers had been received. Those entrants are now putting the final touches to their formal entries and once again these will be reviewed by the Award Committee and the winner announced in August. As last year, the winner will be invited to participate in the Gala Dinner at the conclusion of the 2016 Annual Meeting in London. We are also very grateful to both ITIC and BIMCO for agreeing to sponsor the prizes again for this year.

The virtual booklist mentioned in last year's newsletter is now fully operational on the website, as indeed is the education course database.

Following from the contact between FONASBA and the International Maritime Organisation in relation to our education initiatives, FONASBA was invited by the Organisation's Secretary General, Koji Sekimizu, to participate in a symposium on Maritime Education and Training held at IMO Headquarters on 24th September to mark the 2015 World Maritime Day.

The event was extremely well attended, with the audience including ambassadors, members of IMO delegations, maritime studies students and representatives of other maritime and educational establishments.

The theme of the FONASBA presentation, delivered by General Manager Jonathan C. Williams FICS, was the provision of education and training to shore-based staff in the maritime sector and in particular those in roles that do not need a seagoing background. Whilst the ongoing career planning for returning seafarers justifiably requires action at international as well as national level, we reiterated that education for ship agents, ship brokers, freight forwarders and similar professions should not be overlooked either.

The presentation was very well-received by the Secretary General and the other panellists and led to an active exchange of views during the discussion forum that followed.

## CONTAINER WEIGHING ([www.fonasba.com/www.fonasba.com/member-survey](http://www.fonasba.com/www.fonasba.com/member-survey))

Although deceptively simple in concept and on paper, the decision by IMO to introduce the mandatory weighing of all loaded containers for shipment on SOLAS vessels from 1st July 2016 has proven to be one of the biggest issues facing the entire maritime transport chain, ship agents included, for many years - possibly since the introduction of the container itself.

As Members will be aware, FONASBA and a number of other maritime sector organisations have invested significant effort, especially over the past year, in encouraging all parties involved in the container transport chain to make detailed preparations for the introduction of SOLAS Regulation VI.2. Even as this Newsletter is being written, and with the time to implementation now being measured in days rather than weeks or months, it is clear that in spite of the actions of our Members, the necessary legal, procedural and practical changes required to accommodate the new Regulations are still not fully in place in all countries.

With our ship agent members being the coordinators of the port call, and so very much in the front line when the new Regulation comes into force, it was vital to ensure that FONASBA and our Member associations took a leading role in the development of the Regulation itself and its implementation at national level.

To that end, FONASBA was the first organisation to publicly endorse the original proposal in IMO and since then has been actively involved in the development of the Regulation. We have also taken every opportunity to raise awareness amongst the wider maritime community of the benefits, and the problems, that we foresaw arising from its implementation. This included participating in conferences, writing articles and even appearing in two YouTube videos at the invitation of Port Technology International as part of their container weighing series. The videos are available for viewing on our website ([www.fonasba.com/news-and-events](http://www.fonasba.com/news-and-events)) and also at the PTI website: [www.porttechnology.org/news/container-weighing-clearing-the-confusion](http://www.porttechnology.org/news/container-weighing-clearing-the-confusion)

Alongside these efforts at international level, Member associations have of course also been active in working with national authorities and coordinating action amongst their local container transport sector in order to ensure the effective and efficient implementation of the Regulation. Unfortunately, these efforts have in some cases been

frustrated by a lack of understanding of the issues by the designated national authorities, terminal operators, the shipper community and others.

The results of our first membership survey, carried out in June 2015, clearly demonstrated that implementation was not being effected in a timely manner. In some cases this was due in part to the regulating authorities having little or no prior knowledge of the intricacies of the container trade and in particular the upstream impact the Regulation would have on the supply chain. The situation was further complicated by a reluctance by some parties to accept that the Regulation would be imposed on time, by conflicting information being given out by some authorities and time being wasted in spurious and irrelevant discussions over tolerances for weighing equipment and other minor matters. In some jurisdictions there were discussions about whether or not shippers were legally required to provide a certificate of verified gross mass (VGM).

Fortunately the follow up survey, carried out in March 2016, showed that the efforts of FONASBA Members locally were having a positive impact and the number of countries where guidance was still outstanding had been significantly reduced.

In spite of all these distractions, the major container lines have remained steadfast in requiring that all loaded containers loaded on SOLAS vessels on or after 1st July will have to be accompanied by a certificate of VGM and any that do not will simply not be loaded. So whilst it is hoped that in many countries the introduction of SOLAS Regulation VI.2 will go reasonably smoothly, it is only to be expected that the sheer volume of containers being moved worldwide will see issues arising in even the best organised countries.

Whilst the introduction of container weighing may, as we said at the start of the article, be the biggest development in maritime transport for decades, we can be certain that our Member companies will rise to the challenge of resolving issues, organising weighing, rebooking containers and placating customers in the same professional way that they have for many centuries - thus ensuring that no matter what the problems, maritime trade continues to flow in the most efficient and effective manner.

Information on both surveys was passed to IMO just before the last meeting of the Maritime Safety Committee (MSC 96) and our actions and input were acknowledged in the formal report of that meeting.

## **QUALITY STANDARD ([www.fonasba.com/fonasba-initiatives/fonasba-quality-standard](http://www.fonasba.com/fonasba-initiatives/fonasba-quality-standard))**

The Quality Standard remains one of the cornerstones of FONASBA's actions to ensure the roles of the ship agent and ship broker are recognised and appreciated in the maritime sector and by legislators and regulators worldwide.

Over the past year, the number of Associations covered by the Standard has risen to 24, and they are: Argentina, Australia, Belgium, Brazil, Croatia, Cyprus, Denmark, Dubai, Finland, France, Great Britain, Hungary, Israel, Italy, Japan, Malta, Mexico, Morocco, Peru, Portugal, Slovenia, Spain, Sweden and the USA.

The number of companies also continues to rise and at the end of June 2016, more than 410 companies have been accredited to the Standard. This is a very welcome increase of nearly 40 companies over the year.

Having 24 associations in the Standard means that more than half of our Full Members are now included, but it is vital for the success of the initiative, and the all-important support from ship-owner organisations, that all FONASBA Members are covered. It is therefore encouraging to report that another six members are currently working on developing their draft criteria.

Securing and maintaining the Standard by a Member association or Associate member company is

relatively simple and does not require a complex or time consuming implementation process to be undertaken.

In another development, the Executive Committee has recently endorsed interim changes to the current FQS criteria to make the Standard easier to obtain by Associate members that are already accredited to ISO 9001. Further revisions of the Standard criteria are expected to see recognition of the Authorised Economic Operator scheme - both the European and international (World Customs Organisation) endorsed versions - thus adding to the attractiveness and relevance of the Standard to member companies.

A formal proposal to adopt the revised Standard rules, incorporating both the associate member criteria and recognising the AEO scheme, will be put to Council in London in October

Broadening the coverage of the Standard would of course encourage more owners to use Quality Standard-accredited agents, motivate more agents to secure accreditation and drive agents that are not currently members of the Association to join, in order to avoid losing business to their FQS accredited competitors. We also hope it will also encourage our colleagues at BIMCO and INTERTANKO to reference it as an additional quality mark in their standard agency clauses.

## **PORT PROCEDURES SURVEY ([www.fonasba.com/fonasba-initiatives/fonasba-port-procedure-survey](http://www.fonasba.com/fonasba-initiatives/fonasba-port-procedure-survey))**

The Port Procedures Survey continues to develop into a respected source of information on the way arrival and departure formalities are undertaken in member countries.

The survey now covers more than 220 ports in 42 countries, a welcome increase on last year and thanks in part to valuable additional input from some of our Associate members. As we said in this publication last year however, while the geographical coverage continues to expand, the spread of ports within many of those countries remains limited, often to just the main container ports.

A number of modifications have recently been made to allow for easier uploading of information, to enhance the graph capability and ensure that the requirements for bulk ports can be as easily accommodated as those for container ports. We are of course always interested to receive and accommodate suggestions from Members about the scope and coverage of the survey and in particular to

add new procedures as they are introduced. With the recent enhancements now operational, adding information becomes even more straight forward than previously, so all Members are strongly encouraged to return to the survey, add even more ports and update and expand the information already included. We are especially keen to increase the coverage of bulk (dry and wet) and specialised ports. Any suggestions for enhancements should be sent to the Secretariat and they will be passed on to FENAMAR in Brazil for consideration and implementation.

As with the Quality Standard, better and wider coverage of countries, ports and terminals is key to ensuring the survey remains up to date, accurate and is useful for agents, ship owners and other port users. The Regional Vice Presidents will therefore be in contact with all member associations over the coming weeks to encourage further participation in, and input to, this important initiative.



## **MEMBERSHIP SURVEYS ([www.fonasba.com/member-survey](http://www.fonasba.com/member-survey))**

We continue to receive requests from Member associations to survey the wider membership on a broad range of issues. These surveys (which Members report are one of the most useful and appreciated FONASBA services) usually result from a need to ascertain whether a procedure or a particular situation in their own country is mirrored elsewhere.

Often this results from a proposed action by their national authorities that could impact on their members and the association concerned is keen to support its position with information on how the same or a similar situation is treated elsewhere. Furthermore, both FONASBA and ECASBA carry out surveys to assist in developing policy, responding to consultations and ascertaining the status and extent of the implementation of various legislative and maritime policy developments.

The results of the surveys that we carry out are now consolidated and published on the website. Making them available to all FONASBA Members is a useful addition to the growing volume of information available on the website, so enhancing its value to Members and to visitors.

Responses to the surveys are collated by the Secretariat and summarised on a standard form,

which is then published to the site once the survey has closed.

The survey summaries cover a wide range of very diverse issues, ranging from general topics such as the application of VAT on agency invoices and the current stage of cabotage in coastal shipping, to relatively specialised enquires, for example the use of delivery orders for imports of motor vehicles and the liability of ship agents when they contract port service providers on behalf of their principals. As well as requests for information from Members, the results of surveys carried out by FONASBA or ECASBA in support of a specific issue are also shown, so responses to FONASBA's two surveys on container weighing, for example, are also there.

At the risk of repeating ourselves once again however, it is clear that the success of these surveys and their value to the originating association is directly related to the level of response received from colleagues. We are therefore sure that all Members will appreciate that their active participation in these surveys will encourage others to do likewise, thus leading to a more comprehensive, open and detailed exchange of views that will enhance the volume and quality of information available to the membership.

## **STANDARD DOCUMENT UPDATE ([www.fonasba.com/documentation](http://www.fonasba.com/documentation))**

As advised in last year's Newsletter, FONASBA's suite of agency documents is presently undergoing review in order to ensure they all remain relevant, up to date and fit for purpose. At present the following documents are issued by FONASBA and available for download from the website:

Standard Liner & General Agency Agreement 2001

Standard Liner Agency Agreement

General Agency Agreement

Sub-Details Clause

International Brokers Commission Clause

ISPS Clause (developed in association with ITIC)

Sub-Agency Agreement

Standard Port Agency Conditions

Time Charter Interpretation Code 2000

The update of the SL&GAA 2001 to turn it into a general agency agreement applicable to all trades is now well underway as a joint venture with BIMCO and ITIC. A drafting committee comprising the Chairman of the Chartering & Documentary

Committee, Fulvio Carlini FICS, Liner & Port Agency Chairman John A Foord FICS, Dr. Alexander Geisler from Germany, Simone Carlini MICS from Italy and General Manager Jonathan C. Williams FICS, is working with Andrew Jamieson MICS, from ITIC and four colleagues from BIMCO's Documentary and Legal Affairs department.

The drafting committee has made good progress and it is hoped that the first version will be ready for review at the London Annual Meeting and by BIMCO's Documentary Committee.

The new form will be in BIMCO's proven box format and comprise a core document covering all the common elements in the agreement. Additional sections will then be developed to cover the specific requirements of the bulk, container, breakbulk, project and other sectors. It is also anticipated that the document will include a schedule of activities that an agent would be expected to undertake for the standard agency fee in the non-liner trades. As a consequence, this development may also have the effect of simultaneously revising the Standard Port Agency Conditions form.

## MEMBER ASSOCIATION VISITS

Regular visits to Members are of course an integral part of our relationship and FONASBA tries to make as many as possible throughout the year. This year has been no exception and over the past twelve months we have met with our Associations in Argentina, Croatia, Dubai, Germany, Jordan, Mexico, Morocco, Poland, Portugal, Russia, Slovenia and Uruguay.

As reported on page 2, FONASBA President Glen Gordon Findlay and Regional Vice President for Africa and the Middle East Aziz Mantrach visited a number of potential members in the Middle East and also met with the Dubai Shipping Agents Association and, whilst in Cairo, with Capt. Dalabieh of the Jordan Shipping Association. The President also travelled to Casablanca to meet with APRAM, the Moroccan association.

Regional Vice President for Europe Antonio Belmar da Costa accompanied the President on a tour of Europe where they met with Associação dos Agentes Navegação de Portugal (AGEPOR), the Association of St. Petersburg Shipping Agencies, the Polish Shipbrokers Association, the Slovenian Ship & Freight Agents Association and the Association of Ship Brokers and Agents of Croatia, as well as with a potential new Associate member in Austria.

Elsewhere in Europe, President Designate John A Foord FICS attended the Annual Meeting of the

Zentralverband Deutsche Schiffsmakler, FONASBA's German association, in Hamburg and made a presentation on FONASBA to the delegates. Previous to that the General Manager had participated once again in the annual Eisbeissen event and the reception hosted by the Hamburg Shipbroker's Association that preceded it.

In the Americas, President Glen Gordon Findlay and Regional Vice President Javier Dulce visited our Member in Argentina and Centro de Navegación in Uruguay, which has since joined as a Full Member. They were also joined by Immediate Past President Marygrace Collins to participate in the 21st AMANAC ship agents conference in Mexico. Javier Dulce also represented FONASBA at the 2016 meeting of the regional ship agents association for the Americas, CIANAM.

Photographs of all these visits are posted on our Facebook and Linked in pages ([www.facebook.com/Fonasba](http://www.facebook.com/Fonasba) and [www.linkedin.com/company/fonasba](http://www.linkedin.com/company/fonasba)) and a selection of them are also shown on the Photo Pages at the end of this Newsletter.

FONASBA is always pleased to receive invitations to attend Association events or indeed to discuss specific issues, and we will make every effort to attend. Visitors to the London Secretariat are of course also always very welcome.

## WEBSITE AND SOCIAL MEDIA ([www.fonasba.com](http://www.fonasba.com), [www.facebook.com/fonasba](http://www.facebook.com/fonasba), [www.linkedin.com](http://www.linkedin.com))

The FONASBA website continues to develop in order to ensure it remains the primary source of information on the global ship broking and ship agency sectors. It provides a comprehensive and detailed overview of the Federation and includes sections devoted to all our activities and initiatives as well as hosting a password protected Members' Area where presentations, plenary meeting minutes and other information not available to other visitors can be downloaded. The password for the Members' Area is held by the association so any requests for access should be directed to the association secretariat.

The move to a fully responsive site that automatically adjusts to the device on which it is being viewed was completed in January this year and as expected this has increased traffic to the site. Over the twelve months to May the site averaged 5,700 hits per month.

Other enhancements include the addition of an interactive map on the membership page that shows

where our Members are located and how many have the Quality Standard (see page 4). Up to date Members Lists in .pdf format can also be automatically generated on request.

Perhaps the biggest change to the site over the past year has been the introduction of advertising and we are grateful for the support received to date, although more advertisements will always be welcome. Information on the cost of advertising with FONASBA, plus technical data on placement, size and the format of advertisements is given in our rate card, which is reproduced on the following two pages.

Our social media pages on Facebook and LinkedIn (the addresses are in the preceding article) continue to develop and generate interest and FONASBA Members are encouraged to provide material to post to these sites. Please send your contributions to the Secretariat: [admin@fonasba.com](mailto:admin@fonasba.com)

## WEBSITE ADVERTISING RATE CARD/1



NEWS UPDATE



# FONASBA

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## ADVERTISE WITH FONASBA!!

FONASBA is pleased to announce that it is now taking bookings for advertisements on its website.

The Federation's new website is the "go to" resource for ship owners, operators, charterers and others seeking ship agents and ship brokers, as well as those seeking more information on the activities of our members.

The site currently receives approximately 5,500 hits every month† and with it now being fully responsive the number of hits is expected to increase. Opportunities to advertise on the site will therefore directly appeal to any company that wishes to promote its services to our website visitors.

Rates start at £200 per month for advertisements on the inside pages of the site and £500 per month on the home page. A maximum of three advertisements will appear at the same time on each page. Further information on the default page layout is provided on page 2. Larger formats are also available and volume and period discounts will be considered on request. Linking advertisements to specific pages on the website, for example the Quality Standard or education pages, is also possible.

Expressions of interest in taking advertising space should be sent to the FONASBA Secretariat ([generalmanager@fonasba.com](mailto:generalmanager@fonasba.com)) for further action.

† Average per month January 2015 to February 2016 (unaudited)

### Suitability of Advertisements for the Site:

Publication of advertisements on the site will be at the sole discretion of FONASBA and will be reviewed prior to acceptance. Please note that:

**FONASBA reserves the right to refuse and advertisement that it deems unsuitable for the site or that may be considered detrimental to the best interests of the Federation and or its members.**

Should an advertisement be refused, FONASBA will be under no obligation to give reasons for the refusal.

### Contracts and Payment:

The period of an advertising contract will be agreed in advance between the advertiser and FONASBA. The minimum contract period is three months. Requests to renew a contract should be given in writing at least one month in advance of the termination date.

An invoice will be issued by FONASBA once the advertisement has been accepted (see above). Payment for advertisements will be due in advance of it appearing on the website. Where a contract is extended, the additional payment will be due prior to the end of the original period.

FONASBA/March 2016



## WEBSITE ADVERTISING RATE CARD/2



WEB ADVERTISING



# FONASBA

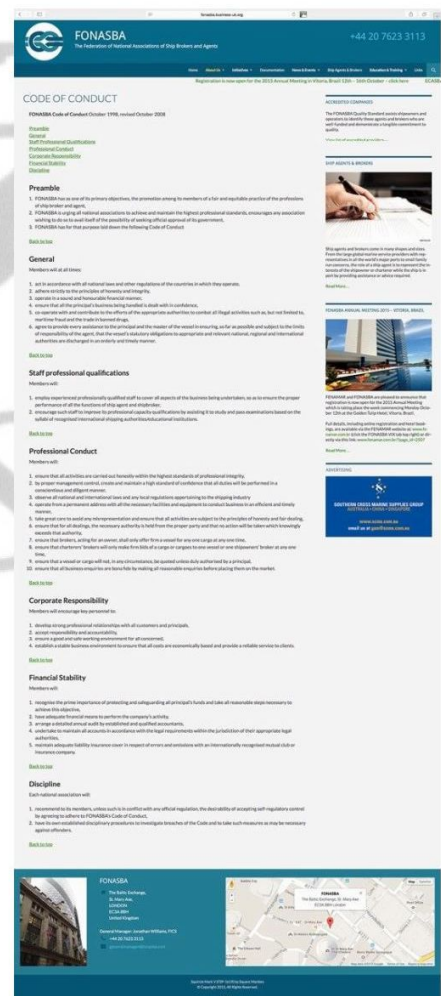
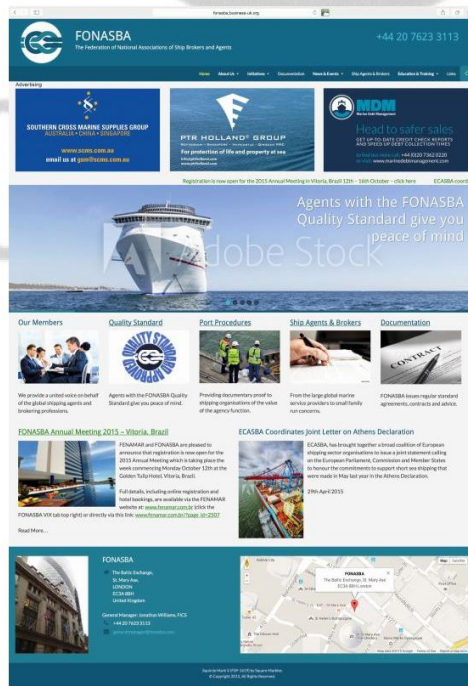
## ADDITIONAL INFORMATION FOR ADVERTISERS:

**Advertisement Sizes:** The standard layout of advertisements on the home and inside pages are shown in the mock-ups below. Requests for other formats or positions should be sent to the Secretariat for consideration.

**Presentation of Advertisements on the Site:** In order to ensure adequate exposure, the total number of advertisements will be limited to a maximum of 21 on the home page and 42 on inside pages, at any one time. Advertisements will be randomly chosen in groups of three and on the home page those groups will scroll horizontally. On the inside pages they will rotate. The screen-shots below indicate the layout and appearance of both the home and inside pages

The default image size is: 900 pixels wide by 512 pixels high for the home page and 360 pixels wide by 540 pixels high for the inside pages, all at 150 dpi.

Acceptable file types are: .jpeg, .gif, .png, .bmp, .eps, .tiff, .svg, .psd (native Adobe Photoshop), .ai (native Adobe Illustrator), .pdf. Other formats may be accepted on request.





## FONASBA/ECASBA EVENTS ([www.fonasba.com/news-and-events/fonasba-events](http://www.fonasba.com/news-and-events/fonasba-events))

FONASBA's Annual Meeting is the only occasion during the year where all our Members can meet, discuss current issues, exchange views, network and participate in the organisation and administration of the Federation.

Preceded by meetings of the ECASBA Advisory Panel and FONASBA Executive Committee, the work programme includes the plenary meetings of FONASBA's three Standing Committees: ECASBA, Chartering & Documentary and Liner & Port Agency. A seminar on local issues or a maritime themed visit and the Council Meeting (the annual general meeting of the Federation) bring the week to a close. The accompanying social programme also enhances the opportunities for exchanging views and networking.

The 2015 Annual Meeting took place in Vitória, Brazil hosted by FENAMAR and 60 delegates, 15 partners and 15 guests were present. The event was strongly supported by the local shipping community and the naval and port authorities. One of the highlights of the programme was the participation of delegates, partners and guests at the evening flag lowering ceremony at the naval base. The Gala Dinner to conclude the week saw the presentation of the inaugural Young Ship Agent or Ship Broker Award which, as reported on page 2, fittingly went to Renan Queiroz, a ship agent from Fortaleza. Another highlight of the 2015 Annual Meeting was a visit to Vale's huge Tubarão iron ore loading facility, the biggest in the world, located just outside Vitória.

For 2016, the Annual Meeting will be held in London as guests of the Institute of Chartered Shipbrokers. This will be the fourth time that the Meeting has been held in FONASBA's home city and it promises to be an excellent event. The plenary programme starts at 2.00 pm on Tuesday 18<sup>th</sup> October and the meeting programme concludes on Friday 16<sup>th</sup>. It is anticipated that there will be a number of new features in the work programme this year and the Gala Dinner will be held at the Mansion House, the official home of the Lord Mayor of London who, coincidentally, is a ship broker and Member of the Institute.

The President, Executive Committee and our colleagues at the Institute therefore hope that every FONASBA Member association will be represented in London this year. We would take this opportunity to remind all our readers that participation in the Annual Meeting is not limited to national association representatives only. If a company member of a FONASBA national association wishes to be present at the Annual Meeting, they are very welcome to do

so. Increasing participation in FONASBA's activities at individual company level is a great way of enhancing the level of engagement within the Federation and we would encourage companies to register.

Full details of the 2016 Annual Meeting are available via the FONASBA website (the address is above) or through the ICS website at: [www.ics.org.uk/fonasba2016](http://www.ics.org.uk/fonasba2016)

FONASBA's other major event each year is the ECASBA seminar which is held in Spring, either in Brussels or another European maritime city, including Naples, Hamburg and, for 2016, Lisbon. This event brings ECASBA (and FONASBA) Members into direct contact with the European Commission and colleague European maritime associations to discuss relevant issues in a frank manner, with the private nature of the meeting ensuring confidentiality and openness. The Lisbon meeting was generously supported by the European Maritime Safety Authority. The theme was "The Agent in the Logistic Chain" and the presentations covered the need for the ship agency community to diversify into logistics service provision, a look at how other sectors of this industry were interacting and the impact of current legislation, including the new Union Customs Code and container weighing.

More details of the seminar are given in the European report which starts on page 12. As with the FONASBA Annual Meeting, attendance is not limited to official Member association representatives, nor indeed to European associations alone, any member of FONASBA, at whatever level, is welcome to participate. Information on the 2017 ECASBA seminar, which takes place in Brussels as part of the biennial European Shipping Week event, will be circulated to members and posted to the website later this year.

The success of the ECASBA seminar, and the ongoing international expansion of the FONASBA membership, have encouraged the Regional Vice Presidents to consider holding similar events in Africa, the Middle East and the Far East. As Members will be aware, CIANAM, which functions as FONASBA's committee for the Americas, already has its own annual meeting which is also supported by FONASBA officers and members based in the region.

Details of all the events FONASBA supports, including London International Shipping Week and Seatrade Maritime Middle East, are available from the website.

## RELATIONS WITH INTERNATIONAL ORGANISATIONS

FONASBA continues to maintain effective and close working relations at international level with its partner maritime sector organisations.

Within IMO, as reported on page 3, FONASBA has played an active role in the development of the guidelines for container weighing and this was acknowledged in the official report of the 96th meeting of IMO's Maritime Safety Committee (MSC), under whose remit container weighing ultimately lies. We will continue to monitor its implementation from 1st July onwards and ensure the IMO Secretariat and the member countries are kept aware of progress. The next meeting of MSC will be held in late November 2016 and this will provide a good opportunity for FONASBA to report back.

In relation to the FAL review, the new Convention was ratified at the 40th meeting of the Committee, held in April, and will now enter into force on 1st January 2018. We are pleased to report that with just one minor amendment, our proposed definition of the ship agent has been included in the new Convention. This is the first time the profession has been clearly defined in an IMO instrument and so is a significant boost to FONASBA's campaign to secure wider recognition of the role of the ship agent.

The final definition reads: *"Ship Agent: The party representing the ship's owner and/or charterer (the Principal) in port. If so instructed, the agent is responsible to the Principal for arranging, together with the port, a berth, all relevant port and husbandry services, tending to the requirements of the master and crew, clearing the ship with the port and other authorities (including preparation and submission of appropriate documentation) along with releasing or receiving cargo on behalf of the Principal"*. As a consequence of this clause, a number of other amendments were made elsewhere in the text of the Convention to ensure consistency.

As mentioned on page 2, FONASBA also participated in the 2015 World Maritime Day symposium on maritime education and training, where the General Manager delivered a paper on the actions to promote and support the education courses provided by member associations and on the need to ensure shore-based shipping sector staff are as well trained and qualified as their seagoing counterparts.

President Designate John Foord FICS and the General Manager also participated with Club member IPCSA in two events designed to give IMO Secretariat and translating staff an insight in to the maritime industry. The first of these saw the IMO staff travel to

Felixstowe to see how a container port operates and to discuss container weighing. Shortly afterwards, FONASBA and IPCSA also visited IMO headquarters to make presentations on the roles of the ship agent and broker and of port community systems. (See the Photo Pages).

IMO saw a change of Secretary General at the end of 2015 when Koji Sekimizu retired and was succeeded by Kitak Lim of Korea. FONASBA's contribution to the work of IMO was kindly acknowledged in a letter from Mr. Sekimizu, which is reproduced on the following page. The President also wrote to Mr. Lim in early 2016 to welcome him to his new role.

Our relationship with the World Customs Organisation continues to develop following the signing of our enhanced Memorandum of Agreement in May 2014. FONASBA regularly participates in the work of WCO's Permanent Technical Committee, usually represented by Hilde Bruggeman or Jan van Wesemael of Belgium, and the General Manager attends the annual Council meetings. FONASBA has also applied to join the Private Sector Consultative Group (PSCG), a committee that provides input to WCO on customs matters from the commercial and operational viewpoint. A decision on our application to join the PSCG is expected in mid July

Cooperation on common issues and the pooling of resources are vital to the successful achievement of shared goals and we are committed to maximising the benefits of working together with our colleagues where such opportunities present themselves.

As reported elsewhere in this Newsletter therefore, FONASBA continues to work with other maritime sector organisations, internationally and in Europe. As well as our Club members the Baltic Exchange, BIMCO, INTERTANKO, IPCSA, ITIC and the Shipbrokers Register, we also work with Intercargo, the International Chamber of Shipping, the International Group of P&I Clubs and the World Shipping Council, to name but a few.

In Europe, ECASBA represents the ship agency and ship broking professions in discussions with the European Parliament, Commission and other institutions and works regularly with those bodies representing other sectors of the maritime and shipping industries (see page 12).

It also has formal cooperation agreements with the European Community Shipowners Association (ECSA) and the Escola Europea de Short Sea Shipping (2E3S).

## LETTER FROM IMO SECRETARY GENERAL KOJI SEKIMIZU TO FONASBA

ORGANISATION  
MARITIME  
INTERNATIONALE



INTERNATIONAL  
MARITIME  
ORGANIZATION

ORGANIZACIÓN  
MARÍTIMA  
INTERNACIONAL

SECRÉTAIRE GÉNÉRAL

SECRETARY-GENERAL

SECRETARIO GENERAL

15 December 2015

Mr. Jonathan C. Williams FICS  
General Manager  
The Federation of National Associations of  
Ship Brokers and Agents  
The Baltic Exchange  
St. Mary Axe  
London EC3A 8BH

Dear Mr. Williams,

As I conclude my term of office as Secretary-General of the International Maritime Organization, I write to thank you for your support throughout my tenure. I have appreciated your contribution to the work of IMO and your understanding of the complexities surrounding an international organization striving to deliver on its work programme.

I trust that my successor, Mr. Kitack Lim, will enjoy the same support and encouragement from you in the years ahead.

With best wishes for the approaching Festive Season and for a Happy New Year,

Yours sincerely,

A handwritten signature in blue ink that reads 'Koji Sekimizu'.

Koji Sekimizu  
Secretary-General





## EUROPEAN DEVELOPMENTS

New proposals on maritime transport continue to be developed by the European Commission. Over the past year ECASBA has therefore continued to monitor developments and where appropriate has expressed the views of our Members to the Commission, the Parliament and, through our members, to national authorities.

The Union Customs Code, the ultimate expression of many years of work by the European Commission's Directorate General for Taxation and Customs Union (DG-TAXUD) - and an equal number of years of lobbying by maritime and other industry bodies - finally come into law on 1st May 2016. Throughout its extended development process, ECASBA has maintained a close watch on all those aspects of the Code that are relevant to ship agents - of which there are many ! We have also been fortunate to be able to call on the knowledge and skill of Hilde Bruggeman, General Manager of NAVES, and her colleague Jan van Wesemael, to represent ECASBA on the Trade Contact Group (TCG) and so enable us to keep track, and make sense, of the development of the Code and its ramifications for our members.

The Code covers a number of areas of interest to the ship agent, and primarily these relate to centralised clearance, simplified procedures, enhanced facilities for Authorised Economic Operators (AEO's) and changes related to certifying Proof of Union Status (PoUS) for goods moving within the EC. Jan van Wesemael (standing in for Hilde Bruggeman who was unable to attend) gave a detailed presentation on the Code from the agency perspective at the Lisbon ECASBA seminar, whilst Suzanne Aigner, Head of Unit at DG-TAXUD, did likewise from the Commission viewpoint. Copies of both presentations are available for download from the Member's Area of the website. To date ECASBA has not been notified on any major issues emerging from the introduction of the UCC but together with the TCG we will be monitoring the situation and taking any issues back to member states and the Commission for action.

The development of eMaritime continues to make slow but steady progress. As reported last year, the Digital Transport & Logistics Forum (DTLF) is now operational and one of its early decisions was to remove maritime issues from its remit. As advised, the Forum is a huge undertaking, bringing every mode of transport together with the aim of developing coherent, harmonised and simplified digital solutions for multimodal transport Europe-wide. Getting all the parties (more than 140) together convinced the Commission that the project was just

too big and, given that maritime customs issues have some unique characteristics (not least the current loss of Union status of cargo once the carrying vessel leaves port), it was agreed by all relevant parties, ECASBA included, that these should be taken out of the DTLF and continue to be discussed directly between TAXUD and industry.

That said, the Forum continues to work on issues common to land, river and coastal and combined transport and as a number of these also impact on maritime transport, ECASBA's continued participation, through Menno Duin of VRC in the Netherlands, remains vital.

Recent months have also seen a revival of the eManifest project which aims to develop a common reporting regime for goods moved by deep and short sea transport. DG-MOVE therefore proposed establishing a pilot project using real-time data obtained from actual vessel and cargo movements as a means of identifying issues and developing solutions. There has, however, been some opposition to this from member states and the deep sea container community in view of both the amount of additional work that will be required and the lack of any guaranteed outcome from the project. In spite of this, it continues to be supported by other transport sectors including ECASBA and the short sea shipping community. This, and the considerable pressure being placed on DG-MOVE to bring the project to fruition, could therefore see a compromise solution being developed, or the project going ahead on the basis of short sea shipping only.

As mentioned in our last Newsletter, the Reporting Formalities directive, 2010/65/EC, launched on 1st June 2015 but very quickly ran into difficulty due to the complexity of harmonising the data elements across all the authorities involved in ship reporting. This was further exacerbated by the lack of coordination between those authorities, both nationally and across member states. All these issues were confirmed in a survey of the state of implementation carried out by ECASBA earlier in 2015.

It is now confidently anticipated that a review of the Directive will be ordered by the Commission as part of its Mid-Term Review of Maritime Transport and an announcement to this effect is expected in the coming months.

*(Continued on page 13)*

## EUROPEAN DEVELOPMENTS/2

*(Continued from page 12)*

ECASBA's action to extend the inspection-free period for transshipment containers of cargoes of animal origin destined for other EU ports is ongoing. It is possible that the current seven day period allowed before documentary checks are required may be extended to 90 days if the waiting time is deemed to be "temporary storage" under the Union Customs Code. Ahead of any ruling on that however, ECASBA is continuing to seek data to support its contention that a significant number of transshipment containers are required to undergo documentary or full outturn checks as a result of the arbitrary and unjustified seven and fourteen day limits. Obtaining clear and consistent data to back up these assertions is proving somewhat difficult but both NAVES in Antwerp and VRC in Rotterdam are working to secure same ahead of another approach to DG-SANCO, in concert with our colleagues at ECSA.

Under the umbrella of the Commission's REFIT programme, which aims to make European legislation tighter, simpler and less costly, DG-MOVE is currently undertaking a review of the Port Waste Reception Facilities Directive, 2000/59/EC. Again, the original aim of this directive was to harmonise and simplify the requirements for the delivery ashore of ship-generated waste and to reduce dumping at sea by applying a consistent, Europe-wide charge to all vessels, whether they actually delivered waste or not. As with the Reporting Formalities Directive however, the lack of consistency amongst member states, in this case mainly in respect of what types and quantities of waste would be covered by the obligatory charge, has prevented the Directive from achieving its aims. DG-MOVE therefore established a sub-group under its European Sustainable Shipping Forum (ESSF) to begin work on a review of the Directive. Whilst not originally part of the ESSF (comprising shipping companies and operators, the Commission and member states), ECASBA, supported and recommended by ECSA, has now secured observer status with the sub-group and will be contributing to its work on the Directive review.

The collaboration with ECSA on the transshipment of cargoes of animal origin and the Port Reception Facilities Review are just two tangible outcomes of the agreement signed between ECASBA and ECSA in November 2014. This has significantly enhanced the flow of information to ECASBA on issues of interest to the entire maritime community, and this enables us to ensure we are fully up to date with those that

affect our members. The flow of information is not all one way however, and on a number of issues ECASBA has been able to feed information back to ECSA to inform its decision making. The agreement also provides ECASBA with a location from which to work when we are in Brussels.

In addition to ECSA, ECASBA continues to maintain close working relationships with other European organisations. Through these relationships, the voice of the maritime and shipping communities is considerably strengthened in front of the European Commission and Parliament.

ECASBA therefore continues to cooperate and collaborate with the Cruise Line Industry Association (Europe), the European Shippers Council, the European Tugowners Association, the European Union Dredging Association, the European Federation of Inland Ports, the European Sea Ports Organisation, the European Terminal Operators Association, the Brussels office of the World Shipping Council and the European Shortsea Network, amongst others.

If it is necessary for ECASBA to act alone, we are able to do so through the network of active and current contacts we maintain within the DG's covering transport, customs, health, maritime affairs and environment. The strength of these relationships is further demonstrated by the willingness of senior Commission staff members to meet with us at short notice and to participate in our Brussels seminars, where the closed nature of the meeting, without the press being present, allows for a frank and open exchange of views between the Commission and our members.

ECASBA also has an excellent relationship with the European Maritime Safety Agency, as indicated by their support for this year's ECASBA seminar, and with the Escola Europea de Short Sea Shipping (2E3S) and these further broaden our influence over European maritime matters.

Decisions taken in Europe have a profound impact on maritime transportation worldwide and this is amply demonstrated by the active participation of non-European members in the ECASBA plenary meeting at the Annual Meeting. ECASBA therefore remains committed to ensuring that as well as proactively supporting and protecting the interests of FONASBA's members in Europe, it will continue to ensure that information on developments originating from the European Community are also communicated to the wider FONASBA membership.



**PHOTO PAGES: FOR MORE PICTURES GO TO OUR FACEBOOK PAGE ([WWW.FACEBOOK.COM/FONASBA](http://WWW.FACEBOOK.COM/FONASBA))**



*FONASBA President Glen Gordon Findlay (left), AMANAC President Francisco Oroczco (Centre), Immediate Past President Marygrace Collins and Regional Vice President Javier Dulce (right) at the 2015 AMANAC Conference, September 2015*

*FONASBA Delegates at the 2015 Annual Meeting in Vitória, Brazil, October 2015*



*FONASBA President Glen Gordon Findlay (right), presents the Young Ship Agent or Broker Award for 2015 to Renan Queiroz of Brazil (centre) during the Gala Dinner. Also pictured (left to right) FENAMAR President Waldemar Rocha jnr. and Education Vice President Capt. Jakov Karmelić, Annual Meeting October 2015.*



**PHOTO PAGES/2: FOR MORE PICTURES GO TO OUR FACEBOOK PAGE ([WWW.FACEBOOK.COM/FONASBA](http://WWW.FACEBOOK.COM/FONASBA))**



*Left to right: FONASBA General Manager Jonathan C. Williams FICS, Past ECSA Secretary General Alfons Guinier and ECASBA Chairman Antonio Belmar da Costa at the European Sea Ports Association Dinner, Brussels November 2015*

*FONASBA President Designate John A Foord FICS (third right), and General Manager Jonathan Williams (third left) with IPCSA and IMO representatives at IMO headquarters prior to delivering presentations to IMO staff, December 2015*



*FONASBA President Glen Gordon Findlay (seated left), signs the Memorandum of Understanding with the Arab Federation of Chambers of Commerce. Admiral Hatem El Kady, AFCS President, sits alongside him and FONASBA Regional Vice President for Africa and the Middle East, Aziz Mantrach, stands far right. Cairo, May 2016*



**PHOTO PAGES/3: MEMBER ASSOCIATION VISITS, MAY/JUNE 2016**



*FONASBA President Glen Gordon Findlay  
with Member associations.  
From (left to right top): Dubai and Jordan,  
(centre) Morocco, Portugal and Croatia  
and  
(bottom) St. Petersburg, Poland and  
Slovenia.  
May/June 2016*