

**MINUTES OF THE
SHIP BROKER COMMITTEE PLENARY MEETING
HELD AT THE LINDNER HOTEL, ANTWERP
AT 2.00 p.m. MONDAY, 23rd MAY 2022**

Present:

Mr. F. Carlini FICS	Chair, Ship Broker Committee
Mr. A. Mantrach	President
Mr. M. El Mezouar	Vice Chair, Ship Broker Committee

Mr. M. Belaid	Algeria	Mrs. N. Beccera Poceroba	Mexico
Mr. O. Brahmi	Algeria	Mr. M. Andrade Gomez	Mexico
Mr. J. Dulce	Argentina	Mr. N. Banovic	Montenegro
Mr. J. Delfino	Argentina	Mr. M. Tak	Netherlands
Mr. A. Mingo Jozami	Argentina	Mr. E. Pinzas	Peru
Mr. P. Campbell	Argentina	Mr. J. Tyminski	Poland
Mr. B. Ardhanari	Bahrain	Mr. R. D'Orey	Portugal
Capt. S. Falati	Bahrain	Mr. A. Belmar da Costa	Portugal
Mr. R. Troch	Belgium	Mr. J. Silva	Portugal
Mrs. H. Bruggeman	Belgium	Mr. G. Necmeskal	Slovenia
Mr. B. Silva	Cabo Verde	Mr. J. Fernandez Guillen	Spain
Capt. J. Karmelić	Croatia	Mr. J. Carrasco	Spain
Mr. C.P. Papavassiliou	Cyprus	Mr. A Ferrandiz	Spain
Mr. M. Mouselhy	Egypt	Ms. A. Ruiz Garcia	Spain
Ms. S. Turkilla	Finland	Mrs. B. Blomqvist	Sweden
Dr. A. Geisler	Germany	Mr. B. Tonguç FICS	Turkey
Mr. J. A. Foord FICS	Great Britain	Mr. E. Kaya	Turkey
Mr. A. Dobson FICS	Great Britain	Mrs. J. Cardona	USA
Mr. A. Veneris	Greece	Ms. K. Torpey	USA
Mr. A. Mataragas FICS	Greece	Mr. J. Kelly	USA
Mr. B. Szalma	Hungary	Miss. S. Taiger Ivø	BIMCO
Mrs. G. Carlini Reghellin FICS	Italy	Mr. M. Brattman	ITIC
Mr. S. Carlini MICS	Italy		
Mr. V. Totorizzo	Italy	Observers	
Ms. L. Tropia	Italy	Mr. H-N. Edbo	Norwegian Shipbrokers' Assn.
Mr. E. Khalil Diddy	Mauretania		

In Attendance:

Mr. J.C. Williams FICS	General Manager
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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/Chair's Opening Remarks

The **President** welcomed all those present to the plenary meeting of the Ship Broker Committee. He also welcomed Miss Taiger Ivø, representing BIMCO, Mr. Brattman of ITIC and Mr. Edbo of the Norwegian Shipbrokers' Association, all of whom were attending for the first time. He also asked Miss Taiger Ivø to pass the best wishes of FONASBA to Mr. Søren Larsen for his relocation to Singapore.

Mr. **Carlini** also welcomed delegates to the meeting and expressed his pleasure at being able to meet once again in person, which he said was vital for shipbrokers. The **General Manager** reminded those present that the meeting was being held in accordance with FONASBA's Anti-Trust and Competition policy (see above).

2. Minutes of the Last Meeting held in Miami on 1st October 2019

No comments were received, the minutes **were approved**.

3. Matters Arising

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

4. **Ship Broker Committee Update**

The **Vice Chair** gave a short summary of the activities of the Committee since the last meeting. He reported that despite the restrictions, it had been possible to maintain regular contact with colleagues and ensure that the information flow continued unabated. He also highlighted the introduction of the FONASBA Certificate in the Fundamentals of Shipbroking course and thanked the Institute of Chartered Shipbrokers for their support in developing it. In terms of external communication, he said that the Facebook page was regularly updated with useful information and guidance to keep shipbrokers updated. Consideration was also being given to hosting a page on LinkedIn as well. The Committee's participation in the BIMCO Documentary Committee and specifically on the GENCON revision project, would be covered in more detail in the next agenda item.

5. **GENCON '94 Revision**

The **Chair** summarised the review project which started in 2018 and became the largest and longest document review process ever undertaken by BIMCO. The subcommittee was also the largest ever assembled by BIMCO and included two shipbrokers, one of whom was himself. It was agreed in the early stages of the project that it should be a major revision, and this involved significant changes to the previous version. The new GENCON 2022 was formally approved by the BIMCO Documentary Committee meeting in London in May and will be launched after final proof-reading and checking. The **Chair** also drew the attention of the meeting to the reference in clause 26c to the appointment of agents approved to the FQS or ISO 9001. He thanked BIMCO for having included this reference in the new form and advised the meeting that similar clauses would also appear in the new GENCOA contract of affreightment form and in ASBATANKVOY, which is also under review. He said that these references, together with those in the FONASBA/BIMCO Agency Agreements, would ensure that the Quality Standard becomes even better known and should result in more shipowners, operators and charterers requiring their agents to be FQS-approved.

6. **Documentary Committee Reports**

At the invitation of the **Chair**, Miss Taiger Ivø updated the meeting on the work recently carried out by the BIMCO Documentary Committee. A copy of her presentation can be downloaded from the Members' Area of the FONASBA website but in summary she highlighted the opening of new BIMCO offices in London, Singapore (to be led by Søren Larsen) and Houston and the possibility of another being opened in Brussels. She also discussed the documents and causes currently under revision, including GENCOA A (for voyage charters), GENCOA B (for time charters) and new sanctions, force majeure, and carbon clauses. She said these revisions had been undertaken to ensure the documents and clauses remain up to date and effective in changing circumstances. She also referenced the revision of GENCON 2022, ASBATANKVOY and the SHIPMAN contracts, again driven by the need to ensure they remained relevant and reflected current market conditions.

The **Chair** thanked Miss Taiger Ivø for her report and assured her of FONASBA's continued support of the work of the Documentary Committee. He also said that ship brokers may have some positive contributions to make to the revision of SHIPMAN and he would contact the sub-committee chair in this respect.

Despite INTERTANKO not being present at the meeting, a report on the work of its Documentary Committee had been provided and this was presented to the meeting by the **General Manager**. A copy of the report is attached to these minutes.

7. **"Ship Brokers and Ship Agents, A Necessary Relationship"**

The Committee **Vice Chair** led this discussion panel that looked at the relationship between ship brokers and ship agents and how they support each other. The panel consisted of Guido Olisagers of Exmar and Jan Scheers of Lalemant Liquid representing ship brokers, and Michael D'Haemer of Euro Nordic and Simone **Carlini** MICS of Multimarine Services (and Vice Chair of the Ship Agent Committee) representing the ship agents. The discussion generated active participation from the delegates.

8. **ITIC Claims Review**

The **Chair** welcomed Mr. **Brattman** to his first FONASBA Annual Meeting and invited him to deliver his presentation, which covered several issues currently leading to claims for ship brokers and ship agents. They included:

- Ensuring important details are confirmed in writing
- Carefully checking all the terms
- Ensuring emails are sent to the correct recipients
- Checking, and if necessary clarifying, the load and discharge ports for the cargo
- And the cargo type and units (tonnes vs. cubic metres)

Returning to a recurrent theme, he also reiterated previous warnings about being careful who you are dealing with and carefully checking emails to ensure they come from who they purport to. He also warned that fraudsters are continually improving their methods and frauds are becoming more difficult to detect.

The **Chair** thanked Mr. **Brattman** for an excellent first presentation.

9. “It’s The Market: The Magic Word”

The **Chair** introduced this second discussion panel, where he has joined by Justin Archard of One World Shipbrokers, Jean-Frederic Brion of Conti Lines, Guido Olisagers of Exmar, Pierre Durot of Boeckmans België, Jan Scheers of Lalemant Liquid and Michael D’Haemer of Euro Nordic to discuss how the broking market has adapted to the post-Covid realities and how it will continue to develop in the light of future changes in trades and cargo flows.

10. “Platforms for Shipbrokers: Help or Threat”

In this third discussion panel, the **Chair** introduced Alexander Varvarenko of SHIPNEXT and Keith Tan of Chart Desk who discussed the advantages and benefits of online chartering platforms with the audience.

11. Conclusions and Closing Remarks

The **Chair** thanked the speakers and delegates for contributing to an open, wide ranging and informative meeting. He said that the ship broking profession had come out of COVID as strong as ever and he was confident that it would continue to prosper despite future obstacles.

12. Date and Place of Next Meeting

The **Chair** advised that the next Ship Broker plenary meeting would take place in Bahrain on **Monday 16th October 2023**, and he looked forward to welcoming everyone to that meeting. He also thanked NAVES and ASV for the excellent organisation of this meeting.

There being no further business to discuss, the Chair brought the 2022 Ship Broker Plenary Meeting to a close.

JCW/08.2022

SHIP BROKER PLENARY MEETING

AGENDUM ITEM 6: INTERTANKO DC REPORT

INTERTANKO's Documentary Committee met on 12 May, under the chairmanship of Anne Liversedge of Teekay Tankers. This was the Committee's first in-person meeting since early 2020.

A range of items were on the agenda, including Russian sanctions and updates to the Committee's work on various clauses.

The Committee reviewed BIMCO's three Carbon clauses and agreed to draft and publish commentaries for each, to be updated in line with potential regulatory developments and amendments from BIMCO.

Committee members also approved work on drafting an appropriate set of clauses to protect Members' interests in light of the increasing stringency/scope of Russian sanctions and their application to Russian energy cargoes. Discussing INTERTANKO's STS Clause, some amendments were also thought to be worthwhile, including the addition of a draft commentary and reference to sanctions.

On vetting, Committee members discussed further work on the draft Vetting Clause, and the need to consider any changes necessary to reflect SIRE 2.0.

The Committee also agreed to establish a small joint Working Group with interested Gas Tanker Committee members to work on the drafting of a coolant clause, as well as other gas-related matters.

Further revisions to other INTERTANKO clauses were considered during the meeting, including the Financial Administration Clause, Late Payment Clause and Covid-19 ('Coronavirus') Clause – Time charterparties. Committee members were also updated on developments regarding the Bunker Supply Clause and will work to finalise a draft.

Tim Wilkins
Deputy Managing Director
INTERTANKO

