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# THE NEW HORIZON



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OF SHIP BROKERS AND AGENTS  
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FONASBA



ECASBA

Special points of interest:

- Revised Newsletter Format
- Attendance at First IMO Meeting

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## REVISED NEWSLETTER FORMAT

**FOLLOWING** discussions within the Executive Committee and ECASBA's Advisory Panel, and recognising the considerable interest shown in European issues by non-ECASBA members, it has been decided to combine the F O N A S B A a n d

ECASBA newsletters in one document.

From this issue forward, therefore, the front pages will cover issues relating to FONASBA as a whole and these will be followed by the ECASBA pages. We hope that this combined publication will ensure

those members based outside Europe are kept fully up to date on issues and developments within ECASBA's areas of interest.

Constructive feedback on the new newsletter format will of course be very much appreciated.

## FONASBA Attends First IMO Meeting

**THE** 15th Session of Flag State Implementation Sub-committee in June was the occasion for FONASBA's first attendance at an IMO meeting.

Given the considerable number of IMO meetings, and the relatively limited resources available to FONASBA to attend, it has always been the intention to attend those meetings that are of direct interest or close relevance to our members.

The Flag State Implementation Sub-Committee (FSI) is responsible to both the

Marine Environment Protection Committee (MEPC) and the Maritime Safety Committee (MSC) for issues relating to pollution prevention, Port State Control, MARPOL (including port reception facilities), ballast water management and seafarers' working hours.

Item 5 on the agenda of FSI 15 covered an industry proposal, initiated by INTERTANKO and supported by FONASBA, to develop standard waste delivery notification and receipt forms for use by all vessels, including those

discharging waste under the European Commission's Ship-Generated Waste Disposal Directive, 2000/59/EC.

Another proposal for a delivery notification form was proposed by all 27 EU member states, led by Germany which currently holds the EU Presidency.

The form proposed by the industry group, which includes BIMCO, the International Chamber of Shipping, Intercargo, the International Association of Ports and

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## First IMO Meeting contd/...

*Continued from page 1*

Harbours and the International Association of Harbourmasters as well as INTERTANKO and FONASBA, is more detailed than the European proposal and ties in very closely with the requirements of MARPOL.

Due to a very tight meeting timetable, it was not possible to hold a detailed discussion on the two proposals but it is clear that some form of standardisation is required. A number of delegates questioned the need for a standard

receipt form, particularly for ships' galley and general waste — MARPOL Annex 5 — that is usually just dumped into a skip provided on the wharf with little or no supervision but the meeting was reminded that provision of a receipt for all waste is a requirement of MARPOL — and indeed a requirement of many vessel management plans — and so should be provided in all cases.

THE FSI Sub-committee agreed to establish a correspondence group to review the proposals and

to report to both the 16th Session of FSI, to be held next year. The issue will also be discussed at the 56th meeting of the MEPC in July and so FONASBA will attend and report back.

Otherwise, the next meetings scheduled for attendance are the 98th Council Meeting later this month and the 25th Assembly in November, at which we hope FONASBA's application for consultative status will be ratified.

## New Membership Activity

IN recent months FONASBA has been pleased to welcome new associations and companies into membership.

In August last year Shipping Australia joined as a Full Member, extending FONASBA's membership reach into the Antipodes for the first time.

Shipping Australia represents 36 full member companies and 40 associate and contributing companies and is extremely active in working with Australian Federal and State government authorities on issues such as the development of an Australian Advance Cargo Notification rule, ballast water and other health and environmental issues and the development of appropriate legislation for Australia's international trade.

The European Union's actions in developing an Advance Cargo Notification regime were of sufficient interest to the Australian

Taxation Office (ATO) to bring a delegation, accompanied by Shipping Australia Chief Executive Officer Llew Russell to London earlier this year for discussions with FONASBA as well as a number of Customs authorities in Europe. The ATO is also looking at the US 24 Hour Prior Notification Rule and a decision on which model Australia will adopt is expected shortly.

FONASBA has also welcomed three new Associate Members in recent months, with MSC Coraline joining Southbond Shipping as members in Mauritius, GENMAR Shipping of Tunis becoming the first company from Tunisia to join and at the end of June Teissir Shipping SA, based in Nouakchott joined as FONASBA's first Mauritanian member.

All our new members are extremely welcome and we look forward to long and mutually benefi-

cial cooperation over the coming years.

Elsewhere in the world, FONASBA is following up on expressions of interest in membership from associations in the Caribbean, the Lebanon, New Zealand, Peru, Tanzania, Thailand, Venezuela and from companies in Guatemala and Honduras.

Of course it is hoped that the Annual Meeting in Buenos Aires in October (see page 4) will have the same beneficial effect on membership as did those in Rio de Janeiro in 2002 and Marrakech last year.

We very much hope therefore that some of the interested associations and companies in the region will turn their expressions of interest into membership applications at or following the meeting.

## CIANAM Annual Meeting — Peru

CIANAM held its Annual Meeting in Lima, Peru on April 17/18th.

Fourteen delegates, including FONASBA President Mario Froio and Regional Vice President for the Americas Patricio Campbell, representing seven CIANAM members, Argentina, Brazil, Mexico, Paraguay, Peru, Uruguay and the United States, attended.

Issues discussed within CIANAM included

- the development of training and education programmes for shipping agency staff in the CIANAM member countries
- a proposal to make adoption of the IMO FAL documents mandatory throughout the region
- to establish a means by

which port tariffs and other costs for cruise, container and grain vessels can be compared

- to strengthen the participation of CIANAM within FONASBA, based around an enhanced presence at the Buenos Aires meeting
- to create a Code of Conduct for CIANAM Members based on the FONASBA Code
- to review the financial records of the Association and,
- to consider the establishment of a permanent Secretariat in a CIANAM member state to replace the current rotating arrangement tied into the country of domicile of the President.

Currently the President of CIANAM is Miguel Casanueva and the Secretary is Miguel Andrade, both of AMANAC, Mexico.

The significant interest shown by the local authorities in the activities of CIANAM resulted in a seminar being arranged prior to the Annual Meeting. This event was entitled “Port Development and Facilitation in Foreign Trade”, at which the CIANAM members were joined by high level delegations from the host association, APAM, and the Peruvian government and maritime authorities, including the Deputy Minister for Foreign Trade and Tourism and the General Director of the Merchant Marine Authority.

## Australia to Introduce Maritime Crew Visa

**SHIPPING** Australia have reported that the Federal Department of Immigration and Citizenship is introducing a new visa for foreign crew members arriving in Australian ports on non-military vessels with effect from July 1st 2007.

Titled the Maritime Crew Visa (MCV) this will replace the existing Special Purpose Visa, although crew members arriving between July 1st 2007 and December 31st 2007 will be allowed to apply for a Special Purpose Visa if they have not already obtained the new MCV.

The new visa will be

- issued free of charge
- valid for a period of three years
- allow multiple entries to Australia during its period of validity and,
- be available through a quick and easy internet application procedure.

The new visa can also be obtained by shipping companies, crewing agents and other third parties on behalf of crew members.

Application forms are available

from, and can be lodged with, any Australian embassy, Consulate or High Commission or downloaded from the internet at [www.immi.gov.au/sea](http://www.immi.gov.au/sea)

FONASBA member associations are asked to ensure their members are aware of this new visa procedure and to notify their principals accordingly. **Any crew member** arriving in Australia without a valid MCV after **January 1st 2008** will be **detained by the authorities** and the responsible **shipping company will be subject to a fine.**

## 2007 Annual Meeting Update

**THE** 2007 Annual Meeting in Buenos Aires is approaching rapidly and our hosts at Centro de Navegacion have provided updated information on the programmes for delegates and accompanying persons.

Full details of the programmes are available on the dedicated 2007 Annual Meeting website: [www.fonasba2007buenosaires.com](http://www.fonasba2007buenosaires.com) — which also provides a wealth of other information as well as on-line registration and a booking form for the hotel — but the following information may be of interest.

The most important change to previous programmes is that the Buenos Aires city tour will take place during the morning of Tuesday, October 9th, before the meeting starts, and not on Thursday afternoon as has been the case in the recent past. This is to allow delegates and partners the

opportunity to see the sights of Buenos Aires at the beginning of their stay, rather than towards the end, thus providing an overview of the city upon which later excursions can build.

We have also been advised that the full day accompanying persons tour to the Parana River and Tigre area on Wednesday 11th will involve travelling some distance away from the city and so regrettably it will not be possible for any delegates on the tour to return to the hotel for the Chartering & Documentary committee meeting that afternoon.

The optional excursion on Saturday October 13th promises to be a spectacular day out, centring on a visit to a traditional Argentine farm and featuring horse riding and local folk music, with a barbeque at lunch. The ability to ride a horse is not obligatory but we understand there will be a op-

tion to do so for those that can.

Online tango lessons are available from the website for those that wish to demonstrate their prowess at the Gala Dinner and the dinner on Thursday 11th will provide an opportunity to see how it is really done !

Finally, the President has asked that so far as possible all delegates dress appropriately for the Gala Dinner. The dress code for this event is dinner jacket but adherence to this code has been declining recently. Those delegates that cannot comply — and dress hire shops are located close to the hotel — are asked to ensure that they dress in a dark lounge suit.

Our colleagues in Argentina are looking forward to an excellent attendance at what will be a memorable event.

We look forward to seeing you there !

## South African Association Changes Name and Structure

**OUR** members in South Africa have announced that the association has merged with two other industry organisations and accordingly has changed its name and a number of aspects of its internal structure.

With effect from July 1st 2007, ASABOSA will join forces with the Association of Shipping Lines (ASL) and the Container Liner Operators Forum (CLOF) to form the South African Association of Ship Operators and Agents (SAASOA).

All three organisations have acknowledged that they share common interests in their contacts with the South African government, with other authorities and in the wider world and so the amalgamation is seen as a means of enhancing their ability to increase the effectiveness of their efforts for the common good.

One of the major issues for the South African agency industry is to secure agreement from the national transport authority, TRANSNET, to reduce pilotage

charges at Richards Bay, a major coal exporting terminal. Until an accident last year, all pilot transfers at the port were undertaken by helicopter but to date the helicopter has not been reinstated — and the fees have not been reduced in compensation for the additional delays resulting from pilot transfers by launch.

FONASBA has written to TRANSNET in support of ASABOSA's case but to date no response has been received.

## US Continues to Push for 100% Container Scanning

**LEGISLATORS** in the United States are continuing to press for all inbound containers to be scanned on arrival at first port of entry. Current expectations are that such a system should be in place within five years.

There remains considerable scepticism within both the US maritime community and major importers that the funding, technology and manpower will be available and operational within this timescale and the doubters

were given some cause for hope when it was revealed that the proposed legislation included an option to extend the implementation period by up to two years, with scope for additional and unlimited extensions thereafter.

There is also some confusion as to whether empty containers should be included in the scanning requirement.

Currently, both the House of Representatives and the Senate

have introduced draft legislation to introduce 100% scanning and at some time in the near future both parties will meet to develop a single policy proposal. Once agreement has been reached, the draft bill will begin its journey through the US legislative process.

Our colleagues at ASBA will continue to monitor developments on this issue and updates will appear in future issues of this newsletter.

## Updated FONASBA Website Now Online

**THE** FONASBA website has undergone a general overhaul in recent weeks and it now includes an access restricted members' area. At the same time as the members' area was added, the opportunity was also taken to enhance the functionality of the site.

The members' area is initially being used to allow members to download documents that are too large to be circulated by e-mail, for example the PowerPoint presentations from the ECASBA seminar. In due course it is expected that other restricted information, such as responses to consultations, FONASBA/ECASBA position papers and other large documents, and in due course and after appropriate vetting, pictures from FONASBA and ECASBA events may also be added.

Copies of the current membership, Executive Committee, ECASBA Advisory Panel and ECASBA Working Group lists are also available in the members' area.

Access to the members area is by a user I/D and password system and details of the codes are available from association secretariats. In the interests of security, the user I/D and password information must be entered by using the keypad on the screen. This prevents key-logging spyware being able to gain illegal access to the area. As the members area appears in a new window, users should ensure that their firewall/security software allows pop-ups from the FONASBA site.

Also new to the site is the navigation bar on the download pages in both the members and

general areas. This allows for navigation between sections within the page by clicking on the left and right arrows at each end of the bar. Currently most of the pages only have one section but as the site content increases this facility should become more valuable.

The next module for development is an area in which those associations that provide education courses can lodge the details. The FONASBA site will only act as a showcase for the course providers and interested parties will be directed to the education provider for further information.

The website will continue to evolve in accordance with members' requirements and any suggestions for further enhancements will be welcomed.



# ECASBA NEWSFLASH

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## SECOND BRUSSELS WORKSHOP IS MAJOR SUCCESS

ECASBA held its second Brussels seminar in May. The format was similar to that used in the first event held in June 2006 but in response to comments from delegates, the number of speakers was reduced to allow more time to be given to the major issues.

This year those main issues were the two high-profile Commission consultations on port and maritime policy, ongoing developments in the customs environment and further activity in the maritime sector.

Speakers from the Commission on these subjects were Jean Trestour, Head of Unit G3 at DG-TREN, Paul Nemitz, Deputy Head of the Maritime Policy Task Force, Mrs. Maria-Manuela Cabral, Head of Unit C1 at DG-

TAXUD and Dirk van Vreckem, Policy Adviser to the Deputy Director General of DG-TREN.

In a change from the previous programme, the overview of Commission activity in the maritime sector given by ECASBA Brussels representative Diego Teurelinx was supplemented by a review of ECASBA's actions on these and other issues, given by General Manager Jonathan C. Williams.

The meeting also heard a presentation on the development of a Young Members section of FEDERAGENTI, the Italian association (*see report on page 8*).

ECASBA Chairman Gunnar J. Heinonen said that the second seminar had been a major success—so much so in fact that a

third is planned for May 2008—but expressed his concern that the level of attendance remained the same as last year. He had hoped that the clearly demonstrated success of the initial seminar would translate into a higher turn-out but regrettably this was not the case.

In spite of this, a third seminar is planned for May 2008, by which time the Commission will have revealed its action plan for port policy, its draft state aid guidelines and possibly some indications of where the maritime policy is going.

Initial details of the 2008 seminar, and in particular the dates, will be circulated to all members in September.

## ECASBA Presentation to Naples Port Policy Workshop

AS part of the consultation process relating to the Commission's current port policy initiative, six stakeholder workshops were held across Europe, starting in Antwerp in November 2006 and finishing in Tallinn in May 2007.

ECASBA was represented at all six events and was invited to

make a presentation at the meeting in Naples in April covering hinterland connections, bottlenecks and other issues of specific interest to our members.

General Manager Jonathan C. Williams delivered the ECASBA presentation, starting with a summary of the role of the agent in the

port process. He then reiterated a number of ECASBA's primary policy views — such as reducing state aid, providing funding support to short sea shipping and removing administrative bottlenecks — before moving on to voice ECASBA's

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significant concerns at the proposals to develop an electronic process within the Maritime Navigation and Information Service (MarNIS) project for the exchange of commercial information between the ship and shore.

Originally designed as a means of passing real-time navigational information between the ship and shore to enhance safety and ensure the vessel gains maximum benefit from the prevailing conditions, (which ECASBA fully supports) the project has since been expanded to try and include significant areas of the agent's current area of responsibility.

Clearly such an initiative goes to the very heart of what our agent members do and ECASBA believes that not only would such a

system have a damaging effect on our members, but also that it would be incapable of replicating and applying the considerable amount of local knowledge and experience that a fully-trained agent makes available to his principals every day. As stated in Naples, a computer system operates in black and white, yes and no, and is therefore not capable, for example, of interpreting information in a local context or viewing disparate elements in a cohesive way, as a human can.

The presentation was extremely well-received by a number of the delegates at the meeting, including ESPO and ECSA, and the latter, the European Community Shipowners Association, said it shared ECASBA's concerns, particularly as it would be

the ship's master that was required to provide the initial information and any updates and ECSA is campaigning to reduce the workload on the master, not increase it. ECSA is therefore very supportive of leaving these responsibilities with the agent.

These concerns were also expressed to DG-TREN at the Brussels seminar in May, with the result that ECASBA is now represented on the Commission working group established to develop the MarNis system and will take every opportunity of ensuring that our concerns are expressed.

This is a long-term project with significant technological issues to be overcome and it is expected that introduction will not be until 2015 at the very earliest.

## ECASBA Presents Port Policy Views at ESPO Annual Meeting

**THE** European Commission's consultation on port policy was brought to a close in the same forum (but in a different location) that it had been launched a year earlier, the Annual Meeting of the European Seaports Organisation, ESPO.

The meeting in Algeciras was organised in conjunction with the Commission as a means of bringing together all the parties that had contributed to the policy debate to allow for some of the major issues to be debated in open forum.

ECASBA was represented by Chairman Gunnar J. Heinonen and Vice Chairman Antonio Belmar da Costa.

As it was clearly not possible for each association to present their

consultation response, the discussion was centred around a number of questions based around three subject areas:

- sustainable development of ports, planning and hinterland connections,
- competition within ports, labour issues and technical-nautical services and administrative procedures,
- Competition between ports, public funding and tariffication

It was clear from the presentations that there is overall agreement on the main objectives the various industry groups wish to see in any future port policy. These include:

- no new legislation

- the appropriate, correct and comprehensive application of existing legislation, including the provisions of the Treaty of Rome
- urgent action on state aid
- restricting Commission action to establishing legal and fiscal frameworks and thus allowing industry to develop the commercial solutions to commercial issues
- acceptable reconciliation of the port development/ environmental protection debate

Copies of the policy paper are available from the Secretariat.

## DG-TAXUD Introduces Cash Reporting Procedure

ON June 15th, DG-TAXUD introduced a new procedure by which all movements of cash in excess of €10,000 (or equivalent in any other currency) into and out of the European Union must be reported to the national customs authority. The procedures were originally covered in Directive 1889/2005/EC.

The new measures are designed to prevent money laundering, the funding of illegal activities and other similar actions and to an extent follow other schemes already in place outside the Community.

Regrettably, and in spite of the role of the agency community in port reporting being well-known within DG-TAXUD, ECASBA

was not involved in the development of the procedures and so a number of issues specific to the maritime sector have arisen, including a failure to grant exemptions to seafarers returning home from EU ports (as has been granted to aircrew), to vessels carrying cash in transit or for cruise passengers visiting the EU from overseas.

The issue was further complicated by the fact that notification of implementation of the scheme was not issued by a number of national customs authorities until June 15th itself, with the result that a considerable amount of confusion has arisen as to the administrative process including who is responsible for lodging the required information, to

whom it has to be lodged and similar.

At least one national customs authority has already stated that it will not require cash in transit to be reported, concentrating instead on entry and departure.

ECASBA has raised the above-mentioned concerns with DG-TAXUD through the Customs & Transit Working Group and we hope that a response will be forthcoming.

Associations requiring further information on the Directive should contact the Secretariat but consultation on implementation within individual MS should be undertaken directly with the appropriate national customs authority.

## ECASBA Young Members Initiative

**FOLLOWING** the very successful establishment of a Young Members section within the Italian association FEDERAGENTI, ECASBA is encouraging the development of similar sections within all member associations.

As reported on page 6, a presentation on the Italian initiative was given at the Brussels seminar in May and a number of other ECASBA members have subsequently started work on their own sections. In a further show of support for the concept, Gianenzo Duci, President of the Italian Young Members Group has been appointed to the ECASBA Advisory Panel in order to develop the concept within the ECASBA member-

ship.

The Italian section now comprises some 120 people, aged 39 or younger, based in all the major ports. The senior association has delegated responsibility to the group for promotion, the development for the website, organisation of the Italian Shipbroker's Dinner and similar activities. ECASBA members will also have received a survey, organised by the Young Members Group on dredging in European ports, which is a major issue in Italy.

As stated previously, a number of associations have expressed interest in developing their own sections and Mr. Duci is keen to contact young members of other ECASBA member associations

with a view to taking the concept forward. If sufficient interest can be generated then it is likely a seminar will be arranged for next year, possibly in conjunction with the ECASBA seminar.

The action has the full support of the ECASBA Advisory Panel and the FONASBA Executive Committee as being an excellent means of generating additional interest in the work of FONASBA and to ensuring the future success of the federation.

Associations interested in developing their own Young Members sections should contact Mr. Duci at:

Gianenzo.Duci@esagenoa.com