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# THE NEW HORIZON



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

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## ANNUAL MEETING GOTHENBURG 2014

Registration for the 2014 Annual Meeting in Gothenburg, Sweden, is now open. As always, full details, including delegate and partner programmes, information on the hotel, registration fees, registration and accommodation payment and booking procedures, can all be accessed via the dedicated section of the Swedish Shipbrokers' Association website at: [www.swe-shipbroker.se/fonasba2014](http://www.swe-shipbroker.se/fonasba2014)

The Meeting will be held at the Clarion Post Hotel in the very centre of Gothenburg, and will start with the ECASBA Advisory Panel and FONASBA Executive Committee meetings (for members only) on Monday 6th October. The plenary meetings begin on Tuesday 7th with ECASBA, followed by the Chartering & Documentary and Liner & Port Agency Committees. The work programme ends on Friday 10th with a seminar and the Council Meeting.

As always, the partner programme, evening social events and the optional excursion on Saturday 11th October have been designed to give attendees an introduction to the varied attractions of Gothenburg and the surrounding area. For the first time this year, the social programme will include an evening event bringing together younger members of the local Swedish shipping community and Annual Meeting delegates aged 40 and under.

We are certain that once again this will be a very enjoyable and productive meeting. All member associations are strongly encouraged to participate. Not only does the Annual Meeting provide an opportunity to discuss the main issues affecting our profession at length and in great detail but it also allows delegates to meet and network with colleagues and friends. The President, Executive Committee and the Swedish Association look forward to welcoming all delegates and partners to Gothenburg.

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## New Assistant Appointed to London Secretariat

It is with great pleasure that we welcome Sara Robeznik to the London Secretariat as full-time Assistant to the General Manager.

As well as assisting with the running of the Federation, Sara will be putting her degree in European Law to good use by assisting in the preparation of ECASBA's positions on the new initiatives that we expect to start flowing from the new European Commission later this year. In addition, she will be getting to grips with our public profile, especially in online and social media, and we expect our presence there will substantially improve in the not too

distant future.

Sara can be contacted at [admin@fonasba.com](mailto:admin@fonasba.com) and we look forward to introducing her to all of you at the earliest possible opportunity.



## European Shipping Week 2015

As many members will now be aware, the inaugural European Shipping Week (ESW) event will take place in Brussels the week commencing 2nd March 2015.

Originally proposed by the European Community Shipowners' Association (ECSA), the initiative is being organised by the main European shipping industry organisations, ECASBA, ECSA, the European Dredging Association (EUDA), the European Tugowners Association (ETA), the Cruise Line Industry Association (CLIA), Interferry and the World Shipping Council (WSC). The European Commission, DG-MOVE, has also given the event its full support at Cabinet level and MOVE Director Fotis Karamitsos is also a member of the Steering Committee.

By taking place shortly after the election of a new College of Commissioners towards the end of this year, the primary aim of ESW is to demonstrate to Parliamentarians, legislators, regulators and the general public the value, spread and importance of the shipping industry to the European economy.

Working to a similar format to that successfully employed at London International Shipping Week (LISW), the programme will be built around a number of high level events including a reception, conference and a gala dinner. Each of the organisations supporting ESW will hold its own event as part of the main programme and in ECASBA's case this

will be our 2015 European seminar. Other organisations in the shipping industry will also be invited to hold events around the periphery of the main programme.

At present the Committee is working with conference organiser Shipping Innovation (who also organised LISW) in order to set the date for the event and then begin building the programme. The exact date will depend on the programme of the European Parliament and will be set to maximise the attendance of Parliamentarians, the Commission and other high level representatives.

It is possible the format of our seminar may have to be altered slightly to fit within the overall conference programme but we will of course ensure that it remains relevant to, and addresses, the needs of the membership.

The Committee last met on 3rd September and the General Manager attended for ECASBA. Further information on European Shipping Week 2015 will be provided to members as the programme develops.

[www.europeanshippingweek.com](http://www.europeanshippingweek.com)



## ECASBA European Seminar 2014, Naples

Following from the success of the 2013 ECASBA seminar in Hamburg, ECASBA accepted an invitation from FEDERAGENTI to hold its 2014 seminar in Naples in June as part of Naples Shipping Week.

The event was extremely well supported, with more than 60 people attending. The seminar followed the same pattern as in 2013 with the first session being dedicated to discussing issues affecting Europe as a whole, whilst the second session looked at these and other issues from the Italian perspective.

To open the seminar, delegates were given a very detailed presentation by Vice Chairman Eugène Vanfleteren on ECASBA's future customs strategy.

"eMaritime for Business" was the title of the second session and ECASBA President Gunnar J. Heinonen was pleased to invite Markku Mylly, Executive Director of the European Maritime Safety Authority (EMSA), Alan Long, Chairman of the European Port Community Systems Association (EPCSA) and Jukka Savo, Policy Officer at DG-MOVE to address the meeting on the practical aspects of the eMaritime project and on the latest policy developments.

Eduardo Rodés, of the Escola Europea de Short Sea Shipping (2E3S) then discussed the importance of education and training for those working in the short sea sector. He also gave an insight to the support available from Europe for education and training projects.

Bringing the eMaritime segment to a close, Caterina Henriques, from the consultancy firm INDRA gave a detailed presentation on the company's actions in analysing and developing systems to streamline and enhance the movement of cargo information between the ship and shore.

The first day finished with a short presentation on the latest developments in European port policy. This presentation was to have been delivered by our friend and seminar regular Dimitrios Theologitis of DG-MOVE but as he was unable to attend, the

presentation was given by General Manager Jonathan Williams.

Every ECASBA seminar has featured a dinner for delegates, speakers and guests and on this occasion it was graciously hosted by FONASBA Honorary Member and former President Umberto Masucci at his home overlooking the Bay of Naples. The spectacular setting and excellent hospitality provided a fitting end to the first day.

The following day delegates reconvened for a series of presentations on eMaritime from the Italian perspective. Moderated by Lara Tropa of ASSAGENTI, the session included presentations by Michele Pappalardo, FEDERAGENTI, Admiral Piero Pellizzari of the Italian Coast Guard, Giorgio Cavo of the Genoa Port Community and Andrea Mastelloni, President of Assagenti. Simone Carlini, Vice President of the Young Italian Shipbrokers' Association brought the first session to a close with a very entertaining presentation on the development of shipping documentation.

The second session looked at wider aspects of the Italian maritime cluster with presentations on logistics and economics by Alessandro Panaro of consultancy SRM and on the geopolitical situation facing Italy from Medi Telegraph journalist Alberto Quarati.

After the seminar, delegates participated in the other events within Naples Shipping Week and on the Friday evening joined the ECASBA Advisory Panel and FONASBA Executive Committee as guests of FEDERAGENTI at the concluding Gala Dinner in the spectacular Castel del'Ovo.

We are extremely grateful to Michele Pappalardo, Umberto Masucci, Lara Tropa and their colleagues at FEDERAGENTI, as well as all the speakers for their assistance in making the 2014 seminar so successful. As reported on page 2, the 2015 seminar will take place in Brussels as part of European Shipping Week.

## ECASBA Presents to Port Community Systems Association

Underlining the importance of the relationship between ship agents and the port community system providers, ECASBA was invited to speak at the 2014 Annual Meeting of the European Port Community Systems Association which took place in Civitavecchia, Italy, in June.

The conference was entitled “Intelligent Exchange” and our General Manager Jonathan Williams shared the podium with speakers from the Association, the European Commission, ports, shipping lines and technology companies to present their views on the way forward for eMaritime.

Recognising the breadth of the audience, the ECASBA presentation introduced the organisation and the role of our members in the ship/port interface. It then went on to express the association’s long-held views on

the requirement for a consistent reporting format across Europe and the need for regulators to recognise that container shipping is not the only maritime sector, on the contrary, there were other sectors that must be recognised and accommodated. The presentation ended with another call for a thorough and detailed review of all current reporting requirements in order to reduce the administrative burden on masters and agents by removing those reports that are unnecessary, outdated or irrelevant.

Introducing this last topic, Williams said that without this review, eMaritime would only enable the same volume of information to be circulated even quicker than it is now. This was therefore an ideal opportunity to take a long hard look at what the authorities really need and get rid of everything else, he added.

## ECASBA Repeats Concerns Over EU Veterinary Checks

At the request of a number of member associations, ECASBA is once again expressing its concerns about the requirements of Council Directive 97/78/EC which governs the need for documentary and physical checks on cargoes of animal origin arriving at EU ports for transshipment elsewhere.

The Directive allows all such containers to remain at a port for a maximum of seven days for EU destinations or 14 days for export elsewhere without having to undergo any form of inspection. Once this period has expired, the container is required to undergo an initial documentary check followed, if necessary, by a full physical inspection.

In 2010 ECASBA voiced its concerns about the practical problems of the Directive requirements to DG-SANCO (Health and Consumers) and in particular the need for the health authorities at the transshipment port to sight original documents, which in most cases are not available to the ship agent, having already passed directly to the consignee at the final destination. That these documents are also regularly required to be produced on

paper and stamped, only adds to the problem. Furthermore, physical checks on the contents can and regularly do render the entire consignment liable to be rejected by the receiver as being unfit for further use.

At the time, many feeder services operated more than once a week so the number of containers inspected was relatively few. Since then, however, service frequencies have reduced, thus making many more containers liable for the checks.

SANCO were unsympathetic to the previous contacts so ECASBA is taking the opportunity of raising the issue again and on this occasion is seeking support from colleagues at the World Shipping Council and the European Community Shipowners Association, whose members are also directly affected by the Directive provisions. Support from the newly elected TRAN Committee of the European Parliament and from ECASBA member states will also be sought.

Further information will follow in later issues of this newsletter.

## CIANAM Meets in Ecuador

Our colleagues in CIANAM, the pan-American ship agents organisation, held their 11th Annual Meeting in Guayaquil, Ecuador, in late April hosted by Cámara Marítima del Ecuador (CME).

As ever, the CIANAM delegates were joined at the meeting by senior members of the local maritime community, this time including the National Director of Water Spaces, Rear Admiral Carlos Vallejo Game and the General Director of Ecuadorean Customs, Ing. José Francisco Rodríguez, both of whom joined CIANAM President Javier Dulce, FONASBA President Marygrace Collins and CME President Juan Jurado Von Buchwald in the opening ceremony.

Following the opening ceremony, Ing. Rodríguez gave a detailed presentation on Ecuapass, the Ecuadorean port single window initiative.

All ten CIANAM member associations were

present at the meeting, which then went on to discuss issues such as the ongoing impact of third-party financial solutions providers, the recognition and licensing of ship agents in the region, the introduction of an Authorised Economic Operator programme in Uruguay and the possible discrepancies between the trade facilitation programme being promoted by the World Trade Organisation and the IMO FAL Convention.

FONASBA initiatives such as the Quality Standard, the Lima Declaration and the new education pages were also discussed, the latter being well received by the delegates.

CIANAM also elected a new board for 2014 to 2016 and this saw Francisco Oroczo Mendoza of Mexico elected President, with Javier Dulce of Argentina and Jeanne Cardona of the USA as Vice Presidents.

The next Annual Meeting of CIANAM will be held in Panama in April 2015.

## AMANAC To Host Major Seminar on Structural Reform in Mexico

Our colleagues at AMANAC are hosting their 20th annual congress in Cancun, Mexico on 2nd to 4th October. The title of the event is: “The Impact of Structural Reforms on External Trade” and it will look at how the changes proposed under President Nieto’s “Pact for Mexico” will affect ship agency and other maritime sectors in Mexico.

The Pact is designed both to bolster the country’s economic performance and bring it in line with other nations in the region and additionally to maximise the benefit from macroeconomic reforms already in place.

The programme includes a number of presentations looking at the current state of the Mexican maritime sector and contrasting these with the improvements expected once the reforms have been effected.

The congress, supported by the Mexican Port Community, will also include a number of social and networking events.

Further details of the event can be obtained directly from AMANAC by email at: [amanac@amanac.org.mx](mailto:amanac@amanac.org.mx), or via their website, [www.amanac.org.mx](http://www.amanac.org.mx)

**XX Congreso Anual de Agentes Navieros**  
2 al 4 de octubre de 2014  
Cancún, México

El Impacto de las Reformas Estructurales en el Futuro del Comercio Exterior

El Evento Líder  
Marítimo Portuario de México

**PATROCINADORES:**

APIORRO, CICE, USTA OCUPA, Terminales Nacionales, ASOMAR, Ferrovial Intermodal, sky angel, CLAA

**ORGANISMOS DE APOYO:**

GFI, Fidalex, Cargo Week, carga, T21, Aduana, INDUSTRIA MARÍTIMA, INFO-TRANSPORTES

## Shipping Australia Represents FONASBA At Brisbane WCO Conference

Martin Whittle of Shipping Australia represented both SAL and FONASBA at the World Customs Organisation's IT conference held in Brisbane in early May.

Entitled "Information Technology as a Catalyst for Economic Competitiveness & Innovation Powering Facilitation of International Trade & Tourism", the three day conference covered a wide range of topics and issues relating to the use of IT in customs facilitation, communication and data sharing between customs administrations. Given the reluctance of some national customs authorities to partner with the private sector on both trade facilitation activities and increasing the efficiency of border procedures, it was interesting to note that the conference devoted a significant part of the second day to a panel discussion on this very subject. It also looked at whether customs authorities were ready to implement the WTO Agreement on Trade Facilitation

Speakers at the event were drawn from both the public and private sectors, with customs and border protection authorities from the UK, Australia, Dubai, Singapore, Nigeria, Qatar and Kenya participating together with IT solutions providers, commercial data exchange system developers and global traders.

Further information on the conference and copies of some of the presentations are available for download here: [www.wcoomd.org/en/events/event-history/2014/2014-wco-it-conference-exhibition.aspx](http://www.wcoomd.org/en/events/event-history/2014/2014-wco-it-conference-exhibition.aspx)

We are very grateful to Martin Whittle and Shipping Australia for having represented FONASBA at this event. Given the propensity of WCO to hold its conferences around the world, we hope that other member associations will be willing to represent the Federation at similar events in their own countries or close by. Not only will this ensure that FONASBA's name is noted by WCO as being present – which is always good for our relationship with the organisation – but it

also allows the association to network and exchange views with senior members of their own customs authorities, as well as those from elsewhere, and with other organisations and private sector companies operating in the global customs environment.

Whilst on the subject of participation in the work of WCO, we would remind members of the invitation to nominate customs experts from their association, or their company members, to participate in the FONASBA Customs Expert Group.

The complex nature of customs development unfortunately exceeds the resources currently available to the Secretariat and therefore we have to rely on support from individuals who possess the necessary technical skills to review the often lengthy, detailed and cumbersome papers issued by the authorities, get to the issues that matter to our members and bring them to FONASBA's attention so that they can be evaluated and a position taken.

As stated in the previous newsletter, there is no travelling involved in the work of the Customs Expert Group, it operates by correspondence, but the often short timelines allowed for replies require that the Group members be able to review and comment at short notice so having a wide range of experts to call on spreads the workload and allows for absences and the needs of the day job.

We would also remind member associations that they are free to raise concerns regarding customs developments in their own member state with the FONASBA and ECASBA Customs groups. It is often the case that these or similar issues have been raised before and so advice and guidance can be provided quickly and support can be given to the association in its discussions with its customs authorities.

As we have remarked before, customs issues have the potential to impact significantly on the work of ship agents worldwide and so a coordinated and coordinated joint effort is required in order to ensure that impact is either mitigated or, if possible, eliminated.

## Member Association Reports

### CYPRUS

Following the signing of the enhanced Memorandum of Agreement with the World Customs Organisation, all member associations were asked to make contact with their local customs authorities, advise them of the revised MoU and seek their support for future FONASBA actions within WCO.

The Cyprus Shipping Association (CSA) duly made contact with the Department of Customs in Limassol and received welcome and positive acknowledgement of the development. The Department is represented at WCO both through the European Union delegation and as a member of the WCO Advisory Board, in both cases by the Director of the Department.

The Department has now confirmed that it will ensure that the CSA is kept advised of developments in WCO relating to ports, shipping and maritime business. For its part, CSA has confirmed that it will pass any relevant information back to the FONASBA Customs Expert Group for further action. FONASBA is very grateful to the CSA for their support and we look forward to receiving reports on WCO activity in the coming months.

The contact between CSA and the Department of Customs also proved positive for the association and FONASBA in the European context, with the department inviting CSA to make contact in relation to European customs developments of concern to the both CSA and ECASBA and offering to raise such issues at member state level. The Department also assured CSA that it was at all times ready to discuss any customs issues at a national level.

As stated in the article on page 6 regarding Shipping Australia's participation in the WCO IT meeting in Brisbane, FONASBA is extremely grateful to member associations such as SAL and CSA for their active support in ensuring that the Federation is represented at international and regional customs meetings and also for maintaining close and regular contact with their own local administrations in order to ensure the voice of the ship agent is heard at all levels on customs issues.

### DENMARK

Our colleagues in Copenhagen have reported on a number of actions they have undertaken in recent months as follows:

The Schengen/Crew Transfer case finally resulted in the issue of common rules and procedures for the 12 Police Districts in Denmark. The "Transfer-ordning" procedure was implemented on 1 June 2014 following a seminar hosted by the Danish National Police, which members of the Danish Shipbrokers' Association (DSA) attended. The "Transfer-ordning" allows for crew changes without a visa but to obtain this exemption the crew member must possess a valid passport and seamen book, as well as complete all relevant documentation prior to the crew change taking place. Unfortunately the new rules put the risks and expenses for crew changes on the agent in charge and penalties may therefore apply for non-compliance.

The Danish Tax Authority issued a recommendation in May 2014 to the effect that VAT is no longer applicable to port dues when the vessel is engaged in international trade. To benefit, the port must issue the invoice in the vessel's name care of the full style, name and address of the agent. DSA is currently dealing with a few cases where the port is reluctant to issue invoices without VAT, primarily because of their book keeping software.

The Ministry of Commerce is to liberalise the Danish pilot service, the ultimate aim of which is to end the monopoly of DanPilot in providing pilotage of vessels en route to Danish waters.

*(Continued on page 8)*

*(Continued from page 7)*

Pilotage in Danish Ports is already provided by DanPilot as well as a number of private pilotage companies. The new law was implemented on 1st July 2014 and applies to ports handling less than 400,000 tons of cargo per annum. The service provided to such ports can only be guaranteed for 18 consecutive hours per day.

Education is paramount to our members' employees, and DSA is thoroughly involved in the development of shipping education in Denmark, which is organised by Rybners in Esbjerg. At the recent graduation ceremony held at the DSA office in Copenhagen, 48 shipping trainees received their certificates and enjoyed a reception. DSA is responsible for the ICS Teaching Centre (ITC) in Copenhagen. The November 2014 ICS examinations are open for registration in Copenhagen as well.

Sanitation Certificates can be issued in all Danish ports, however, the World Health Organisation (WHO) list of ports approved to issue these certificates in Denmark is limited to just 11. DSA raised the issue with the Ministry of Health, supported in its endeavours by the Danish Ports association and the national institution responsible for issuing the certificates. DSA have subsequently secured the addition to the WHO list of a further 12 ports, total 23, all of which had reported back a requirement to issue certificates on a regular basis.

Communication is important in order to reach the wide variety of maritime stake-holders in Denmark and the association has launched its company page on LinkedIn. In addition, we are planning to implement a new website as well as a re-designed newsletter, which can be integrated with the new website. Furthermore, we are looking at how we can develop a web-blog strategy and further strengthen our communication efforts.

The Danish Maritime Days and Danish Maritime Fair are inaugural events taking place from 6th to 10th October 2014 and aim at gathering the shipping industry in Denmark and attracting visitors from abroad. DSA is participating in an event for brokers during the week.

The Law covering Danish ports (Havneloven) is to be evaluated during 2015, and the Ministry of Transportation has invited stake holders to pre-meetings this Autumn.

## DUBAI

The Dubai Shipping Agents' Association is supporting a bid to host the next meeting of the "Women in Logistics and Transport" (WILAT) organisation in Dubai in October 2015.

The organisation is a chapter of the Chartered Institute of Logistics and Transport and was established to promote the role of women in the logistics and transport sectors. One of the newest regional groups is that for the Middle East, (WILATME), based in Dubai. Since its establishment in October 2012 the group has developed quickly and now has more than 200 members, representing many of the major logistics and transport operators in the Gulf region. In addition to its main role, WILATME also hosts workshops, training and education courses as well as supporting local and regional charities. It also offers scholarships and internships for younger members of the transport sector.

Mrs. Nayana Nandkumar, manager of the Dubai Shipping Agents Association is an active member of the WILATME board and is leading the 2015 global meeting bid with support from the association. Accompanied by the Chair of WILATME, Mrs. Nadia Abdul Aziz, Nayana attended the 2013 meeting in Malaysia to promote both the work of WILATME and to put Dubai forward as the location for the next event. After the meeting, Nayana said that the Dubai bid was well received by delegates momentum to meet next in Dubai is continuing to grow.

More information is available from the association at: [www.wil-me.com](http://www.wil-me.com) or from Nayana at DSAA at: [dubaisaa@emirates.net.ae](mailto:dubaisaa@emirates.net.ae)

## GERMANY

This year the Hamburg Shipbrokers and Shipagents Association (VHSS) will be hosting its 66th Eisbeinessen dinner at its long-term home, the Congress Centrum Hamburg (CCH), on Friday 7th November.

The dinner started as a small gathering of some 110 shipbrokers in November 1948 to celebrate the granting of authorisation for the Hamburg broking community to recommence foreign business. Fish was on the menu for the first dinner but the following year the traditional north German dish of Eisbein, with sauerkraut, potatoes, pease pudding and bacon took its place. Since then, the event has grown to become the largest regular silver-service dinner in the world, attracting between 4,500 and 5,000 members of the German and international shipping community, from more than 50 countries, to the main event. It is also estimated that another 5,000 guests are entertained at other venues throughout Hamburg.

This year the 150,000th Eisbeinessen guest will take their place in the main hall.

Such is the importance of Eisbeinessen to the city of Hamburg that the top table guest list always contains senior representatives of the German Federal Government and Hamburg Senate, as well as other high-level Government representatives and civil servants, diplomats, consuls and industry and business leaders.

Each year VHSS extends an invitation to one of the city's major trading partner nations to join the event as the "Partnerland" and in their honour the association hosts a reception at the spectacular Hamburg Town Hall the day before the dinner. In recent years those countries have included Russia, China, Greece, Poland, South Korea, Italy, Norway, Turkey, Japan, the USA and last year, Denmark. The partner country for 2014 is Brazil.

FONASBA is a pleased to be regular participant at the Eisbeinessen event, with representatives from our member associations having attended on many occasions in previous years. This year FENAMAR President Waldemar Rocha jnr. will represent Brazil as the guest of honour and make a speech at the Town Hall reception, as former FONASBA President and Honorary Member Tonny Paulsen did last year when Denmark was the partner country (see below).



### *Eisbeinessen 2013*

*Left to right: Tonny Paulsen addresses the Town Hall Reception,  
The main event hall before the dinner begins,  
Tonny Paulsen with Sylvia Scheper of the German Shipbrokers Association and Christian Koopman, Chairman  
of the Hamburg and German associations*

## ITALY

### “The Regional Project for European Port Community”

This is a project launched by Regione Liguria in October 2013 to support the employment of young people in the shipping sector and green economy. It is being supported by a partnership comprising three training schools, Assagenti (the Genoese shipbrokers and ship agents association) and Spediporto, the Genoese freight forwarder association.

The project resulted from a detailed analysis of the shipping sector and its training needs and is delivered at regional level at the ports in Liguria through four different courses across varying training levels. Support for the project is provided by trade associations, the port authority and individual companies.

Of particular interest is the high level training course for experts in transport, logistics and shipping. These are individuals who operate in integrated logistics at different levels, between functions and who have responsibility for business decisions. The skills learned in the course will allow the participant to gain detailed knowledge of supply chain and technological processes allowing him or her to operate even more effectively in the commercial, operative and administration divisions of shipping and forwarding companies or local or international logistics operators. This course aims to provide training at a very high level and it finishes with work experience abroad in a shipping or forwarding company at a major European port.

The courses:

**High level training: Expert in transport, logistics and shipping**

Duration: 1,500 hours, from July 2014 to June 2015

Students: 20 university graduates

The course provides two streams, one directed towards forwarding agencies and another towards shipping agencies and includes an internship of 320 hours in a foreign country (Germany or UK) and work experience of 3 months in Genoa

**Middle-High level training: Broker**

Duration: 400 hours, from September 2014

Students: 12 high school graduates

Realized by Accademia della Marina Mercantile

**Middle level training: Forwarder**

Duration: 600 hours

Students: 15 high school graduates

Realized by Scuola Nazionale Trasporti in La Spezia

**Trade level training: Warehouseman**

Duration: 600 hours

Students: 18, with three years qualification

Realized by CFP

Further information on these courses is available from Iolanda Garzia ([iolanda.garzia@assagenti.it](mailto:iolanda.garzia@assagenti.it)) who the person in charge of Education within the Genoese secretary (Assagenti).

## ITALY

### “Fixed Duties and Anti-Trust” – Judgment Supports Ship Agents

Dismissing the appeal filed by Italy’s Antitrust Authority, the Council of State, Italy’s highest ranking court for administrative justice, has finally put an end to the judicial affair on so-called “fixed duties”, which saw 15 liner shipping agencies and two trade associations (Assagenti, representing ship agents and Spediporto, representing forwarding agencies) being accused of price-fixing.

In January 2014, the Regional Administrative Court of Lazio ruled against the antitrust authority which appealed to the Council of State, where the appeal was rejected.

In their judgement, the Council of State decided that the appeal was unfounded and declared the forwarding and shipping agents innocent of the charges, confirming that the contracts in question could not be considered as cartel practice, but rather “collective meetings intended to provide specific directions to be taken into account in negotiating with Spediporto”. The Council of State determined that the proposals prepared during these meetings for the purpose of subsequent negotiations with Spediporto, did not constitute market disruption or distort competition.

The Council also confirmed by the decision of the Administrative Court of Lazio that the depositions provided by the Anti-Trust authority did not prove the existence of a horizontal cartel among maritime agencies but instead “a lawful activity in preparation for the negotiation and conclusion of a professional vertical agreement which was made between the two Associations of the sector”. Shipping agency association Assagenti and freight forwarder agency association Spediporto welcomed the decision.

Gian Enzo Duci, President of Assagenti said “The judgment of the Administrative Court of Lazio had left little doubt about the legitimacy of this agreement, accepting all the reasons presented by our lawyers and berating the Antitrust Authority for having “deliberately confused a proposal of an agreement with a well-known fact ... just to colour of illegality a situation, which otherwise would have been totally irrelevant for the purposes of the competition law”. “The decision to persevere in bringing forward a thesis of anti-competitive agreement before the Council of State had left us baffled: the Advocacy of State and the liner shipping agencies involved have incurred unnecessary expenses to defend themselves in second instance”, he added.

The General Manager of Spediporto, Giampaolo Botta said “We spent long and difficult years rebutting what could be called “the theorem of the absurd” but added that both the Administrative Court’s initial decision and the judgment of the Council of State definitively rejected the Antitrust Authority’s point of view, which was the result of a superficial preliminary investigation aimed at confirming, but without carefully checking, the facts of the case. “The Administrative Court of Lazio was already clear on the subject, and it had stated that “no anti-competitive arrangement is realized” We are very pleased with the work carried out by the Administrative Justice, which has pledged to study and understand the complexities of our industry”, he said.

The legal affair on “fixed duties” began in December 2009 with a warning raised by a shipping line. In February 2012 the Antitrust Authority applied fines totalling € 4.1 million to Assagenti, Spediporto and 15 liner shipping agencies. Their initial appeal to the Administrative Court of Lazio was lodged in October 2012.

## INDIA

### CHENSAA ORGANISES 58<sup>th</sup> ANNUAL GENERAL MEETING IN CHENNAI

Mr. Y. Leeladharan has been elected as Vice Chairman of The Chennai & Ennore Ports Steamer Agents Association for the term 2014 - 2015. Mr. C.R. Raghu of K Line and Mr. A. S. Hari Prasad of APL also joined the Executive Committee as members.

Capt. A. Lawrance, the Chairman of CHENSAA, greeted the gathering and expressed his pleasure at the excellent attendance. Mr. Augustin, representing the Young Members on the Executive Committee, also welcomed the delegates.

The Annual General Meeting read, adopted and approved of the Annual Report for the year 2013 - 2014.

The Chairman also thanked Mr. Arul Joseph for his timely representation of Association's issues to the Ministry of Shipping as a member of the Federation of Shipping Agents of India (FEDSAI), the national representative body. He also said that the association had recently conducted interactive sessions with PO, MMD and the Senior Immigration Officer which had benefitted the Members in many ways. He also reported that the Association is maintaining cordial relationships with the officials of the Chennai Ports Trust, Kamarajar (Ennore) Port Ltd., and other neighbouring ports.

The CHENSAA Chairman requested that younger members of the association should also come forward and contribute to the future development of the association. He also said that the senior managers of companies within the membership should encourage their younger generation to take part in all the activities organized by the Association.

Mr. Leeladharan thanked the membership for putting their faith in him and he assured the association of his earnest and sincere efforts and services during his term of office. He then thanked the Chairman Capt. Lawrance, the Immediate Past Chairman and Advisor Mr. Viswanathan, Mr. Arul Joseph and the other Executive Committee members for their valuable support at all times. He assured the membership that the entire Executive Committee, a fresh and young team, will continue to develop and expand the membership and activities of CHENSAA. He also thanked the CHENSAA Secretariat staff for their support.



*L to R Mr Y. Leeladharan (Vice Chairman), Capt. A. Lawrance (Chairman), Mr. G. Viswanathan (Advisor & Immediate Past Chairman) and Mr. Thomas Antony (Secretary)*

*CHENSAA members participating in the 58<sup>th</sup> AGM on 22<sup>nd</sup> August 2014 at the Radisson Blu Hotel*

## JAPAN

On 29<sup>th</sup> July, JAFSA held its 19<sup>th</sup> seminar in Tokyo. Mr. Yoshida, Deputy Investigator-General for Marine Accidents at the Secretariat of the Japan Transport Safety Board made a presentation that looked at a number of recent marine accidents in Japanese waters. The accidents referenced included those between ships and also where death or injury to passengers and crew occurred. In each case, he also described the lessons learned from the subsequent accident investigation and the measures put in place to avoid similar incidents in the future.

The seminar was followed by the Annual JAFSA Beer party, where JAFSA President Mr. Takazo Iigaki greeted approximately 80 guests representing a wide representation of JAFSA member companies.

In his welcoming speech, Mr. Iigaki highlighted the recent increase in the number of foreign tourists visiting Japan, and in particular those arriving on cruise vessels, and looked forward to further increases in the lead up to the Tokyo Olympics in 2020. He also said that the increasing volumes of raw and construction materials for the event will be beneficial to trade through Tokyo, all of which will be good for JAFSA members.

On 20<sup>th</sup> May, JAFSA, in conjunction with the Yokohama Port Bureau, organised a tour of the port of Yokohama for young members of the association. More than 20 young members participated in the tour, which took place in excellent weather and sea conditions.



*Top left: JAFSA President Takazo Iigaki welcomes guests to the Seminar and Beer Party*

*Top right: Mr. Yoshida presenting to the seminar delegates*

*Left: Young members of JAFSA enjoy the Yokohama port tour*

## MEXICO

AMANAC held a seminar in Mexico City on 7th August, both to celebrate the association's 27th anniversary and to discuss the ship agency sector's response to the "Challenge of 500 Million Tonnes" issued by the Mexican Government. FONASBA President Marygrace Collins attended as a guest of AMANAC and addressed the seminar.

The President of the Association Mr. Francisco Orozco opened the seminar by extending, on behalf of the Board and members of AMANAC, a warm welcome to all those present to celebrate the twenty-seventh anniversary of its establishment.

He also welcomed and thanked the distinguished panellists that had joined the members and guests to discuss the sector's response to the Mexican Government's recent challenge, "To mobilize 500 million tonnes by the end of the present Government Administration in our Ports". He said that AMANAC was already working closely with a number of government authorities in order to ensure the development of maritime traffic, noting particularly that this administration is looking to significantly enhance the operational capacity of all Mexican ports, with the aim of making Mexico a global logistics platform.

To achieve this, he said, the challenge is to increase the capacity of Mexico's port operations from the present 280 million tonnes per year to over 500 million tonnes for 2018, with the primary emphasis being to ensure the modernization and expansion of the ports of Lazaro Cardenas, Manzanillo, Altamira and Veracruz, among others.

Following the presentations, Mr. Orozco thanked the panellists for their contributions and for the many positive views and proposals that had been put forward. He said that AMANAC would now take those proposals forward as part of the ship agency sector's contribution to achieving the required increases in Mexican port throughput.

As a result, Mr. Orozco said that the Seminar had been a major success and had achieved its goal of producing presentations and discussions of a very high quality.



*Marygrace Collins addresses the AMANAC seminar*



*AMANAC President Francisco Orzco and Marygrace Collins*

## MOROCCO

Our colleagues at APRAM, in partnership with the Moroccan Maritime Cluster and Lahlou Zioui and Associates, are hosting a one day seminar in Casablanca on 24th September entitled “The Responsibility of Stakeholders in Shipping”.

The seminar, which is being supported by the Moroccan Ministry of Equipment, Transport and Logistics and the Ministry of Justice and Liberties, aims to demonstrate to regulators and other professional sectors in Morocco the role of the different stakeholders in the shipping chain and to illustrate the procedures and practices employed by the Moroccan transport sector in the movement of import and export goods. It will also give a global overview of the roles and responsibilities of each transport sector.

APRAM report that the seminar will be attended by more than 50 judges, as well as Presidents of Courts of Appeal and of Commerce, insurance company executives in addition to professionals from the shipping and transport sectors. It is hoped that the event will inform, enrich and enhance discussion on the maritime transport sector in Morocco.

Aziz Mantrach, President of APRAM, said that the seminar provides an opportunity to clarify and promote the work of the shipping industry in Morocco, which handles more than 98% of all trade in the Kingdom and is therefore a vital tool to support the country’s economic development.

The seminar will take place at the Royal Mansour Hotel in Casablanca and will also include a guided visit of Casablanca port.

Further information on the seminar is provided on the flyer (left) or is available directly from APRAM: [www.apram.ma](http://www.apram.ma)



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ET DES LIBERTÉS

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DU TRANSPORT ET DE LA LOGISTIQUE

الكتلة البحرية المغربية  
Cluster Maritime Marocain

Association Professionnelle des Agents  
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et Courtiers d'Affrètement du Maroc

A.P.R.A.M.  
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ومستشاري البواخر بالمغرب

ينظمون يوما إعلاميا  
Organisent une journée d'information sous l'égide du Ministère de  
l'Équipement, du Transport et de la Logistique et en partenariat  
avec le Ministère de la Justice et des Libertés

Avec le soutien de :  LAHLOU-ZIOUI & ASSOCIÉS : بتعاون مع



**مسؤولية المتدخلين في عملية النقل البحري**  
**LA RESPONSABILITÉ DES INTERVENANTS  
DANS LE TRANSPORT MARITIME**

**24 septembre 2014 / 8h30**  
 A l'hôtel « Le Meridien Royal Mansour » 27, Avenue des FAR - Casablanca 21000 - Maroc

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## LATE NEWS

### WILLYS DELVALLE APPOINTED PANAMANIAN AMBASSADOR TO THE NETHERLANDS

Doubtless all FONASBA members will wish to join with President Marygrace Collins, the Executive Committee and our colleagues at CIANAM in sending their congratulations to our colleague Willys Delvalle, who has recently been appointed Ambassador of Panama to the Netherlands.

This is a significant personal honour for Willys and we wish him every success in his new position. It is also a first for FONASBA in having a member of the family, albeit a very new one, elevated to such a high-ranking position. Whilst we are sad that he is leaving us so soon, we hope that he will keep us in mind during his time in the Hague and we look forward to his return to FONASBA at some time in the not too distant future.

### EUROPEAN COMMISSION PRESIDENT UNVEILS PROPOSED CABINET FOR 2014/16

Jean Claude Juncker, President of the European Commission, released details of his first list of candidates for European Commissioners on 10th September. As our European members will be aware, the list of nominees now goes to the European Parliament which will scrutinise the list, interview the nominees and in due course accept, or reject, the entire list as proposed. If the list is rejected, it is done so in its entirety and the President has to propose a revised list and the process starts again. Delays to the approval process in 2009 saw the appointment of the Cabinet of Commissioners held up until February 2010, with consequent delays in starting the legislative programme.

The structure of the Commission Directorates is also under review at the start of every term and for the next Commission a number of changes in their portfolios have been proposed. A full list of the current Commission candidates and their areas of responsibility is available for download at: [http://ec.europa.eu/about/juncker-commission/commissioners-designate/index\\_en.htm](http://ec.europa.eu/about/juncker-commission/commissioners-designate/index_en.htm) but those most directly related to ECASBA's activities are as follows:

The Transport folio has been expanded to include Europe's activities in space, for example satellite navigation systems and similar. The Commissioner designate is Maroš Šefčovič from the Czech Republic. Slightly worryingly, Transport is no longer represented at Commission Vice President level.

As expected, DG-MARE (Maritime Affairs and Fisheries) has ceased to exist as a separate entity and is now combined with Environment. The designated Commissioner is Karmenu Vella from Malta. DG-CLIMA (Climate Action) is another DG whose demise was widely expected, it is now linked with Energy and will be overseen by the Spanish candidate, Miguel Arias Cañete.

DG-TAXUD (Customs and Taxation) also loses its previously separate identity and is absorbed into the new DG, Economic and Financial Affairs, Customs and Taxation under Pierre Moscovici of France.

DG-SANCO (Health and Consumer Affairs) will lose its consumer responsibilities but gain Food Safety, which seems logical. Vytenis Andriukaitis of Lithuania is the new Commissioner there.

The only DG that appears to have survived unscathed is DG-COMP (Competition) where the candidate Commissioner is Margrethe Vestager of Denmark.

Interestingly there will also be a DG for Better Regulation under Vice President Frans Timmermans of the Netherlands. It will be fascinating to see if his department has any noticeable impact on Commission policy in our areas of interest!