



COUNCIL
96th session
Agenda item 14(d)

C 96/14(d)/Add.2
9 May 2006
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EXTERNAL RELATIONS

(d) Relations with non-governmental organizations

Note by the Secretary-General

SUMMARY

Executive summary: This document transmits one new application for consultative status

Action to be taken: Paragraph 3

Related documents: None

New application for consultative status

1 Since the issue of documents C 96/14(d) and C 96/14(d)/Add.1, the Secretary-General has received one additional application for consultative status, from the Federation of National Associations of Ship Brokers and Agents (FONASBA).

2 Documentation and information provided by FONASBA in support of its application is reproduced at annex.

Action requested of the Council

3 The Council is invited to decide on this new application for consultative status.

For reasons of economy, this document is printed in a limited number. Delegates are kindly asked to bring their copies to meetings and not to request additional copies.

ANNEX

INTERNATIONAL MARITIME ORGANIZATION (IMO)**QUESTIONNAIRE****1. Name of the Organization:****Nom de l'Organisation:**

The Federation of National Associations of Ship Brokers and Agents (FONASBA)

2. Address of Headquarters:**Adresse du siège:**85, Gracechurch Street
LONDON
EC3V 0AA**Telephone:** 020 7623 3113**Fax:** 020 7623 3113**Téléphone:****Facsimile:****E-mail:** generalmanager@fonasba.com**Website:** www.fonasba.com**3. Address of all branches or regional headquarters:****Adresse de tous les sièges locaux ou régionaux:**

None

4. Names and addresses of representatives in the United Kingdom:**Nom et adresse des représentants au Royaume-Uni:**

Secretariat – see 2. above

5. Aims and Objectives of the Organization (as set forth in its constitution):**Objectifs et buts de l'Organisation (tels qu'ils sont définies dans ses statuts):**

The aims and objects of FONASBA are:

As an International Federation to speak with authority on all relevant matters appertaining to the shipping profession in so far as ship brokers and agents are concerned.

To maintain an organisation sufficiently extensive and reputable to justify cooperation with other national and/or international bodies, authorities, associations and organisations involved in matters of concern to the shipping profession.

To promote a fair and equitable practice of the profession of ship brokers and agents and to that end:

- to support its members wherever the basic and general interests of their professions are concerned;

- to co-ordinate common efforts designed to improve, modernise, simplify and/or standardise shipping contracts and documents and in doing so to safeguard the traditional role of the ship broker and agent as intermediary and adviser to both ship owner and merchant interests;
- to initiate such conferences, meetings, lectures and the like, as may be required for the discussion of professional affairs, interests and duties;
- to engage in such activities as may from time to time, in the opinion of the Council, contribute to the interests of its members.

(extract from the FONASBA Articles of Association and By Laws 2005)

6. History:

Historique:

FONASBA was founded in London in April 1969 with a primarily European membership. Since then membership has expanded to include Africa, the Americas and Asia. A full list of members is provided under section 10. FONASBA appointed its first non-European President, from the USA, in 1975, its first from Africa, South Africa, in 1985 and its first Latin American President, from Brazil, will be appointed in 2006. FONASBA held its first Annual Meeting outside Europe in New York in 1975, the Far East, Singapore, in 1989 in Africa, Cape Town, in 1995 and in Latin America, Rio de Janeiro, in 2002.

In 1992, FONASBA formed a European committee, ECASBA, for the purpose of consulting with the European Community.

In 2004, recognising that regional issues play an increasing role in the activities of the organisation, FONASBA appointed four Regional Vice-Presidents, covering Africa, the Americas, Asia and Europe. The role of the Regional Vice President is explained in greater detail under section 9.

7. Recent and Planned Activities:

Activitiés récentes et activités prévues:

Annually, October/November

Annual Meeting in Member Country – Members meeting plus seminars

2004 Budapest, 2005 Tokyo, 2006 Marrakech, 2007 Buenos Aires

May 2005

President hosts Ships Agency seminar at BIMCO Centenary Meeting in Copenhagen

October 2005

At Tokyo Annual Meeting FONASBA launches campaign to increase awareness of the role, value and importance of the professional agent and broker in the global transport chain

October 2005

At Tokyo Annual Meeting, FONASBA publishes its first Annual Report

November 2005

ECASBA Chairman attends European Maritime Policy conference in Brussels

January 2006

President addresses the Shipping Policy Committee of the International Chamber of Shipping on the agent's place in the transport chain

March 2006

President commits FONASBA to the INTERTANKO Poseidon Challenge

June 2006

Inaugural ECASBA Brussels seminar allowing ECASBA members to meet and exchange views with senior European Commission staff. Commission Vice-President and Transport Commissioner Jacques Barrot to participate

8. Descriptive statement of the extent to which the purposes of the Organization relate to IMO, including in particular what contribution your Organization can make to the technical co-operation programme of IMO:

Exposé explicatif de la mesure dans laquelle les bûts de l'Organization sont en rapport avec ceux de l'OMI, incluant une indication concernant la contribution que votre Organisation pourrait apporter au programme de coopération technique de l'OMI:

Ship agents and brokers play a major and indeed vital role in coordinating, integrating and supporting the services required to ensure the safe, efficient and economically viable transportation of goods by sea and this has required those operating in these sectors to amass a deep knowledge of all aspects of their profession as well as of allied disciplines such as cargo characteristics and cargo handling, stevedoring, freight forwarding, inland transportation and port operations.

As the Articles and By Laws state (see 5 above), FONASBA seeks to cooperate with other organisations for the benefit of the shipping industry and in doing so places the technical knowledge of its members at the disposal of those organisations, including the European Commission, BIMCO, INTERTANKO, UNCTAD and UNCITRAL, where appropriate.

With recent developments, such as enhanced reporting regulations relating to maritime security, waste disposal and the adoption in Europe of the IMO FAL documents, agents are also becoming involved in discharging an increasing range of statutory obligations previously considered to be the preserve of the shipowner. FONASBA believes that it is of significant benefit to the international shipping industry, in its widest sense, that the views of all relevant parties, including agents and brokers, be taken into account when framing legislation or regulations and FONASBA is therefore ready and willing to play an active part in the discussions within IMO on all issues that are relevant to our profession.

**9. Structure:
Structure:**

FONASBA's primary regulatory body is its Council, which consists of representatives of the full member associations present at the Annual Meeting. Council determines the policy of FONASBA, which in turn is implemented by the Executive Committee, comprising the President, Executive Vice-President, Immediate Past President, President Designate, the four Regional Vice Presidents and the Chairman and Vice-Chairman of its three committees, Chartering & Documentary, ECASBA – the European Committee – and the Liner & Port Agency Committee. Only full members have voting rights. Membership of the Executive Committee is effected from within the membership and is determined by a ballot of the Council members. Membership of the Executive Committee should, so far as is possible, reflect the membership profile of the organisation. Each of the committees is supported on technical issues by an advisory panel and specialist working groups that consist of experts in the specific areas covered. The advisory panels and working groups feed technical information to the Committee Chairman and thus to the Executive Committee. FONASBA is administered by a Secretariat based in London. The Regional Vice-Presidents are responsible for liaison with the existing members and also the expansion of FONASBA through the identification of, and contact with, potential new members within their region. Finally, FONASBA has established a number of regional committees that take action on issues of common interest. These cover Britain and Ireland, the Far East, the Nordic countries and the Americas.

**10. Membership:
Composition:**

Membership of FONASBA consists of four classes. Full membership is restricted to national, or possibly regional, associations representing the ship agency and ship broking sectors in a particular country. Associate membership is granted to an individual company in a country where a national association does not yet exist. Club membership is granted by invitation only to organisations whose activities compliment or benefit the FONASBA membership. Candidate membership is an introductory, time limited membership, granted to national associations that have expressed an interest in joining FONASBA but are not in a position to apply for Full membership. Candidate members are required to make application for Full membership within three years.

A full list of FONASBA members, in all categories, is attached.

**11. Officers:
Dirigeants:**

President: Philip J. Wood FICS – Great Britain
Executive Vice-President: Chris P. Papavassiliou – Cyprus
Immediate Past President: Umberto Masucci – Italy
President Designate: Mario Froio – Brazil
Regional Vice-President Africa: Aziz Mantrach – Morocco
Regional Vice-President Americas: Patricio Campbell – Argentina

Regional Vice-President Asia: Takazo Iigaki – Japan
Regional Vice-President Europe: Charles Génibrel – France
Chairman, Chartering & Documentary Committee: Mrs. Grete Noer – Norway
Chairman, ECASBA: Gunnar J. Heinonen – Finland
Chairman, Liner & Port Agency Committee: John A. Good FICS – Great Britain

The officers serve a two-year term and if eligible, may stand for re-election. The present term will come to an end during the Council meeting in November 2006.

General Manager: Jonathan C. Williams FICS – Great Britain

12. Relations with other non-governmental organizations:

Relations avec d'autres organisations non gouvernementales:

FONASBA has within its membership BIMCO, INTERTANKO and the Baltic Exchange. Internationally FONASBA also exchanges views with the international forwarders association FIATA, Intercargo, the International Chamber of Shipping, and in Europe with the European Sea Ports Organisation, ESPO, the European Community Shipowners Association, ECSA, the Federation of European Private Port Operators, FEPORT, the European freight forwarders association CLECAT and the European Shippers Council, ESC. FONASBA, through ECASBA, is a member of MIF, the European Maritime Industries Forum, a maritime industry/European Commission consultative body.

FONASBA is also represented on national industry bodies and other consultative organisations in all its member states.

13. Relations with inter-governmental organizations:

Relations avec des organisations intergouvernementales:

FONASBA currently has consultative status with UNCITRAL and the Comité Maritime Internationale and has contributed to their work on maritime liability regimes, and with UNCTAD, with whom FONASBA played a major role in developing the UNCTAD Minimum Standards for Ship Agents. FONASBA has also recently been accorded consultative status with the World Customs Organisation.

ECASBA enjoys excellent close relations with the European Commission and is the recognised consultative organisation on issues relating to all aspects of ship agency and ship broking.

14. Finance:

Financement:

FONASBA is financed through membership subscriptions, payable annually. A copy of the audited accounts for 2004/5 are attached.

15. Publications:

Publications:

FONASBA publishes two internal newsletters, one for all members and the other on European matters for ECASBA members. In 2005, FONASBA published its first Annual Report which is distributed to members and externally and provides both information on the organisation and its activities and also includes reports from member associations on their activities during the year in question. A copy of the current issue is attached. The next issue will be published in October 2006.

FONASBA also regularly contributes editorial articles on appropriate issues to relevant industry journals. A copy of the President's recent article in the "Shipping Finance Review" is also attached.

16. Documentation:

Documents:

In response to requests from members and external organisations, FONASBA has produced a number of standard documents for the ship broking and ship agency industries, examples of which are detailed below. Where appropriate FONASBA will secure external approval of these documents as shown.

The FONASBA Code of Conduct – a guide to the minimum standards of conduct and professionalism expected of agents and brokers. All FONASBA member associations are required to commit their members to uphold this Code as a condition of membership.

FONASBA Standard Liner & General Agency Agreement (approved by BIMCO) – a standard form for the establishment of an agency relationship between a liner agent and his principal. Issued in 2001, this replaces two separate liner and general agency documents.

FONASBA Sub-agency Agreement (approved by BIMCO) – a form of agreement covering the appointment of a sub-agent in the liner trades.

FONASBA International Brokers Commission Contract (approved by BIMCO) – a standard form agreement to be used between a shipbroker and a shipowner for payment of commission.

FONASBA Time Charter Interpretation Code – a guide to the generally accepted interpretations of various clauses in time charter parties.

FONASBA Standard Port Agency Conditions – a concise guide to the rights, responsibilities and liabilities of the owner and agent when entering into a port or tramp agency relationship.

FONASBA Sub-Details Clause – standard clauses for insertion in firm offers or bids, made at the time of charter negotiations.

Copies of these documents are attached.

**17. Other remarks which the Organization wishes to make:
Autres remarques que l'Organisation désire faire:**

FONASBA believes that the international agency and broking communities have a major, and increasing, contribution to make in the development and implementation of international shipping policy and regulation and looks forward very much to being granted the opportunity of making a positive and valuable contribution to the work of IMO.
