



The Federation of  
National Associations of  
Ship Brokers & Agents

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UN/CEFACT Forum October  
2020

Minimum Standards for Ship  
Agents and Ship Brokers Project  
Update

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October 2020

Founded in 1969, FONASBA is the International Organisation representing the National Associations of Ship Brokers and Agents.

FONASBA is based in London. Its mission:

“To protect the professions of Ship Brokers and Agents worldwide, promoting fair and equitable practices and ensuring that the views of its members are voiced at the highest levels of the maritime industry”.



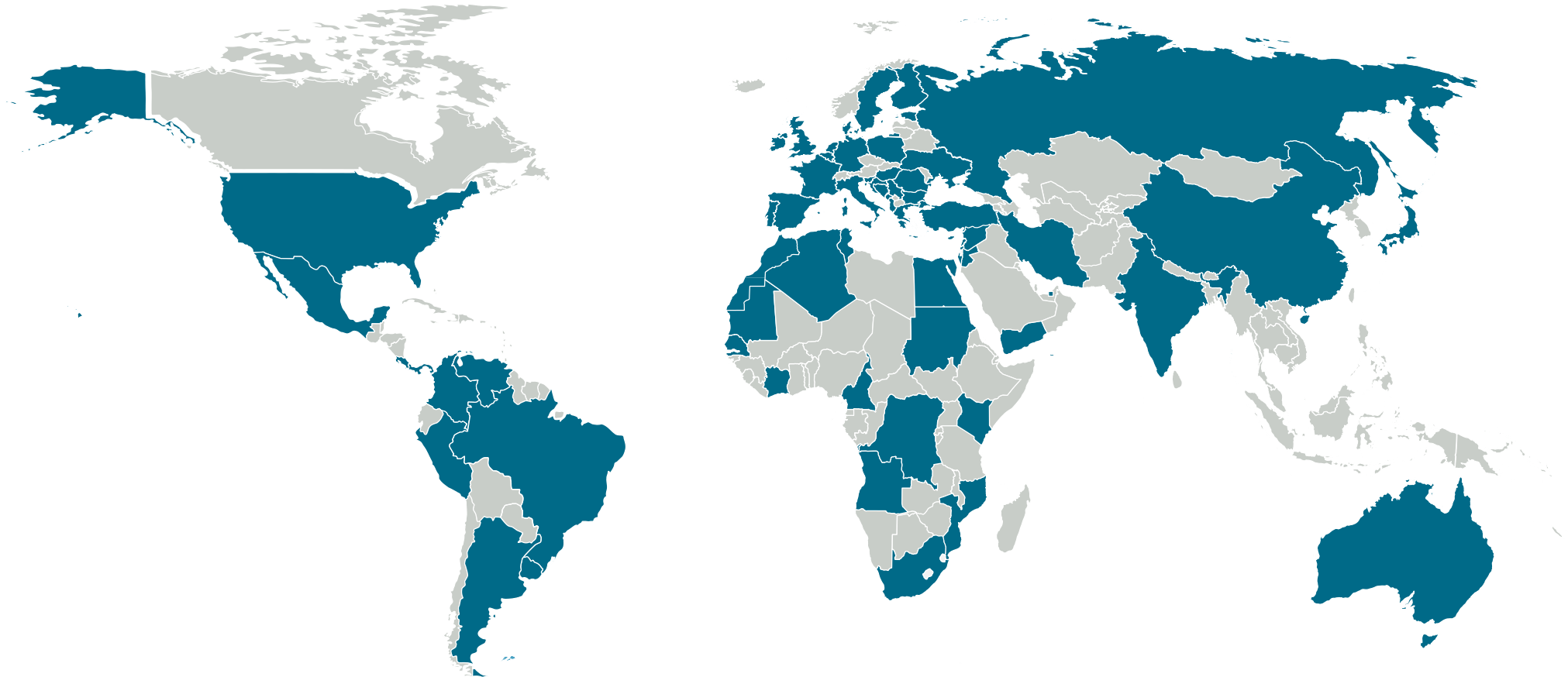
**FONASBA**

The Federation of National Associations of Ship Brokers and Agents

# OUR MEMBERS

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64 countries representing over 5,000 companies



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# BENEFIT OF MEMBERSHIP

## FONASBA Quality Standard (FQS)

42 countries and 600 companies are covered by the Quality Standard.

- Algeria
- Argentina
- Australia
- Belgium
- Brazil
- Bulgaria
- Costa Rica
- Croatia
- Curacao
- Cyprus
- Denmark
- Dubai
- Egypt
- Finland
- France
- Germany
- Great Britain
- Greece
- Hungary
- Israel
- Italy
- Japan
- Jordan
- Kenya
- Lebanon
- Lithuania
- Malta
- Mexico
- Morocco
- Netherlands
- Peru
- Poland
- Portugal
- Romania
- Russia
- Senegal
- Slovenia
- Spain
- Sweden
- Tunisia
- Uruguay
- USA



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# MINIMUM STANDARDS PROJECT

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Distr.  
GENERAL  
UNCTAD/ST/SHIP/13  
7 September 1988  
Original: ENGLISH

United Nations Conference on Trade and Development

UNCTAD MINIMUM STANDARDS  
FOR SHIPPING AGENTS

## Background :

- Originally introduced by UNCTAD in September 1988
- Intended to “serve as guidelines for national authorities and professional associations in establishing their own standards” by:
  - Upholding high standards of ethics and business practice....
  - Promoting professional education and experience...
  - Encouraging sound and stable businesses
  - Combatting maritime fraud
  - Establishing sound shipping agency sectors



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## Article 2 *Definitions*

For the purpose of these Minimum Standards:

" *Shipping agent*" means any person (natural or legal) engaged on behalf of the owner, charterer or operator of a ship, or of the owner of cargo, in providing shipping services including:

- (i) Negotiating and accomplishing the sale or purchase of a ship;
- (ii) Negotiating and supervising the charter of a ship;
- (iii) Collection of freight and/or charter hire where appropriate and all related financial matters;
- (iv) Arrangements for Customs and cargo documentation and forwarding of cargo;
- (v) Arrangements for procuring, processing the documentation and performing all activities required related to dispatch of cargo;
- (vi) Organizing arrival or departure arrangements for the ship;
- (vii) Arranging for the supply of services to a ship while in port.

## Need for a review:

- Concerns regarding the validity and relevance of the text were raised by FONASBA's members in the Americas in 2017, e.g.:
  - Actions of brokers included in agent definition (Article 2, see left)
  - Lack of clarity in relation to supervisory role of national authorities (Article 6)
- 30<sup>th</sup> anniversary of the Standards provided an opportunity to review the entire document in line with current practice
- Proposed to UNCTAD in January 2018 and passed on to UN/CEFACT



# MINIMUM STANDARDS PROJECT

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## Review Process/1:

- Initial review undertaken by FONASBA's Liner & Port Agency (now Ship Agent) Committee during 2018/19 and endorsed by the Committee plenary meeting in Miami October 2019
- Main changes:
  - Add IMO -FAL Definition of the ship agent
  - Expand the reference to fraudulent activities
  - Expand references to the need for relevant education
  - Introduce quality standards
- Other minor updates/clarifications as necessary



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## Review Process/2:

- Proposed revisions sent to UN/CEFACT in November 2019
- FONASBA invited to present proposals at UN/CEFACT T&L Domain meeting in Paris on 4<sup>th</sup> February 2020
- Project group established by UN/CEFACT on 17<sup>th</sup> February. Contributors included:

Jonathan C. Williams (FICS (project leader), Sue Probert (UN/CEFACT Chair), David Roff, ( T&L Domain Coordinator), Regina Asariotis, Hanane Becha, Estelle Igwe, Anila Premti, Mikael Lind and Ian Watt, ably supported by Lance Thompson



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# MINIMUM STANDARDS PROJECT

UN/CEFACT – ISC-PDA/T&L Ship Agent– P1088

UNITED NATIONS  
CENTRE FOR TRADE FACILITATION AND ELECTRONIC BUSINESS  
(UN/CEFACT)

INTERNATIONAL SUPPLY CHAIN PROGRAMME DEVELOPMENT AREA  
TRANSPORT AND LOGISTICS DOMAIN

RECOMMENDATION ON SHIP AGENT AND SHIP BROKER MINIMUM STANDARDS

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**SOURCE:** Project Team  
**ACTION:** Public Review  
**DATE:** 9<sup>th</sup> July 2020  
**STATUS:** Version for Public Review

## Review Process/3:

- The Project group has since met virtually on five occasions since then. Further amendments added to the FONASBA draft include:
  - Widening the scope of the Standards to include ship brokers
  - Enhancing reference to the IMO FAL Convention
  - Clearly recognising the use of electronic data exchange and the dangers of cyber crime
  - Specifically referencing partnerships alongside sole traders and companies



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RECOMMENDATION ON SHIP AGENT AND SHIP BROKER MINIMUM STANDARDS

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## Review Process/4

- The draft was made available for public review and comment on 20th June for 60 days
- The public review brought forward three comments and four proposals for changes to the current draft
- Same were considered by the Project group at its meeting on 1<sup>st</sup> October, which also completed drafting the text for review by the UN/CEFACT Bureau. The text is available at:

<https://uncefact.unece.org/display/uncefactpublic/Minimum+Standards+for+Ship+Agents>



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## Next Steps/Conclusion:

- Assuming the review by the Bureau does not raise any significant concerns, the draft will then be prepared for formal presentation to the April 2021 UN/CEFACT plenary session in Geneva for adoption and subsequent publication.
- An article on the Minimum Standards review is planned for the UNCTAD Newsletter at the end of this year as a means of raising awareness of the project and encouraging advance interest in the completed document.





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Thank you

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