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Institute of Chartered Shipbrokers

ewsletter

for Company Members

Issue 19 – Spring 2019



INSTITUTE OF
CHARTERED
SHIPBROKERS
Federation Council



Promoting professionalism in commercial shipping

N Institute of Chartered Shipbrokers ewsletter for Company Members

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Welcome

Steve Gillie FICS
Institute of Chartered Shipbrokers Federation Council Chairman

Welcome to the spring edition of the Federation Newsletter which features the port of Portsmouth. Everyone will be aware of Portsmouth's rich maritime heritage but many will be surprised to learn that it has only been a commercial port since 1976. It is of course well located for cross channel ferry operations as well as offering services to Spain and the Channel Islands.

I hope you will enjoy reading about Portsmouth's expansion into the cruise sector and in particular its ability to act as a turnaround port. In June, Portsmouth will also be playing a major role in the D-Day 75th commemorations with world leaders attending on the 5th June.

As I write the May examinations are almost upon us and we expect about 1,250 students to sit nearly 2,400 papers globally which is very encouraging and shows that education is a high priority for students' career development whilst benefiting employers' businesses. Doubtless, you will provide mentoring and generous revision time for your staff undertaking the PQE papers and I wish

them the best of luck.

Whilst on education I'm pleased to advise that another milestone has been achieved with the development of our Port Agent Apprenticeship Scheme. The scheme is approaching its end point assessment and we will keep you posted on its further development as it becomes closer to final approval and rollout. The scheme will help companies provide suitable training for their staff using the Apprenticeship Levy Scheme.

We are pleased to confirm that the Institute is launching a number of corporate courses, including a variety of short open courses at the London Shipping School including the Maritime World Explained. The Institute is also able to provide tailored courses for companies who have particular requirements. Further details regarding this initiative are explained on page 15 of this Newsletter.

Our current Light Dues contract with Trinity House expires on the 30th June and we are currently negotiating an extension. Company members of the

Institute remain the only collectors of Light Dues in the UK (other than Trinity House) and issued 20,456 certificates in 2018/2019. Federation Council remains a member of the Lights Advisory Committee to provide input from our members and their principals.

At the Federation Council AGM in October it was agreed that membership fees would be increased by 2.5% and this is reflected in the annual invoices sent to you recently.

Federation Council has representation at the HMRC Joint Customs Consultative Committee (JCCC) and continues to monitor the Brexit situation closely. The situation at present is confused to say the least, but we are organising for a representative from HMRC to provide briefings to our members via seminars to look at Brexit's potential impact.

Thanks for your continued support of the Institute and best wishes for the rest of the year.



Dates for your diary

6 Jun	Professional development courses - Maritime World Explained, London
17-18 Jun	IIMS Conference, London
27 Jun	Humber Branch AGM, Hull
3 Jul	Professional development courses - Introduction to International Trade and Maritime Law, London
22 Aug	Institute May exams results announced
4 Sept	Professional development courses - Maritime World Explained, London
20 Sept	Ireland Branch annual dinner and golf outing, Dublin
11 Sept	London & South East Branch LISW Seminar, London
16 Sept	Professional development courses - Fundamentals of Liner Shipping, London
24 Sept	Professional development courses - Fundamentals of Ship, Sale & Purchase, London
15 Oct	Professional development courses - Fundamentals of Dry Cargo Chartering, London
16 Oct	Professional development courses - Maritime World Explained, London

Your Federation Council

The Institute of Chartered Shipbrokers represents its company members through its trade association, Federation Council.

As a Council of the Institute, Federation acts as the representative body for Company Members. It is authorised to take decisions on behalf of the Company Membership, except where those decisions would affect the overall policy of the Institute, in which case any proposal shall require ratification by the Institute's governing body - Controlling Council.

Founded in 1984, Federation Council promotes and protects the interests of Shipbrokers, Managers, Port and Liner agents in consultation with the UK Government, statutory bodies and the European Commission. Federation is governed by a Council of 13 elected Company Member representatives together with the elected Officers of the Institute.

Federation manages a number of standing committees, which act and advise on behalf of members and the industry in their specific sectors.

Federation has permanent membership of a number of Government and industry consultative bodies, including HMRC, Home Office, DfT, Maritime UK, MCA and the Chamber of Shipping.

It is also the recognised Government national contractor for certain sector-specific shipping business activities controlled by HMRC, DfT, and Trinity House. Additionally, Federation links with international organisations including FONASBA, ECASBA, BIMCO, Baltic Exchange, INTERTANKO and INTERCARGO.

**Company members are supported
by a number of people within
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Company Member Logo

If you would like to add the company member logo to your webpage or to your stationery items, please do not hesitate to contact us for assistance.



Federation Council representatives 2018/2019

CHAIRMAN	Steve Gillie FICS	GT Gillie & Blair Ltd
VICE CHAIRMAN	John Grange FICS	Grange Shipping
COUNCIL REPRESENTATIVES	Alan Appleyard FICS Camilla Carlbom Robert Churcher Seb Gardiner FICS Richard Platts Allan Seedhouse Glyn Smy FICS Mark Stent MICS Barry Stokes FICS Richard Willis FICS	Casper Shipping Carlbom Shipping Tamlyn Shipping Quality Freight Kestrel Liner Agencies Frank Armitt & Son Ltd MSC UK Ltd Clarkson Port Services Clarksons Port Services LV Shipping Ltd
CO-OPTED	Andrew Jamieson MICS	ITIC
HONORARY MEMBERS	John Good FICS Charles Stride FICS	John Good & Sons Retired Fellow
EX OFFICIO	The Lord Mountevans FICS Theo Coliandris FICS Susan Oatway FICS Julie Lithgow	Institute President Institute Chairman Institute Vice Chairman Institute Director



Saga Pearl II departing on her farewell cruise

FOCUS

Portsmouth International Port

If you have an idea to feature in this section,
please contact us: federation@ics.org.uk

PORT

Portsmouth International Port

With a rich maritime heritage Portsmouth has been known for its naval links and ocean going trade for centuries. With that in mind, it might surprise many that Portsmouth International Port, formerly known as the commercial or continental ferry port, has only been in operation since 1976.

Owned and operated by Portsmouth City Council, the Port has grown extensively over the decades and is now the UK's most successful municipal port. Initially, it offered just one route to France from a small section of reclaimed harbour front, but is now considered a major UK port, and its commercial success means it contributed £7.8m this year to the council's budget.

With five berths, two commercial wharves, deep-sea access and an enviable location on the M275, it means the Port can cater for a wide range of vessels, alongside offering a hassle free start to

The Port has grown extensively over the decades and is now the UK's most successful municipal port

a holiday and a direct route for freight to Britain's motorway network.

Portsmouth International Port offers a wider range of ferry routes than any other UK port. Brittany Ferries, who recently signed a ten year contract with the Port, offer routes to Caen, Le Havre, St. Malo and Cherbourg in France, and also Bilbao and Santander in Spain. Condor Ferries operate ships serving St. Helier in Jersey and St Peter Port in Guernsey, with 95% percent of the fresh produce required for the island's stores passing through Portsmouth.

It is also an increasingly popular destination for cruise ships. There are excellent facilities for cruise customers,

with passengers keen to explore the world-class attractions on the doorstep, including the Emirates Spinnaker Tower, the Mary Rose Museum and HMS Victory.

In 2018 Portsmouth welcomed 48 calls and is looking to grow every year, with an ambition to reach over 100. Recent visitors in 2019 include PONANT's luxury mega yacht L'Austral, Viking's newest ocean going cruise ship Viking Jupiter, and also the much loved Saga Pearl II on her final cruise.

As a turnaround port, where ships take guests away on holiday, and a port of call, where ships visit a particular city as part of their itinerary, Portsmouth is ideally located for both.

For roll-on, roll-off freight, the Port's convenient location on the UK motorway network, and destinations that cut down on driving in France and Spain, Portsmouth International Port is a popular choice with hauliers, logistics



1960s showing Albert Johnson Quay on the left and Flathouse Quay on the right, before the ferry port was built.

FOCUS

In this issue our PORT FOCUS is Portsmouth International Port

companies and lorry drivers. A key route for Jersey Royal potatoes from the Channel Islands, salad from Spain, and the freshest produce from France; Portsmouth International Port is also able to handle a wide range of abnormal loads and delicate freight.

The Port is also a key destination for fresh fruit and vegetables from all over the world. Portico, recently rebranded from MMD Shipping Services, provides a number of services, including customs, shipping, stevedores, freight forwarding and cargo handling. However, they are probably most famous for handling over half the bananas eaten in the UK, before they head to supermarket shelves across the country.

They've also recently diversified into the project cargo market, utilising their two commercial wharves for handling wind blades for MHI Vestas and yachts for Peters & May. The bigger of the two

wharves is Albert Johnson Quay, which is 285 metres long, of which 240 metres is maintained to 7.3 metres below chart datum.

Recently, nearly £34million worth of investment for Portsmouth International Port was announced by Portsmouth City Council. £18.7m will go towards positioning Portsmouth as a leading competitor in the cruise market, and also significantly improving ferry operations.

The funding allows essential levelling work to take place on the cruise berth, which once completed means the Port could accommodate cruise ships up to 253m long, and also improve passenger access from the quay to the ship. Work will also include changes to the current terminal building, including a new baggage hall, which will allow them to handle cruise and ferry passengers more efficiently.



The terminal building at night.

Nearly £34million worth of investment for Portsmouth International Port was announced by Portsmouth City Council.



Early 1970s showing the construction of Berth 1



Mike Sellers, Port Director, Portsmouth International Port and MD of Portico Shipping Ltd

More information about Portsmouth International Port and Portico is available at portsmouth-port.co.uk and porticoshipping.com.

The investment includes plans to relocate the head office to a prominent location, improve access for customers and staff and freeing up a further 11,000 m2 of quayside storage for project cargo or up to 1,600 TEU's of containers.

The terminal building is already one of the most environmentally friendly public buildings in the UK. It is heated by thermal sea energy and cooled by the coastal breeze which is captured by wind catchers on the roof, and seawater harvesting used to flush the toilets. The spacious steel and glass terminal has airport style facilities, without the airport style queues.

The investment is also important for the port's customer Brittany Ferries and the arrival of their state-of-the-art environmentally friendly ship the Honfleur, followed by a further two more ships in 2021. It is a critical priority to replace the 30-year-old passenger boarding tower, required to get onto the ships. Currently in a poor state, the tower urgently needs replacing and built to modern, industry standards.

The remaining portion of the investment will go towards improving Portico's facilities. The investment includes plans to relocate the head office to a prominent location, improve access for customers and staff and freeing up a further 11,000 m2 of quayside storage for project cargo or up to 1,600 TEU's of containers. It will also allow significant restructuring of the site layout using automation to manage hauliers effectively and improved quayside space for handling cargo, all of which will

increase Portico's capacity and allow for larger ships to use the existing quays. Plans include £50m over 20 years to fully optimise the site, with £15m kick-starting the development for the first 10 years.

Looking forward to the rest of 2019, the Port will be playing a major role in the D-Day 75th commemorations. Fred. Olsen's MV Boudicca has been chartered by the Royal British Legion to carry 300 D-Day Veterans on a 'Voyage of Remembrance'. The voyage will set sail from Dover on 2nd June and will head to Dunkirk, France, and then Poole, before berthing in Portsmouth for commemorative events with world leaders on 5th June.

From there, Boudicca will follow the same route as those involved in the Battle of Normandy, travelling to Le Havre, France, on 6th June 2019, exactly 75 years after the D-Day Landings. Boudicca will again berth in Portsmouth on the 8th June, before returning to Dover.



UK and Ireland cruise industry hits two million passengers for the first time

Credits: Cruise Lines International Association (CLIA)

CLIA reveals figures from 2018 Cruise Review

Cruise Lines International Association (CLIA) has announced that the number of ocean cruises taken by UK and Irish passengers last year reached over two million for the first time. The UK and Ireland cruise industry hit a record 2,009,000 in 2018, surpassing the two million mark a year earlier than predicted and up two per cent from 2017.

The announcement is part of the CLIA Cruise Review industry report, which outlines annual global cruise travel figures including how many cruises were taken both globally and in regional markets.

Andy Harmer, CLIA UK & Ireland

director, said: "2018 was an impressive year for the UK and Ireland cruise industry. Surpassing the two million mark is a significant milestone, as it illustrates how cruise has become a major player within the UK and Irish travel sector.

"As only the second European market to reach over two million cruises and the fourth globally, this figure demonstrates the continued strength of cruising as a mainstream holiday choice in the UK and Ireland and is a testament to the industry's resilience

to economic and political changes."

Global Figures

Playing a significant role in international tourism, growth in cruising continues with an almost seven per cent increase from 2017 to 2018, totalling 28.5 million passengers globally.

Andy Harmer, CLIA UK & Ireland director, said: "CLIA and its cruise lines are committed to marrying the industry's growth opportunities with sustainability, to ensuring this growth is managed

Credits: Infographic: 28.5 million cruise passengers in 2018. Cruise Lines International Association (CLIA), the largest cruise industry trade organisation globally, published its 2018 global cruise passenger statistics. An almost 7% increase was seen from 2017 to 2018 in the cruising industry, reaching the 28.5 million passengers. According to CLIA, North American travellers continue embracing cruising, with an annual passenger increase of 9% (14.2 million passengers) in 2018. safety4sea.com/infographic-28-5-million-cruise-passengers-in-2018/



Fonasba² company log-in instructions

responsibly to ensure real benefits for destinations we visit, local communities and our guests.

“The water around and below us, the air above us, the communities around us, the people who work for us; all are critical factors when it comes to planning sustainable growth strategy for the cruise industry. With opportunity comes responsibility, and we are working as an industry to meet those responsibilities.”

European Figures

In 2018, European ocean cruise passenger numbers grew by 3.3 per cent against 2017, to 7.17million; following a two per cent growth the prior year.

Strong growth was seen in cruise passengers travelling to the Eastern Mediterranean, up 8.5 per cent to 746,000 passengers, which illustrates a beginning of a return to confidence in the region. Other areas seeing significant growth, from a smaller base, include the Canary Islands, up 9.6 per cent; and the Baltics, up 9 per cent.

The central and western Mediterranean region remains the number one destination for European cruise passengers, and saw growth up by 1.2 per cent, equivalent to 2.27m passengers. Northern Europe was up 4.8 per cent in 2018, to 1.43m passengers.

Andy Harmer added: “CLIA and its members are wholly committed to continue the responsible growth trajectory for the cruise industry. Sustainability lies at the heart of all we do, and no industry has a stronger interest in protecting oceans and destinations. Each day, across the cruise industry, individual cruise lines are working to improve upon this record through strategic partnerships, new technologies, and bold sustainability commitments.”



FONASBA have been working on a new website, FONASBA2, which is aimed at the companies in membership of our national associations. It is designed to allow them access to certain information currently in the Members' Area of the main site (so currently only available to FONASBA members) and also to further information that is currently in the public area of the main site but which should be better controlled, the responses to Membership Surveys are a case in point.

Access to FONASBA2 is strictly limited to companies that are bona fide members of FONASBA national

associations - company members of the Institute in Great Britain.

Registrations to FONASBA2 will be regularly monitored and any inadmissible applications cancelled.

INITIAL REGISTRATION

1. After logging-on at FONASBA2 at: www.fonasba2.fonasba.com, the registration page will appear.
2. Insert your username (which can be your email address), contact details, email address and password (see below) in the “Register” panel and then select your host member association from the drop down list.
3. The password must be at least of 8 characters, containing at least one number; one uppercase character; one lowercase character; and a special character e.g. asterisk, or brackets etc.
4. Click “Register”. If your registration is successful, you will receive an on-screen notification to confirm.

This facility will only be open for the first three months after FONASBA2 goes live. If the panel is not visible, contact your member association (details at: www.fonasba.com/fonasbamember/ fonasba-membership-list) and they will organise a username and password for you.

Access after registration

Simply enter your username and password in the “Association Members” panel and click “Login”..



A bold long-term vision for UK ports

Credits: Richard Scott FICS, member of London & South East Branch Committee

Seeking to imagine how an industry will evolve over a period stretching out over three decades ahead is a formidable challenge. Yet that is what a recently published official UK government report attempts to do for numerous aspects of the maritime scene. The view of UK port and harbour infrastructure included is among topics of particular interest.

Towards the end of January this year the UK Department for Transport with assistance from PA Consulting published a 336-page report entitled Maritime 2050 – Navigating the Future, after a twelve months investigation. An expert panel of senior business, professional and academic people contributed. Secretary of State Chris Grayling commented that the study is “bold and aspirational, cementing our ambition to be a world leading maritime nation long into the future”.

Contained within the report are extensive and detailed government commitments to provide assistance and help shape and promote a wide range of UK maritime activities over the period up to 2050. Among these are 8 wide-ranging pledges to support ports and harbour infrastructure development in the short term (1-5 years), medium term (5-15 years) and long term (15 years and beyond). Further related pledges of assistance are made under the heading of ‘port connectivity, the supply chain and logistics’.

Forecasting port traffic

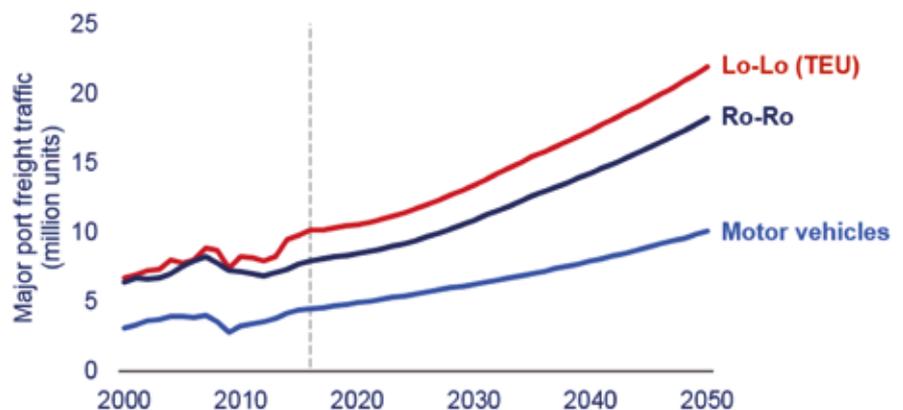
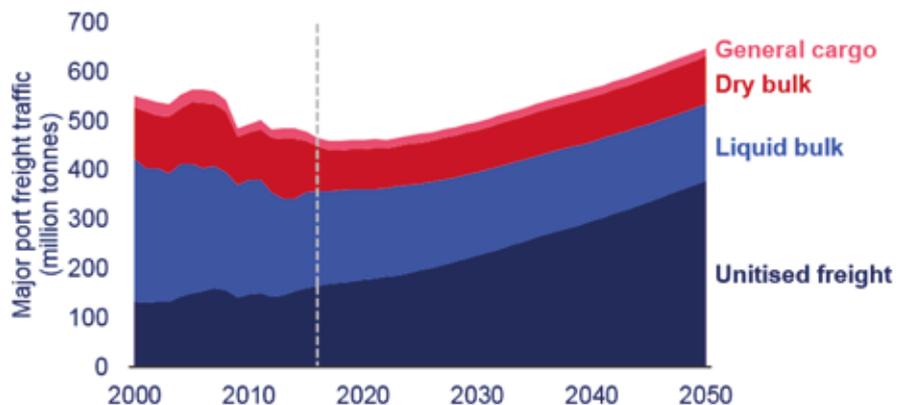
A forecast for UK port traffic during the next three decades provides background for ideas about the sector’s evolution. The UK DfT reveals that it has constructed its own in-house forecasting model. The Department stresses that predictions are “inherently uncertain” and that UK ports are heavily dependent on the performance of other sectors of the economy, for example the steel industry.

One graph in the report shows UK major ports freight traffic remaining relatively flat in the short term followed by growth. Detailed figures are not provided, but an eventual upwards trend in the total tonnage of unitted, liquid bulk, dry bulk and general cargo is evident in the graph, accompanied by a comment that the total in 2050 is forecast to be 39 percent higher than the 2016 (base year) volume. Incremental cargo volume envisaged apparently comprises well over 150 million tonnes (mt), raising the total to an estimate of over 600mt in 2050.

Several aspects of this prediction are emphasised. There is a suggestion that unitted traffic will be a prominent driver, but in the short term expansion could be partly offset by decreases in other categories. The report argues that

liquid bulk traffic will see the largest decline, almost entirely due to falls in crude oil volumes. Non-containerised general cargo trade is also forecast to decrease. In the dry bulk traffic category, a relatively large short-term decrease (mainly reflecting coal imports weakness) is envisaged followed by an increase over the longer-term.

Three specific cargo trades are not included in the foregoing categories because measurement is in different units. Another graph shows future trends in motor vehicles, roll-on/roll-off (ro-ro), and container unit volumes. The DfT model clearly suggests strongly rising trends over the period up to 2050, which the commentary explains as “all driven by economic growth”.



Secretary of State Chris Grayling commented that the study is “bold and aspirational, cementing our ambition to be a world leading maritime nation long into the future

The present port portfolio

According to Maritime 2050, around 95 percent of all goods imported into and exported from the UK are moved by sea, equivalent to 384mt of international cargo in 2017. When domestic freight services are included, the total reached 482mt, handled by over one hundred active commercial ports. Passenger services are also provided on a large scale, while a wide range of other activities is included. Characteristics of these ports – size, capabilities, cargoes and ownership types – vary greatly.

A feature emphasised is ports operating in a competitive market without ongoing public sector financial support. Against this background, UK ports provide attractive long-term projects for investors, and there is a successful track record of investment in new infrastructure in recent years. This infrastructure includes completely new container terminals and facilities for handling new cargoes such as biomass. Additional major projects are planned for the years ahead.

Specific investment projects cited for illustration are the second phase of works at Liverpool 2, the marina and offshore energy development at Milford Haven, and container terminal enhancements at Felixstowe, Hull and Immingham. The Aberdeen harbour extension project and quayside extension at Port of Dundee in Scotland are also highlighted. What changes are envisaged?

Underlining the difficult task of trying to envisage what will happen over the next 30 years, the Maritime 2050 report points out that changes in trade, commodities, consumer demand and policy have significant impacts on ports. As an example of how these influences can have big consequences, three of the largest UK ports thirty years ago -

Sullom Voe, Orkney and Medway - were no longer in the top 10 in 2017 (mainly reflecting changes in North Sea oil cargo volumes and locations). These three have been replaced in the top category by Liverpool, Dover and Belfast.

Further emphasising the problems entailed in making predictions for such a long period ahead, the report suggests that “future port infrastructure will be influenced by trade patterns and deals, technological developments, changes in the energy sector, in fuel consumption, in ship sizes and in manufacturing techniques”. Another idea is that

“physical infrastructure must be able to adapt to changes and disruptions while ensuring environmental and regulatory obligations are fully met”.

Greater specialisation in commodities handled at ports is envisaged, while it is likely that fewer ports will be involved in delivering the majority of goods and products to the UK. Some ports, it is suggested, will handle very different volumes and types of cargo. Also, ports will see greater diversification into new activities, including offshore activities in communication or energy generation or leisure.

The Government's 8 Commitments on Ports and harbour infrastructure

Short term (1-5 years)

Government will monitor the availability of funding to ports through commercial lending, identifying any market failures and developing plans to address these, together with the ports.

Government will review Port Master Plans Guidance, identifying opportunities to better support the sector across planning, environmental and connectivity issues.

Government will consider renewing the National Policy Statement for ports, to provide additional support if needed.

Government will implement a targeted programme of Port Economic Partnerships, for ports meeting specific scheme and success criteria, leveraging the maximum benefits from both government and industry investments.

Medium term (5-15 years)

Government will explore the feasibility of new infrastructure models (e.g. floating offshore ports) to support ambitious future development, and ensure these are responsive to land use and transport network challenges.

Government will create an environment conducive to the testing and researching of all technologies that would enhance our maritime infrastructure, initially holding a competition for ports to bid to be designated the UK 'National Port for innovation and testing'.

Long term (15 years and beyond)

By 2050, government anticipates that all commercially available land around UK ports will be in use or have a clear plan for future use.

The maritime sector will explore, within the framework provided by government, the business opportunities for greater confluence of transport modes to help drive cost effectiveness and time efficiency.

SUPPORT FONASBA'S 50th ANNIVERSARY BOOK!!

Credits: generalmanager@fonasba.com

How will this be assisted?

Designed to support the private sector in providing required investment, numerous UK government commitments are set out in the Maritime 2050 report. In the short term, the government has promised to monitor availability of port funding through commercial lending and help counteract any 'market failures', review and support Port Master Guidance Plans, consider renewing the National Policy Statement for ports, and implement a targeted programme of Port Economic Partnerships.

In the medium term, government commitments are to explore the feasibility of new infrastructure models, and encourage testing and researching of technologies enhancing maritime infrastructure. The longer term commitments are to have a plan for use of all commercially available land around UK ports, and to explore business opportunities for greater confluence of transport modes.

Evaluating the outlook

The long-term future view outlined in Maritime 2050 is surrounded by substantial uncertainty, as the report acknowledges. Accompanying pledges of government support for the UK ports sector during this period, while expressed in very definite language, may be seen as statements of intent rather than hard commitments. Nevertheless, a clear expression of government interest and involvement is tangible.

Any 'policy' based on a view of the future stretching out over three decades ahead is likely to be subject to change, perhaps great change. The report embraces, in many sections including that covering UK ports, the concept of the desirability of 'future-proofing' activities. But it is arguably difficult or perhaps even impossible to achieve such an objective,

when one certainty is that circumstances will change unexpectedly over such a long period. As a consequence, modification and revamping of previous plans probably will prove necessary, accompanied by more adjustment and adaptation.

An especially large uncertainty is how the UK's trade volumes and patterns will develop. Assumptions about, and expectations for these are a crucial input for any perspective on required port facilities.

The forecasts adopted in Maritime 2050 are apparently based on a cautious approach to expectations of trade growth. The quoted 39 percent cumulative expansion of UK port traffic by 2050 is equivalent to roughly a one percent compound increase annually. Nevertheless, such a forecast arguably is highly speculative, providing only one of many scenarios of possible outcomes. There is some value in providing a 'base' projection to illustrate how the trend may evolve, but whether that illustration provides a reliable guide to how the ports sector might develop is a more contentious aspect.

FONASBA is producing a high-quality hardback commemorative book, titled "FONASBA, the First 50" to celebrate its 50th anniversary.

The book will include a history of the Federation, information on its major initiatives and also feature contributions from the heads of major maritime sector organisations as well as former FONASBA Presidents.

The Chairs of FONASBA's three Standing Committees will share their visions for the development of the ship agency and ship broking sectors over the next thirty years. The book will additionally feature photographs from the FONASBA archives of personalities and events during its first half century of service to the international ship agency and ship broking community.

It will be officially launched at the Miami Annual Meeting and copies will subsequently be sent to each Member as well as to major industry bodies, international and regional legislators and others.

It therefore presents an excellent opportunity to promote your organisation within the highest levels of maritime regulation and decision making by sponsoring this publication through the placing of a congratulatory advertorial message in the book. Those organisations generously supporting the publication will also be specifically credited as sponsors inside the book.

We thank you in advance for your expression of support for FONASBA through the medium of our 50th Anniversary publication.

Please email generalmanager@fonasba.com for further details.



Trinity House completes re-engineering of Start Point Lighthouse

Credits: Trinity House

Trinity House upgrades the lighthouse with LED lights and a hazard warning signal for the improved safety of mariners.

Trinity House has completed the modernisation of Start Point Lighthouse in Devon, upgrading the site's aids to navigation and control systems to provide simplified maintenance and reliable performance that will extend the life of the station for a further 20 years.

Start Point Lighthouse—located close to the most southerly tip of Devon—was built by Trinity House in 1836 and automated in 1993. It provides a navigational light of character comprised of three white flashes every ten seconds that can be seen from Prawle Point to the west and across Start Bay to the east, as well as a red sector light that marks the Skerries Bank, a shallow area to the east of the lighthouse. A hazard warning signal sounds during low visibility conditions that blasts once every 30 seconds when visibility drops below one nautical mile.

Trinity House scheduled the lighthouse for a routine modernisation with a projected completion by March 2019; on-site works started early in 2018 with the installation of a new 600m supply cable that powers a borehole water pump, providing fresh water for the lighthouse and holiday cottages.

The installation necessitated the excavation and the consequent re-surface of a long section of the lighthouse access road; Trinity House managed with care the closure of the public right of way to the lighthouse, allowing the much-loved Southwest Coast Path to remain open throughout the work.

In September 2018 work started on the lighthouse itself, replacing the tower's old aid to navigation control equipment

and domestic electrical equipment with a new 230V AC system including new low power LED lighting, power sockets and heaters.

In December 2018, Trinity House decommissioned and moved the historical rotating optic from the Lantern Room to the visitor display in the Flag Room two floors down the tower.

After installing a new lantern platform and pedestal in the Lantern Room, two new flashing LED lamps were put in place as the main navigational light, and a new hazard warning signal was installed at the top of the tower. The 9 nautical mile red

sector light that Trinity House installed five years ago remains in place.

The re-engineering project culminated with a test period that will conclude a little later this year and the light is now fit to keep shipping and seafarers safe for the next 20 years.

Upon completion of this project, the lighthouse visitor centre will re-open to the public. Information about visits is at

<https://www.trinityhouse.co.uk/lighthouse-visitor-centres/start-point-lighthouse-visitors-centre>



Credits: Wikimedia Commons



LONDON SCHOOL OF SHIPPING

Visit our website.
www.shipping-school.com
For all details and to book call us:
+44 (0)20 7357 9722
or drop us an email:
shipping-school@ics.org.uk

The London School of Shipping is part of the Institute of Chartered Shipbrokers, conveniently located near London Bridge, where we have flexible state-of-the-art conference and training facilities.

The School's programmes are led by experienced course leaders supported by visiting expert practitioners from the extensive London maritime community.

The School offers study programmes in preparation for the Institute's examinations and a range of professional development courses in specific industry sectors.

STUDYING TOWARDS RECOGNISED QUALIFICATIONS

The London School of Shipping offers a broad range of study programmes in preparation for the Institute's examinations leading to recognised industry qualifications.

The School offers 12 Foundation and 12 Advanced Diplomas and the Institute's Professional Qualifying Examinations - PQE leading to Membership.

Every year, from September to May, the School runs **evening classes** for each of the subjects covering the Institute's syllabus. Each subject's programme is covered over 12 modules including a mock exam. Classes are complemented with topical seminars scheduled through the year.

WHAT'S INCLUDED IN THE EVENING CLASS'S BUNDLE

- Registration for full academic year
- Examination entry
- Two semesters including 12 classes and tutorials
- Text book and course materials
- Dedicated on-site expert tutor
- Practice assignments assessed by personal tutor
- Mock exam

“ Within months of passing my Institute's exams, I was able to secure a new job working in a tanker

operations department. I soon found I was drawing on the knowledge gained as a direct result of studying for the exams. I was surprised at just how relevant each of the different subjects were.

”

Stuart Robertson
Lykiardopulo & Co Ltd, London

PROFESSIONAL DEVELOPMENT COURSES

The London School of Shipping offers an additional extensive range of **short face-to-face programmes** in commercial shipping disciplines, ideal for new starters or those working in the business looking to further their knowledge in specific industry sectors.

The courses are held in our modern conference facilities close to London Bridge.

- **Maritime World Explained**
- **Introduction to International Trade and Maritime Law**
- **Fundamentals of Liner Shipping**
- **Fundamentals of Ship, Sale & Purchase**
- **Fundamentals of Dry Cargo Chartering**
- **Bills of Lading**



- Learn first-hand from expert tutors
- Enhance your professional knowledge and career prospects
- Modern facilities in the heart of London, the world-leading hub for maritime services
- Fully inclusive affordable method of study provided on a not-for-profit basis

CALENDAR

Maritime World Explained

Duration: 1 day
Date: Thursday 6 June
Date: Wednesday 4 September
Date: Wed 16 October
Date: Wed 13 November

Introduction to International Trade and Maritime Law

Duration: 3 days
Date: Wednesday 3 – Friday 5 July

Fundamentals of Liner Shipping

Duration: 2 days
Date: Monday 16 – Tuesday 17 September

Fundamentals of Ship Sale & Purchase

Duration: 2 days
Date: Tuesday 24 – Wednesday 25 September

Fundamentals of Dry Cargo Chartering

Duration: 2 days
Date: Tuesday 15 – Wednesday 16 October

Bills of Lading

Duration: 2 days
Date: Wednesday 13 – Thursday 14 November

Letters of Indemnity

Credits: Carlos Vazquez, The Charterers P&I Club.



This article reflects on the dangers of giving or accepting LOIs and how they can be mitigated in circumstances where Club cover will not be available.

Types of LOIs

LOIs for Delivery of Cargo without production of the bills of lading

Despite the absolute obligation required as a matter of English law to deliver the cargo only upon presentation of original bills of lading, charter parties in the dry and liquid bulk sectors will invariably contain a rider clause stating that Owners/Master are to discharge and deliver the cargo to a certain nominated person if the vessel arrives at destination before the bills of lading against the offering of an LOI covering the potential losses that may ensue following delivery in this fashion.

It is indeed quite common nowadays that by the time the bills of ladings are negotiated through the banking chain and made available to the final cargo receiver, the ship has already completed her contracted voyage and is ready to discharge. In such circumstances, the buyer of the goods will want his cargo to be delivered as soon as possible despite not having the original/duly endorsed bill of lading in his possession. He achieves this through the posting of an LOI in standard Club wording. Pursuant to this LOI, the buyer undertakes to indemnify the Seller/sub-charterer who in turn will indemnify his disponent owner (if any) with a (usually) back to back LOI, which is then offered to the Head Owner, normally the contractual carrier under the bill of lading and therefore the party most exposed to claims in the first instance and whose asset (the ship) is at the mercy of the claimant for a potential arrest as security for his claim.

In most cases the cargo is delivered uneventfully to the lawful consignee

or named party shown on the LOI and eventually the original bills of ladings are handed over to the contractual carrier for cancellation. However, there may be instances where, for example, the financing bank of the cargo purchase has not been paid for a cargo that has already been wrongfully delivered to a third party. In such circumstances, the bank will be quick to assert they are the legitimate holders of the bill of lading and commence legal action against the Carrier in tort or for conversion, mindful of the fact such Carrier will likely have deep pockets to respond. Such a claim can be well over the value of the cargo itself and, as mentioned above, will frequently result in the vessel being arrested as security.

It is indeed quite common nowadays that by the time the bills of ladings are negotiated through the banking chain and made available to the final cargo receiver, the ship has already completed her contracted voyage and is ready to discharge.

LOIs for Delivery of Cargo at a port other than that mentioned in the Bill of lading

A similar request is often made to discharge the cargo at a port other than that mentioned in the bill of lading. Again, complying with such a request may expose the Carrier to claims for wrongful delivery or deviation which will deprive the Carrier of any Hague-Hague/Visby Rules (or other applicable convention) defences and indeed prejudices his P&I Club cover.

While existing legal authorities suggest enforceability may not be an issue in

either of the above two (highly common) scenarios, Assureds nonetheless are taking a gamble and should take proper checks on the issuer of any LOI. After all, LOIs, unless counter-signed by a bank, are a mere piece of paper which are dependent on the willingness of the party giving it to honour its obligation and its financial strength to do so. This risk becomes more critical when Assureds are trading with third parties with whom they have had no previous dealings and who are located in difficult jurisdictions.

LOIs issued pursuant to fraud

There are however occasions when requests are made to insert inaccurate or incorrect information on the bills of lading against an LOI. This can include requests to issue clean bills in circumstances where the cargo is not in apparent good order or condition or requests to issue ante-dated or post-dated bill of lading to allow compliance with the requirements of an underlying letter of credit. Indemnities of this type are not legally binding and are therefore unenforceable as they flagrantly misrepresent the true position to the detriment of innocent third parties. Needless to say, claims arising from complying with requests of this nature are expressly excluded under The Charterers Club Terms and Conditions.

LOIs issued to comply with other various requests

In our day to day dealings at the Club we come across many other types of LOIs covering a variety of scenarios. This includes the issue of switch bills of lading, the performance of certain operations (like co-mingling of liquid cargoes or STS transfers), the embarking of certain personnel (like supercargoes or fumigators), calling at certain ports/berths that are subject to seasonal weather phenomena (like swell) and, generally, requests to perform certain actions that

Being able to quickly enforce an LOI is key to a party exposed to claims that may run into millions of dollars.

may not be envisaged in the charter party or that entail an enhanced risk. Again, we will struggle to cover these liabilities so immediate assistance and advice should in these circumstances be sought from the Club.

Enforceability

Being able to quickly enforce an LOI is key to a party exposed to claims that may run into millions of dollars. Failure to do so may have catastrophic consequences on the Carrier or other party beneficiary of the LOI. Naturally those LOIs issued with a view to committing fraud as discussed above will not, as a matter of law, be capable of enforcement. Enforceability may however be possible if there is a genuine doubt in relation to the condition of the cargo or there is a very minor dispute as to clausing so that it is not worthwhile establishing the true position.

It is also important to highlight that the English Courts have been prepared to allow enforcement of an LOI issued by a third (solvent) party despite there not being a contract in place with the party seeking enforcement. This is achieved by referring to the Contracts (Third Parties) Act 1999.

Standard Club Wordings

Conscious of the fact that LOIs are a necessary evil, the International Group of P&I Clubs have produced recommended wordings aimed at assisting owners or charterers that have voluntarily or contractually accepted an LOI from the risk of experiencing potential difficulties with regards to proper engagement and enforcement. Recent reviews of the standard LOIs wordings include new language to the effect that delivery under the LOI is validly achieved if made to the named Receiver X “or such other party as you [the Carrier] believe to be or to represent X”. This extra wording has



proved extremely useful as discussed in a number of recent High Court cases mentioned hereunder.

Latest Rulings

The case BREMEN MAX discussed in our Circular (No 010/2010) was a wake up call to the industry as it required delivery to be made strictly to the person named as receiver in the LOI failing which the LOI will not respond. This often resulted in Carriers struggling to enforce the LOI on grounds it had not been properly engaged as delivery, in the

confusion ascertaining the capacity and/or authority of the person at the discharge port lawfully entitled to receive the cargo, was allegedly made to the wrong party. The new wording introduced by the IG Clubs as commented above was key in defeating attempts to enforce LOIs protecting the Carrier against losses for wrongful delivery presented by the financing banks involved in the cargo purchase. In the cases “ZAGORA” (see our e-bulletin of 24 January 2017) and “THE SONGA WINDS” the parties giving an LOI asserted that the LOIs had

A party accepting an LOI will be assuming risks which are often underestimated.

not been properly triggered as delivery had been made to the wrong party. In particular, the capacity and scope of authority of the person appointed to handle discharge operation at destination was put into question. In both cases the judge sympathised with Owners by ruling, *inter alia*, that at all times the Owners genuinely believed they were delivering the cargo to the person who they believed was acting on behalf of the named receiver.

Also in the *SONGA WINDS* case [2018] EWCA Civ. 1901, the Court of Appeal has provided important guidance on the applicability of charter party time bar provisions to LOIs when the Court was asked to look at the interrelationship between LOIs and charter party time bar provisions. The Court ruled that an LOI is a stand-alone written contractual agreement which would not automatically incorporate charter-party provisions such as a time bar.

The *ZAGORA* case referred to above also serves to reinforce the need to ensure the party offering an LOI is solvent and reliable. In this case, the head owner was able to enforce the LOI he received as security from the disponent owner thus recovering substantial losses incurred following the arrest of his ship. However, said disponent owner was unable to cash the “back to back” LOI he was given by the sub-charterer meaning he had to absorb all the losses without the possibility of recourse and no insurance to respond.

Dangers of using an LOI

A party accepting an LOI will be assuming risks which are often underestimated. The widespread use of LOIs in international trade has resulted in commercial parties becoming more relaxed in terms of adequately assessing their potential exposure. It is well known

When receiving an LOI Assureds should check they are adequately protected in the event of a claim.

in the industry (and our Assureds are no exception) that standard Club cover will be prejudiced in respect of wrongful delivery claims resulting from the cargo being discharged absent the original bill of lading. The only insurance available to the Carrier is the actual LOI produced by his counter-party. And there lies precisely the danger. Is the person offering such LOI trustworthy? Has he got sufficient funds in the bank to respond in the event of claim?

Assureds may, depending on their position in the charter party or sales and purchase agreement chain, be offering or receiving an LOI. When receiving an LOI Assureds should check they are adequately protected in the event of a claim. This will include ensuring that:

- the charter expressly requires them to accept an LOI when presented with certain requests;
- the reliability and financial strength of the person granting the indemnity;
- the person signing the LOI has proper authority to do so;
- the wording is suitable and wide enough to encompass all potential liabilities;
- it does not contain time bars that may potentially affect its future enforcement;
- is addressed to Owners/Disponent Owners/Charterers of the vessel;
- the Rights of Third Parties Act 1999 is included thus allowing enforcement on third parties down the LOI chain if widely addressed as

per the bullet point above;

- the LOI is properly engaged by delivering to the party named on the LOI (for example by conducting proper enquiries on the identity of the party that has been nominated to accept delivery);
- the LOI is counter-signed by a bank (though this expectation is commercially unrealistic).

While LOIs in the chain will invariably be back to back, Assureds having to give an LOI will need to consider the above points save that they would want to make the LOI as restrictive as possible by limiting its life, capping its liability, excluding the Third Parties Act, addressing only their contractual counter-party and generally narrowing its wording.

Club Cover

The consequences of delivery without production of the original bill of lading or generally for agreeing to comply with certain requests that will deprive the Assured of standard defences against the use of LOIs, are expressly excluded from Club cover irrespective of any indemnities obtained from other parties. This is in line with the position adopted by other P&I Clubs. SOL (deviation cover) may be considered as an option by Assureds upon consultation with the Club underwriters.

The Club would nevertheless be happy to advise on suitable wording for any such indemnities if required.

Institute's President Lord Mountevans receives Seatrade Lifetime Achievement Award



On Monday 6th May the very best of maritime ambition, success and innovation were recognised at the Guildhall ceremony in London.

The winners of Seatrade Awards 2019 were announced at the renowned awards ceremony in front of a powerful network of maritime industry professionals. Companies from all over the world showed their strength after a rigorous shortlisting process.

Jeffrey Mountevans received the Seatrade Lifetime Achievement Award.

The Lord Mountevans is a Shipbroker and has been President of the Institute of Chartered Shipbrokers since November 2018.

"Our Lifetime Achievement Award winner this evening has been involved with the shipping industry and in the governance of the City of London. In linking these two

The Lord Mountevans, Chairman, Maritime London & President, Institute of Chartered Shipbrokers

roles, he has become a thought leader for the industry in this country," remarked Chris Hayman, Chairman, Seatrade.

Holding an event in London? Need a meeting room?

Company Members and members can hire the facilities at 30 Park Street near London Bridge station at a reduced rate.

For details and to book please contact us at federation@ics.org.uk



Port Agent Apprenticeship Update

As previously reported, the Institute is facilitating an employer trailblazer group to develop a Port Agent Apprenticeship scheme in England.

Finding and keeping high quality staff within a tough business environment is a challenge faced by most, if not all, port agency companies regardless of company size or location. Federation Council has debated this issue at a number of meetings, trying to identify how best to support our members. As a Council within the Institute of Chartered Shipbrokers, our emphasis has always been on the qualification and examination of skills and knowledge, not the teaching or mentoring needed to prepare young agents to be competent and productive in their role.

This project will support employers through subsidised training and employment and also in the provision of defined training and skills to new employees (and may even apply to

current employees who can be moved onto apprenticeships).

The Expression of Interest was lodged with the Department for Education and approved.

We are now delighted to let you know that the next milestone has been completed with the Standard being accepted and published by the Institute for Apprenticeships. The Standard can be found at:

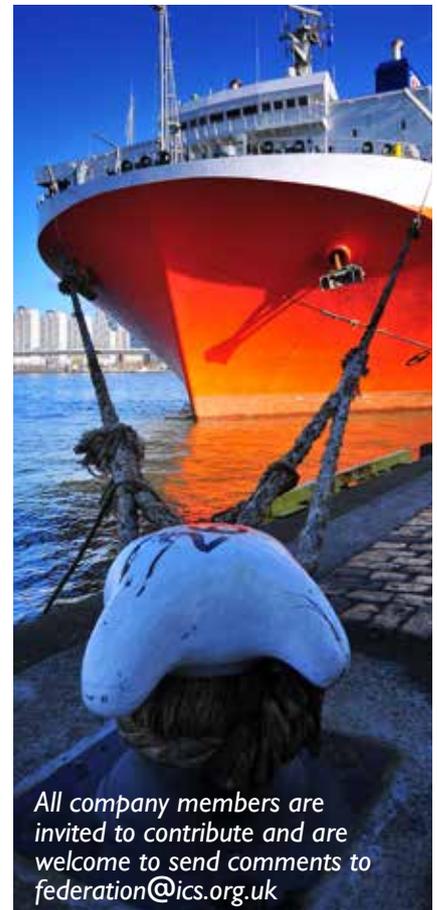
<https://www.instituteforapprenticeships.org/apprenticeship-standards/port-agent/>

The apprenticeship standard covers a detailed occupational profile and the main tasks of a port agent. It also defines the knowledge, skills and behaviours of a port agent and covers what employers need for occupational competence.

We are now developing the End Point Assessment which is the independent assessment at the end of the apprenticeship training to ascertain whether they have achieved occupational competence.

The Institute can't shape an apprenticeship End Point Assessment that will be fit-for-all without the input of our company members so we need your help and input.

We would like to thank all the company member trailblazers who have already and continue to contribute to this project.



All company members are invited to contribute and are welcome to send comments to federation@ics.org.uk

CIRCULARS

Customs Information Papers issued

Customs Information Papers (CIPs) are released throughout the year and we try and keep this list up to date for you.

Please note that all Customs Information Papers issued are available directly from the Government website at: <https://www.gov.uk/government/collections/customs-information-papers--2>

Alternatively you can access them from the Institute website page at: <http://www.ics.org.uk/membership/knowledge-hub>

2019

Customs Information Paper (11)
Additional rates of duty on goods from the USA

Customs Information Paper (9)
Authorised Economic Operator Central Site change of address

Customs Information Paper (8)
Authorised Economic Operator application C117 and Self-Assessment questionnaire C118

Customs Information Paper (7)
New Computerised Transit System Transit Declaration Completion

Customs Information Paper (6)
Registered Exporter (REX) system incorrect use of Generalized System of Preferences form A

Customs Information Paper (5)
Extension to implementation date of the change in approach on indirect representation for some customs authorisations holders

Customs Information Paper (3)
Change of address for the submissions of rejected imports claims

Customs Information Paper (2)
Preferential trade deal between the EU and Japan

Customs Information Paper (1)
Tariff changes for countries in the General System of Preference

2018

Customs Information Paper (19)
Additional customs duties on products from the USA

Customs Information Paper (18)
Reassessment of open ended customs authorisation

Customs Information Paper (17)
Approval of internal temporary storage facilities - remote

Customs Information Paper (16)
Changes to approved depositories

Customs Information Paper (15)
Check the statistical threshold for the UK in 2019

Customs Information Paper (14)
Show your CITES import permit at the first point of entry in to the UK

Customs Information Paper (13)
Changes to customs tariff rules on imported aircraft parts

Customs Information Paper (12)
Application of the REX System by GSP Beneficiary Countries



Federation Companies 2018/2019

List of company members with Federation Council

UK liaison office

Aberdeen

ASCO Group PLC
Fathom Offshore Services Limited
Petersons (UK) Limited
Searoute Port Services Ltd

Ardrossan

C.A. Mair (Shipping) Ltd

Barrow-in-Furness

James Fisher Shipping Ltd

Bedington

Cory Bros Shipping Agency Ltd

Belfast

Hamilton Shipping Ltd
Doyle Shipping Group (Belfast) Ltd
Johnson Stevens (NI) Ltd

Belvedere

PD Shipping & Inspection Ltd

Berwick

Berwick Harbour Commission

Birkenhead

Sterling Shipping Agencies

Birmingham

Pan Line Ltd

Bristol

Osprey Shipping Ltd

Cardiff

Bay Shipping Ltd
Cargo Services (UK) Ltd

Dover

George Hammond PLC

Dundee

Kinnes Shipping Ltd

Ellesmere Port

Quality Freight (UK) Ltd

Falmouth

Falmouth Petroleum Ltd

Felixstowe

China Shipping (UK) Ltd
Grange Shipping Ltd
Maersk Line UK & Ireland

Glasgow

Henry Abram & Sons Ltd

Goole

Danbrit Shipping Ltd

Grangemouth

Denholm Wilhelmsen Ltd
GAC Shipping (UK) Ltd
W. Knight Watson & Co Ltd

Grimsby

Inchcape Shipping Services Ltd

Hull

Ahlmark Shipping (UK) Ltd
Dan Shipping & Chartering Ltd
J R Rix & Sons Ltd
John Good Shipping Ltd
Thos. E. Kettlewell & Son Ltd
Yorkshire Shipping Ltd

Hythe

ChannelPorts Ltd

Immingham

Carlbon Shipping Ltd
DFDS Tor Line PLC
Eimskip Ltd
Graypen Ltd
Lockwood Shipping Ltd
PD Port Services Ltd

Ipswich

Clarkson Port Services Ltd
MSC (UK) Ltd
Nidera UK Ltd

Kirkwall

John Jolly (1978) Ltd

Liverpool

ACL (UK) Ltd
CMA CGM (Shipping) Ltd
Warrant Group Ltd

London

Baltic Exchange (The)
Braemar Seascope Ltd
Chamber of Shipping (The)
Clarksons PLC
E A Gibson (Shipbrokers) Ltd
Galbraiths Ltd
Greek Shipping Cooperation
Intercargo
Kennedy Marr Limited
O'Keeffe & Partners
S5 Agency World Ltd
Sequana Maritime Ltd
Simpson, Spence & Young Ltd

Middlesbrough

Casper Shipping Ltd
Cockfield Knight & Co Ltd
LV Shipping Ltd

New Holland

New Holland Dock Wharfingers Ltd
New Holland Shipping Ltd

Newcastle

G.T. Gillie & Blair Ltd

Newport

Tata Steel UK Ltd
TU Agencies Ltd

Northfleet

Seacon Terminals Ltd

Par

Imerys Minerals Ltd

Penarth

Harvest Agency Services Ltd

Plymouth

Victoria Wharves Ltd

Portslade

Shoreham Port Authority

Portsmouth

MMD (Shipping Svcs) Ltd

Ripon

International Marine Survey Ltd

Rochester

Armac Shipping Services Ltd
Intrada Chartering Ltd

Rochford

Active Chartering Ltd

Runcorn

Frank Armitt & Son Ltd

Scunthorpe

Flixborough Wharf Ltd

Shoreham-by-Sea

Lacy & Middlemiss Ltd
Shoreham Port Authority

South Shields

NSA UK Ltd

Southampton

Wainwright Bros & Co Ltd

St Helier

St Helier Port Services Ltd

St. Peter Port

Allied Coasters Ltd

Stallingborough

Selvic Shipping Services Ltd

Stansted

Kestrel Liner Agencies Ltd

Teignmouth

Pike Ward Ltd

Tilbury

Wijnne & Barends UK

Upminster

Thurley & Co Ltd

Warrenpoint

Anley Maritime Agencies Ltd

Warrington

EMR Shipping Ltd

Non-UK liaison office

Guayaquil

Andinave

Geneva

SGM Shipping Services SA

Georgia

Assa Trans Caucasus

Limerick

Argosea Services Ltd

Mullock & Sons Ltd

Lome, Port De Peche

Oil & Marine Agencies Ltd

Nicosia

Spanaco Shipping Services Ltd

Oslo

INTERTANKO

Singapore

Moore Stephens LLP

New Asia Shipbrokers Pte Limited

St Petersburg

Kalinka Shipping Ltd

