

Association of Ship Brokers & Agents (USA), Inc.



INTERTANKO NORTH AMERICAN PANEL

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HOUSTON, TEXAS

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Ship Agent's Responsibilities



In Advance of Vessel Arrival:

- * Coordinates proper and timely ordering of Pilots, Tugs, Line Handling
- * **Coordinates proper and timely notification to government and port officials of arrival/berthing arrangements**
- * Coordinates docking schedule with local terminal operators
- * **Insures the vessel meets draft/berth restrictions and tides for safe entry and departure from port**
- * Coordinates each shift from berth to berth
- * **Files Preliminary Permit prior to vessels arrival with U.S. Customs and Border Protection to conduct cargo operations**
- * Prepare and calculate an estimated port disbursement prior to vessels arrival so agency is in receipt of funds prior to vessel arrival

Oversight Functions:

- * **Insures vessel has filed 96 hour USCG E/NOA (Notice of Arrival) and/or provides USCG E/NOA service when requested**
- * Insures vessel has complied with U.S. Customs and Border Protection ACE reporting requirements and/or provides ACE services as requested
- * Insures vessel has met U.S. Customs and Border Protection (APIS) bond requirements for crew
- * **Insures vessel has filed a Water Ballast Report prior to arrival as per National Ballast Information Center requirements**
- * Confirms with Master that all crew have U.S. Visa's for reporting to U.S. Customs and Border Protection prior to vessel arrival into port
- * **Insures tank vessel has valid U.S. Coast Guard Certificate of Compliance to conduct cargo operations without delay**
- * **Ensures that Bills of Lading's are issued and released as per Master's and Owners requirements**

Ship Agent's Responsibilities



Upon Vessel's Arrival:

* **Tendering Notice of Readiness**

* Agent boards vessel on arrival and is available at start and finish of cargo operations and as requested by Master, Owners and charterers

* **Coordinates and attends U.S. Customs and Border Protection entry and clearance appointment**

* Coordinates, via fax and telephone, mandatory internal terminal security transportation for crew, repair personnel, owners representatives to/from vessel

* Coordinate launch service – if required

* Prepares timely gate lists for all visitors, surveyors etc. to/from vessel at each terminal and for Master as per ISPS regulations

* Coordinate and request special security zone waivers for each vessel transit by fax and telephone with U.S. Coast Guard

* Coordinate all U.S. Coast Guard matters i.e., USCG COC exams, anchorage procurement, ISPS verification exams and Port Security Exams

* **Supervising operations and ensuring efficient dispatch of the vessel**

* Coordinates all Owner requirements:

Cash to Master, spare parts, crew changes, ship provisions, deck and engine supply, laundry service, freshwater, Life Raft repair/inspections, repair services etc.

Communications:

* Daily communications with Principal, as well as appropriate terminal personnel, shippers and receivers, vendors and government agencies

* Provides update to principals giving port activity, berth line up of vessels scheduled to call berth and estimated completion/sailing times etc.

* **Maintains a Port Log/Statement of Facts as required by our principal and local regulations**

Ship Agent's Responsibilities



Arranges for Vessel's Departure:

- * **Ensures that vessel clearance requirements are in order at time of vessel departure.**
- * **Agent submits timely final disbursement account to ship owners after ships departure**
- * Maintain Customer IT portals

Professional:

- * Exercises care, skill and diligence
- * Maintain the agent's duty of confidentiality
- * **Relationships with port service providers and government officials**
- * Monitor the quality of services provided by vendors.
- * Reviews all related vessel invoices for accuracy in terms of service time and published tariff, if available.
- * **Update principals of changes and/or proposed changes in pertinent Federal, State & Local regulations.**
- * **Participation in maritime community forums and committees to advocate for safe & cost effective services and regulations.**

NOT ASBA Certified



ASBA Certified/FONASBA Quality Standard Agency Companies (USA & Canada)

A.R. Savage & Son

ACGI Shipping, Inc.

American Shipping & Chartering

Biehl & Co.

Blue Water Shipping Company

Fillette Green Shipping Services

GAC

General Steamship Agencies

Inchcape Shipping Services

John S. Connor, Inc.

Lott Ship Agency

Luis A. Ayala Colon Sucrs.

Max Shipping, Inc.

Mid-Gulf Shipping Company

Moran Shipping Agencies

Moran-Gulf Ship Agencies

Newship

Nord-Sud Shipping, Inc.

Norton Lilly Intenational

Peabody & Lane Corp.

Riley-Sherman Shipping Agency

Southport Agencies, Inc.

T. Parker Host, Inc.

Tormar, Inc.

Transmarine Navigation Corp.

USG Services, LLC

Valls Shipping Company

Valls-Sunshine Shipping, Inc.

ASBA's Guidelines for Certification



Abide by the ASBA Code of Ethics

Standards of Financial Responsibility

Retain an **external CPA** for issuance of an annual “**Agreed Upon Procedure Report**”

Amounts due from/to principals in company's general ledger are supported by detailed receipts to agree to the general ledger.

Detailed accounting/reporting by principals includes

Cash receipts and disbursements (by invoice) with total amounts due to/from the principal agree in total at end of reporting period.

Maintain separate files for principals to include supporting documentation.

All transactions for principals must be supported by invoices and/or receipts.

Management certifies that undisputed accounts are settled in accordance to agent's agreement with principals and vendors

Insurance Coverage

Automobile Coverage

Workmen's Compensation for USL&H

Liability Coverage – minimum of 1 million dollars per event

Industry Experience - At least one year in the business.

Employees are Trained and Professional

Ship Agents must provide on the job training or participate in member or ASBA provided training seminars.

Ship Agents must successfully complete the ASBA Ship Agent Exam

ASBA Ethics & Grievance Committee is the Governing Body should issues of noncompliance arise

Value of Quality Standards Survey



Survey of Owners/Operators/Charterers
conducted at the ASBA Cargo Conference Sept. 2013

Appointment Criteria from most to least important:

Fiscally Responsible

Past Experience with the agent

Agent's experience with the cargo

Agent's experience with the vessel type

Trained Boarding Agents

Insurance Cover

Broker or Charterer Referral

Agency Fee

INTERTANKO Agency Clause



August 2008

The Association's Documentary Committee has reviewed its agency clause. The clause has been tightened up regarding the requirement for the agent to have ISO or equivalent certification.

"Where charterers under this charterparty have the right to nominate the vessel's agents at any port and they wish to exercise such right, they shall do so at the same time as the nomination of such port and they shall exercise due diligence to nominate agents who are reliable, competent, competitive in price and service and have ISO 9001 or substantially equivalent certification. If charterers fail to nominate the agents at the time that the port is nominated then owners may reject any subsequent nomination of agents by charterers. The appointment of such agents is subject always to owners' right to appoint protective agents in any port if they so wish."

FONASBA QUALITY STANDARD



Argentina

Australia

Belgium

Brazil

Croatia

Cyprus

Denmark

Finland

France

Hungary

Israel

Italy

Japan

Malta

Morocco

Norway

Peru

Portugal

Slovenia

Spain

Sweden

United Kingdom

United States of America

APPOINT ASBA Certified/FONASBA QS Agency Companies



Action Items:

1. USE the INTERTANKO Agency Clause
2. EMBRACE the INTERTANKO Code of Conduct
3. INCLUDE ASBA Certified/FONASBA QS as a component of your Quality Management System
4. REQUIRE your ship agency providers to be ASBA CERTIFIED/FONASBA QS



THANK YOU!

