

CORRESPONDENT NEWS CLIPPING

Issue No.1

China P&I Club

I LOCAL



Argentina

Source: *LESMI & MORENO ABOGADOS

The Argentinian Maritime and Fluvial Workers Federation issued an announcement on 12 June that given the malicious negotiating stance of the Argentinian Tug Owners Chamber, they would continue the strike and would not perform any “special services” in any Argentinian port except where so required by the Maritime Authority. All tug owning companies except for Svitzer Argentina S.A.U. would stop providing services in all Argentinian ports. The strike was ended on 17 June and tug activity is back to normal since then.

Brazil

Source: Brazil P&I

Brazil P&I has updated No.7 to No.24 Lighthouse Bulletin, covering topics such as Brazil’s agriculture exports,

Algeria

Source: NEFFOUS SHIPPING & CONSULTING

The Algerian Code of Civil and Administrative Procedure has been amended by Law No. 22-13 of 12th July 12, 2022, creating the specialized commercial court with 12 competent courts to deal with maritime disputes, air transport and insurance relating to the commercial activity. Any legal action must first be the subject of an attempt at conciliation and mediation before the territorially competent court. Conciliation lasts on average three months. If the conciliation hearing remains unsuccessful, a report of non-conciliation will be drawn up and the plaintiff will return to the same court to initiate his action and claim his rights.



port tariff reduction, and IMO Audit in November. Brazil P&I Circular 006 was issued to point out that there is a shortage of warehouses for 118.5 million tons of grains in Brazil. Inadequate storage, in silo bags or in the open air, can lead to moisture or contamination of commodities such as soybeans and corn. Services provided by inspectors before and during loading to verify the quantity, conditions and quality of the product to be shipped can help prevent carriers from being held responsible at the final destination.



Source: Proinde

The Port Captaincy in the Port of Santos has been actively monitoring vessels that anchor outside the anchorage areas indicated in the charts published by the Brazilian Navy's Directorate of Hydrography and Navigation (DHN). Shipmasters caught in breach of the regulation will be fined, ranging from BRL 80 to BRL 3,200, without prejudice to other administrative sanctions.

The National Agency of Waterway Transport (ANTAQ) issued Resolution 99, published in the Official Gazette of 1 June 2023, revoking previous regulations, and introducing a new set of procedures for licensing services of removal, shore reception,

and final disposal of wastes generated from vessels calling at Brazilian ports, which came into effect on 1 July 2023. The new resolution included the need for a Manifest for Waste Transport (MTR) and a Ship Waste Delivery Certificate (CRRE). Penalties range from warnings to fines against regulated agents, according to the seriousness of the offence.

ILO Maritime Labour Convention has been in force in Brazil since May 2021 and now its financial security requirements are being implemented. The Brazilian Ministry of Labour and Employment (MTE) ruled that all foreign-flagged ships calling at Brazilian ports must produce, through the Porto sem Papel – PSP (paperless port single-window system interconnecting intervening authorities and stakeholders), copies of Maritime Labour Certificate; Declaration of Maritime Labour Compliance; and Certificate of Financial Security (Blue Cards) by 1 August 2023.

Brazil did not sign CLC/92 and other relevant IMO conventions related to marine pollution, and its environmental legal framework is intricate, particularly regulations regarding ship-sourced spills, where even the smallest discharge can give rise to substantial fines and claims which can take many years to be processed in the court system. To help navigate this complex and ever-changing regulatory landscape, the latest of Proinde's loss prevention guides provides an overview of Brazil's environmental policy, explaining the role of the authorities, the current regulatory scenario, as well as civil, administrative, and criminal liabilities that may arise from the release of oil and other polluting substances into the Brazilian coast and rivers. The publication is available upon request.

Canada

Source: BLG

On June 20, 2023, the Canada federal government introduced Bill C-52, the Enhancing Transparency and Accountability in the Transportation System Act, which aims to improve transparency, accessibility, and accountability in key areas of Canada's transportation system, including marine transportation. Key Developments include Canadian port authorities will have to abide by additional

requirements when establishing or amending port fees; the Canadian Transportation Agency (CTA) will be given broader powers to hear challenges brought by port users and tenants regarding new or revised port fees; and the Minister of Transport will be able to develop an alternative dispute resolution process for disputes between port authorities and port users regarding terminal leases. The exact details for this dispute resolution process have not been released but will likely be the subject of further announcements in the near future.

On July 1, 2023, the International Longshore and Warehouse Union Canada (ILWU), the union that represents port workers in British Columbia, commenced strike action at more than 30 ports across the province, including the largest port in the country – the Port of Vancouver. The labour disruption comes amidst ongoing supply chain challenges. Port workers were eventually back to work Wednesday after the Canada Industrial Relations Board ruled the resumption of the strike illegal because no formal strike notice had been posted 72 hours in advance of a work stoppage.

Gabon

Source: BUDD & TCI Africa

A group of military officers in Gabon declared on 30 August that they have taken power and put the

president, Ali Bongo, under house arrest, minutes after the state election body declared the winner of the general election. Local correspondents have reported that they are safe at home with apparent calm atmosphere in the country, connexion on net servers is now possible. All borders of the country are closed. The roads are closed, nobody is allowed on the roads. As for the ports, they are closed, and the commercial operations are stopped. However, in case a vessel was scheduled to arrive Libreville/Ownedo port, this appears to be possible for her to berth since for the time being, Port State Control are working. It is recommended that Members approach their local agents for double-checking before trading.

India

Source: JAMES MACHINTOSH

The Directorate General of Foreign Trade (DGFT) has issued a Notification dated 20th July 2023 prohibiting the export of Non-Basmati White Rice with ITC HS Code 1006 30 90. Any other forms of Rice with different HS Codes would not be affected by the Notice. While the ban has come into effect immediately, there are exceptions for vessels where loading operations have commenced before 20th July 2023. In addition, vessels whose shipping bill has already been filed and their rotation number for berthing has been assigned before the date of the



Notice would be able to load their cargo but would require approval from the Authorities. Vessels would also be allowed to load if the cargo consignment has been registered with the Customs and has entered the Customs Station prior to the date of the Notice. These consignments would be able to be exported up to 31st August 2023. Non-Basmati Rice would only be allowed to be exported by the Government to assist other countries in meeting their food security needs and special permission would be provided by the Authorities for this.

The Government of India (DG shipping) has now produced new guidelines 09/23 dated 12th July 23 concerning the utilization of Iridium/Thuraya and other satellite communication systems in Indian waters. Vessels are permitted to install and maintain active Iridium equipment within Indian territorial waters, provided that the equipment is registered and certified in accordance with the prevailing rules of the flag state. Such equipment should be exclusively used in GMDSS for radio communication purposes. Portable Iridium set may not be carried on Indian Land Territory. Vessels transiting or visiting Indian waters are required to continue declaring the IMEI number of the equipment in the Pre-Arrival Notification of Security (PANS).

Nigeria

Source: BLOOMFIELD LP & TCI AFRICA

Nigeria's Federal Inland Revenue Service ("FIRS") had issued Demand Notices (the "Notices") to some international shipping lines in relation to arrears of income taxes which the FIRS assessed to be due and payable to the Federal Government of Nigeria ("FGN"). The Presidency, through the Special Adviser to the President on Revenue, Mr. Zacchaeus Adedeji, announced that FGN had noted the fears and reactions of the affected shipping companies, and FGN has decided to establish a technical committee comprising the Service, the Nigerian Upstream Petroleum Regulatory Commission (NUPRC), Nigerian Midstream and Downstream Petroleum Regulatory Authority (NMDPRA), Nigerian National Petroleum Company Limited (NNPCL), the Office of the Chief of Staff to the President, and the Special Advisers to the President on Revenue and Energy. According to Mr. Adedeji, FGN had allowed a grace window of six (6)

months such that despite the shipping companies' circa 10-year (alleged) tax infractions, FGN would not be detaining, arresting nor interfering with the operations of any vessels – as is the current fear among vessel owners and/or insurers.

In its BLP Briefing of June 16, 2023, Bloomfield LP expects that following the announcements, the FIRS would issue a circular in the coming days clarifying the details of the proceedings of the Committee. It would be advisable for international shipping companies and their Counsel to collectively approach the Committee with a view to determining the extent of their tax obligation and the consequential payment plan.

TCI Africa has also issued the Update on Nigerian Taxes, advising as much as possible a group engagement with the authorities.

Qatar

Source: Gac

The Mesaieed Port Authority, Qatar has issued a Memo on Covid 19 pre-arrival protocol on 1 June 2023, no longer requiring Shipping agents to submit Novel Coronavirus Declaration Form. Vessels are required to monitor the health condition of crew members as per their company's Safety Management System.

Russia

Source: AXIS

After the sea drone attacks at Novorossiysk port in early August amid escalating tensions around the Black Sea, the traffic at Novorossiysk port has been suspended for several hours and then resumed. The Ukrainian defence ministry said that starting from 00:00 on July 21, 2023 (2100 GMT), all vessels in the Black Sea heading toward Russia's seaports and Ukrainian seaports located in the temporarily occupied territories of Ukraine may be considered by Ukraine as carrying military cargo, with all the associated risks. Local correspondent has advised that it is still relatively safe for merchant fleets to trade in the North-East part of the Black Sea, with new factors to take into consideration such as Ukrainian military's expanding naval drones and prohibited navigation on the Kerch Strait.

South Korea

Source: SPARK INTERNATIONAL

In order to prevent the inflow of possible radioactive ballast water into Korean waters arising from discharge of treated wastewater from Fukushima nuclear powerplant, the Korean authorities have decided to implement the following measures effective from August 24, 2023. Vessels planning to enter Korean ports after taking on ballast water from six Eastern ports (Aomori, Iwate, Fukushima, Miyagi, Ibaraki, Chiba) in Japan are required to submit a ballast water reporting form 24 hours prior to entering the Korean port. Vessels planning to discharge ballast water in Korean waters after taking on ballast water from six Eastern prefectures in Japan are required to exchange their Ballast water outside of Korean jurisdictional waters before entering the Korean port. The officers of Regional Maritime Affairs and Fisheries Office will carry out on-board inspection to check whether the Ballast water has been exchanged or not. Discharge will be allowed after passing of the test. Vessels without a plan to discharge ballast water into Korean waters after taking on ballast water from six Eastern prefectures in Japan are required to submit data proving non-discharge of ballast water at least an hour before departure. Departure is only permitted following verification of ballast water status.

Sudan

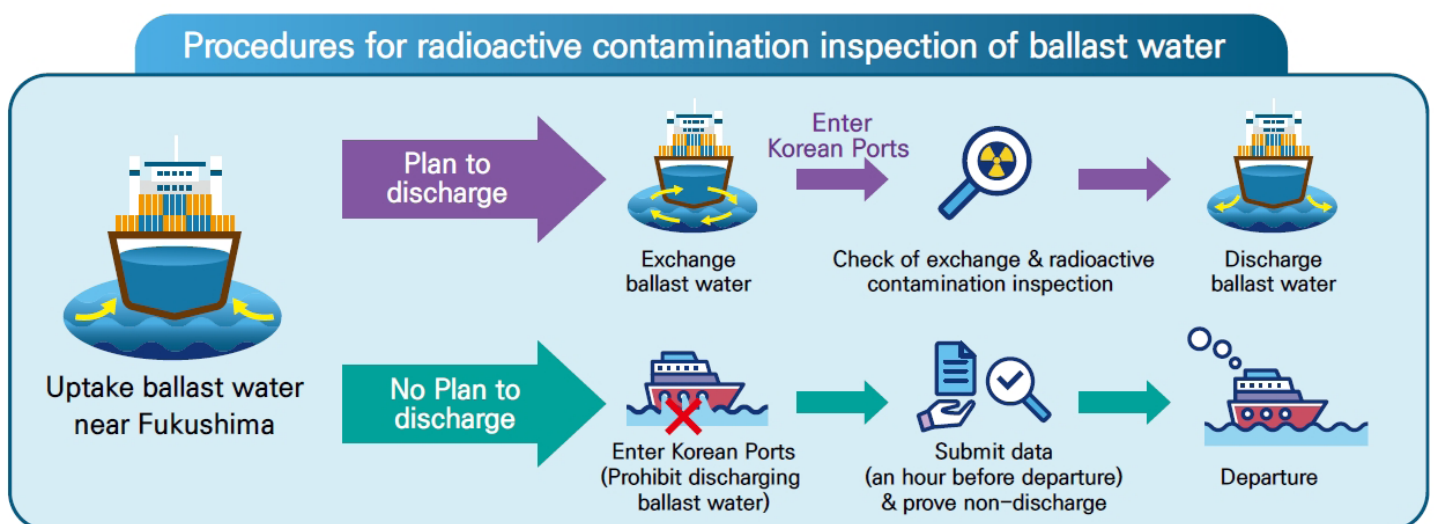
Source: ELDIBPANDI

The military actions between the Sudanese Army and the Rapid Support Forces have not reached Port Sudan and the commercial port's operations remain as usual, albeit a little slower due to unfortunate shift from automated /computerized system back to manual system. The reason for this is that the computerized system is centralized in the Capital Khartoum which suffers from the present non-ending fighting, despite the efforts made by different regional players. Moreover, Egyptian forces are supplying aid to the country via Port Sudan and are also evacuating Egyptian and Sudanese citizens via the Port. Curfew in the city of Port Sudan is in place from 23:00 hrs till 06:00 hrs LT. Stevedores and other workers who need to work in the port during the curfew hours obtain special permits to do so.

Taiwan, China

Source: Taiwan Transport Insurance Services LTD

A container ship "Angel" loaded more than one thousand empty new containers sank on the evening of 20th July near Kaohsiung and as a result, lots of containers drifted in the area. Mariners are advised to navigate with caution in this area and to report to Kaohsiung Port VTS if any obstructions are found.





Source: Taiwan Maritime Services LTD

A new amendment to the Taiwan Marine Pollution Control Act will be effective from 31st May 2023, with the higher penal level, the more explicit liability and rule, and the new adoption of whistleblower mechanism stipulated. The maximums of administrative fines under the Act have been largely increased from up to NT\$1.5 million to up to NT\$100 million. Imprisonments and pecuniary penalties can be imposed to those knowingly report false information or keep false records of their operations by a maximum of 3 years. The correspondent has also provided a comparison of the amendment and the original provisions, which is available upon request.

UAE

Source: GAC

The UAE Maritime Administration issued circular No.12 of 2023 on 1 August 2023, confirming members of the IG Group, members of ACPII P&I, Aurora P&I, British Marine P&I approved to issue the blue cards for ships flying the UAE flag, for Bunker Convention (BC), Civil Liability Convention (CLC), Wreck Removal Convention (WRC) and Maritime Labour Convention (MLC).

Yemen

Source: GAC

The port of Aden is open and operational as normal, with no security concerns that are aware of. If the Masters of Members' ships receive any warning VHF messages from unofficial parties, they are advised to contact the Aden Port Control on VHF channel 16 as well as informing the shipping agent of the incident.

Bernard LLP

Canada legal correspondent Bernard LLP's partner, David Jones, was recently appointed a judge of the Supreme Court of British Columbia so he is no longer a practicing lawyer and is currently transitioning to the bench. Contact information of the correspondent has been updated and can be referred to on the Association's website.

Borden Ladner Gervais LLP

Canada legal correspondent BLG announced that its 35th Annual Maritime Law Seminar will be held in December. Some of the most relevant topics affecting the Canadian and international shipping industry will be addressed.

Brazil P&I

The Director of Brazil P&I, Mr. Mauro Sammarco, has been chosen as a board member and second vice president of the Brazilian Infrastructure Institute (IBI). The entity acts as a technical body and is responsible for advising the Parliamentary Front for Ports and Airports (FPPA) of the National Congress in analysing sector issues and developing solutions. Mr. Sammarco also participated in a meeting on risks, responsibilities and insurance in the port sector on July 27th and delivered a presentation.

BUDD Group

On 3 June 2023, the staff of the Budd Group from approximately 26 countries around the world gathered in Paris to celebrate the company's 170th anniversary. The event was attended by friends and clients from the maritime industry, creating a memorable and joyous occasion.

Budd also announced that it has recently opened a new office in Sao Tome and Principe with our historic partners

in Equatorial Guinea, Image SA. Sao Tome and Principe is a small island nation which relies heavily on imports and tourism. Its new oil fields broaden perspectives for economic growth, and Budd believes that its partner's long experience of oil and gas operations will prove invaluable for the clubs and their members.

Dutch P&I

Dutch P&I has updated its contact list for the P&I Correspondents team. After the retirement of Mr. Peter van Bodegraven, it has recruited two new colleagues in the Correspondent team, i.e. Mr. Muhammed Bostan and Mr. Allen Bashford. Mr. Bostan studied law at the Universities of Istanbul and Ankara and he passed the Master in Maritime law at the Erasmus University in Rotterdam. Mr. Bashford has a history in shipping in the UK and worked for many years as a claims handler in the Britannia P&I Club.

Inchcape Shipping Services

ISS advised that its Muscat office has now relocated to a new address. Contact details has been updated and can be referred to on the Association's website.

Kalimbassieris Maritime

Kalimbassieris Maritime is partnering with Van Ameyde, which is part of the German RWTÜV Group. Kalimbassieris Maritime are well known as operating international networks and providing dependable claims management, surveying, and consultancy services. It believes that this strategic partnership will provide further unique synergies, whereas it can benefit from Van Ameyde's extended platform of services, inclusive of innovative technology and digital transformation for the insurance industry; and Van Ameyde can benefit from its strong presence in the East Med and Black Sea.

*The above is a non-exhaustive list of the information provided to the Association by its correspondents and serves only as a reference for the Members. As the global landscape changes all the time, please consult local agent/correspondent for updated information should there be any clarification needed.