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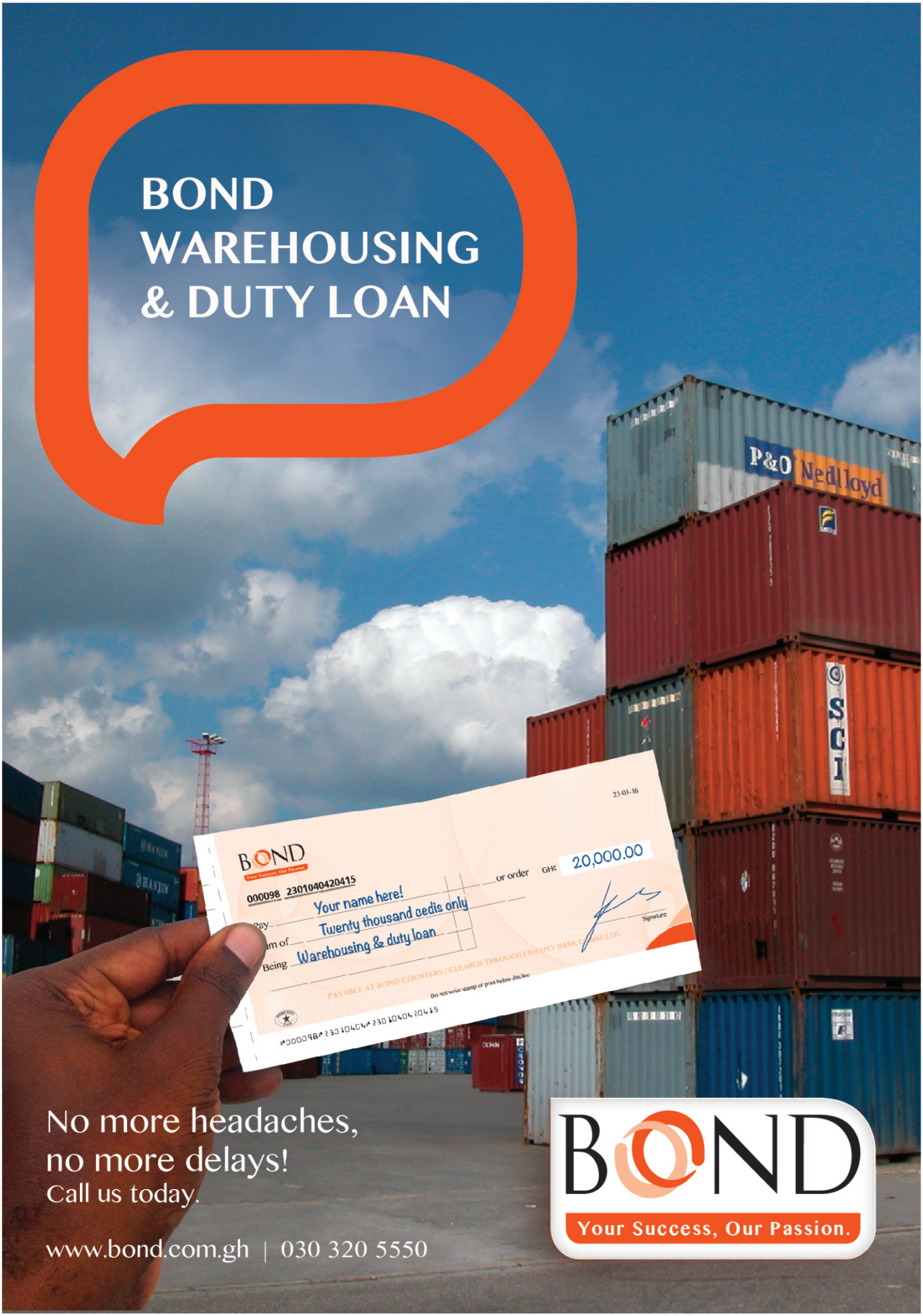
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THE IMPORTANT ROLE OF CLASSIFICATION SOCIETIES IN THE CONTEMPORARY SHIPPING INDUSTRY AND THEIR GROWING EXPOSURE TO LIABILITY- PROSPECTS FOR THE RESOLUTION OF THE DILEMMA

By Solomon K. Baffoe, *Ghana Shippers' Authority*

INTRODUCTION

Classification societies have been defined as organized societies which undertake to arrange inspections and advise on the hull and machinery of a vessel from its initial stages in new building and thereafter produce a certificate concerning the vessel's seaworthiness in accordance with the trade within which it is intended to, or does work.[1] They are independent, self regulating, externally audited, bodies which have no commercial interests related to the ship design, ship building, ship ownership, ship operation, ship management, ship maintenance or repairs, insurance, or chartering.[2] They are therefore described aptly as non- governmental organizations that establish and maintain technical standards for the construction of ships and offshore structures.[3] Their functions therefore span the period it is planned to build a ship throughout the whole lifetime of the ship, until they are scrapped.[4]

In like manner, the International Association of Classification Societies (IACS) define a classification society as an organization which;

(a) Publishes its own classification Rules (including technical requirements) in relation to design, construction and survey of ships, and has the capacity to apply, maintain and update those Rules and Regulations with its own resources on a regular basis;

(b) Verifies compliance with these Rules during construction and periodically during a classed ship's service life;

(c) Publishes a register of classed ships;

(d) Is not controlled by, and does not have interests in, ship-owners, shipbuilders or others engaged commercially in the manufacture, equipping, repair or operation of ships; and

(e) Is authorized by a Flag Administration as defined in

[1]Durr, Diederich Sean. , " An Analysis of the Potential Liability of Classification Societies-Developing Role,Current Disorder and Future Prospects", A paper submitted to the Shipping Law Unit of the Faculty of Law of the University of Cape Town in part fulfillment of the requirements for the Master of Laws in Marine Law, p.7. Accessed at http://web.uct.ac.za/depts/shiplaw/theses/durr.htm

[2]International Association of Classification Societies. , "Classification Societies- What, Why, and How?, p.5. Accessed at www.equasis.org

[3]http://en.wilkipedia.org/wiki/Classification_society

[4]http://www.ukessays/business/classification-socities-in-shipping-industry.php

SOLAS Chapter XI-1, Regulation 1 and listed accordingly in the International Maritime Organization database, Global Integrated Shipping Information System (GISIS).[5]

Today, there are many CS's, the largest of which are the Nippon Kaiji Kyokai, the American Bureau of Shipping, Lloyds Register and Det Norske Veritas.[6]

The genesis and development of classification societies are traceable to the 17th and 18th centuries and emanated out of the needs of marine insurers and ship owners. Ship owners required technical assistance to ensure that their vessels were seaworthy, whilst insurers wanted a guarantee that such vessels were indeed seaworthy as they wished to calculate realistic premiums but had to rely on hearsay information which were gathered informally at coffee houses, bars and inns near the ports.[7]

The apparent unreliability of the information gathered at the named forums provided the needed impetus and traction for the search for a more formal way of ascertaining the needed information to facilitate the work of insurers and this culminated in the establishment of the premier initiative, the Lloyds Register Book in 1760. This undoubtedly was to mark the commencement of an important global industry in the maritime and shipping arena which today are simply referred to as " Class Societies " or just "Class".[8]

THE ROLE OF CLASSIFICATION SOCIETIES IN THE SHIPPING INDUSTRY

The role of Classification Societies (CS's) as gleaned from the above given definitions, unambiguously acknowledge the importance of the work of CS's in the shipping industry. The above notwithstanding, their role has been the subject matter of various judgements which seem to have created some amount of uncertainty. For example according to Judge Pratt in *The Sundancer*[9] "the purpose of the classification certificate is not to guarantee safety, but merely to permit *Sundancer* to take advantage of the insurance rates available to a classed vessel", an ascription that raises serious concerns regarding the reliability of classification society certificates.

In sharp contrast to the above came the declaration of Lord Steyn in *The Nicholas H*[10] that "the role of N.K.K. (a classification society, CS) is to promote safety of life and ships at sea in the public interest' ". This clearly attests to the confusion surrounding the role of classification societies in the shipping industry.

In spite of this seeming skepticism of the role of CS's, there is ample evidence that point to the fact that their importance and contribution to the global shipping industry cannot by any stretch of imagination be underestimated. The next few paragraphs will be devoted to demonstrating the vital role of CS's in the overall scheme and growth of the maritime industry.

It is important at the outset of the discussion of the role of CS's to underscore the fact that their role has indeed undergone some metamorphosis over time from its original premise of providing information about vessels to underwriters, to providing ratings of ships on behalf of ship-owners for certain fees and their contemporary relevance in performing certain functions on behalf of flag states to ensure that vessels flying their flags are in compliance with international conventions. As indicated earlier in this paper, the role of CS's span the birth of ships through its entire service until it is scrapped.

In that regard, it could be said for the purpose of this work that the role of CS's begins with the construction or building of ships. CS's are called upon to perform certain specialized functions in the building of ships. These include the following:

(a) Conducting technical review of the design plans and related documents for a new vessel to verify compliance with applicable Rules;

(b) Presence at the construction site of a CS's surveyor to ensure that the vessel is built

[5]Classification Soieties- their key role published by the IACS. , Accessed at http://www.iacs.org.uk/document/public/explained/c

[6]http://en.wikipedia.org/wiki/Classification_society

[7]Durr, Diederich Sean. , " An Analysis of the Potential Liability of Classification Societies- Developing Role, Current Disorder and Future Prospects", A paper submitted to the Shipping Law Unit of the Faculty of Law of the University of Cape Town in part fulfillment of the requirements for the Master of Laws in Marine Law, p.6. Accessed at http://web.uct.ac.za/depts/shiplaw/theses/durr.htm

[8]Classification Societies- What, Why, and How?. ,A publication of the IACS, P.5. Accessed at www.equasis.org

[9]Sundance Cruises Corpration v American Bureau of Shipping, 799F. Supp. 363, 1992 AMC 2946 (S.D.N.Y 1992), aff'd, 7F. 3d 1077, 1994 AMC 1 (2d Cir. 1993), cert. denied, 114S Ct. 1399 (1994). Quoted from Durr, Jean Diederich. Accessed at http://web.uct.ac.za/dets/shiplaw/theses/durr.htm

[10][1992] 2 Llyods Rep.481 (Q.B.); [1994] 1 Lloyds Rep. 492 (A.A.); [1995] 2 Lioygs Rep. 299 (H.L). , Quoted from Durr, Sean Diederich. , An Analysis of the Potential Liabikity of Classification Societies: Developing Role , Current Disorder and Future Prospects. Accessed at http://web.uct.ac.za/depts/shiplaw/these/durr.htm

in accordance with the approved design plans and classification Rules;

(c) Presence at the construction sites of the relevant production facilities of a CS's surveyor to ensure that the key components such as the steel, engine, generators and castings are verified and conforms to the applicable Rule requirements;

(d) Presence at the sea trials and other trials of the CS's surveyor in relation to the vessel and its equipment prior to delivery to verify conformance with the applicable Rule requirements;

(e) Upon satisfactory completion of the above, and upon the request of the builder/ship-owner, issues a class certificate and, if necessary assign a class and issues a certificate of classification.[11]

There is no doubt that it takes an entity resourced with the requisite technology and highly qualified human resources to be able to perform the above range of complex and demanding functions which go a long way to assure all stakeholders in the shipping industry of the quality and safety of new ships that will ply the oceans.

It is important to add that once in service, the ship-owner must submit the vessel to a clearly specified programme of periodical class surveys to verify that the ship continues to meet the relevant Rule requirements for continuation of class and this is the subject matter of the second role of the CS's in the global shipping industry.

Accordingly, the second purpose of CS's is to provide classification information on vessels throughout their entire life span.

The objective of ship classification is to verify the structural strength and integrity of the essential parts of the ship's hull and its appendages, and the reliability and function of the propulsion and steering systems, power generation and those other features and auxiliary systems which have been built into the ship in order to maintain essential services on board.[12]

This is achieved through the development and application of their own Rules that are standardized by the various societies.

The outcome of these exercises provides useful information that assist the insurance companies to take decisions on the insurance covers of vessels which is a *sine-qua-non* in contemporary shipping.

This also provides assurance to the shipping industry of the seaworthiness of sea going vessels which further guarantees the safety of voyages and for that matter international trade and global developments.

Again, it is to be noted that even though there is no compulsion on the ship-owner to enter his ship with a classification society, he would not be able to provide the "trade certificates " which are required by ports-of-call.

Similarly, without the necessary classification certificates a ship-owner will find it difficult to charter-out his vessel as most parties require that a ship be "in the highest class" of a classification society in which he enters.

The third role of CS's is what has been

designated as statutory, mostly emanating from the imposition of certain requirements of international conventions.

In this perspective, it is important to mention the United Nations Convention on the Law of the Sea[13] (UNCLOS) which is an umbrella convention concerned with many aspects of the sea and its uses and the granting of registration to a ship by a State. Once a ship is registered, the flag State automatically assumes certain duties laid out in UNCLOS.

In particular the flag state must "effectively exercise its jurisdiction and control in administrative, technical and social matters over ships flying its flag" and take "such measures for ships flying its flag as necessary to ensure safety at sea…."[14]

In a similar vein the International Maritime Organization, the United Nations specialized agency responsible for maritime affairs has within its mandate, churned out a number of international conventions which set out uniform requirements in order to facilitate the acceptance of a ship registered in one country in the waters and ports of another with the aim of enhancing safety at sea and the protection of the environment.[15] These cover four distinct areas:

[11]Classification Societies-Their Key Role. Accessed at http;//www.iacs.org.uk/document/public/explained/c p.6
[12]Classification Societies-their key role. , published by the IACS and accessed at http://www.iacs.org.uk/document/public/explained/c, p.3
[13]United Nations Convention on the Law of the Sea, (1982)
[14]Article 94 of UNCLOS
[15]Classification Societies-Their Key Role. , A publication of the IACS accessed at http://www.iacs.org.uk/document/public/exlained/c, p.7

(a) Aspects of the ships design and its structural integrity – load line and stability in the intact and damaged condition, essential propulsion, steering equipment, etc;
(b) Pollution control with regard to the normal operation of the ship;
(c) Accident prevention, including navigational aids and pollution and fire prevention;
(d) The situation after an accident (fire, flooding) including containment and escape.[16]

The IMO Conventions in question include the SOLAS, MARPOL and the LoadLine. It is undoubtedly clear that these statutory requirements are far beyond the technical competences of Flag Administrations which acknowledgement has compelled most of them to cede these important functions to classification societies to perform on their behalf for appropriate remuneration. This is because over time, these societies have built the necessary capacities, technology and rules that place them in a better stead to perform these highly technical roles.

Accordingly, the results of the surveys by the class societies are taken as compliance with the corresponding statutory requirements and are given *de facto* recognition of a statutory survey on behalf of the flag Administrations.

In addition to performing the foregoing traditional functions in respect of sea going vessels, the work of CS's has been expanded to cover the survey of also oil and gas platforms with the quest for and growth in the exploration and exploitation of the resources under the sea bed.

As the offshore industry continues to develop and evolve, more sophisticated technologies are being utilized in drilling and production operations moving into increasingly deeper waters.[17]

In facilitating the development and implementation of relevant regulations, classification societies have a key role to play in ensuring that safety standards associated with these unique facilities are maintained.

As a result, the need for classification societies to provide third party verification in the current environment remains as critical as their role in verifying safe design as was at the time of their origins and this they have done and continue to do by incorporating non-traditional arrangements and unconventional technology.[18]

Having discussed the role of CS's in the shipping industry, it is important to bring to the fore the fact that information regarding classification of ships is confidential and becomes the property of the ship-owner.[19] This policy of confidentiality has been criticized by many who consider that the practice undermines the efforts of the maritime industry to expose and eradicate substandard ships.

According to Durr, this state of affairs prompted Fairplay Editorial to comment that "Secrecy breeds suspicion, and there has always been too much of it in our industry. There are instances where it is both necessary and justified, but not half as many as some would have us believe. Is there any good reason why it should not be public knowledge whether a ship is in class or not and with whom?"[20]

Yet another important observation worth making regarding the role of CS's is what they are not.

According to the IACS, a classification certificate should not be construed as a warranty of safety, fitness for purpose or seaworthiness of the ship.[21] It is only an attestation that the vessel is in compliance with the Rules that have been developed and published by the society issuing it.

Furthermore, they are not guarantors of safety of life or property at sea or the seaworthiness of a vessel because although the classification of a vessel is based on the understanding that the vessel is loaded, operated and maintained in a proper manner by a competent and qualified personnel, the Society has no control over how a vessel is operated and maintained between

[16] Ibid, p.8
[17] Burton, Gareth C and Feijo, Luiz P. ," Practical Role of Classification Societies in Verifying Safe Design on Offshore Oil and Gas Facilities", Accessed at www.eagle.org.../pdfs/2008/January/imcpaper_practicalrole p.1
[18] Ibid.
[19] Durr, Sean Diederich. , An Analysis of the Potential Liability of Classification Societies: Developing Role, Current Disorder and Future Prospects. Accessed at http://web.uct.ac.za/depts/shiplaw/these/durr.htm p.8
[20] Ibid, p.8
[21] Classification Societies- Their Key Role. , Accessed at http://www.iacs.org.uk/document/pubic/explained/c p.6

the periodical surveys it conducts. [22]

The above notwithstanding, many parties in the maritime industry rely upon the certification and classification done by CS's to take a number of important business decisions. These include ship-owners, marine insurers, flag administrations, P&I Clubs, charterers of ships, flag state administrations, shipping financiers and, of course seafarers.

Increasingly however, some sectors of the maritime community have become suspicious of CS's, due to their negligence which has resulted in a number of accidents- and scandals such as those involving the bribing of surveyors. This has generated the debate as to what responsibilities CS's should assume.[23] Consequently, the questions that have bordered many a practitioner is whether these societies should be placed in a more favorable position than other parties such as ship-owners or charterers or the limitation of liability regime be amended to include CS's?[24] It is in the light of this that the issue of the potential liability of the CS's comes to the fore.

Accordingly, and for the purposes of this paper, the subsequent paragraphs will be devoted to examining the extent to which CS's are exposed to potential liability in the performance of their functions as enumerated above in this paper.

THE POTENTIAL LIABILITY OF CLASSIFICATION SOCIETIES

The Oxford Dictionary of Law defines liability simply as a legal duty or obligation.[25] Three major liabilities have been identified namely contractual liability, liability arising from the implied warranty of workmanlike performance and tortuous liability as attending to CS's in the execution of the functions.

In the performance of its duties as a classification society, parties such as shipbuilders, ship-owners, cargo –owners and marine insurers who would have used the outcomes of its work to take certain business decisions may attempt to hold them liable should there be any disaster or like event that could be related to their classification or survey.

This position was very well articulated by the New York Federal Court in *The Continental Insurance Co. v Daewoo Shipbuilding*[26] when it asserted that the duties of CS's were governed by the contract entered into between the parties. These duties included taking care in examining drawings and in surveying construction work before issuing certificates that the vessel conformed to the rules of the classification society. This position of the law was further confirmed in The *Great American Insurance Co, v Bureau Veritas*[27] as well as by *The Gulf Tampa Drydock Company v.Germanischer Lloyd*.[28]

One of the cases in which the liability of classification societies in contract was dealt with was *The Sundancer.*[29] In this case, there was an agreement between the plaintiff and the defendant classification society that the society would provide classification and safety certificates.

After the sinking of the vessel, the ship-owner alleged that his loss had resulted from a breach of the classification society's duty and, as such, claimed for breach of contract as it failed to detect a defect in the vessel.

The society initially depended on an exclusion clause in the contract whereby all liability on its part was excluded but this was rejected by the court on the grounds that such an exclusion clause was deemed as so extensive that it was an affront to public policy. A classification society which therefore negligently classifies a vessel may possibly be held liable for breach of the contract.

It has however, been noted that a classification society may exclude its contractual liability by relying on exclusion clauses and may likewise make provision for indemnity clauses in order to protect itself against third party claims. According to Boisson classification societies in France may limit their liability in contract unless they are guilty of willful misrepresentation or gross

[22]Ibid
[23]Lixin Hans and Ping Yu. ,"New Developments regarding the liability of classification societies", The Journal of International Maritime Law, July –August 2006, Vol.12, Issue 4, p.243
[24]Lixin, Han and Ping Yu. ,"New developments regarding the liability of classification societies", The Journal of the International Maritime Law , July-August 2006, Vol.12, Issue 4, p.243
[25]Oxford Dictionary of Law. , Oxford University Press (7th Edition), p.325
[26]Continental Insurance Co. v Dawoo Shipbuilding, USDC. ,New York,18th July 1988. 86-Civ. 8255(RLC)
[27]Great American Insurance Co. v Bureau Veritas 338 F. Supp. 999(S,D.N.Y..1972).
[28]Gulf Tampa Drydock Company v. Germanischer Lloyd 634 F.2d 879(1981).
[29]Sundance Cruises Corp. v Amarecan Bureau of Shipping, 799 F. Supp. 363, 1992 AMC 2946 (S.D.N.Y. 1992), aff'd 7 F, 3d 1077, 1994 AMC 1 (2d Cir. 1993), cert. denied,114 S. Ct. 1399 (1994)

negligence while the United Kingdom position is that exemption clauses are acceptable as long as they are reasonable.[30]

It is also possible for classification societies to avoid liability should a ship-owner not comply with his obligation to inform the society of any incidents which could affect his vessel's class. A ship-owner also has the contractual duty to exercise "due diligence" to make his vessel seaworthy in consonance with the Hague, Hague Visby and Hamburg Rules which duty may not be delegated to a third-party.

Another way by which a classification society may incur liability in its duties arises from the implied warranty of workmanlike performance. In pursuit of this a ship-owner or shipbuilder may sue a society in contract to claim that the society breached an 'implied warranty of workmanlike performance".

This claim which is also called the "Ryan doctrine" was borne out of *Ryan Stevedoring Company v. Pan-Atlantic Steamship Corporation*.[31] In this case the stevedore company was contracted to load rolls of pulp on board a vessel. A stevedore failed to immobolize the loaded rolls and, when another stevedore from the same company attempted to unload the rolls, the cargo moved and seriously injured the luckless stevedore.

The court concluded that the stevedoring company should bear the costs of its own employee's negligence. However, should a subrogated ship-owner insurer wish to obtain an indemnity from a classification society on the basis of the "Ryan-doctrine ", it would be necessary to establish that "unique special factors existed in its relationship with such CS. Consequently, in the *Amoco Cadiz*[32], the court refused to apply the doctrine against a classification society. In this case involving one of the largest oil spills in history, the American Bureau of Shipping classification society contended that the ship-owner was in the best position to avert the loss; and that public policy dictated that liability costs should be awarded against ship-owners and not classification societies, due to the need to create a strong merchant marine.

The third area worth mentioning with respect to the liability of classification societies is in tort. Indeed the majority of cases in which recovery is sought from classification societies rely on tort, with third parties claiming to have suffered damage due to the negligence of classification societies.

These third parties include P&I Clubs, charterers, purchasers of vessels and victims or their dependants, following an accident involving a classified ship. Gordon maintains that one of the primary reasons that classification society negligence is pleaded is due to the fact that societies are frequently included in litigation for a contribution as "third-party" defendants.

In the United Kingdom, tort liability is primarily based on the "duty of care" of persons under certain circumstances. In *The Morning Watch*,[33] the conditions under which classification societies were to maintain a duty of care were stipulated by the court. In this case, the motor yatch??? "Morning Watch" was sold in 1985 while possessing a valid certificate of classification. Thereafter it was found to have some grave defects, including corrosions, which rendered it unseaworthy. The purchaser sued Lloyds Register CS for economic loss suffered as a result of relying on misstatements negligently made, on grounds that the society had failed to observe its duty of care. The court held that there was an insufficient degree of proximity between the purchaser's purely economic loss and the role played by the CS and further indicated that the primary purpose of classification system is to enhance the safety of life and property at sea, rather than to protect the economic interest of those involved, in one role or another, in shipping.

CONCLUSION

Indubitably, CS's play a vital role in the overall scheme of things as far as shipping is concerned as many stakeholders depend or rely on the outcomes of their work. Consequently, the courts in the majority of cases have been reluctant to hold them liable for negligent surveys as that could lead to them withdrawing their services.

On the flip side, the continuous protection of the CS's from liability has the potential of leading to some relaxation in the standards that potentially might affect the seaworthiness of vessels and bring about disasters that might affect life, property and the marine environment.

In the face of this dilemma and the continuous vital role of CS's to the global maritime industry, it would be imperative in the long run to establish a limited liability regime for them as they are exposed to multiple parties and they may stop providing the important public service they now provide. Again, the maritime community should begin to think about holding flag states responsible and liable as CS's perform their roles on behalf of flag states.

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[30]Boisson, Philp. ,"Classification Society Liability: Maritime Law Principles. Must they be requisitioned?" (1994) Comite Maritime Yearbook, p.235.
[31]Ryan Stevedoring Co. v. Pan-Atlantic Steamship Corporation 350 U.S 124, 133-134, 1956 AMC 9 (1955)
[32]In re Oil Spill by Amoco Cadiz 1986 A.M.C. 1945

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BENEFITS OF THE INTRODUCTION OF THE ADVANCE SHIPMENT INFORMATION SYSTEM (ASHI) IN GHANA'S MARITIME SECTOR

By Bashiru –Dine Abdul Haki, Ghana Shippers' Authority

Need For Trade Facilitation

Trade facilitation through the use of electronic data interchange (EDI) ensures accruing benefits of harmonized procedures, standards, and safety, security and best practices for trade documentation.

One of the major ways a country can have competitive edge as well as accrue the benefits of international trade is to have an efficient and effective trade facilitation system that improves the management of international trade and the delivery of goods of a country. This is now viewed as a requirement rather than an option.

In essence, the need for cost effective delivery of import cargoes for the benefit of shippers is the underlining consideration for any trade facilitation effort.

As a result, the introduction of the electronic Advance Shipment Information System (ASHI) or cargo tracking note as it is also known elsewhere, is seen as a measure to ensure compliance to trade, improve cargo clearance processing of goods shipped from one part of the world to another, and enhance effective and efficient customs administration.

Most importantly too, it would assist in reducing the cost of doing business to the shipper through reduction in delays and related surcharges in cargo clearance. It is meant to give credible information on cargoes from the supplier in the country of origin to the loading port and its transition to the discharge port.

Challenges with the Current Cargo Clearance regime

The current cargo clearance regime in Ghana is not the best. It is fraught with serious delays which has negative implications on the cost of doing business. Cargo duel time at the ports is high compared to best practice. Recent surveys by the GSA has established that close to 80% of all containers (Imports) goes into demurrage which cost the shipper huge sums of money. Over 70 million dollars was paid by importers in 2012 as demurrage charges.

The Major causes are late arrival of shipment documents, resultant delay's, and cost such as rent and demurrage to shippers.

These shipment documents are key to the clearance process whereby shippers are required to submit these documents to Destination Inspection Companies for the issuance of Final Classification and Valuation reports

(FCVRs) for the purpose of cargo clearance.

Need for Advance Shipment Information (ASHI)

Due to the challenges in the clearance chain resulting from late arrival of shipment documents, the introduction of the electronic Advance Shipment Information System (ASHI) is seen as a measure to ensure compliant trade, improve cargo clearance processing of goods shipped from one part of the world to another, and enhance effective and efficient customs administration.

Most importantly too, it would bring down the cost of doing business to the shipper through reduced delays and related surcharges in cargo clearing. It is meant to give credible information on cargoes from the manufacturing place to the port and its transition to the berthing port.

The implementation of the ASHI would also significantly help in streamlining revenue generations for government because it would serve as a useful tool for customs validation and auditing in cargo valuation.

The ASHI system is a system which uses ICT platform to provide prior information on the flow of cargo from the port of loading to the port of destination. From the perspective of the importer and exporter, the safe and timely delivery of goods is very important and hence it's very crucial that efforts at enhancing the smooth and efficient flow of the supply chain for effective trade should be the major consideration.

This article is intended to highlight the benefits that the introduction of the Advance Shipment Information System will bring to bear on the operations of the maritime sector in Ghana. It is also to sensitize the shipping public about it's benefits and create awareness among the shipping public to achieve effective implementation.

It will also afford maritime industry stakeholders an opportunity to fully embrace the introduction of the ASHI given the number of benefits its introduction holds for the growth and development of the maritime sector in Ghana.

To be globally competitive is to ensure that the maritime sector of West Africa or Ghana for that matter can be used to deliver products that compete favorably with products from any other part of the world. This entails an effective and efficient management of the maritime transport logistics chain to reduce cost and time factors in a secure and sustainable business environment.

The ASHI Process

The ASHI process would basically provide a platform whereby shippers would be required to give prior information on imports into Ghana through an electronic system (ASHI System) which would be controlled by a system administrator both outside of Ghana and in Ghana.

The system would be accessible to customs and key stakeholders for the processing of import cargo before the cargo arrives. This would eliminate the delays and related cost to shippers due to the late arrival of cargo documentations for the processing of FCVRs.

The basic information and features that the ASHI system would carry includes;

- Quantity of cargo
- Description of cargo(HS Code)
- Container and chassis number
- Bill of Lading
- Commercial invoices
- Freight invoices
- Value of cargo
- Packaging. i.e whether containerized (conventional) vehicles, bulk, break bulk or a combination.
- Name of Carrier and vessel
- Ports of loading and discharge
- Parking list etc.

The History of E-CTN in Africa and Its Impact on Shippers

The electronic cargo tracking note system (e-CTN) has largely been embraced by maritime stakeholders in Africa and has been implemented in a number of countries.

The Union of African Shippers Councils (UASC) has pushed for the adoption and implementation of the e-CTN to bring about harmony in cargo processing and clearance procedures across the region.

Consequently, a number of African

countries have through collaboration with the private sector with expertise in EDIs implemented the e-CTN. Countries like Benin, Gabon, Angola, Senegal, have all implemented the e-CTN in different modes that seek to improve pre-arrival cargo clearance processing with the objective of reducing the cost of cargo clearance and enhancing the competitiveness of shippers.

The impact of the e-CTN on import cargo clearance in these countries has improved significantly leading to reduced cost of clearing goods and a conducive business environment.

The same could be said of Niger's Council for transportation (CNUT), Burkina Faso Council of transportation (CBC), Mauritania and Guinea Conakry.

In Ghana, the e-CTN is referred to as the Advance Shipment Information System (ASHI). The intended effect of the introduction of ASHI is to seek improvement in reduced cost of clearing goods, increase revenue mobilization and efficient customs administration which would lead to significant growth of the maritime sector businesses across the sub-region.

However, there are mixed reactions among some industry stakeholders about the introduction of the e-CTN in Africa, generally because it is perceived as an additional cost to shippers. On the contrary the electronic cargo tracking note system has been in operation for a long time in continental Europe, America and Asia and the results have been an efficient and cost effective supply chain system.

For Governments in the sub-region, the introduction of e-CTN is another opportunity to help streamline revenue generation for socio-economic development and a means of making their ports globally competitive. From the experience of other countries that have successfully implemented the e-CTN it has become necessary that Ghana speeds up its efforts at implementing the e-CTN which would help enhance the growth of Ghana's growing maritime sector.

In Ghana, the Ghana Shippers' Authority (GSA) is spearheading the implementation of the electronic Advance Shipment Information System through a private sector partnership which will undoubtedly enhance the flow of cargo and quicken the clearance process and thereby make the Ghanaian shipper more competitive.

This is vital because it would lead to a reduction in undue delays and thereby eliminate added cost to Shippers. The implementation of the ASHI would further boost efforts at trade facilitation in Ghana and create the necessary environment for Ghana to become the gateway for maritime activities in the sub-region.

Benefits of the Advance Shipment Information (ASHI) System

The influence of information technology in all sectors of the world economy is very rapid and diverse. From the perspective of shipping, information technology becomes very vital for an efficient and effective tool for trade facilitation efforts.

All over the world the use of electronic data interchange (EDIs) is critical in influencing trade related revenue generation and improved trade facilitation capacity for socio-economic development and the promotion of international commerce at sea ports, and the Aviation industry.

The shipping industry is no exception to this development and has seen wide usage from EDI application for international trade processing, to managing cargo security at ports, and safety of goods and monitoring of vessels on the high seas.

The following are, in summary, among the many benefits that the introduction of the ASHI system can bring to bear on the shipping industry in Ghana;

Assistance to Customs and DICs

Information from the ASHI system would serve as backup data resource for Customs and the Destination Inspection Companies (DICs) in Ghana.

Determination of Cargo Arrivals and Final Destination

The ASHI system would also have the unique feature of allowing for the determination of the time of arrival and final destination of cargo which gives access to cargo information prior to vessel arrival will facilitate.

1. Planning for the appropriate handling equipment for the goods (port),

2. Commencement of pre-arrival cargo clearance processes leading to the avoidance of demurrage and rent payments (Shipper/Agent).

The information on the final destination of the goods in the country helps to perfect statistics on the regional distribution of imported cargo

Reduce Incidence of Delay and Ease Congestion

Advance information on shipments would help in quicker cargo clearing by shippers thus easing the problems in cost of clearing cargo and reducing the incidence of congestion at the sea ports.

Enhancement of Trade Facilitation Efforts

As a major transit route, the implementation of the ASHI would further strengthen efforts in trade facilitation for Ghana as the gateway to transit cargo from and to neighbouring landlocked countries.

It would also present a coherent or consistent cargo clearance procedure at the ports making it more attractive to transit cargoes.

Monitoring of the Flow of Cargo

The ASHI system allows for improved ability to monitor the flow of cargo to and from ports, creating more efficient systems that save time and money while improving the efficiency of the supply chain.

Improved Data Gathering

The ASHI system is expected to provide reliable data on FOB values, freight rates, etc. since there is high degree of validation in the ASHI mechanism. This would also form a strong basis for negotiating shipping charges and other conditions of shipments on behalf of shippers in Ghana.

Assistance to Shippers Authority and other stakeholders

The implementation of the ASHI system would enable for example the Ghana shippers' Authority to use appropriate and more reliable data to serve shippers by way of Statistics, response to enquiries, resolution of shipper complaints and support in case of litigation.

To Engender Regional Integration and Boost Competitiveness

The ASHI having being adopted by the Union of African Shippers(UASC) as the most effective system for enhancing the supply chain, would be important for Ghana to come on board in the spirit of regional cooperation and to boost our competitiveness as a region.

Conclusion

The introduction of the ASHI would certainly bring about an improved cargo clearance regime, bringing relief to shippers through reduced delays and elimination of added cost. The net impact would be significant in creating a cost effective trade environment and greater competitiveness of the Ghanaian shipper. It is evident that a closer look at the benefits that would accrue to the shipper and the maritime sector as a whole, through the implementation of the ASHI should be the main consideration in embracing the efforts to bring into fruition the successful implementation of the ASHI.

Overall, the implementation of the ASHI system would allow for the efficient and cost effective cargo clearance regime in Ghana's maritime sector, thus improving the competiveness of shippers and all stakeholders in the supply chain.

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THE LAW OF SHIP MORTGAGES

MARITIME KNOWLEDGE SERIES

The mortgagee is the creditor and the mortgagor is the debtor. A mortgage is defined as "any charge by way of a lien on any property for securing money or money's worth". It is often said that a mortgage is much more than a mere paper covenant and once a mortgage, always a mortgage.

The word mortgage is said to be derived from the Latin word ***mortuum vadium*** (a dead pledge). It covers the loan or the transaction, the document or deed evidencing the transaction and the rights which are conferred by the document upon the lender of the money[1].

There is not much difference between an ordinary mortgage and a ship's mortgage. However, unlike mortgages in relation to landed property, which are much more secured by their very nature, there are inherent risks in the mortgage of a floating object such as the ship. Indeed, in view of the inherent risks posed by the nature of this chattel and the business it undertakes, special protective measures are invoked in the form of insurance and other collateral securities.

One fundamental principle which underlines the ships mortgage is that a mortgagee incurs no liability to third parties since the mortgagor, after the mortgage transaction continues to remain the owner of the ship or shares in it.

As pointed out earlier, there are a number of reasons why the inherent risk in the ships as security call for further protection. The ship is always not the best form of security as some privileged claims such as the maritime lien can rank ahead of it. Also, being a floating object, traversing various jurisdictions, it can avoid the jurisdiction of the courts whose aid the mortgagee may be entitled to seek. The ship may also not be the best form of security in view of the fact that it is constantly subject to the perils of the seas.

Furthermore, if a further advance is given on the same security and a second independent mortgage has been effected and registered in the intervening period, the latter may rank ahead of any further advance on the first mortgage. In view of some of these inherent risks, the mortgage may require insurance to be procured to protect the interest of the mortgagee in addition to insurance which the borrower may already have taken against the perils of the seas. The mortgagee may ask for the assignment of the insurance proceeds of the ship in the event of loss as well as an assignment of earnings of the ship. Very often the flag state of the ship is a matter of relevance for the mortgagee as this may govern the validity of the mortgage.

SHIP MORTGAGE UNDER THE COMMON LAW

Under the common law, the mortgage of a chattel was regarded as a property transfer by way of security[2]. Under such a mortgage transaction, legal ownership of the chattel was transferred to the mortgagee and the transfer was only reversed upon the full satisfaction of the payment of the loan amount with the interest. Under this common law arrangement, it is only the first ship mortgage that acquired legal title whether or not the mortgage was registered. The registered owner of the ship will only retain a right of redemption as an equitable right. Once the first mortgagee was seized

[1]See a detailed discussion in Maritime Law by Christopher Hill. P. 24

[2]See Santley v Wilde [1899] 2 Ch 474 (CA) provides details on the legal aspects of ships mortgages under the common law

with the legal right, all other subsequent mortgages became equitable until the first mortgage was discharged where upon the second can assume a legal character[3].

FORM OF THE SHIP MORTGAGE

The mortgage will normally be drawn in two parts: a registrable document containing only the details that are required for the purpose of the registration of the ship and a collateral loan agreement spelling out the terms of the use of the ship as a collateral for the loan. Such terms may include the following:

i. To pay the principal and interest on schedule;
ii. Not to impair the validity or ranking of the mortgage;
iii. To maintain the vessel in a seaworthy condition and to operate in safety;
iv. To report any casualties to the vessel;
v. Not to do anything that will imperil the vessel's registration;
vi. Not to transfer or demise charter the vessel without consent;
vii. To keep the ship adequately insured and;
viii. To permit the mortgagee in reasonable notice to inspect the vessel.

The terms of the mortgage may also make provision to spell out situations of default and the circumstances under which the mortgagee may take over the security to realize the security.

SUBJECT MATTER OF THE SHIP MORTGAGE

The mortgage of the ship as security for a loan includes the hull and machinery and indeed everything on board that ship requires for its navigation[4]. The courts have held that containers are not part of the ship for the purposes of the mortgage transaction as they are not necessary for its operation[5]. It is also to be noted that the cargo on board the ship is not part of the security, unless the mortgagor has an interest in it and the transaction provides for it to be included as security[6]. With respect to freight the mortgagee would only be entitled where he enters possession to realize his security. The freight, however, could be assigned to the mortgagee as part of the terms of the mortgage.

PRIORITIES

The issue of priorities is sometimes steeped in controversy especially when dealing with the recognition and enforcement of foreign maritime liens or claims that have arisen against a ship. The issue is one of conflict of laws and in some jurisdictions it is regarded as a matter of procedure while in others it is a matter of substance.

That matters of procedure are governed by the lex -fori has gained notoriety over the years and has now been universally accepted as such. Matters of substance are however governed by the choice of law i.e. the lex -causae.

In view of the fact that there may very often be a limited fund against which claims must be paid, the need for ascertaining the priorities of liens and mortgages for the purpose of recognition and enforcement is always paramount. In this respect the registration of a mortgage is deemed important. Registration provides a mortgagee with priority over;

a. earlier unregistered mortgages even if he has knowledge of their existence;
b. later registered or unregistered mortgages;
c. unregistered debentures (loans) created earlier even if the mortgagee knew of their existence;
d. additional advances subsequently made under a prior registered mortgage if the agreement stipulates that the mortgage should cover present and future advances by the mortgage.

It is important to mention that at common law, the mortgagee would obtain priority in respect of advances made under the mortgage deed only up to the time he had notice of a later mortgage; registration of this case is notice to the earlier mortgagee of the establishment of a later mortgage[7]. The right would not, however, be enjoyed under statute. In ascertaining priorities with respect to mortgages, it is important to note that a mortgagee with a registered mortgage does not have priority over;

i. earlier registered mortgages,
ii. any mortgages under current certificate of mortgage where notice of the certificate of mortgage appeared on the register at the time when the mortgagee entered into the mortgage,
iii. any claims in connection with which the vessel had already

[3]See Keith v Burrows, [1876] 1 CPD 711
[4]See Coltman v Chamberlain [1890] 25 QBD 328
[5]The River Rima [1987] 2 Lloyds Rep 106 (CA) affirmed by House of Lords [1988] 2 Lloyds Rep 193]
[6]See Liverpool Marine Credit Co v Wilson [1872] LR 7 Ch 507, P. 511
[7]See Christopher Hill, Maritime Law

been arrested at the time when the mortgage was entered into

iv. any possessory lien of a ship repairer

v. any maritime liens whether earlier or later

RECOGNITION AND ENFORCEMENT OF FOREIGN LIENS AND MORTGAGES

As mentioned earlier, this is one area of the law that has continued to be murky in view of the fact that it throws up issues involving conflict of laws. Various jurisdictions are still grappling with the problem of recognition and enforcement of maritime liens granted by foreign law and attached to a vessel before it leaves the jurisdiction of the law where such liens were created. This leaves the law murky, as different jurisdictions may apply different rules with a culminating different legal affect to the same type of claim when it comes to recognition and enforcement. In the case of the Halcyon Isle[8], the Privy Council established that where there is a limited fund from which a number of maritime claims has to be met, the priorities of the claims would be governed by the lex -fori.

In the Halcyon Isle, the mortgagees were an English Bank with a mortgage created in April, 1973 and registered in London in May, 1974. In March, 1974 that is before the registration of the mortgage, repairs to the vessel were carried out in New York which under U.S. Law entitled the repairers to a maritime lien. The vessel sailed from New York and was later arrested and sold by the order of the High Court of Singapore. In view of the insufficiency of funds to meet all the claims the issue of priorities regarding the claims needed to be settled. Under Singaporean law which was akin to English Law, the ship repair claim would not give rise to a maritime lien, i.e, if it had occurred in England or Singapore but under American law it did.

It was thus clear to the court that the application of the lex -fori or the lex -causae would give different legal consequences. The court held that even though it acknowledged the propriety of the claim of the ship repairers who by their work have enhanced the value of the res, that kind of priority ranking would have to be a matter for the legislature[9]. The powerful dissenting judgements of Lords Salmon and Scarman provide a lot of food for thought and a very good discussion on the subject of priority rankings and the recognition and enforcement of foreign judgements and arbitral awards. It will therefore be useful to quote extensively from their judgement.

They opined:

The question is: does English law, in circumstances such as these, recognize the maritime lien created by the law of the USA, that is the lex loci contractus, where no such lien exists by its internal law? In our view, the balance of authorities, the comity of nations, private international law and natural justice, all answer the question in the affirmative. If this be correct then English Law (the lex-fori) gives the maritime lien created by the lex -loci contractus precedence over the mortgagee's mortgage. If it were otherwise, injustice would prevail. The ship repairers would be deprived of their maritime lien, valid as it appeared to be throughout the world and without which they would obviously never have allowed the ship to sail away without paying a dollar for the important repairs upon which the ship repairers had spent a great deal of time and money and from which the mortgagees obtained substantial advantages[10].

The viewpoints expressed by Lords Salmon and Scarman are indeed profound. They exemplify the rationale behind the maritime lien attaching to ship like a leech and give vent to the private law underpinnings of the maritime lien.

Lords Salmon and Scarman also go on to compare the maritime lien with the mortgage as a security. They state in their judgment that:

> *A maritime lien is a right of property given by way of security for a maritime claim. If the Admiralty Court has, as in the present case, jurisdiction to entertain the claim, it will not disregard the lien. A maritime lien validly conferred by the lex- loci is as much a part of the claim as a mortgage similarly valid by the lex- loci. Each is a limited right of property securing the claim. The lien travels with the claim, as does the mortgage; and the claim travels with the ship. It would be a denial of history and principle, in the present chaos of the law of the sea governing the recognition and priority of maritime liens and mortgages, to refuse the aid of private international law.*

The profundity of the dissenting judgments of Lords Salmon and Scarman, has undoubtedly led many

[8][981] AC 221 (PC) P. 230

[9]See Lord Diplock's reasoning at P. 242 [1981] AC 221

[10][1981] AC 221, pp 246-247

academics and other scholars to criticize the majority decision of the Privy Council in the Halcyon Isle[11].

The decision of the Canadian Supreme Court[12] when faced with a similar situation as that in the Halcyon Isle has been hailed by commentators and academics as being consistent with private international law.

In the Canadian case of the Ioannis Daskalelis[13] the vessel *Ioannis Daskalelis* was mortgaged to the defendants in December 20, 1961. In March 1963, the plaintiffs rendered necessary repairs to the vessel in New York, but the sum due them remained unpaid. The vessel sailed to Canada and she was arrested in June 1964. The question arose whether the plaintiffs claim in respect of the repairs had priority over the defendants' mortgage. The Canadian Supreme court held that the plaintiff's claim for necessary repairs gave rise to maritime lien in the USA and in that country would have taken precedence over the mortgage, but in Canada a claim for necessaries repairs did not entitle the claimant to such a maritime lien. In reaching its decision, the court referred to a passage from Cheshire's Private International Law[14] as follows:

> *The validity and nature of the right must be distinguished from the order in which it ranks in relation to other claims. Before it can determine the order of payment, the court must examine the proper law of the transaction upon which the claimant relies in order to verify the validity of the right and to establish its precise nature.*

Even though the decision in the Ioannis Diskalelis is generally adhered to as the position of the law, there are however some countries which still decide along the reasoning of the Halcyon Isle[15].

In the issue of the determination of priorities, the distinction between maritime liens and statutory rights *in rem* become important. The issues arising can sometimes be convoluted when it comes to the ranking of priorities for the purpose of enforcement in different jurisdictions. This is so in view of the fact that different countries regard different kinds of claims as falling within the description of a maritime lien or statutory right in rem. In the United States of America, contract maritime liens (necessaries) which include repairs to a ship, supply of bunkers, other supplies, stevedores' claims, claims under towage and even sometimes damage to cargo carried under a US contract fall to be classified as maritime liens while under English law these would be referred to as statutory rights *in rem* which become statutory liens *in rem* from the issue of the claim form.

In the Halcyon Isle the court recognized the difficulties that attend to the prioritization, recognition and enforcement of foreign maritime claims when the minority in answer to the question: would English and Singaporean laws recognize a foreign maritime lien, where non would exist, had the claim arisen in England or Singapore, said: if affirmative states, may be tempted to pass 'chauvinistic' laws conferring liens on a plurality of claims, so that the claimants may obtain abroad a preference denied to domestic claimants.

They also went on to reason that, if the question was answered in the negative the effect would be that claimants who have given the ship credit in reliance upon their lien may find themselves sorely deceived. Noting that an answer in either the affirmative or negative would still cause some hardships to claimants, evaluated the authorities, the comity of nations and private international law and reached the conclusion that the lex-fori which is English law should give the maritime lien created by the lex -loci contractus precedence over the mortgagee's mortgage.

It is therefore clear that the controversies surrounding the recognition and enforcement of foreign maritime liens linger on and its generally dependent on whether the jurisdiction in which the case is being heard (the lex-fori) recognizes the lien as a substantive or procedural matter and whether it will be inclined to follow the majority decision in the Halcyon Isle or the reasoning in the Ioannis-Diskalelis line of decisions[16].

In the next segment of the Maritime Knowledge Series our discussion would focus on two theories, the Personification and Procedural Theories as a way of further clarifying the law on the subject.

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[11]See Jackson, DC, Enforcement of Maritime Claims, 4th edn 2005 LLP, P. 683, see also Tetley, 1994. See also the Rome Convention 1980 adopted by the United Kingdom as a member of European Union

[12]Decided before the Halcyon Isle

[13][1974] 1 Lloyds Rep 174

[14]8th edn p. 676

[15]Countries such as Cyprus, Singapore, South Africa, Malaysia, Australia have followed the Halcyon Isle. For a detailed discussion see also the following cases; The Colorado [1923] 14 LI. L. Rep 251; The Pickaniny [1960] I Lloyds Rep 533; The Andrico Unity, [1987] SALR 794 and the Strandhill [1926] 4 DLR 801

[16]For a discussion of some of the issues and the attempt of the International community to address some of these issues, Berlingeri, F, 'An analysis of the issues and difficulties involved in the ratification of the International Conventions of Maritime Liens and Mortgages, 1926, 1967, 1993 [1995] LMCLQ 57. See also the Maritime Liens and Mortgages Convention 1993

MARITIME TRADE REVIEW
(April-June, 2014)

INTRODUCTION

For the second quarter of 2014, total cargo throughput at the sea ports of Ghana amounted to over 4.8 million tons. This was made up of 4.52 million tons of Ghana's trade and 286,366 tons of transshipment/transit goods. Of the 4.52 million tons of Ghana's trade, total import was 3.16 million tons or 70% of the total Ghanaian trade while total export amounted to over 1.3 million tons or 30% of total volume of Ghana's trade.

Total volume of trade through the port of Tema was over 3.46 million tons (76% of total volume of cargo) while the Takoradi port handled 1.06 million tons (24%).

Total transit cargo (import and export) for the period was 5% (213,815 tons) of the total volume of cargo through the sea ports of Ghana.

The total transshipments and transit trade amounted to 286,366 tons. Table 1 and Fig 1 below give a summarized view of the maritime trade situation for the review period.

Table 1 MARITIME TRADE OF GHANA IN TONS APRIL-JUNE 2014

	IMPORT	EXPORT	TOTAL	% Port Share	% Transit of Transship./Transit
Takoradi	251,915	815,210	1,067,125	24	
Tema	2,909,960	552,642	3,462,602	76	
Total	3,161,874	1,367,852	4,529,726		
	70	30			
Transshipment/Transit	280,293	6,073	286,366	6	
Transit	(226,760)	(5,056)	(231,816)	5	81
Total Throughput	3,442,168	1,373,925	4,816,093		
% Share	71	29			

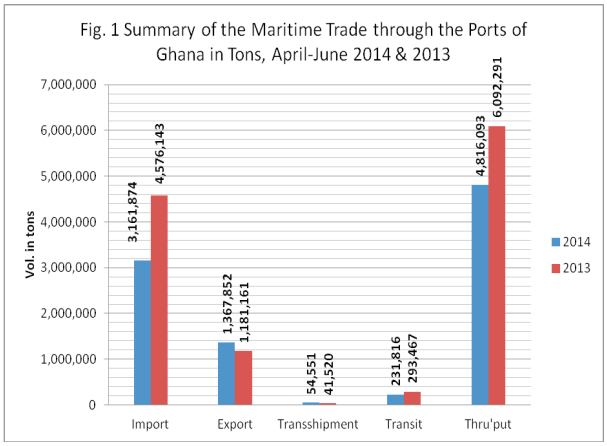
APRIL-JUNE 2013 AND 2014 COMPARED

Table 2 below compares the performance of the maritime trade in the review period of April to June 2014 to the performance in the same period in 2013. Total throughput of trade for the review period decreased by about 21% from 6.0 million tons in 2013 to 4.8 million tons in 2014. Total import decreased by 31% while total export showed 16% increase in tonnage. Total transit volume also decreased by 21% during the review period while transshipment recorded over 31% increase.

In the port of Tema, total volume of trade decreased by about 21% from 4.7 million tons in 2013 to 3.73 million tons in 2014. Import fell by 26% while export increased by 24%. Transit cargo through the Tema port fell by 22% while transshipment increased almost 29%.

The port of Takoradi also experienced a 21% decrease from the 1.36 million tons recorded for the 2013 period to 1.0 million tons during the review period. Import tonnage decreased by 60% while export tonnage increased by 11% over the 2013 tonnage. Total transit tonnage recorded for the port of Takoradi during the review period increased by 42% from 6,145 tons in 2013 to 8,740 tons. Fig. 1 below gives details of the comparison of the two periods.

Table 2 Maritime Trade of Ghana Compared in Tons (April -June 2013 &2014)									
	Tema			Takoradi			Total		
	2014	2013	%change	2014	2013	%change	2014	2013	%change
Import	2,909,960	3,951,881	-26	251,915	624,263	-60	3,161,875	4,576,144	-31
Export	552,642	445,751	24	815,210	735,410	11	1,367,852	1,181,161	16
Transshipment	53,202	41,282	28.9	1,349	238	466.8	54,551	41,520	31.4
Transit	223,076	287,322	-22.4	8,740	6,145	42.2	231,816	293,467	-21.0
Throughput	3,738,880	4,726,234	-20.9	1,077,214	1,366,056	-21.1	4,816,094	6,092,290	-20.9

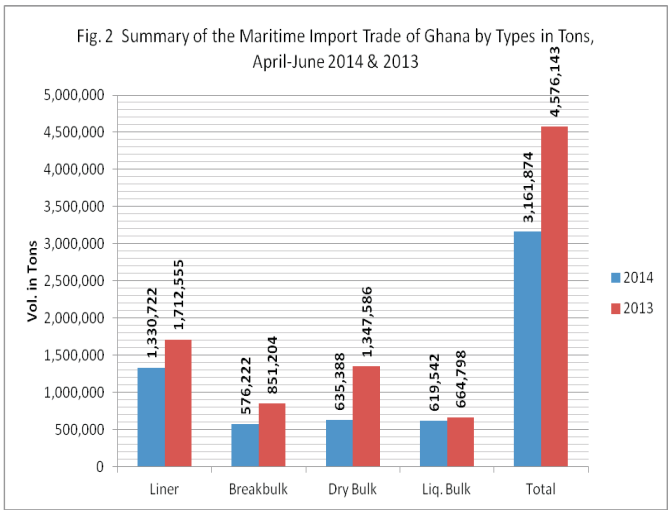


THE IMPORT TRADE

From Table 3 below it can be seen that the maritime trade was grouped into liner, break bulk, dry bulk and liquid bulk trades.

On the import side the total liner trade amounted to over 1.33 million tons for the review period. This was 22% less than what was recorded for the 2013 period. Total break bulk recorded for the period was 576,222 tons, a decrease of 32% from the 2013 record. The dry bulk trade for the review period was 53% less than the 2013 tonnage while the liquid bulk trade saw a 7% decrease from the 2013 tonnage. Figs. 2 below give a pictorial view of the import trade.

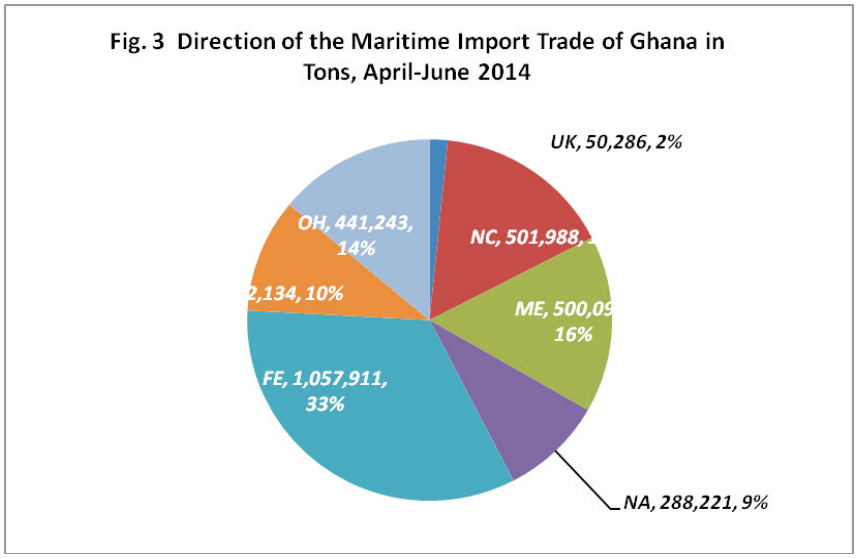
Table 3 Maritime Trade of Ghana By Type in Tons (April-June,2013 &2014)				
		2014	2013	%change
Import	Liner	1,330,722	1,712,555	-22
	Break Bulk	576,222	851,204	-32
	Dry Bulk	635,388	1,347,586	-53
	Liq. Bulk	619,542	664,798	-7
	Total	3,161,874	4,576,143	-31
Export	Liner	442,993	425,047	4
	Break Bulk	134,503	70,659	90
	Dry Bulk	779,031	678,424	15
	Liq. Bulk	11,325	7,031	61
	Total	1,367,852	1,181,161	16



Direction of Maritime Import Trade

Most of the Import trade for the second quarter of 2014 came from the Far East and the North Continent ranges, with the one recording over 1.0 million tons or 33 percent of total import while the other recorded a tonnage of over 501,988 tons (16% of total import). The Mediterranean and the Others ranges followed with 500,091 tons (16%) and 441,243 tons (14%) respectively. The Africa range recorded 322,134 tons or 10 percent of the total import for the review period. The North America range had 288,221 tons or 9 percent while the United Kingdom range recorded 50,286 tons or 2 percent of the total import. The direction of the Import trade is depicted in Table 4 and Fig. 3 below.

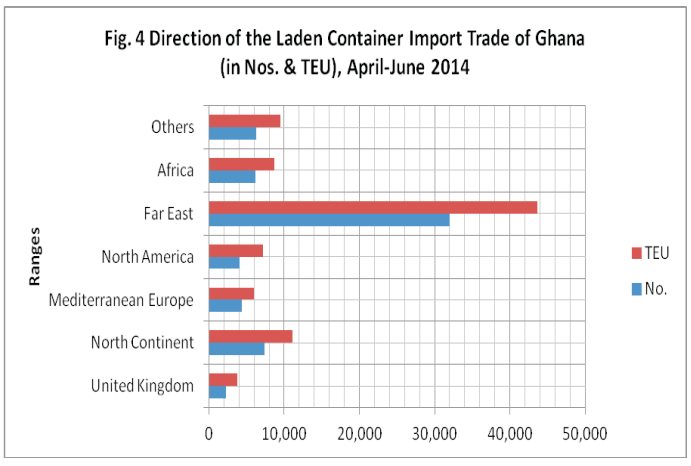
Table 4 Direction of Maritime Import Trade of Ghana in Tons, April -June 2014								
	UK	NC	ME	NA	FE	AF	OH	TOTAL
Liner	46,979	172,654	149,545	72,411	568,330	179,887	140,915	1,330,722
Break Bulk	3,307	53,388	17,660	1,665	310,449	18,591	171,163	576,222
Dry Bulk	0	13,035	299,999	123,531	163,133	26,891	8,800	635,388
Liq. Bulk	0	262,911	32,887	90,614	16,000	96,764	120,365	619,542
Total	**50,286**	**501,988**	**500,091**	**288,221**	**1,057,911**	**322,134**	**441,243**	**3,161,874**
%Share	2	16	16	9	33	10	14	100



Laden Container Import Trade

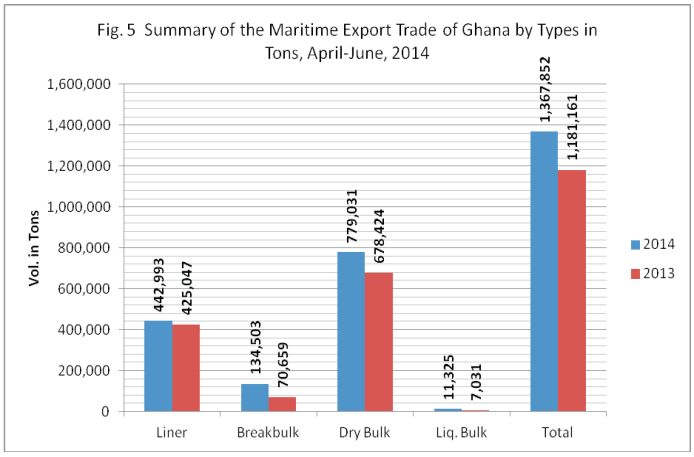
Table 5 Direction of the Laden Container Import Trade in Nos. and TEUs						
Import	Tema		Takoradi		Total	
	No.	TEU	No.	TEU	No.	TEU
United Kingdom	2,109	3,580	109	176	2,218	3,756
North Continent	6,864	10,369	510	753	7,374	11,122
Mediterranean Europe	3,687	4,815	657	1,158	4,344	5,973
North America	3,970	7,021	116	201	4,086	7,222
Far East	31,776	43,403	190	296	31,966	43,699
Africa	6,042	8,553	106	158	6,148	8,711
Others	6,008	9,147	268	327	6,276	9,474
Total	60,456	86,888	1,956	3,069	62,412	89,957

From table 5 above a total of 62,412 containers amounting to 89,957 TEUs were used to carry the import trade for the period. Fig. 4 below shows the distribution over the ranges.



THE EXPORT TRADE

The export trade during the review period recorded an increase of 4% in the liner tonnage moving from 425,047 tons in 2013 to 442,993 tons in 2014. The break bulk trade recorded 90%, moving from 70,659 tons in 2013 to 134,503 tons in the review period. The dry bulk trade recorded an increase of 15% during the review period. The liquid bulk trade showed an increase of 61% during the review period, moving from 7,031 tons in 2013 to 11,325 tons in review period. Total export trade thus for the review period showed 16% increase as can be seen in Table 3 above and Fig 5 below.



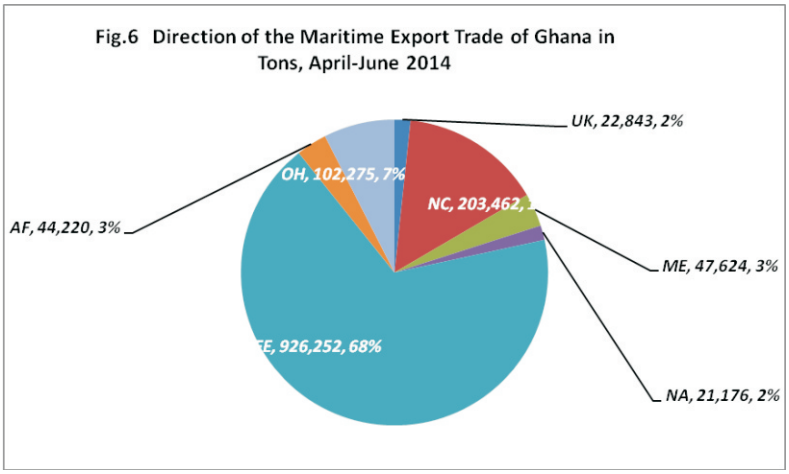
Direction of Maritime Export Trade

The 1.36 million tons of maritime export recorded for the second quarter of 2014 was shipped to various destinations in the world. Majority of the items were exported to the Far East and the North Continent ranges. The Far East range received a total of 926,252 tons (68% of total export) while the North Continent range had a tonnage of 203,462 or 15 percent of total export. A total of 102,275 tons which amounted to 7 percent of the total export was shipped to the others range while the Mediterranean and Africa ranges had 47,624 tons and 44,220 tons or 3 percent. The United Kingdom and North America ranges had 2 per cent each.

Table 6 above and Fig. 6 below give details of the direction of the export trade for the review period.

Table 6 Direction of the Maritime Export Trade of Ghana in Tons, April-June,2014

	UK	NC	ME	NA	FE	AF	OH	TOTAL
Liner	14,843	81,616	42,472	21,176	212,603	43,767	26,516	442,993
Break Bulk	0	22	0	0	132,497	453	1,531	134,503
Dry Bulk	8,000	110,499	5,152	0	581,152	0	74,228	779,031
Liquid Bulk	0	11,325	0	0	0	0	0	11,325
Total	22,843	203,462	47,624	21,176	926,252	44,220	102,275	1,367,852
%Share	2	15	3	2	68	3	7	100

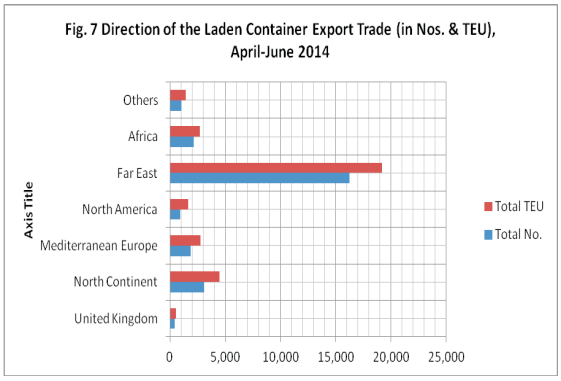


Laden Container Export Trade

Table 7 Direction of the Laden Container Export Trade in Nos. and TEUs

Export	Tema		Takoradi		Total	
	No.	TEU	No.	TEU	No.	TEU
United Kingdom	346	418	79	113	425	531
North Continent	2,667	3,785	442	662	3,109	4,447
Mediterranean Europe	1,532	2,214	345	535	1,877	2,749
North America	560	972	356	655	916	1,627
Far East	15,571	18,347	695	834	16,266	19,181
Africa	2,098	2,593	48	89	2,146	2,682
Others	458	588	549	859	1,007	1,447
Total	23,232	28,917	2,514	3,747	25,746	32,664

From Table 7 above it can be seen that export trade was handled with a total of 25,746 containers which amounted to 32,664 TEUs. Fig. 7 below shows the direction the containers were shipped.



Transhipment/ Transit Trade through the Seaports of Ghana in tons, April- June, 2013 & 2014

Total transshipment and transit trade for the review period was 286,366 tons comprising 280,293 tons of import items and 6,076 tons of export items. The total transshipment and transit tonnage for the review period was 6 percent of cargo throughput and 14.5 percent less than what was recorded in the second quarter of 2013.

Transit trade during the review period amounted to 231,816 tons or 5 percent of cargo throughput and 21 percent less than what was recorded in the second quarter of 2013. The transit tonnage was 81 percent of total transshipment/transit tonnage for the review period. Tables 8A and 8B below give details of the Transit and Transshipments situation for the review period.

Table 8A Summary of The Transshipment/Transit Trade Through The Ports of Ghana in Tons, Jan-Mar 2013 & 2014

Country	2014			2013			% diff
	Import	Export	Total	Import	Export	Total	
Benin	12,270	-	**12,270**	3,018	-	**3,018**	306.6
Burkina Faso	189,448	466	**189,914**	222,406	6,478	**228,884**	(17.0)
Cameroun	393	-	**393**	326	-	**326**	20.5
Guinea	40	-	**40**	39	-	**39**	2.3
Ivory Coast	15,999	750	**16,749**	5,980	225	**6,205**	169.9
Mali	11,889	2,654	**14,543**	22,088	4,729	**26,817**	(45.8)
Niger	25,422	1,936	**27,358**	37,766	-	**37,766**	(27.6)
Nigeria	34	-	**34**	1,604	-	**1,604**	(97.9)
Others	7,987	-	**7,987**	9,204	248	**9,452**	(15.5)
Senegal	328	-	**328**	59	176	**235**	39.7
Togo	16,483	267	**16,750**	20,141	500	**20,641**	(18.9)
Total	280,293	6,073	**286,366**	322,631	12,356	**334,987**	(14.5)

Table 8B Summary of The Transit Trade Through The Ports of Ghana in Tons, Jan-Mar 2013 & 2014

Country	2014			2013			% diff
	Import	Export	Total	Import	Export	Total	
Burkina Faso	189,448	466	**189,914**	222,406	6,478	**228,884**	(17.03)
Mali	11,889	2,654	**14,543**	22,088	4,729	**26,817**	(45.77)
Niger	25,422	1,936	**27,358**	37,766	-	**37,766**	(27.56)
Total	226,760	5,056	**231,816**	282,260	11,207	**293,467**	(21.01)

THE PERFORMANCE OF THE SHIPPING AGENTS IN THE MARITIME TRADE OF GHANA (April- June, 2014)

A total of sixty one (61) Shipping Agents were involved in handling the over 4.5 million tons of cargo in the maritime trade of Ghana for the second quarter of 2014.

Liner Trade

A total of fifty two (52) shipping agents took part in the liner trade of over 1.88 million tons or 42 percent of the total maritime trade during the review period.

The highest performer in the liner trade was Maersk Gh Ltd with 412,163 tons or 9 percent of the total liner cargo. PIL Gh. Ltd with 149,738 tons or 3.5 percent of the liner cargo throughput and MSCA Gh Ltd with 172,665 tons (3.9%) came next. Next were Delmas Shipping with 127,320 tons (2.90%) and Intermodal Shipping with 89,470 tons (2.3%). The rest handled between 0.01 percent and 5.28 percent as shown in Table 8 below.

Break Bulk

Thirty one (31) shipping agencies participated in the break bulk trade of 863,932 tons or 19.65 percent of total maritime trade for the review period.

Scanship Gh Ltd was the highest performer in this trade. It handled over 133,401 tons of break bulk items for the period. This amounted to over 3 percent of the break bulk trade. Seatrans Gh Ltd was next with over 106,280 tons (2.42%). Silver Maritime Gh Ltd handled over 99,623 tons amounting to over 2.27 percent. GMT Shipping handled over 93,525 tons (2.1%). The rest of the agents handled between less than one percent and about 0.5 percent of the trade.

Dry Bulk Trade

Eleven (11) shipping agents handled the over 1.03 million tons of dry bulk cargo or 23.5 percent of the total maritime trade for the review period. The highest performers were Hullyblyth with over 369,348 tons or about 8.4 percent of the total dry bulk trade, Global Commodities with 262,000 tons (5.96%) and Supermaritime with 121,457 tons (2.7%). The others handled between less than one percent and about 1.3 percent.

Liquid Bulk Trade

Nine (9) shipping agents handled the over 615,334 tons of the liquid bulk trade which was 13.9 percent of the total maritime trade.

The highest performers in this trade were Sea & Shore shipping and Inchcape Shipping Services with tons of 214,044 tons or 4.8% and 143,491 tons or 3.2% respectively. Bulk ship & Trade and Daddo Maritime Service recorded just over 2 % respectively of the liquid bulk trade.

The rest of the agents handled less than one percent.

Table 9 below gives more details of the performance of the shipping agents in the maritime trade for the second quarter of 2014

Table 9 GHANA SHIPPERS' AUTHORITY

PERFORMANCE OF SHIPPING AGENTS IN GHANA'S SEABORNE TRADE - APR. - JUNE. 2013

IMPORT AND EXPORT - TEMA & TAKORADI

	IMPORT	EXPORT	TOTAL	%SHARE
LINER				
AFRICAN STEAM SHIP	780	0	780	0.02
A&J SHIPPING SERVICES	2,257	0	2,257	0.05
ANDIPEX CO. LTD	5,860	0	5,860	0.13
ANTRAK GH. LTD	48,121	6,147	54,268	1.23
AQUA MARINE SHIPP. GH. LTD	1,514	0	1,514	0.03
BEACON SHIPP. HANJIN GH.	83,154	0	83,154	1.89
BLUE FUNNEL GH. LTD	284	0	284	0.01
BULKERS	1	0	1	0.00
CONSOLIDATED SHIPP. AGENCIES LTD	5,260	0	5,260	0.12
CORAL MARINE LTD	4,009	0	4,009	0.09
DELMAS SHIPP. GH. CMA CGM	89,160	38,161	127,320	2.90
DOLPHIN SHIPP. SERVICES	10,634	0	10,634	0.24
ELDER DEMPSTER GH.	76	0	76	0.00
FAIRPOINT BUSINESS	1,844	0	1,844	0.04
GETMA GH. LTD	50,514	0	50,514	1.15
GLOBAL CARGO & COMMODITIES	7,831	0	7,831	0.18
GMT SHIPPING LTD	39,762	0	39,762	0.90
GRIMALDI GH. LTD	60,343	14,223	74,566	1.70
HULL BLYTH GH. LTD	18,850	67,242	86,092	1.96
INCHCAPE SHIPP. SERVICES GH. LTD	34,232	14	34,246	0.78
INTERMODAL SHIPP. AGENCY GH. LTD	64,020	25,450	89,470	2.03
KHUDA SERVICES	7,783	0	7,783	0.18
KOYANKS CO. LTD	7,501	0	7,501	0.17
MAERSK GH. LTD	356,460	55,703	412,163	9.37
MOL GH. LTD	80,782	21,293	102,075	2.32
MSCA GH. LTD	140,172	32,493	172,665	3.93
OIL & MARINE AGENCIES	52,610	18,727	71,338	1.62
OVEESEAS SHIPP. & LOGISTICS	2,642	0	2,642	0.06
PANALPINA GH. LTD	16,757	2,896	19,653	0.45
PIL GH. LTD	103,258	46,480	149,738	3.40
PORTS MARINE LTD	12,179	0	12,179	0.28

SCANSHIP GH. LTD	43,157	2,059	45,216	1.03
SDV GH. LTD	22,955	15,005	37,960	0.86
SEATRANS GH. LTD	9,517	0	9,517	0.22
SEVENLOG LTD	1,176	7,018	8,194	0.19
SHARAF SHIPPING AGENCY	6,532	0	6,532	0.15
SILVERMARITIME GH. LTD	205	0	205	0.00
STARDEX MARINE CONSULT	14,553	0	14,553	0.33
SUPERMARITIME GH. LTD	51,227	19,279	70,506	1.60
TRAMSCO SHIPPING	1,186	0	1,186	0.03
TRANSGLOBAL SHIPPING	6,919	0	6,919	0.16
TTV LTD	3,559	0	3,559	0.08
UNITED ARAB SHIPPING AGENCIES	42,395	0	42,395	0.96
SUB-TOTAL	**1,512,033**	**372,190**	**1,884,224**	**42.85**
BREAK BULK				
ANTRAK GH. LTD	7,223	0	7,223	0.16
AQUA MARINE SHIPP. GH. LTD	0	0	0	0.00
BEACON SHIPPING HANJIN GH.	25,450	0	25,450	0.58
BLUE FUNNEL GH.	14	0	14	0.00
DELMAS SHIPP. GH. CMA CGM	15,370	12,160	27,531	0.63
ELDER DEMPSTER GH.	4	0	4	0.00
FACULTY LOGISTICS LTD	60,400	0	60,400	1.37
GLOBAL CARGO & COMMODITIES	58,552	0	58,552	1.33
GMT SHIPPING GH. LTD	93,525	0	93,525	2.13
GRIMALDI GH. LTD	7,251	0	7,251	0.16
HULL BLYTH GH. LTD	2	9,540	9,542	0.22
INCHCAPE SHIPPING SERVICES	22,495	0	22,495	0.51
INTERMODAL SHIPP. AGENCY GH. LTD	13,004	13,423	26,427	0.60
MAERSK GH. LTD	42,063	13,357	55,420	1.26
MAXITIDE VENTURES LTD	3,958	0	3,958	0.09
MOL GH. LTD	5,651	0	5,651	0.13
MSCA GH. LTD	38,840	1,088	39,928	0.91
OIL & MARINE AGENCIES	6,418	173	6,590	0.15
OVERSEAS SHIPPING & LOGISTICS	1	0	1	0.00
PANALPINA GH. LTD	3,651	120	3,771	0.09
PIL GH. LTD	34,606	5,594	40,200	0.91
PORTS MARINE LTD	3,433	0	3,433	0.08
SCANSHIP GH. LTD	133,401	0	133,401	3.03
SDV GH. LTD	10,017	1,614	11,631	0.26
SEATRANS GH. LTD	106,280	0	106,280	2.42
SEVENLOG LTD	155	0	155	0.00
SHARAF SHIPPING AGENCY LTD	0	0	0	0.00
SILVERMARITIME GH. LTD	99,623	0	99,623	2.27
SUPERMARITIME GH. LTD	2,604	58	2,662	0.06
UNITED ARAB SHIPP. AGENCIES	12,815	0	12,815	0.29
SUB-TOTAL	**806,805**	**57,127**	**863,932**	**19.65**

DRY BULK				
BEACON SHIPPING HANJIN GH.	1,384	0	1,384	0.03
DAMCO LOGISTICS GH. LTD	110,199	0	110,199	2.51
GETMA GH. LTD	32,292	0	32,292	0.73
GLOBAL CARGO & COMMODITIES	262,000	0	262,000	5.96
GRIMALDI GH. LTD	917	0	917	0.02
HULL BLYTH GH. LTD	369,348	0	369,348	8.40
INCHCAPE SHIPPING SERVICES	35,000	0	35,000	0.80
MAERSK GH. LTD	194	0	194	0.00
MAP SHIPPING LTD	58,857	0	58,857	1.34
SCANSHIP GH. LTD	33,086	9,395	42,481	0.97
SUPERMARITIME GH. LTD	121,457	0	121,457	2.76
SUB-TOTAL	**1,024,734**	**9,395**	**1,034,129**	**23.52**
LIQUID BULK				
BULKSHIP & TRADE LTD	90,909	0	90,909	2.07
DADDO MARITIME SERV. GH. LTD	124,258	0	124,258	2.83
GETMA GH. LTD	28,421	0	28,421	0.65
INCHCAPE SHIPPING SERVICES	140,480	3,011	143,491	3.26
OIL & MARINE AGENCIES	5,242	0	5,242	0.12
PANALPINA GH. LTD	0	1,012	1,012	0.02
SCANSHIP GH. LTD	0	3,008	3,008	0.07
SEA & SHORE	214,044	0	214,044	4.87
SUPERMARITIME GH. LTD	4,950	0	4,950	0.11
SUB-TOTAL	**608,303**	**7,031**	**615,334**	**13.99**
GRAND TOTAL	**3,951,875**	**495,743**	**4,529,618**	**100.00**

THE PERFORMANCE OF SHIPPING LINES/CHARTERERS IN THE MARITIME TRADE OF GHANA, APRIL- JUNE, 2014.

A total of two hundred and twenty-one (221) shipping lines and charterers participated in the carriage of the over 4.53 million tons of maritime trade comprising over 3.16 million tons of imports and over 1.36 million tons of exports during the second quarter of 2014.

THE LINER TRADE

Seventy four (74) shipping lines and charterers handled the over 1.79 million tons of liner cargo or 39 percent of the total maritime trade for the second quarter of 2014.

The highest performer was Maersk Line accounting for 369,651 tons representing 20.6 percent of the total liner trade. The Others and Pacific International lines followed with 162,438tons or 9% and 146,636 tons or about 8 percent of the liner trade. Mediterranean and Goldstar lines came next with 139,647 tons or 7 percent and 85,584 tons or 5 percent of the liner trade. The rest of the shipping lines and charterers handled between less than one percent and 3 percent of the liner trade for the review period.

THE BREAK BULK TRADE

A forty-five (45) shipping lines and charterers participated in this trade which amounted to over 733,036 tons during the review period. This tonnage was made up of 554,388 tons of import and 178,648 tons of export.

China Ocean Shipping was the highest performer handling 44,594 tons or 6 percent of the total breaks bulk trade. This was followed by Royal Bow (40,743 tons or 5.56%) and Sevenlog Shipping line (23,151 tons or 3.1%). The rest handled between less than one percent and 3 percent.

THE DRY BULK TRADE

Seventy-five (75) shipping lines participated in the over 1.3 million tons or 28 percent of dry bulk trade for the period under review. This comprised 635,485 tons of import and 741,886 tons of exports.

The highest performer was IMT Trading with 562,194 tons or 40% and HC Trading with 331,830 tons or about 24% of the total dry bulk trade. Maersk Line followed with 144,160 tons (19.67%).

The rest of the line had between less than 1 percent and 1.5 percent.

THE LIQUID BULK TRADE

A total of 26 shipping lines and charterers participated in the liquid bulk trade of 489,130 tons accounting for 10.8 percent of the maritime trade.

Unspecified Shipping Line was the highest performer in this trade with 55,516 tons or 11 percent. EBONY OIL was next with 44,793 tons or 9.1 percent and followed by BP Oil International was next with 43,819 tons or 8.9 percent of the liquid bulk trade.

ECO (39,331 tons) and VIHIMA (39,540 tons) Oil Trading companies all recorded about 8 percent of the liquid bulk trade.

Table 9 below shows the detailed performance of the shipping lines and charterers involved in Ghana maritime trade for the second quarter of 2014.

Table 9 GHANA SHIPPERS' AUTHORITY

PERFORMANCE OF SHIPPING LINES/CHARTERERS IN GHANA'S SEABORNE TRADE - APR - JUNE 2014

IMPORT AND EXPORT - TEMA – TAKORADI

	IMPORT	EXPORT	TOTAL	%SHARE / TRADE TYPE	%SHARE
LINER					
A.C.A	0	0	0	0.00	0.00
ADVANCED MARITIME TRANSPORT	3,502	0	3,502	0.20	0.08
AFRICA EXPRESS LINE	4,103	5,744	9,847	0.55	0.22
AFRITRAMP	1,234	0	1,234	0.07	0.03
AMT LINES	0	0	0	0.00	0.00
AMANDI GH	0	0	0	0.00	0.00
ARKAS LINE	28,395	9,893	38,288	2.14	0.85
ALPHA REEFER	548	0	548	0.03	0.01
AVNASH	43,913	0	43,913	2.46	0.97
BAJ FREIGHT	8	0	8	0.00	0.00
BBC CHARTERING	0	0	0	0.00	0.00
BOLLORE AFRICA LTD	0	365	365	0.02	0.01
BREADBOX	0	0	0	0.00	0.00
CCB LA COMPAIGNE DU CAP BLANC	3,317	0	3,317	0.19	0.07
CHINA OCEAN SHIPPING	18,675	4,137	22,812	1.28	0.50
CHINA SHIPPING	31,546	10,110	41,656	2.33	0.92
CIRRUS	0	0	0	0.00	0.00
CMA CGM	42,025	28,940	70,965	3.97	1.57
COMMODITIES TRADING	2,026	0	2,026	0.11	0.04
CONSHIP LINES	0	0	0	0.00	0.00
CONTI GMT SHIPPING	3,058	0	3,058	0.17	0.07
COSCO LINES	201	0	201	0.01	0.00
COSCON	0	0	0	0.00	0.00
DANGOTE	0	0	0	0.00	0.00
DARYA SHIPPING	0	0	0	0.00	0.00
DELMAS	37,613	20,340	57,953	3.24	1.28
DIAMOND SHIPPING	0	0	0	0.00	0.00
EAGLE WEST AFRICA SERVICES	9,812	12,242	22,054	1.23	0.49
ECO	0	0	0	0.00	0.00

EUROFISH TRADING	764	0	764	0.04	0.02
EUKOR CAR CARRIERS	7,146	0	7,146	0.40	0.16
EURO AFRICA	0	0	0	0.00	0.00
EVERGREEN SHIPPING LINE	32,473	6,143	38,616	2.16	0.85
FERTICHEM	0	0	0	0.00	0.00
FIRESTONE	0	0	0	0.00	0.00
FUELTRADE	72	0	72	0.00	0.00
GEMMA SHIPPING	0	0	0	0.00	0.00
GLOBAL ACE	22	0	22	0.00	0.00
GLOVIS	3,990	593	4,583	0.26	0.10
GMT SHIPPING	0	0	0	0.00	0.00
GOLDSTAR LINES	54,500	31,084	85,584	4.79	1.89
GREEN SEAS	0	0	0	0.00	0.00
GREEN SHIPPING	3,272	0	3,272	0.18	0.07
GRIMALDI LINES	34,225	12,914	47,139	2.64	1.04
HANJIN SHIPPING	51,862	15,750	67,612	3.78	1.49
HAPAG LLOYD	44,310	17,215	61,525	3.44	1.36
HARTMANN PROJECT LINE	0	0	0	0.00	0.00
HB SHIPPING	602	0	602	0.03	0.01
HEAD OF COMPASS ROSE SHIPPING	0	0	0	0.00	0.00
HC TRADING	23,690	397	24,087	1.35	0.53
HOEGH AUTOLINES	6,808	0	6,808	0.38	0.15
HONG GLORY	455	0	455	0.03	0.01
HUAL LINES	4	0	4	0.00	0.00
INTERMARINE LLC	21	0	21	0.00	0.00
IMT	0	803	803	0.04	0.02
J. MAR (SEA FOODS) LTD.	15,780	0	15,780	0.88	0.35
JAPAN TUNA ASSOCIATION	18	0	18	0.00	0.00
K' LINES	24	0	24	0.00	0.00
KASAPREKO	7,059	0	7,059	0.39	0.16
LATEX FOAM	0	0	0	0.00	0.00
LOUIS DREYFUS CORP.	0	0	0	0.00	0.00
MAERSK LINE	301,938	67,713	369,651	20.67	8.16
MEDKON LINES	182	0	182	0.01	0.00
MARITIME LINE	0	0	0	0.00	0.00
MEDITERANEAN LINE	107,523	32,124	139,647	7.81	3.08
MESSINA LINES	6,428	4,314	10,742	0.60	0.24
MITSUI O.S.K LINES	43,544	11,800	55,344	3.09	1.22
NAVIG 8 CHEMICAL	0	0	0	0.00	0.00
NAVITRANS	169	0	169	0.01	0.00
NECOTRANS	0	0	0	0.00	0.00
NEW SEA	1,165	0	1,165	0.07	0.03
NILEDUTCH	0	3,017	3,017	0.17	0.07
NIPPON YUSEN KAISHA	18,063	7,822	25,885	1.45	0.57
NMT LINES	2,314	94	2,408	0.13	0.05
NORDANA LINES	1,050	0	1,050	0.06	0.02

NOVELLE	6,933	0	6,933	0.39	0.15
OCEAN TRAWLERS	1,061	0	1,061	0.06	0.02
OLAM GHANA	7,150	0	7,150	0.40	0.16
OLAM INTERNATIONAL	0	0	0	0.00	0.00
OTAL	4	0	4	0.00	0.00
OTHER	154,047	8,391	162,438	9.08	3.59
PACIFIC INT. LINES	86,620	60,018	146,638	8.20	3.24
PARALEVLIEL & VAN DER PLAS	752	0	752	0.04	0.02
PLANINIUM CORPORATION	2,155	0	2,155	0.12	0.05
RIGLAND INTERNATIONAL	0	0	0	0.00	0.00
RESOURCE MARINE LTD	0	0	0	0.00	0.00
RMR	80	0	80	0.00	0.00
ROYAL BOW	7,003	0	7,003	0.39	0.15
SAFMARINE	4	42,627	42,631	2.38	0.94
SALLUAM LINES	4,411	1,611	6,022	0.34	0.13
SARAGO LTD	0	0	0	0.00	0.00
SBM SHIPPING	258	0	258	0.01	0.01
SEVENLOG	339	0	339	0.02	0.01
SYSTEMAR LTD	1,464	0	1,464	0.08	0.03
SPLIETHORFF	0	0	0	0.00	0.00
T.H.B TRANSPORT	0	0	0	0.00	0.00
TEMALUBE OIL	4,787	0	4,787	0.27	0.11
TOPSHEEN GROUP	346	0	346	0.02	0.01
TEMA OIL REFINERY	0	0	0	0.00	0.00
THORCO SHIPPING	2,932	0	2,932	0.16	0.06
TUNE CHEMICAL TANKERS	0	0	0	0.00	0.00
UNITED ARAB SHIPPING AGENCIES	25,326	15,035	40,361	2.26	0.89
UNITED STEEL CO.	4,616	0	4,616	0.26	0.10
UNIVERSAL AFRICA	2,246	1,296	3,542	0.20	0.08
UNILEVER	1,049	0	1,049	0.06	0.02
UNSPECIFIED SHIPPING LINE	22,189	0	22,189	1.24	0.49
VITOL	19	0	19	0.00	0.00
VAN WEELDE CHARTERING	0	0	0	0.00	0.00
VOLTA RIVER AUTHORITY	0	0	0	0.00	0.00
W. VAN DER ZWAN & ZA	2,928	0	2,928	0.16	0.06
WOL OCEAN INTL	234	0	234	0.01	0.01
YARA GH. LTD	8,100	0	8,100	0.45	0.18
ZIM LINE	5,888	3,462	9,350	0.52	0.21
SUB-TOTAL	**1,352,390**	**435,994**	**1,788,384**	**100.00**	**39.48**
BREAK BULK					
ADVA. MARITIME TRANSPORT	1	0	1	0.00	0.00
AFRICA EXPRESS LINE	0	0	0	0.00	0.00
AMANDI GH.	0	0	0	0.00	0.00
AFRITRAMP	1	0	1	0.00	0.00
ARKRAS LINE	9,259	0	9,259	1.26	0.20
ATALA LTD	0	0	0	0.00	0.00

BBC CHARTERING	1	0	1	0.00	0.00
BURCANS SHIPPING	0	0	0	0.00	0.00
BOLLORE LINES	0	7,300	7,300	1.00	0.16
CHINA OCEAN SHIPPING	44,594	0	44,594	6.08	0.98
CHINA SHIPPING	3,587	3,367	6,954	0.95	0.15
CMA CGM	16,991	6,648	23,639	3.22	0.52
CONTI GMT SHIPPING	22,392	0	22,392	3.05	0.49
COSCON	0	0	0	0.00	0.00
COSCO LINES	339	0	339	0.05	0.01
CONTI LINES	0	0	0	0.00	0.00
DANGOTE	0	0	0	0.00	0.00
DARYA SHIPPING	0	0	0	0.00	0.00
DELMAS SHIPP. GH. CMA CGM	2,502	2,528	5,030	0.69	0.11
EAGLE WEST AFRICA SERVICES	11	0	11	0.00	0.00
ECO	0	0	0	0.00	0.00
E.S.L	0	0	0	0.00	0.00
EUKOR CAR CARRIER SERVICES	15	0	15	0.00	0.00
EVERGREEN SHIPPING LINES	5,603	1,023	6,626	0.90	0.15
FIRESTONE	0	0	0	0.00	0.00
FUELTRADE	0	0	0	0.00	0.00
GLOBAL ACE	0	0	0	0.00	0.00
GLOVIS	304	0	304	0.04	0.01
GMT SHIPPING LINE	0	0	0	0.00	0.00
GONG DENG ANNEX	0	0	0	0.00	0.00
GOLDSTAR LINE	12,836	18,480	31,316	4.27	0.69
GRIMALDI LINE	781	0	781	0.11	0.02
IMC CHINA	0	0	0	0.00	0.00
HANJIN SHIPPING	10,327	16,732	27,059	3.69	0.60
HAPPAG LLOYD	4,995	1,610	6,605	0.90	0.15
HB SHIPPING	68	0	68	0.01	0.00
HC TRADING	0	7,000	7,000	0.95	0.15
HEAD OF COMPASS ROSE SHIPPING	0	0	0	0.00	0.00
HIPPO GH. LTD	33,100	0	33,100	4.52	0.73
HONG GLORY	328	0	328	0.04	0.01
HOEGH AUTOLINERS	115	0	115	0.02	0.00
JAPAN TUNA ASSOCIATION	0	0	0	0.00	0.00
K' LINE	60	0	60	0.01	0.00
LOUIS DREYFUS CORP.	2,750	0	2,750	0.38	0.06
I.M.T	0	13,000	13,000	1.77	0.29
MAERSK LINE	77,953	66,207	144,160	19.67	3.18
MARVEL OCEANWAY S.A	0	0	0	0.00	0.00
MEDITERANNEAN SHIPPING LINE	17,258	2,404	19,662	2.68	0.43
MESSINA LINE	636	0	636	0.09	0.01
MITSUI O.S.K LINES	4,469	1,749	6,218	0.85	0.14
MUR SOUTH AFRICA	3,356	0	3,356	0.46	0.07
NECOTRANS	992	0	992	0.14	0.02

NILEDUTCH	16,500	0	16,500	2.25	0.36
NIPPON YUSEN KAISHA	2,745	2,519	5,264	0.72	0.12
NMT LINES	69	0	69	0.01	0.00
NORDANA LINES	7	0	7	0.00	0.00
OLAM GHANA	0	0	0	0.00	0.00
OTAL	2	0	2	0.00	0.00
OTHER	68,203	0	68,203	9.30	1.51
PACIFIC INTERNATIONAL LINES	25,552	6,306	31,858	4.35	0.70
PLANINIUM CORPORATION	25,783	0	25,783	3.52	0.57
RMR SHIPPING	0	0	0	0.00	0.00
RAGTIME NAVIGATION INC.	0	0	0	0.00	0.00
RESOURCE MARINE LTD	0	0	0	0.00	0.00
ROYAL BOW	40,743	0	40,743	5.56	0.90
SALLAUM LINES	0	0	0	0.00	0.00
SAFMARINE	0	6,425	6,425	0.88	0.14
SEVENLOG	23,151	0	23,151	3.16	0.51
SOL GH. LTD	15,160	0	15,160	2.07	0.33
SUCDEN	11,566	0	11,566	1.58	0.26
TEMA OIL REFINERY	0	0	0	0.00	0.00
TOPSHEEN SHIPPING GROUP LTD	32	0	32	0.00	0.00
THORCO SHIPPING A/S	11,728	0	11,728	1.60	0.26
UNITED ARAB SHIPPING	5,607	254	5,861	0.80	0.13
UNITED STEEL CO.	15,925	0	15,925	2.17	0.35
UNICARGO	0	15,096	15,096	2.06	0.33
UNIVERSAL AFRICA LINES	35	0	35	0.00	0.00
UNSPECIFIED SHIPPING LINE	9,991	0	9,991	1.36	0.22
WOL OCEAN INTERNATIONAL	3,972	0	3,972	0.54	0.09
VITOL SA	2	0	2	0.00	0.00
ZIM LINE	1,991	0	1,991	0.27	0.04
SUB-TOTAL	**554,388**	**178,648**	**733,036**	**100.00**	**16.18**
DRY BULK					
AFCOTT	0	0	0	0.00	0.00
AFRITRAMP	0	0	0	0.00	0.00
BREADBOX	0	0	0	0.00	0.00
CARMEUS TRADING	0	0	0	0.00	0.00
CHINA OCEAN SHIPPING	0	0	0	0.00	0.00
CHEMICO	0	0	0	0.00	0.00
CMA CGM	0	0	0	0.00	0.00
DANGOTE	92520	0	92520	6.72	2.04
ESL	0	0	0	0.00	0.00
EVERGREEN SHIPPING	1440	0	1440	0.10	0.03
EURO AFRICA	0	0	0	0.00	0.00
FLOUR MILLS GH. LTD	0	0	0	0.00	0.00
GOLD STAR LINE	0	0	0	0.00	0.00
GMT LINES	0	32300	32300	2.35	0.71
GRIMALDI LINES	0	0	0	0.00	0.00

HANJIN SHIPPING	1200	0	1200	0.09	0.03
HB SHIPPING	0	0	0	0.00	0.00
HC TRADING	302563.46	29267	331830.46	24.09	7.33
I.M.T	0	562194	562194	40.82	12.41
MAERSK LINE	1252.5	0	1252.5	0.09	0.03
MEDITERANNEAN SHIPPING	5035.09	179	5214.09	0.38	0.12
MITSUI O.S.K LINES	0	0	0	0.00	0.00
NECOTRANS	0	0	0	0.00	0.00
NILEDUTCH	7972.85	0	7972.85	0.58	0.18
NOVELLE	0	0	0	0.00	0.00
OLAM	23000	0	23000	1.67	0.51
OCEANCREST	73011.1	0	73011.1	5.30	1.61
OTHER	106999	31542	138541	10.06	3.06
SAVANA DIAMOND	0	0	0	0.00	0.00
SBM SHIPPING	0	0	0	0.00	0.00
TEMAFLOUR MILL	0	0	0	0.00	0.00
UNITED ARAB SHIPPING	690.62	0	690.62	0.05	0.02
UNIVERSAL AFRICA LINE	0	86404	86404	6.27	1.91
YARA GH. LTD	19800	0	19800	1.44	0.44
SUB-TOTAL	**635,485**	**741,886**	**1,377,371**	**100.00**	**28.06**
LIQUID BULK					
BP OIL INTERNATIONAL	43,819	0	43,819	8.96	0.97
CIRRUS	29,905	0	29,905	6.11	0.66
CHINA SHIPPING	5,525	0	5,525	1.13	0.12
DRAM OIL	13,516	0	13,516	2.76	0.30
EBONY	44,793	0	44,793	9.16	0.99
EBONY/FUEL TRADE	17,116	0	17,116	3.50	0.38
EBONY/PEACE/SPRINGFIELD	37,559	0	37,559	7.68	0.83
ECO	39,331	0	39,331	8.04	0.87
FUELTRADE	10,401	0	10,401	2.13	0.23
GEOGAS TRADING	34,009	0	34,009	6.95	0.75
GLENCORE	32,887	0	32,887	6.72	0.73
INSPECTORATE GH LTD	36,947	0	36,947	7.55	0.82
LITASCO	3,295	0	3,295	0.67	0.07
OTHER	9,843	1,108	10,951	2.24	0.24
PETROINEOS TRADING LTD	33,922	0	33,922	6.94	0.75
PLATON GAS OIL GH	4,502	0	4,502	0.92	0.10
SBM SHIPPING	3,420	0	3,420	0.70	0.08
SUCDEN	33,369	0	33,369	6.82	0.74
TEMA OIL REFINERY	15,324	0	15,324	3.13	0.34
TOTSA- TEMAOIL TRADING	36,991	0	36,991	7.56	0.82
TRAFIGURA	1,548	0	1,548	0.32	0.03
UNSPECIFIED SHIPPING LINE	55,516	0	55,516	11.35	1.23
VIHAMA	39,540	0	39,540	8.08	0.87
VITOL	10,229	10,217	20,446	4.18	0.45
VOLTA RIVER AUTHORITY	10,306	0	10,306	2.11	0.23
WILMAR AFRICA LTD	16,000	0	16,000	3.27	0.35
SUB-TOTAL	**619,613**	**11,325**	**489,130**	**100.00**	**10.80**
GRAND TOTAL	**3,161,876**	**1,367,853**	**4,529,729**	**100.00**	**100.00**

GHANA SHIPPERS' AUTHORITY LAUNCHES ITS 40TH ANNIVERSARY CELEBRATION

The Ghana Shippers' Authority on the 1st October 2014 launched the celebration of its 40th anniversary at Alisa Hotel. The theme for the celebration was: "Forty Years of providing dedicated services to shippers in Ghana: Achievements, Challenges and Opportunities".

The Ghana shippers' Authority was established in 1974 by National Redemption Council decree (NRCD) and is the body mandated by law to promote, protect and represent the interest of shippers in Ghana.

The Chief Executive of the Ghana Shipper Authority, Dr Kofi Mbiah, in his address mentioned the activities and achievements of the Authority over the years. According to him, the Authority had moved from being a small secretariat subsisting on government subvention to a net revenue generating organisation with offices in Accra, Tema, Takoradi and Kumasi.

According to Dr Mbiah, in order to ensure efficiency and productivity, the Authority has introduced new innovations that are aimed at providing new approaches in technical infusion into their businesses and providing a dashboard solution to the multi-faceted problems of the shippers in Ghana.

The Chief Executive noted that in accordance with its mandate as enshrined in the GSA Regulations (L.I.2190), the Authority would in January, 2015 begin the implementation of the Advanced Shippers Information (ASHI) which is expected to provide information to shippers in advance of the arrival of their cargo, facilitate clearing of their cargo and thus reduce the payment of huge demurrage and rent costs.

Dr Mbiah stated that the Authority has partnered with the private sector for

the provision of logistics and maritime transport infrastructure for the benefit of importers and exporters. Infrastructure such as warehouses for storage of shippers cargoes, logistics platform to serve the logistics needs of the oil and gas industry and also now under construction a 12 storey Shippers House. Also, Shipper Complaints and Support Units have been established in Afloa, Elubo, Takoradi Port, the Kotoka International Airport and Paga to assist shippers in their import and export activities.

The Authority in carrying out its duties can boast of highly qualified staff that are dedicated to addressing the needs of shippers in Ghana. The Authority as part of its corporate social responsibility has engaged in the building of classroom blocks for Boankra and Hwireso communities in the Ashanti region, and the Regional Maritime University in Nungua, Accra. It has also provided white boards and markers to some JSS schools in the Greater Accra region and donated food supplies to the psychiatry hospital in Asylum Down Accra.

The Special Guest of Honour and Executive Chairman of the GCNet, Dr Nortey Omaboe commended the Authority for establishing its presence in all the ten regions of Ghana through the activities of the Shipper Committees, the solid track record of resolving key shipper problems, advocacy on shipper issues, negotiation of cocoa freight rates leading to an average annual savings of over 10 million US dollars, investment in the GCNET as a single window and electronic platform for the clearance of goods, thus facilitate trade and supporting revenue mobilisation by the Government. These various achievements according to Dr Nortey places the Authority on a firm footing for its evolution in the future.

Mrs. Joyce Bawa Mogtari, the Hon. Deputy Minister of Transport identified the proliferation of charges at the ports, cumbersome customs clearance procedures, unacceptable service standards among shipping service providers as challenges that contributed to the increase in the cost of doing business at the ports. However, the Authority in accordance to LI2190 has put regulations in place and they are yielding positive results in terms of various reliefs already being enjoyed by the shippers.

The Ghana Shippers Authority is still committed to providing quality services in relation to the shipping needs of importers and exporters in Ghana.

GSA HOLDS 10TH MARITIME LAW SEMINAR FOR JUDGES

The Ghana Shippers Authority in collaboration with the Judicial Training Institute has organised the 10th in the series of Maritime Law Seminars for judges at the Coconut Grove Regency Hotel on the 16th and 17th October, 2014. It was to update the judges on the new developments in international maritime law and the maritime industry.

In a welcome address, the Chief Executive of the Ghana Shippers' Authority, Dr Kofi Mbiah indicated that in the next 15 years, Africa's population is expected to reach one billion. This would mean the demand for goods and services would be on the rise, therefore the emergence of new technologies to support the expected growth. According to him, the potential being unleashed into the maritime industry following the growth in population would mean the advent of more agreements, more incidents in maritime fraud and more laws that would require interpretation.

According to Dr. Mbiah, there is without a doubt a direct correlation between increased growth and the need for lawyers and judges. The Judge's Seminar is thus being organised not only to strengthen the relationship between the maritime commercial interest and the judiciary but also to explore opportunities so as to institutionalise the seminar. He also stated that with the help of the media many people now appreciate the role maritime law plays in the development of the economy.

The Deputy Minister for Justice and

Attorney-General (AG), Dr. Dominic Ayine in his speech said the maritime seminar has served not only as a forum for capacity building but also as a platform for thoughtful deliberation on current developments on the international maritime scene and how it affects judgements and dispensation of justice, particularly with respect to international trade and other ancillary commercial cases. She hoped that this year's seminar would also enrich the maritime jurisprudence of judges, to fortify them for the expected increase in international maritime and trade cases that might accompany the increase and expansion in international trade transactions that the country is expected to experience in the coming years.

Her Ladyship, the Chief Justice of Ghana, Justice Georgina Theodora Wood (Mrs) in her address said the sea and oceans continue to provide the means to transport the estimated 90% of global trade which constitute a truly vital resource to humanity. She said that the Justice system in its quest to adjudicate fairly on maritime disputes has established the Admiralty Courts which is as a result of the offshore discovery and exploitation of Ghana's oil and gas resources and it various adversaries.

According to her, the Admiralty Court is filled with judges imbued with the requisite skills and expertise to handle admiralty matters and expand the legal frontiers of the jurisdiction. She further congratulated the GSA on their achievements so far but asked the Authority and judges to build the requisite capacity in maritime law which would make foreign investors trust the judiciary to dispense justice according to the law and in the best interest of the parties involved.

This year's seminar saw the judges pay a familiarisation visit to the Port of Tema on the second day, 17th October, 2014, where they were briefed on activities of the Ghana Ports and Harbours Authority by the Director General, Mr Richard Anamoo before undertaking a cruise on the sea.