

# How to take advantage of the abolition of shipping conferences and the wider implications for bulk shipping services



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Exploring the opportunities presented by  
changes to European Law for Canadian  
shippers, forwarders and cargo agents

- New contractual terms opportunities
- How shippers can protect their newly won rights
- What are the risks for shippers?
- How will the changes affect bulk shipping and pooling arrangements?
- The risks for carriers and agents
- Regulating non-rate making agreements

Expert speakers include:

**Chris Welsh**  
UK Freight Transport Association

**Mark Clough, QC**  
European Competition Law Expert,  
Addleshaw Goddard, London

**Bob Ballantyne**  
President, CITA

**Holger Oetjen**  
Senior Vice-President,  
Hapag Lloyd (Canada) *Invited*

**A Shipper Representative**  
*To be determined*

**Doug O'Keefe**  
Chief, International Marine Policy,  
Transport Canada



# Opportunities for Canadian Shippers

In these almost unparalleled troubled economic times the focus of businesses is rightly centred on improving efficiency, enhancing supply chain performance and in managing transportation costs.

Logistics managers are therefore more than ever before called upon to exercise their expertise in increasing the bargaining power of the company and providing valuable insight into how systems, procedures and ways of doing business can be improved to cut out waste and reduce costs.

Consequently, two of North America and Europe's leading transport organisations (CITA and FTA) have joined forces to host a timely and topical seminar to help shippers and their supply chain partners to understand how important recent legal changes to liner and bulk shipping markets operating between Canada and Europe can, if appropriately managed, lead to real bottom line benefits.

Knowledge is the key to cost saving and other efficiency measures, so a prime objective of the seminar is to make sure you are fully informed on the new opportunities presented by the abolition of liner shipping conferences and the new pro-competition environment affecting bulk shipping in trades between Canada and Europe.

While the changes directly affect international trade between Canada and Europe, and key transportation and logistics interests which facilitate this trade, the seminar will be of interest to those involved in other deep sea trades between Canada and the rest of the world, not least because the changes in Canadian/European markets will have a considerable influence on the way business is conducted in wider global shipping markets.

This seminar will be of key interest to all those involved in overseas transportation markets and international trade including shippers, freight forwarders, shipping lines, logistics providers and ports as well as academics and government officials.

There will be a strong practical theme to the seminar with plenty of opportunities for discussion and exploring new approaches to what historically has been a very traditional industry with limited innovation and change.

Seminar delegates will also receive a detailed best practice guide, as well as comprehensive seminar material providing practical information on how to re-shape their logistics purchasing strategies, on how to improve their processes and in establishing a more conducive business culture focused on performance enhancement and cost reductions to the benefit of all those engaged in the maritime supply chain.

Ottawa, Ontario  
March 4 2009



# Program

08:30 **Registration (tea/coffee)**

09:10 **Opening remarks from the Chair**

Bob Ballantyne, President, CITA

09:20 **Background to the abolition of liner conferences in Europe**

Chris Welsh, General Manager Campaigns, UK Freight Transport Association and former Secretary General of the European Shippers' Council

09:45 **Main changes to EU laws and how they affect Canadian shippers and importers**

- On 18 October the European Commission repealed the Liner conference block exemption leading to the abolition of all conferences to and from Europe. The changes include:
  - the abolition of conference tariffs
  - the prohibition of price fixing
  - the fixing of Terminal Handling charges
  - joint fixing of CAF and BAF Surcharges
  - the setting of standard terms and conditions
  - the exchange of commercially sensitive information by ocean carriers
  - rate restoration programmes
  - conference business plans
  - what are the implications for bulk shipping services and bulk shipping pooling arrangements

Mark Clough and Chris Welsh explain the main implications arising from the abolition of liner conferences for shippers and cargo agents

10:45 **Question and answer session**

11:10 **Morning refreshments**

11:30 **Leveraging the benefits of changes to the shipping business and forging new partnerships**

- Some examples of how shippers, forwarders and agents can take advantage of the freedom of choice and new won pricing flexibility
- How to use the new law changes to negotiate fairer and more equitable terms and conditions
- Review terms of trade with suppliers and customers
- Identifying your ideal business partner – is your ocean carrier or forwarder responsive and flexible in new ways of doing business, including rate negotiation, tendering and in new contract developments?

Chris Welsh, FTA

12:00 **Question and answer session**

A shipper, freight forwarder and carrier will discuss their new post-conference business strategies and the potential supply chain benefits

12:30 **Lunch and informal networking**

13:30 **How can shippers protect their newly won rights?**

A case study shows how shippers can monitor whether carriers are engaging in anti-competitive behaviour and what steps they can take to protect their rights

- The limits of sharing and exchange of information
- Are price indexes/indices lawful?
- Capacity forecasts
- Excessive rates
- Refusal to supply
- Predatory pricing
- Recommended best practices for shippers

Chris Welsh and Mark Clough

14:45 **Question and answer session**

15:05 **Afternoon refreshments**

15:30 **Non rate agreements – new proposals by the Asia Pacific Economic Council (APEC) and the European Commission (EC)**

The implications of these new proposals for Canadian shippers and the wider influence of the abolition of liner conferences in non-European Canadian trades

- Recommendations put forward to APEC for the anti-trust oversight of non-ratemaking agreements propose that there be no market share testing or limit to the duration of these agreements
- In contrast, the EC's draft regulations propose stringent market share limits (30%) for consortia and a requirement that a carrier be given the right to withdraw from a consortia agreement without penalty after a period of not more than 24 months.
- The session will examine in detail the impacts of these agreements on shippers and how the two apparent contradictory approaches can be reconciled
- This final session will examine the wider implications of the abolition of conferences, especially for shippers for leveraging European best practices in negotiating global or multi-trade agreements in non-European trades

Moderator: Bob Ballantyne, CITA

Doug O'Keefe, Chief, International Maritime Policy, Transport Canada

Holger Oetjen, Senior Vice-President, Hapag Lloyd (Canada) – invited

A Shipper Representative, to be determined

Chris Welsh, Global Shippers' Forum and European Shippers' Council

16:30 **Question and answer session**

17:00 **Closing remarks from the chair and end of the seminar**



# Registration form

## FTA/CITA How to take advantage of the abolition of shipping conferences and the wider implications for bulk shipping services

Date: Monday, May 25 2009  
Venue: Four Points by Sheraton Toronto Airport, 6257 Airport Road, Mississauga, Ontario L4V 1E4

Prefix  Hon  Dr  Mr  Mrs  Ms

First name \_\_\_\_\_ Last name \_\_\_\_\_

Title \_\_\_\_\_

Organization \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ Province \_\_\_\_\_ Postal code \_\_\_\_\_

Telephone ( \_\_\_\_\_ ) \_\_\_\_\_ Fax ( \_\_\_\_\_ ) \_\_\_\_\_

E-mail address \_\_\_\_\_

Includes breakfast, lunch and refreshment breaks

Dietary requirements:  Vegetarian  Allergies (please specify)  Others (please specify)

Do you wish to have your name published on the delegate list?  YES  NO

### Registration fees and payment

Earlybird until April 30 \$350.00 + \$17.50 (GST)\* = \$367.50

After April 30 \$380.00 + \$19.00 (GST)\* = \$399.00

Includes sessions, health breaks, lunch and presentations

Please specify method of payment

CHEQUE  VISA  MASTERCARD  AMEX

If paying by cheque please make payable to: **Canadian Industrial Transportation Association** at the address below

To pay by credit card please include the information below or contact Denise Fata at (613) 599-3283, ext 221

Name of cardholder \_\_\_\_\_

Card number                 Expiry date  /

Signature \_\_\_\_\_

\*Price quoted in Canadian Dollars

REFUND POLICY: Registration is transferable but non-refundable

### 3 WAYS TO REGISTER

- 1 online at [www.cita-acti.ca](http://www.cita-acti.ca)
- 2 by fax (613) 599-1295
- 3 by mail c/o Canadian Industrial Transportation Association, 580 Terry Fox Drive, Suite 405, Ottawa, Ontario K2L 4C2

If you have any other queries please contact the CITA office at (613) 599-3283 ext 221 or email: [defata@cita-acti.ca](mailto:defata@cita-acti.ca)  
You may also visit the CITA website at [www.cita-acti.ca](http://www.cita-acti.ca)

