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FONASBA



ECASBA

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THE NEW HORIZON



THE FEDERATION OF NATIONAL ASSOCIATIONS OF SHIP BROKERS AND AGENTS

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SYDNEY ANNUAL MEETING UPDATE

Our colleagues at Shipping Australia are continuing to make excellent progress towards this year's Annual Meeting in Sydney.

The event website is in the final stages of preparation and will be ready to accept registrations later this month and accommodation bookings are now being taken.

The delegate programme has been finalised and will follow the traditional pattern with full day sessions for the ECASBA, Chartering & Documentary and Liner & Port Agency plenary meetings as well as range committee and secretaries meetings.

As an addition to the usual CIANAM and MABSA range committee meetings, representatives of member associations based around the Indian Ocean and

Western Pacific will be invited to join a meeting that we hope will lead to the establishment of a new range committee for the region.

The partner programme is also in the final stages of completion and will begin with a morning tour of Sydney on Monday 10th October. Similar to that arranged in Buenos Aires, the tour is aimed at giving everyone, delegates included, an overview of the city and its major sites and places of interest.

Whilst the delegates go back to work for the rest of the week, partners will also enjoy visits to the Blue Mountains and Taronga Zoo as well as some free time to explore the city at leisure. The website will include full information on other attractions, transport

links, shopping and anything else that may be required.

The Welcome Reception on Tuesday 11th is being held in a restaurant overlooking the world famous Bondi Beach and on Wednesday 12th a dinner will be held afloat whilst touring Sydney Harbour.

The optional Saturday excursion is to a sheep station in the bush where traditional Australian activities, including sheep shearing and boomerang throwing can be enjoyed, accompanied by good food and wine.

Those wishing to spend more time in Australia will find useful links on the website, details of which will be circulated soonest.

We look forward to seeing you all in Sydney in October.

ECASBA Brussels Seminar Update

After last year's event in Gijón, ECASBA's European seminar returns this year to its traditional home of the Hotel Silken Berlaymont in Brussels.

Planning is still underway as this newsletter goes to press but we can confirm the event will take place on 8th/9th June and the programme will follow the tried and well-received format of presentations on relevant topics followed by question and answer sessions with the speakers.

Once again representatives from DG-MOVE and DG-TAXUD will be present along with our colleague associations in

Brussels. The programme starts with lunch on 8th June and continues through the afternoon and on to dinner that evening. Further sessions will be held in the morning of 9th June and the formal event finishes at lunchtime. A meeting of ECASBA's Advisory Panel precedes the seminar.

This year the event is taking place during a week when the European Parliament will be meeting in Brussels and so we are endeavouring to arrange a visit to the Parliament and, we hope, to meet with some MEP's from the TRAN committee.

The dinner this year will be held in a new and excellent

venue located towards the centre of the city and we are expecting that a senior Commission officer will join us as a guest and deliver the keynote address.

Registration fees for the event, which includes dinner on the 8th and coach transfers to the restaurant, will be € 420 per person and the hotel rate € 175 per room per night, both rates are unchanged since the 2009 event.

Further details will be circulated shortly and online registration via the website will be available later this month.

FONASBA Quality Standard - Finland Accredited

The Executive Committee was very pleased to grant the FONASBA Quality Standard to the Finnish Shipbrokers' Association in March.

With this award, the Finnish association becomes the thirteenth in membership to obtain the Standard, joining Argentina, Australia, Belgium, Brazil, Croatia, Denmark, Great Britain, Norway, Slovenia, Spain, Sweden and the USA as Quality accredited associations. Within those associations, the number of companies holding the Standard now exceeds 200.

Clearly, each and every association gaining the Standard increases its coverage and raises its profile in the wider shipping

community, and Finland is of course a very welcome addition, but since its launch in 2007, the Standard has still only been taken up by a quarter of our members and so there is a way to go yet before we can begin to claim that it is a global standard.

As we have stated in these pages previously, in order for the Standard to gain traction externally, FONASBA has to be able to demonstrate to outside organisations that its members support the initiative, and that is best done by the majority of our members being accredited. Having most of our members covered by the Standard sends a very strong signal to the rest of the maritime community that we

are serious about raising standards in the agency sector. Only having a quarter in the scheme, however, does not.

Perhaps some added impetus, should it be needed, can be gained from the fact that INTERTANKO is currently giving consideration to including reference to the Standard in its agency clause. Clearly this would go beyond INTERTANKO's originally stated support for the initiative, but for them to be convinced of the value of doing so they need to be assured that our members are fully behind the Quality Standard — so it is very much over to you!

Norway Initiates "Saleform" Revision

The Norwegian Shipbrokers' Association is currently revising the hugely successful "SALEFORM '93" sale and purchase agreement contract, as Knut Frode Eriksen, Director of the Norwegian association, explains:

The Norwegian Shipbrokers' Association's Memorandum of Agreement for sale and purchase of ships, more commonly known as SALEFORM '93, is now undergoing a revision process by the Norwegian Shipbrokers' Association (NSA) in close cooperation with BIMCO.

The document was first adopted by BIMCO in 1956, and has since then undergone four revisions, the last being in 1993. SALEFORM '93 is the single most used document for sale and purchase of second hand ships globally and as such is a very important tool for the industry. After consultations, NSA and BIMCO decided to undertake a joint fact finding mission in March 2010 in order to establish if there was an industry driven need for an updated form. A joint letter from NSA and BIMCO was sent to selected recipients in the industry, and after careful consideration of the comments received, it was decided that a moderate revision of SALEFORM 1993 should be undertaken.

NSA have formed a working group for the revision work, and the members of the group are:

Petter Andrup (R.S. Platou ASA),
Chairman

Peter Graff (Inge Steensland AS)
Erik Grepne (Joachim Grieg & Co. KS)

Erik Ofstad (R.S. Platou ASA)
Lars Chr. Skarsgård (Fearnleys AS)
Ole Henrik Zachariassen (Lorentzen & Stemoco AS)
Carl F. Wennersten (Oslo Shipbrokers AS)
Henrik Aadnesen (Nordisk Defence Club)

The working group has had several meetings since October 2010 in order to carefully evaluate the existing document and discuss amendments based on current industry practices. The revision will be a modest one, and in many ways can be considered as being more of a modernisation of a well respected document that has been tried and tested over the years.

BIMCO have also established their own working group for the revision of the SALEFORM '93. Both working groups have finished the initial evaluation of the document and have formulated amendments. Representatives of both working groups will meet in Oslo in April 2011 to discuss and agree on a joint first draft of a revised document that will be presented to the BIMCO Documentary Committee meeting in Vancouver June 6th.

It is expected industry consultation will be undertaken by means of seminars held in Asia and Europe after the summer and the aim is to have a finished document ready for publication and subsequent adoption by the industry at the end of 2011.

Commenting on the actions of the working group, Eriksen said "I am thoroughly

impressed by the professionalism, knowledge, experience and enthusiasm the members of our working group bring to the table during our meetings. There is no doubt that the end result of this revision will be an even better document for the industry".

Marygrace Collins, Chairwoman of FONASBA's Chartering & Documentary Committee, welcomed the review, saying that the widely-used SALEFORM plays an important role in the global Sale and Purchase market and she was confident that the revised Memorandum of Agreement would continue to be the form of choice for S&P brokers worldwide.

She added that FONASBA has for many years endorsed "SALEFORM" and was looking forward to including the revised version in the "Assisted and Recommended Documents" section of its website.

MEMORANDUM OF AGREEMENT

1. Name of the Seller: _____

2. Name of the Buyer: _____

3. Name of the Charterer: _____

4. Name of the Disponent Owner: _____

5. Name of the Broker: _____

6. Name of the Agent: _____

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An extract from the current document, SALEFORM '93

ECASBA Contributes to Consultation on Waste Inspections

The European Commission's Directorate-General for the Environment, (DG-ENV), has undertaken a consultation on the application of an enhanced inspection regime for shipments of waste from the European Union to third countries for disposal or recycling.

Waste is becoming one of the largest export "commodities" from Europe and there are concerns that the safeguards being applied to such shipments are not stringent enough. Recent cases where highly toxic substances have been found dumped in third countries have contributed to those concerns and prompted the review of current inspection practice.

Although clearly not directly responsible for the shipment of waste, ECASBA members are involved in the transportation chain and it is

therefore relevant for our views to be heard. It was also an ideal opportunity for ECASBA to raise its profile with this increasingly important Commission Directorate.

Replying to DG-ENV, ECASBA Chairman Antonio Belmar da Costa made reference to the need for accuracy in the reporting of waste shipments. As with any other cargo, misdeclared waste can pose a danger to the vessel, the crew and other cargo on board the vessel and also hamper efforts to control the environmental damage that could result from an incident.

He also expressed concern that an enhanced inspection regime could cause delay to shipments and so suggested that all inspections be carried out at the premises of the licensed waste disposal contactor, where appropriate

facilities were already available, rather than at the port where they were not.

DG-ENV suggested that Customs should carry out the inspections but ECASBA argued that specialist knowledge was vital to ensure this was done correctly and therefore called for environmental protection agencies to take on this role.

A consistent inspection and enforcement regime was necessary across Europe to avoid waste being moved to less stringent Member States and at all times the authorities should be aware that this is a marginal activity and too rigorous measures will only encourage the illegal dumping of waste or fraudulent misdeclaration, ECASBA also said.

ECASBA Reviews Transport White Paper

The European Commission's Directorate General for Mobility and Transport, DG-MOVE, published its latest White Paper on Transport in late March.

This latest transport policy paper looks forward to 2050 and one of its main objectives is to make progress in removing the remaining bottlenecks to the free movement of goods across the community through the application of single market facilitations.

Additionally, it aims to reduce oil consumption, greenhouse gas emissions and congestion through the use of new technologies, intelligent transport systems and infrastructure developments.

Whilst the White Paper itself is a relatively modest 30 pages, the Commission Staff Working Document, which is where the real issues are to be found, is an altogether more weighty 127 pages.

ECASBA will be working its way through the two

documents and putting its views to the Commission on issues of relevance to our members.

In order to broaden ECASBA's overview of the various maritime related issues, the White Paper will be discussed in detail at the June seminar (see page 2). Representatives from the Commission and port, shipping and freight forwarding sectors will be invited to participate and make their views known to ECASBA delegates.

ECASBA Re-affirms Views on Pilotage Exemption Certificate Criteria

In March the European Commission invited a small group of European associations to discuss a proposed consultation on harmonising existing rules for the granting of Pilotage Exemption Certificates (PEC's) and also increasing access to same. ECASBA was invited to participate and was represented by Christian Bele, the President of our French association, AMCF.

As a strong supporter of the increased use of short sea shipping, ECASBA fully supports the moves proposed by the Commission.

One particular issue of concern to ECASBA, however, is the current requirement in some PEC regulations, and supported at the meeting by the European Towage Federation (ETF), that all communications during

pilotage operations should be in the local language, and therefore masters granted PEC's should be fluent in that language.

In order to counter that obviously protectionist position, ECASBA wrote to DG-MOVE after the meeting as follows:

ECASBA believes very strongly that the use of English, as the default internationally recognised language, should be compulsory for all commercial maritime operations, including towage and pilotage, as it is in the aviation industry. Maritime operations, as with aviation, bring together vessels and crews from across the world in crowded and in some cases unfamiliar environments and it is vital for the safety of navigation that all parties are able to understand, and if

necessary react to, other actions being taken in the vicinity.

Using more than one language in a port can lead to considerable confusion and possibly delays in reacting to a developing situation. We fully appreciate that the local language will be used when communicating with small, locally based vessels such as fishing boats and leisure craft, however English should be obligatory for all other commercial maritime operations, and in this case specifically in relation to the granting of pilotage exemption certificates.

ECASBA will continue to monitor developments in this regard and maintain its position in future discussions with DG-MOVE.

CIANAM To Meet in Buenos Aires

CIANAM, the Inter-American Association of Ship Brokers and Agents, whose membership includes FONASBA's members in Argentina, Brazil, Mexico, Peru, Uruguay and the USA, is this month holding its 8th General Assembly on 28th/29th April 2011 at the Buenos Aires offices of Centro de Navegacion.

The meeting 28th will cover administrative issues, receive reports from the eleven member associations and also discuss practical topics such

as increasing the spread of membership, the actions of DA-Desk and Ports Direct in the region and the development of a strategic plan for the association. This latter subject will include the development of education courses within the region and the ongoing promotion of the FONASBA Quality Standard.

On 29th April the association will be hosting a workshop on maritime trade facilitation entitled "The Importance of the River Plate and Parana River Waterway in Maritime

Trade".

CIANAM meetings are always very well supported by the local shipping community and maritime authorities and this year will be no exception.

FONASBA President Chris P. Papavassiliou has been invited to represent the Federation at the meeting and will be attending.

A full report of the proceedings of the meeting will appear in the next edition of this publication.

ECASBA Reviews ENS/EXS Implementation Post 01.01.2011

The introduction of the European Advance Cargo Notification programme on 1st January was expected by many to cause considerable delays in the import and export of cargo from Europe due to the failure of the intra-European communications system to be able to handle the large number of messages being exchanged by customs authorities as a result of the need to declare ALL cargo at the first port of call of the vessel for onward distribution to subsequent ports.

In spite of dire warnings from trade about the consequences, DG-TAXUD decided to maintain the 01.01.2011 deadline and it is pleasing to report that so far as most ECASBA members are concerned, the introduction of ENS (the entry summary declaration) went smoothly, at least from their viewpoint.

A survey of ECASBA member associations carried out in February revealed that although there were some initial issues with ENS in relation to lodging information on national

customs authority systems, the majority of reports went through existing and tried and tested port community systems and so the volume of initial notifications rejected or incorrect was very small.

Where issues did arise, however, they related primarily to communication between customs authorities systems. Many authorities recognised this would be the case and so immediately granted agents grace periods of between one and three months which protected agents from the consequences of any delays or similar issues arising from the failure to transmit information correctly and on time between customs authorities. The grace periods did not, however, exempt agents from the need to correctly lodge information with their customs authorities.

One particular issue that has arisen has nothing to do with either the procedures for lodging information or the technical problems of intercommunication between national authorities.

Rather it relates to differing interpretations of the phrase "first port of arrival in the EU" and its application when vessels bunker at a European port before arriving at the first discharge port.

Some authorities, for example Spain, take the view that ENS declarations should be made at the first cargo discharge port, whilst others stick rigidly to the view that they should be made at the first port of call in the EU, in this case the bunkering port.

Clearly this is an issue for the customs authorities in countries such as Spain and Malta and they are awaiting clarification from DG TAXUD on this important issue.

ECASBA will again continue to monitor developments and keep members advised. The subject will also be one of the main issues to be discussed during the Customs Developments session at the ECASBA Brussels seminar in June (see page 2).

Member Association Reports

Belgium

At its meeting in December 2010, the board of NAVES, the Belgian ship agents federation, elected Mr. Eugène Vanfleteren as its President, succeeding John Hunter who for many years represented Belgium in FONASBA and ECASBA.

Mr. Vanfleteren is very well known in the Belgian port agency sector. Based in Antwerp, he has held senior positions in a number of major agency companies including Nedlloyd, where he was responsible for the European agency network, CMB-T where he headed up the ASECO network and Conti & Group and Acsa '92. Currently, Eugène is Managing Director of CMA-CGM Belgium NV and is a member of the boards of Antwerp Gateway NV, Container Handling Zeebrugge NV and Brabo CVBA.



Croatia

The Association of Ship Brokers and Agents of Croatia, ASBAC, held its annual assembly in March and Capt. Jakov Karmelic was re-elected as President for a further two year term. ASBAC have also revised and updated their website at www.asbac.hr

Denmark

Quality- update

More than 30 Danish companies have now been approved in accordance with the FONASBA Quality Standard and the initiative is becoming increasingly popular within the Danish shipping community. The next step in Denmark is to initiate a project to implement a personal licence as shipbroker and agent. Candidates must have successfully completed some of the ICS Tutorship courses but additionally will be required to formally accept a code of ethical behaviour and have a minimum five years of experience in their particular role. It is anticipated the system will be implemented later this year.

Customs Rules

As elsewhere, the new rules for customs reporting were introduced in Denmark on 1st January 2011. This is quite a challenge for local agents and lines as the system does not work properly and therefore, on top of reporting to the new system, reporting under the old system is still required, causing a huge amount of extra administrative work for the shipping companies. It is hoped that these issues will be resolved shortly.

Pilotage

The rules for compulsory pilotage are very complicated and work is being undertaken to make the system more transparent. Unfortunately there is still a long way to go and in the meantime ships are receiving fines from the Danish authorities for violations. Fortunately, some of these fines have subsequently been rejected by the court as being without legal support. It is strongly recommended that any vessel entering Danish waters carefully checks the relevant regulations.

Reporting of Actual Time of Arrival/Departure (ATA and ATD)

The new port control state regulations in EU require electronic reporting of ATA and ATD and Danish customs require ATA notification before discharging is commenced. The authorities are tightening up these procedures and vessels that do not report correctly may be fined. Recently the Danish customs issued a fine of € 240,000 to a coaster which discharged fertiliser during a weekend without having reported correctly.

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Denmark contd/...

Schengen Visa

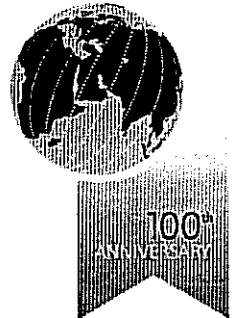
This is becoming a major challenge in Denmark as the rules currently applied are making it extremely difficult for crew changes to be effected in Denmark. The Danish association is in close contact with the various authorities but it is very difficult to obtain clear guidance. This is due in part to the considerable complexity of the procedures and the regulations, with the result that apparently the authorities are finding it difficult to reach a common position on how the rules should be read, understood and implemented.

Great Britain

The Institute of Chartered Shipbrokers is celebrating its centenary in 2011 and will be marking the event with a black tie Gala Dinner at the National Maritime Museum, Greenwich, on 26th May.

The event is being organised by the Institute's London Branch and the Branch Chairman, FONASBA General Manager Jonathan C. Williams FICS, said that 500 guests, comprising ICS members as well as senior members of the UK and international shipping communities, would be present at the event. In keeping with the maritime theme, guests will be transported to and from Greenwich along the River Thames by ferry.

The guest list will include FONASBA President Chris P. Papavassiliou and Immediate Past President Tonny D. Paulsen. FONASBA in the UK will be represented by former President Philip J. Wood FICS, Liner & Port Agency Committee Vice Chairman John A. Foord FICS and ECASBA Vice Chairman Barry J. Stokes FICS.



Turkey

The Turkish Shipbrokers Association (GBD) was founded on 5th May 2010 and shortly afterwards organized a reception to celebrate the foundation, an event that was attended by some 750 guests. Since then, our membership has increased to more than 200 companies.

Turkey was the partner country for the Hamburg Shipbroker's association's annual Eisbeinessen in 2010 and GBD was represented by almost 100 members. Most of our members have attended Eisbeinessen regularly in the past but it was particularly enjoyable to be present in such numbers in our own name.

The association is benefitting from significant support from both the Turkish Chamber of Shipping and the Undersecretariat of Maritime Affairs. GBD is also recognized as a consultation body for relevant national authorities.

Another major development recently was an approach from the Undersecretariat for Maritime Affairs to assist in the drafting of "Regulations for Shipbrokers". We have successfully completed the draft and we are also commissioned to hold the qualifying exams after the Regulations come into force, which is expected to be in the very near future. With the introduction of the Regulations, a licence will be given to the qualified individuals or companies rendering shipbroking activities.

GBD has also been accredited to hold the Institute of Chartered Shipbrokers Professional Qualifying Examinations in Istanbul this year. We have also been providing assistance our students and colleagues to prepare themselves for the examinations.

Continued on page 9

Continued from page 8

Turkey contd/...

Since its inception, GBD has established a number of committees covering social events, education and social responsibility. The education committee recently organized its first event and we also organised a shipping day in the Turkish Chamber of Shipping. Other educational events are being organised on a monthly basis on subjects such as maritime law, arbitration and finance.

The social committee organised a New Year's costume party as well as sports activities. We have observed that those events are very useful in helping members socialise and network. It has also become a tradition to gather in an English pub in Istanbul on the every first Monday of the month.

GBD is organizing "The Annual International Shipbrokers' Dinner" for the first time in Istanbul. The details will be announced accordingly.

USA

ASBA and FONASBA Club Member the Baltic Exchange hosted a Member/Guest reception on March 21, 2011 to kick off the annual Connecticut Maritime Association shipping event held in Stamford, CT. More than 180 members and guests enjoyed a cocktail reception at Bank Street Events in Stamford.

ASBA will also host its Annual Golf Outing on May 11 and the Second Annual Dinner Cruise around Manhattan on June 2.



*Guests at the ASBA/Baltic reception at CMA
2011*



*Co-hosts ASBA President Tom Roberts and
Baltic Exchange Chief Executive Jeremy
Penn*