**MINUTES OF THE PSAA EXECUTIVE COMMITTEE**

**MEETING HELD ON 13.01.2016 AT 03.00 P.M.**

**AT ASSOCIATION’S OFFICE, KARACHI**

Present:

Ms.Ava A.Cowasjee Chairperson

Mr.Tariq Haleem Senior Vice Chairman

Mr.Younus Vayani Vice Chairman

Capt.Mohammad Inam Executive Committee Member

Capt.Javed Iqbal Executive Committee Member

Mr.Bilal-ur-Rehman Executive Committee Member

Mr.Khalid W.Khokhar Executive Committee Member

Mr.Amir Ali Jamal Secretary General

Mr.Syed Tahir Hussain Deputy Secretary

Regrets:

Capt.Nusrat Iqbal Executive Committee Member

Mr.Kareem Ispahani Executive Committee Member

Mr.Jawed Iqbal Executive Committee Member

A meeting of the Executive Committee was held at 03.00 p.m. on Wednesday, 13.01.2016 at Association’s office, Karachi.

**1) To confirm minutes of the Executive Committee meeting held on 12.10.2015.**

The minutes of the above meeting were approved by all present.

**Matters Arising**

**Imposition of minimum 8% tax on service sector on turnover.**

Mr.Amir Ali Jamal stated that when he was out of country in October, 2015 Mr.Tahir has put up the various notifications/correspondences between FBR and PSAA on the tax liability of Shipping Agents to Chairperson which took place when Mr.Farouq H.Rahimtoola was the Chairman in 2005-06.

Ms.Ava A.Cowasjee replied the correspondence appeared sufficient for protecting our members.

**2) Update by Secretary General on TDRO meeting in Islamabad.**

Mr.Amir Ali Jamal informed he alongwith Ms.Ava A.Cowasjee went to Islamabad in order to attend meeting on 19.11.2015 called by Trade Dispute Resolution Organization (TDRO) which works under Ministry of Commerce in order to resolve trade disputes. He added TDRO is a newly established entity which wanted to understand how shipping transactions take place and what is the role of Shipping Agent in this regard. He added that representatives of APSA, PIFFA, ACAAP, Terminal Operators and various Ministries were also present. PSAA tried to educate TDRO.

(2)

**3) Update by Secretary General on petition filed in SHC against CCP.**

Mr.Amir Ali Jamal informed that CCP has imposed Rs.1 million penalty u/s 30 of the Competition Act, 2010 on 22.06.2011 on PSAA on account of its recommendations with respect to ancillary charges rates/tariffs. Subsequently PSAA filed petition against CCP in SHC who recently decided the petition in favour of PSAA due to lack of representation by the respondent. He added he is in touch with the lawyer in order to file an application with the SHC for refund of Rs.1 million deposited by PSAA with the Nazir and interest thereon.

**4) To discuss PSAA petition filed against SRB in SHC.**

Mr.Amir Ali Jamal informed PSAA alongwith some members has filed a petition in SHC against SRB. Several hearings have been conducted in this regard by the SHC. However, after creation of Tribunal by the SRB which was not earlier created when we filed petition it is our apprehension that SHC might remand our petition with order to approach the Tribunal.

He added Mr.Mohammed A.Rajpar is of the view that if the matter is referred to the Tribunal and in case the Tribunal decides against us the instead of approaching again SHC PSAA should approach Supreme Court of Pakistan.

**5) To discuss Shipping Agents Rules.**

Mr.Amir Ali Jamal informed PSAA called a meeting on 04.01.2016 of those members involved in containerized cargo business in order to deliberate on Shipping Agents Rules issued by FBR, Revenue Division, Customs vide SRO 1220 (I)/2015 dated 04.12.2015.

All members present felt that they are unable to implement the said rules which is contrary to the fair practice of business and requested PSAA to challenge the same in SHC as soon as possible.

Ms.Ava A.Cowasjee informed during the meeting that if PSAA goes to the court then it will require contribution from members involved in containerized cargo business in order to meet legal expenses which will be divided on pro-rata basis.

All participants agreed and assured the Association that they will contribute and firmly stand by its decision and added that PSAA should engage a reputed lawyer in this regard.

The Chairperson approached prominent legal firm M/s.Vellani and Vellani, Advocates and Legal Consultants who consented to represent PSAA in the Sindh High Court.

**6) To discuss FPCCI Standing Committees, 2016.**

Mr.Amir Ali Jamal informed that FPCCI vide its letter dated 06.01.2016 has invited nominations for various Standing Committees for the year 2016.

(3)

It was decided to nominate Mr.Tariq Haleem as Chairman and Mr.Khalid W.Khokhar as Senior Vice Chairman for the Standing Committee on Ports & Shipping.

**7) To discuss introduction of LPD account system at PQA.**

Mr.Amir Ali Jamal informed that PQA intends to introduce LPD account system like KPT.

Mr.Younus Vayani stated that mechanism will be similar like KPT however, PQA will not be able to deduct amount from the account before issuance of final port bill instead a lien will be marked on amount.

Mr.Amir Ali Jamal informed he alongwith Capt.Javed Iqbal and Mr.Younus Vayani will meet DG (O) and DG (F) on 14.01.2016 in order to discuss certain issues.

**8) Update by Secretary General on Members’ Directory, 2016.**

Mr.Amir Ali Jamal informed so far PSAA has collected 18 advertisements amounting to Rs.500,000 for incorporation in Members’ Directory, 2016. He added we intend to raise atleast Rs.1 million and requested Executive Committee members to help in securing more advertisements.

Capt.Javed Iqbal offered to move his advertisement from inside front costing Rs.50,000 to ordinary page costing Rs.20,000 so that PSAA can offer inside front to someone else.

Mr.Bilal ur Rehman also offered the same thing for his inside back page advertisement.

Mr.Amir Ali Jamal thanked both of them for this generous offer.

**9) Any other business with the permission of the Chair.**

**a) PQA Port Pass for Directors**

Ms.Ava A.Cowasjee informed about her discussion with Mr.Agha Jan Akhtar, Chairman, PQA on the issuance of Port Passes to Directors who first informed that port passes for Directors are being issued for 03 years duration subject to validity of their CNIC i.e. if CNIC is valid for 03 years or more then port pass will be issued for 03 years as well.

However, later on he informed that port passes for Directors will be issued subject to validity of Shipping Agents License issued by Customs.

**b) FIA Lasbela at Uthal**

Mr.Amir Ali Jamal informed about letter dated 21.12.2015 received from FIA, Lasbela at Uthal who have requested provision of information with respect to vessels beached for demolition.

(4)

Capt.Javed Iqbal was of the view that there is no harm in providing such information to them as they in the near future might start immigration process too which is currently done by FIA, Karachi.

Mr.Younus Vayani informed crew cannot disembark vessel for boarding plane if immigration is not done by FIA, Karachi.

Capt.Javed Iqbal informed that recently he encountered problem when Immigration authorities refused to allow supernumerary for signing-off.

Capt.Javed Iqbal suggested meeting with AD, FIA in order to discuss/resolve issues pertaining to Shipping Agents.

**c) WeBOC**

Mr.Younus Vayani informed about non-provision of following options in WeBOC for:

i) change/transfer Agency

ii) option of “high seas” on Port Clearance

iii) option to discharge part cargo at East Wharf and part at West Wharf

It was decided to raise these issues with Project Director, WeBOC.

**d) Port Clearance by Income Tax**

Capt.Mohammad Inam informed Shipping Agents are facing hardships as Port Clearance by Income Tax is not being issued for sometime without any reason.

Mr.Amir Ali Jamal informed that he will talk to the concerned officer to resolve the issue.

There being no other business the meeting ended with a vote of thanks to the Chair at 04:30 p.m.

**Confirmed**

**Date: \_\_\_\_\_\_\_\_\_ Chairman: \_\_\_\_\_\_\_\_\_\_\_**