**MINUTES OF THE PSAA EXECUTIVE COMMITTEE**

**MEETING HELD ON 05.04.2016 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.Jawed Iqbal 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

A meeting of the Executive Committee was held at 03.00 p.m. on Tuesday, 05.04.2016 at Association’s office, Karachi.

Mr.Amir Ali Jamal requested participants to observe a minute of silence to remember and pay respect to one of the senior member of Shipping community Mr.Cowasjee (Baboo) Minocher Cowasjee who passed away on 16.03.2016. He on behalf of all participants also offered heartfelt condolences to Ms.Ava A.Cowasjee on this occasion and requested to convey the same to all its family members.

**1) To confirm minutes of the Executive Committee meeting held on 13.01.2016.**

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

**2) Secretary General to brief on Trade Dispute Resolution Act, 2016.**

Mr.Amir Ali Jamal informed that on 01.03.2016 PSAA received a draft comprising of 88 pages for our comments/views from TDRO. He added that the said draft contains several difficult and impractical clauses which will create problems once this draft becomes an Act. The PSAA in its letter dated 15.03.2016 addressed to TDRO do not subscribe to the need for the creation of TDRO when already sufficient laws and institution exist to resolve Trade disputes. If, however, the setting up of the TDRO is essential then we have insisted from our industry perspective to safeguard the interest of our members that lawyers with admiralty and dispute resolution experience be included in the panel.

**3) Secretary General to brief on meeting with Inland Revenue (IR) officials.**

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Mr.Amir Ali Jamal informed that Inland Revenue officials invited PSAA on 21.03.2016 to discuss streamlining of procedure relating to Tax collection and especially submission of return u/s 143 at the time of vessels’ departure. The meeting was attended by Chief Commissioner, Commissioner, Additional Commissioner and Deputy Commissioners of Enforcement Unit-2, Zone-IV. The Additional Commissioner stated that submission of return u/s 143 is supposed to be filed at the time of vessels’ departure whereas Shipping Agents are submitting it within 30 days after the departure of vessel whereas this facility is available only in exceptions. PSAA highlighted about several hardships and insisted to continue with the existing practice which is running smoothly. The meeting was attended by Ms.Ava A.Cowasjee, Mr.Tariq Haleem, Capt.Javed Iqbal, Mr.Khalid W.Khokhar, Mr.Jawed Iqbal apart from him. He added that another meeting is scheduled for 13.04.2016 and requested EC Members to attend.

**4) Secretary General to brief on meeting with PQA on converting MWs into Coal Terminal.**

Mr.Amir Ali Jamal informed that Chairperson, PSAA had written a letter dated 07.03.2016 addressed to Chairman, PQA highlighting concern on the recently published Expression of Interest (EOI) for establishment of Coal Terminal for developers of Coal fired power plant by converting existing MW 3 & 4 on BOT basis whereas these wharves are already under pressure and often congestion and berthing delays occur due to their requirement to handle cargoes like cement, rice, project cargo, etc.

The Chairman, PQA invited PSAA for a meeting on 24.03.2016 which was attended by Ms.Ava A.Cowasjee, Capt.Javed Iqbal and Mr.Amir Ali Jamal.

Capt.Javed Iqbal mentioned that commodities like coal, cement, iron ore pellets, project cargo, liquid chemicals, etc. are being handled at Marginal Wharves and tried to convince Chairman, PQA not to give away PQA assets in such manner. If any power plant is coming they should construct their own Terminal/Berth.

Chairman, PQA replied that at present PQA is earning about Rs. 10 Million from 04 MWs, while coal power plant is offering royalty in Billions of rupees. Also, coal and cement will not be handled at Marginal Wharves in future after PIBT becomes operational hence project cargo and iron ore pellets can be easily handled at 02 other Wharves.

**5) To discuss litigation between PQA and FAP.**

Mr.Amir Ali Jamal informed that a dispute is going on since long between PQA and FAP about collection of Berthage and Wharfage wherein both entities claims about their right and the issue is s*ub-judice* for quite some time*.* The FAP had recently filed an application requesting SHC to make PSAA an intervenor. Subsequently, SHC had issued two notices to PSAA directing to appear in the Court on 10.03.2016 and 31.03.2016 however, so far we have not appeared before SHC. The participants felt that PSAA should remain neutral on this issue and inform SHC accordingly through a junior counsel instead of not appearing before SHC. Capt.Javed Iqbal offered that he will do the needful in this regard. All present thanked him for his kind offer.

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**6) To discuss membership criteria.**

Mr.Amir Ali Jamal suggested to look into the possibility of allowing membership to those Freight Forwarders/NVOCCs who are representing Foreign Shipping Line but their vessels are not calling at (2)

Pakistani Ports. These Freight Forwarders/NVOCCs use slots for moving cargo on vessels calling at Pakistani ports. The participants felt that there are lot of issues pertaining to Freight Forwarders/NVOCCs hence it was decided to continue with the existing criteria for grant of PSAA’s membership.

**7) Secretary General to update on Members’ Directory, 2016.**

Mr.Amir Ali Jamal informed that after hectic efforts and with the exceptional help from Mr.Mohammed A.Rajpar PSAA has secured/collected 48 advertisements amounting to Rs.1.5 million for incorporation in Members’ Directory, 2016 whereas our intended target was to raise Rs.1 million. Therefore, we have surpassed our intended target. He further informed that printing of the Members’ Directory 2016 will be completed within this month.

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

a) Mr.Mohammed A.Rajpar informed that as we all are aware that SRB is intending to enhance the scope of taxation by demanding Sales Tax on other several heads and is sending notices to Shipping Agents for the same. PSAA had repeatedly requested SRB to restrict the scope of taxation only to commission charged by an agent on the net ocean freight amount of C&F Import and Export. However, this attempt failed whereafter PSAA alongwith some members filed a petition in June, 2014 in SHC against SRB and now the issue is *sub-judice.* He added that recently he had an opportunity of having dinner with Mr.Syed Mushtaq Kazmi, Advisor Tax Policy, SRB and discussed this issue. The later was of the view that PSAA should meet Chairman, SRB in order to find out some amicable out of court solution/settlement. The participants felt that meeting can only be fruitful if the mindset of give and take prevails within SRB which is not the case as SRB being the Government entity is not willing to change its stand. Ms.Ava A.Cowasjee was of the view that meeting Chairman, SRB will not serve any purpose and if we decide to meet than the right person is Chief Minister of Sindh. Finally, it was decided not to enter into any dialogue with SRB and let the court decide.

b) Mr.Amir Ali Jamal informed that Port Security Force, KPT is demanding/asking PSAA recommendation letter from the Shipping Agents when they apply for new port pass or at the time of renewal. Some of our members have approached us and requested issuing letter for their sister concern which is not our member. All present directed PSAA Secretariat NOT to issue any such letters to non-members even though they are sister concerns.

c) Mr.Amir Ali Jamal informed that Gree Air Conditioner was purchased for PSAA Secretariat in 2010 which has completed its useful life and has started troubling and was repaired a couple of times. The AC technician has advised/recommended to replace it with the new one instead of repairing. He requested participants to sanction purchase of one and half tonne new AC. The Chairperson and the Vice Chairman approved to purchase one Orient AC for the Secretariat.

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d) Mr.Amir Ali informed our Office Assistant Mr.Mubbashir is using his own Bike for outdoor work which is old and lot of mechanical problems arise time and again. He had requested PSAA to provide him a new Bike. The Chairperson and the Vice Chairman approved to purchase Unique Bike for him costing around Rs.50,000 which will remain in the name of PSAA.

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

**Confirmed**

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