

LOCAL VESSELS ADVISORY COMMITTEE

Asia-Pacific Economic Cooperation (APEC) Port Services Network

Introduction

This paper provides information on the establishment of the APEC Port Services Network (APSN).

Background

2. APEC Economies¹ recognize the need to improve the services and efficiency of the ports, and the APEC leaders are visionary on this matter. At the 14th APEC Economic Leaders' Meeting held in Hanoi in November 2006 Chinese President Hu Jintao put forward the initiative on the establishment of the APSN. The initiative, which was unanimously endorsed by the leaders at the meeting, is intended to establish a service-oriented organization for pragmatic cooperation and win-win development of the port industry in the region.

3. In response to the new requirements for port development and cooperation in the region, the initiative will be conducive to the promotion of economic and trade cooperation and personnel exchange among APEC Member Economies for the benefit of the regional economic integration and social progress.

Development of the APSN

4. *Ministerial Meeting (Adelaide, Australia):*

After the Leaders' endorsement, the APSN initiative was taken up in the 5th APEC Transportation Ministerial Meeting in March 2007. The Joint Ministerial Statement adopted by the meeting proclaimed, "*We recognize that Leaders endorsed the initiative to establish an APSN. This will stimulate trade and investment in the region by integrating various sectors in shipping business, facilitate convenient and secure freight transportation, enhance exchanges and*

¹ Asia-Pacific Economic Cooperation, or APEC, is the premier forum for facilitating economic growth, cooperation, trade and investment in the Asia-Pacific region. APEC has 21 members –referred to as "Member Economies". The 21 Member Economies are Australia; Brunei Darussalam; Canada; Chile; People's Republic of China; Hong Kong, China; Indonesia; Japan; Republic of Korea; Malaysia; Mexico, New Zealand; Papua New Guinea; Peru; The Republic of the Philippines; The Russian Federation; Singapore; Chinese Taipei; Thailand; United States of America; Viet Nam.

cooperation among ports and related sectors and promote their development, improve efficiency and security of logistics systems. We request the Transportation Working Group² to assist in establishing the APSN in a timely manner.”

5. *Symposium on APSN (Ningbo, China):*

A symposium, proposed by China with the co-sponsorship of Australia, Canada and Hong Kong, on the APSN was held in June 2007. During the symposium, representatives from the APEC members and participants from port authorities, port, shipping and logistics industries, and experts and scholars from research and academic institutions held extensive discussion about the capacity-building of ports and cross-sector cooperation in the region, and the suggestions made for the establishment and operation of the APSN. Broad agreement was reached in the determination of guiding principles, major functions and operational mechanism of the APSN.

6. *TPT-WG 29 (Taipei):*

The APEC Transportation Working Group (TPT-WG) followed up with the APSN development work in its 29th meeting³ held in July 2007. The report on the APSN Symposium was approved. TPT-WG 29 also encouraged the set-up and come into-operation of an APSN Office.

7. *APSN Office & Website:*

In January 2008 the APSN Office was opened in Beijing, China and the APSN website <http://www.apecpsn.org> was also launched.

8. *TPT-WG 30 (Manila, Philippines) & TPT-WG 31 (Peru, Lima):*

In APEC TPT-WG 30 held in April 2008 the APSN Constitution was adopted, and the Constitution later entered into force on 18 May 2008. By TPT-WG 31 (August 2008) the threshold of 14 APEC economies having nominated their Council members had been met and the way to convene the first Council meeting became clear.

9. *Inauguration & First Council Meeting (Ningbo, China):*

The APSN Council held its first meeting on 3-4 November 2008 and adopted the Rules of Procedure for APSN Council, agreed the APSN Mission Statement, Action Plan for 2009, Strategic Directions and Long-term Action Plan. Following the Inauguration Conference on 5 November 2008, the APSN has been officially established and come into operation.

² The Transportation Working Group is one of the 11 APEC working groups. The working groups are made up of experts from each APEC Member Economy, and work in specific sectors. Examples of other working groups are Energy Working Group, Health Working Group, Tourism Working Group and Fisheries Working Group etc.

³ The APEC Transportation Working Group usually meets biannually.

Hong Kong's APSN Council Member

10. As an APEC economy Hong Kong, China has designated the Director of Marine to be its senior representative on the APSN Council.

APSN Constitution

11. In the APSN Constitution the status, mandate, membership, organizational structure and scope of activities etc of the APSN are clearly set out. A copy of the APSN Constitution is attached at the Annex.

Private Sector Participation

12. It is particularly pointed out that the term Regular Members in Article 6 of the APSN Constitution includes any organizations including business corporations, institutions, associations and individuals engaged in port, shipping, logistics, trade, manufacturing and finance sectors of the APEC member economies. Also the wide scope of APSN activities and entitlement of the APSN members can be seen respectively in Articles 5 and Article 8. Furthermore despite the stipulation on payment of membership dues in Article 9 it has been decided that for the initial period of its operation (i.e. 2009 and 2010) membership is free. Interested organizations and individuals are encouraged to apply for regular membership.

Membership Entitlement

13. The APSN Council recognizes that the views and input from the private sector and industries are vital to the success of the network. All the Regular Members have entitlement including the following.

- (a) All the APSN Council meetings are open to Regular Members.
- (b) Both Council Members and Regular Members can speak to issues on the agenda of the Council meetings.
- (c) Any Regular Member can make proposals with regard to activities which the APSN may pursue.
- (d) Any Regular Member may provide advice on the work of the APSN, or put forward proposals for APEC Governments to adopt.
- (e) All Regular Members can participate in conferences, seminars and workshops etc organized by the APSN.
- (f) Any Regular Member can nominate potential candidate to participate in the training workshop for port industry personnel of the APEC region.

- (g) Regular Members can access all the services provided by the APSN.
- (h) All Regular Members will receive publications and economic and technical information provided by the APSN.

Requests

14. Committee Members are requested to note the development of the APSN and support its operation.

15. Committee Members are further requested to assist in publicizing the APSN with a view to attract broader participation from organizations including business corporations, institutions, associations and individuals engaged in port, shipping, logistics, trades, manufacturing and finance to the work of the APSN. The application form for Regular membership as well as detailed information on membership application procedures can be obtained from the APSN website <http://www.apecpsn.org>. A copy of the application form is also attached for members' reference.

Presentation

16. This paper will be presented by Mr. Adam YW LAI, General Manager/ Planning, Development and Port Security.

Marine Department
24 December 2008

CONSTITUTION OF THE APEC PORT SERVICES NETWORK (APSN)

Article 1 NAME

The name of this Organization shall be the APEC Port Services Network, hereinafter referred to as APSN.

Article 2 STATUS

APSN is a non-profit self-funded organization consisting of Council members and Regular members of the APEC member economies.

Article 3 MANDATE

The mandate of the APSN is to promote the liberalization and facilitation of trade and investment and enhance supply chain security by strengthening economic cooperation, capacity building, information and personnel exchange among port and port-related industries and services in the Asia Pacific region, so as to achieve the common prosperity of the APEC member economies as a whole.

Article 4 RELATIONSHIP WITH TPT-WG

APSN is responsible to the APEC Transportation Working Group (TPT-WG) to whom it shall report on its work annually or more frequently if required.

Article 5 SCOPE OF ACTIVITIES

The mandate of the APSN is achieved by the following activities:

- (a) To hold seminars, forums and workshops to conduct discussions and exchange ideas on issues of common concern relating to the development of port and port-related industries and services;
- (b) To promote mutual understanding among port and port-related industries and services by providing information exchange and technical services through the website and publications of the APSN;
- (c) To strengthen the capacity building of port and port-related industries and services by organizing technical visits and personnel training, etc;
- (d) To encourage trade and investment activities in the Asia Pacific region by holding exhibitions and trade fairs on port and port-related industries and services;
- (e) To provide a platform for APSN members to conduct economic and technical cooperation, exchange management expertise and experience, carry out personnel training, enhance technology transfer and promote trade and investment;
- (f) To promote cross-sectoral cooperation among port and port-related industries and services; and
- (g) To improve the public awareness of the importance of port and port-related industries and services by promoting publicity and organizing meetings and relevant activities, with a view to enhance the overall competitiveness of ports in the Asia Pacific region.

Article 6 MEMBERSHIP

There are two types of APSN membership: Council members and Regular members.

“Council member” means a senior representative of the competent authority designated, from time to time, by each APEC member economy.

“Regular member” means any other organizations including public administrations, business corporations, institutions, associations and individuals engaged in port, shipping, logistics, trade, manufacturing and finance sectors of the APEC member economies.

Article 7 APPLICATION FOR MEMBERSHIP

Council members shall be designated by APEC member economies. The procedures for the application for Regular membership shall be in accordance with the following:

- (a) The application forms for Regular membership shall be submitted to the Secretary-General of the APSN; and
- (b) After preliminary review and examination of such applications, the Secretary-General shall seek the approval of the Council. Such applications shall be deemed accepted in the absence of written objection by any Council member after a period of time as may be decided by the Council.

Article 8 ENTITLEMENT OF MEMBERS

All members of the APSN shall be entitled to:

- (a) Participate in all activities organized by the APSN;
- (b) Access all services provided by the APSN;
- (c) Receive all official publications and economic and technical information provided by the APSN, including its audited financial statements;
- (d) Make proposals with respect to activities which the APSN may pursue; and
- (e) Provide advice on the work of the APSN.

Article 9 OBLIGATIONS OF MEMBERS

Each member of the APSN shall undertake the following obligations:

- (a) Abide by the APSN Constitution and respect the decisions of the APSN Council;
- (b) Support and actively participate in activities organized by the APSN;
- (c) Designate a point of contact for communications and update the information as appropriate;
- (d) In the case of Regular members, pay the membership dues.

Article 10 NON-PAYMENT OF DUES

Any Regular member who fails to pay its membership dues in two consecutive years will lose its membership in the APSN.

Article 11 TERMINATION OF MEMBERSHIP

In the case of serious violations of this Constitution by a Regular member, its membership may be terminated by decision of the Council. The notification on such termination should be made to all members in an appropriate manner.

Article 12 ORGANIZATIONAL STRUCTURE

The Council is the highest authority of the APSN.

The functions of the Council shall be:

- (a) To elect a President and a Vice President who shall hold office until the next Council meeting;
- (b) To appoint and terminate the term of the Secretary-General;
- (c) To decide on the policies and objectives of the APSN;
- (d) To approve the annual work programme and report of the Secretary-General;
- (e) To formulate rules of membership and membership dues;
- (f) To formulate other rules and regulations of the APSN;
- (g) To approve the budget and financial arrangement of the APSN;
- (h) To review the expenditures and accounts of the APSN;
- (i) To approve the application and termination of the membership of the APSN;
- (j) To oversee the operation and administration of the Secretariat; and
- (k) To decide on any other important issues of the APSN.

Article 13 COUNCIL MEETINGS

Council meeting shall be held once a year. Extraordinary meeting shall be convened by the Secretary-General when one-third of the Council members give notice to the Secretary-General that such a meeting is required.

Article 14 QUORUM

Two-thirds of the Council members shall constitute a quorum for a Council meeting. Decisions of the Council shall be adopted by a consensus. The Council may review this practice and report to the TPT-WG on its experience with it.

Article 15 SECRETARIAT

The Secretariat of the APSN shall be located in Beijing, China. The location of the Secretariat may be changed by decision of the Council.

Article 16 SECRETARY-GENERAL

The Secretariat shall be led by the Secretary-General, assisted by the Deputy Secretary-General.

Article 17 FUNCTIONS OF SECRETARIAT

The functions of the Secretariat shall be:

- (a) To implement the decisions of the Council;
- (b) To prepare the annual work programme for the approval by the Council, and ensure its implementation;
- (c) To submit to the Council the proposal on membership dues;
- (d) To draft rules and regulations on administrative, personnel and financial affairs as well as work procedures of the APSN;
- (e) To prepare budget, financial statement and work report of the APSN;

- (f) To receive membership application and collect membership dues;
- (g) To organize activities and prepare meetings of the APSN;
- (h) To carry out the operational and administrative tasks of the APSN;
- (i) To maintain minutes, records, documents and files of the APSN; and
- (j) To carry out any other activities as may be instructed by the Council.

Article 18 FUNDING

The APSN shall be funded from, but not limited to the following sources:

- (a) Membership dues;
- (b) Contributions and donations from the public and private sectors;
- (c) Donations from the member economies;
- (d) Bank interests;
- (e) Any other income derived from the activities and services within the scope of the APSN.

Article 19 RULES ON FINANCE

Financial rules and regulations shall be established to ensure that the accounts of the APSN are legal, accurate, authentic, complete and audited, and all expenditures are duly authorized and consistent with the mandate of the APSN.

Article 20 RULES OF LAW

The APSN shall enjoy in the territory of each APEC member economy such legal capacity as is necessary in the exercise of its function for the fulfillment of its purposes.

Article 21 AMENDMENTS TO CONSTITUTION

Any Council member shall have the right to propose amendments to the Constitution. The proposed amendment shall be submitted to the Council for consideration if it is co-sponsored by not less than three other Council members.

Article 22 ADOPTION OF AMENDMENTS TO CONSITITUTION

The proposed amendment shall be considered by the Council in accordance with Article 14, and if approved, shall be submitted to the TPT-WG for adoption.

Article 23 ENTRY INTO FORCE

This Constitution shall take effect on the date of adoption by the TPT-WG.

Article 24 TERMINATION

The termination of the APSN may be decided upon the approval by more than two-thirds of the Council members. On termination, the Council is responsible for the disposal of assets if there is any.

APEC Port Services Network Regular Membership Application Form (for Corporations)

Please fill in this form in capital letters; all information will be only used for the purpose of the APSN.

Name of the Organization		Member economy : Hong Kong, China			
Name of the Representative		Position/Title		Tel.	
Contact Person		Position/Title		Tel.	
Fax.		E-mail		Address	
Brief Introduction of your Organization:					
How do you know us					
<p>We (Organization's Name) _____ hereby apply for regular membership of the APEC Port Services Network (APSN) and agree to abide by its rules and regulations. We further confirm that information furnished above is complete and accurate and it can be used by the APSN for membership related purposes.</p> <p style="text-align: right;">Signature: _____ Seal: _____ Date: _____</p>					
<p>For Official Use:</p> <p>Membership No.: _____ (Chop) _____ Y _____ M _____ D</p>					

The completed form can be sent by post, or by fax, or by e-mail to the APSN Office

Address: 2607 Tower B, Global Trade Center, No.36 East Section of North 3rd Ring Road, Dongcheng District, Beijing 100013, China

Fax: + (86)-10-5825 7907

Email: wushu@wti.ac.cn or info@apecpsn.org

Please also provide a copy to Marine Department for reference (Fax 2581 1765 Attn: GM/PD&PS or Email: adamlai@mardep.gov.hk)

APEC Port Services Network Regular Membership Application Form (for Individuals)

Please fill in this form in capital letters; all information will be only used for the purpose of the APSN.

Surname		Given name		Mr /Mrs /Ms /Other		Member Economy :	Hong Kong , China
Date of Birth		Tel		Fax		E-mail	
Company Name		Position		Address			
work experience in the port and port-related industry				research results in the port and port-related industry			
How do you know us							
<p>I hereby apply for regular membership of the APEC Port Services Network (APSN) and agree to abide by its rules and regulations. I further confirm that information furnished above is complete and accurate and it can be used by the APSN for membership related purposes.</p> <p style="text-align: right;">Signature: _____ Date: _____</p>							
<p>For Official Use: Membership No.: _____ (Chop) _____ Y _____ M _____ D</p>							

The completed form can be sent by post, or by fax, or by e-mail to the APSN Office

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