



Portnet Workshop Port Package View of Brabo

Summary

- 1) Presentation of CVBA Brabo
- 2) Current legislation applicable on pilotage & mooring
- 3) Practical consequences of the latest directive proposal of the Commission
- 4) Position towards the Jarzembowski report
- 5) The Antwerp solution

1) Presentation of CVBA Brabo

- Created in 1931.
- Co-operative company, in charge of pilotage and mooring/unmooring of seagoing vessels in the port of Antwerp.
- Separate concessions of public service, delivered by the Port Authority for a period of 8 years.
- Current concessions are valid until 31/12/2010.
- Additional services:
 - Fendering.
 - Wheelmen.
 - Riggers.
 - Gangways.

1) Presentation of CVBA Brabo

- Turnover: 32 million euro per annum.
- Shareholders:
 - 55% Antwerp Shipping Community.
 - 45% Personnel (harbour pilots, boatmen, employees).
- Personnel: approximately 300:
 - 72 pilots.
 - 200 boatmen.
 - 9 technical staff.
 - 20 administrative.
- 24 hour round-the clock service of 47 boatmen, 18 pilots.

1) Presentation of CVBA Brabo

- Board of 12 people, 6 designated by Antwerp Shipping Community, 5 by personnel + general manager.
- Brabo is also active in:
 - Pollution fighting (Brabo Cleaning Company).
 - Pilotage in Zeebrugge (Breydel) and Ostend.
 - Mooring / unmooring on the canal Brussels – Scheldt (Marnix).
- Other activities are being developed:
 - Security on water.
 - Waste collecting on water.
 - Manning of rafts and other river craft,...

1) Presentation of CVBA Brabo



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2) Current legislation

- Flemish Port Decree: pilotage and mooring are public services, to be organised by the Port Authority, either directly or by delegation to another party.
- Public Service obligations fully apply:
 - Non-discrimination among users.
 - Continuity.
 - Universality.
 - The service must be available to each and every port user, at any time, anywhere in the port, at the same conditions (quality and price).

3) Practical consequences directive proposal

- All port users are entitled to exactly the same service and conditions → several service providers in one port cannot but apply exactly the same prices.
- All service providers would be obliged to create and uphold a (physical) network and complete equipment enabling them to guarantee to all customers at any time exactly the same quality of service.
- Each service provider would, per definition, only serve part of the total market → compared to a situation with only one service provider, their individual turnover would be smaller.
- This situation would inevitably lead to an increase of prices since the revenue is reduced and cost is increased.

3) Practical consequences directive proposal

- In the end, this may have negative repercussions on safety and environmental protection



3) Practical consequences directive proposal

- Conclusion:
 - The concept pursued by the E.U. to have as many service providers as possible in each port, will have adverse effects on price and quality of service and may jeopardise safety and environmental protection.
 - This concept cannot be reconciled with the basic principles of a public service.

4) Position towards Jarzembowski report

- Positive:
 - Deletion of self handling (unacceptable concept).
 - Possibility for existing or potential new service providers to request objective and transparent selection procedure based on proportional, non-discriminatory and relevant criteria.
 - Existing authorisations remain in force.
 - Possibility for competent authority to recognise the compulsory nature of pilotage and mooring (also towage) on account of safety.
 - Extension of scope to waterway access.

4) Position towards Jarzembowski report

- Positive:
 - Extension of maximum duration of authorisations.
 - Appropriate compensation for non-selected existing provider.
- Negative:
 - Compulsory authorisation left to discretion of Member States (subsidiarity) may create distortions.
 - In case of limitation, obligation for Member States to allow the highest possible number of service providers appropriate under the circumstances is counter-productive for nautical-technical services.

5) Antwerp solution

- Concession of public service granted by Port Authority.
- Delivered after an open, transparent and objective selection procedure with clear and non-discriminatory criteria and conditions to be met.
- Valid for a limited period of time (8 years).
- Permanent control of tariffs and conditions by Port Authority and Maritime Community.

This approach has proven its efficiency over a large number of years.

Brabo operates under highly competitive conditions. There is no alternative provider in Antwerp, but there are in Rotterdam, Amsterdam, Dunkirk, Hamburg, Flushing...