



About ICHCA – International Cargo Handling Co-ordination Association

The International Cargo Handling Co-ordination Association (ICHCA) is an international, independent, not-for-profit organisation dedicated to improving the safety, security, sustainability, productivity and efficiency of cargo handling and goods movement by all modes and through all phases of national and international supply chains. ICHCA International's privileged non-government organisation (NGO) status enables it to represent its members, and the cargo handling industry at large best, in front of national and international agencies and regulatory bodies. Its Expert Panel provides practice advice and publications on a wide range of practical cargo handling issues. ICHCA Australia Ltd is proud to be part of the ICHCA International Ltd global network (www.ichca.com). To access past newsletters and other useful information go to the ICHCA Australia website at www.ichca.com.au.

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'Sector focused legal experts'

New Chair for ICHCA International



ICHCA International has a new chair. ICHCA Australia Chair Scott McKay has been elected as ICHCA International Chair, effective 30 September 2025. With members from the port, terminal, shipping and cargo handling community throughout the world, ICHCA remains committed to improving the safe working environment of all those handling cargo throughout the international maritime supply chain.

The appointment of McKay, a veteran with many years' experience of supply chain management is seen as reinforcing that mission, particularly the Association's role in disseminating safety performance data and innovations to cargo handlers and the broader industry.

McKay commented, "I see that ICHCA has a fantastic opportunity to further develop the gathering, analysing and sharing of safety data and best practice to help improve safety decisions and cultural change along and across the cargo supply chain." McKay joined a state chapter of ICHCA Australia seven years ago. He was then appointed Chair of ICHCA Australia and became a member of the international board in November 2023.

Formerly a chartered accountant at KPMG and a principal at Aurecon, a design and delivery global infrastructure consultancy, he has vast experience in the supply chain industry, including senior roles in Europe, Asia and Australia as CEO in warehousing and road transport, container rail and intermodal and bulk ports operations.

Last chance to enter TT Club Innovation in Safety Award

The TT Club Innovation in Safety Award, presented in partnership with ICHCA, celebrates cutting-edge improvements in health and safety across the cargo-handling and logistics sectors. Now in its ninth year, the award shines a spotlight on organisations and individuals that are making a tangible difference –

whether through new technology, processes, or culture-changing initiatives.

Tell us how your innovation could inspire others and contribute to safer supply chains worldwide.

From ports and terminals to transport operators and technology developers, all are welcome to enter. Past winners have ranged from global giants to grassroots inventors. What matters is impact.



Entries are accepted until 14 November 2025. Learn more at [Entering the TT Club Innovation in Safety Award - ICHCA International](#)

WSC reinstates cargo inspection deficiency data

The World Shipping Council (WSC) has released a new report summarising deficiencies found in government cargo inspection programs, reviving a vital data series that the International Maritime Organization (IMO) discontinued last year. The 2024 report shows that 11.4% of inspected cargo shipments were found to have deficiencies, up slightly from the IMO's final 2023 figure of 11%. These include mis-

declared and undeclared dangerous goods, incorrect documentation, and improper packing – all of which can lead to serious safety incidents, including ship fires.

Drawing on port state inspection data, WSC's report continues a data series dating back to 2011. Under international law, port States may inspect containers to ensure cargo complies with international regulations and standards, including proper declaration and packing of dangerous goods.

"Cargo safety starts with correct declaration and safe packing of goods," said Joe Kramek, President and CEO of the WSC. "With over one in ten shipments showing deficiencies, the message is clear: gaps in cargo safety remain far too common. Cargo deficiencies put crews, ships, cargo, and the environment at risk. By continuing this reporting, we can identify trends and take appropriate action to improve the safety of shipping. With only seven port States currently reporting, there is an opportunity for more governments to contribute their data, strengthening the global picture and helping to make shipping safer for everyone."

This reporting builds on WSC's wider cargo safety work, from co-developing the CTU Code Quick Guide and Checklist to help to pack containers safely, to supporting efforts that reduce container losses at sea, and working with the IMO on stronger dangerous goods rules.

The WSC is also developing an industry cargo safety program, which will be launched shortly, to improve cargo screening and inspections. "Data like this shows why the Cargo Safety Program is needed," Kramek added. "By pairing accurate reporting with better screening, clear standards, and practical guidance, we can reduce risks and protect lives, cargo and the marine environment." WSC has submitted these consolidated results in a paper to the recent IMO's Sub-committee on Carriage of Cargoes and Containers (CCC) meeting. Read the paper [here](#).



Update on the USTR port fees

Since the announcements reported in the article below were made, a meeting between President Trump and President Xi Jinping resulted in a postponement of the special port fees to be imposed by both the US and China. It remains to be seen when they will be implemented.

On 10 October 2025, the United States Trade Representative (USTR) announced further modifications to Section 301 of the Trade Act 1974. Originally announced in April 2025, the USTR's new port fees are targeting vessels constructed in China and entering US ports, as well as vessels owned or operated by

Chinese vessel owners and operators. The USTR October amendments include further proposed modifications and determinations that are now final and effective as of its publication in the Federal Register.

On the same day as the USTR October announcement, the Ministry of Transport of the People's Republic of China announced reciprocal special port fees to be imposed on US ships calling at Chinese ports, effective from 14 October 2025 (the same date as the port fees under the USTR measures). According to the PRC's announcement, special port fees shall be imposed on any vessel built in the US or flying a US flag, as well as any US-owned or operated vessel. The PRC's special port service fees will first be imposed at a rate of RMB 400 (US\$56) per net tonne, gradually increasing to RMB 1120 (US\$169) per net tonne in 2028.

Similarly, the USTR's port fee structure is designed to impose additional fees on vessels constructed in China, regardless of the vessel's ownership or flag state. As such, any vessel owned or operated by a Chinese entity will face a fee of US\$50 per net tonne per voyage to the US, and all non-Chinese operators of Chinese-built vessels will be charged the higher amount of either US\$18 per net tonne or US\$120 per container. Following the USTR's October modifications, a vessel classified as a foreign-built vehicle carrier or roll-on/roll-off vessel will also be subject to a fee of US\$46 per net tonne.

Relevantly, vessel operators are required to self-report and pay any fees in advance of any call to US ports, with vessel operators required to input vessel net tonnage and, for containerships, container counts. The US Customs and Border Protection has made it clear that it is up to the ship operator to determine the amount of fees owed and whether any exemptions apply. At this stage US Customs and Border Protection has confirmed that any vessels without proof of payment will be denied loading or unloading operations. It is therefore necessary for shipping companies and vessel operators to review their internal compliance procedures and protocols to ensure accurate and comprehensive documentation of vessel construction origin and timely submission of the required information to port authorities.

While the USTR October announcement provides some helpful clarification as to the USTR port fees regime, there is still some uncertainty as to how the announcements are to be interpreted. For example, key terms such as "citizen", "ownership", and "control" have not been statutorily defined or clarified. This leaves room for broad interpretation by US authorities. As a result of this ambiguity, vessel operators may be exposed to liability even where only minority stakes (possibly below the expressly referenced 25%), strategic influence, or operational oversight exist. It is also unclear how dual nationals are to be treated under the regime. Given that there have now been two updates, it must be assumed that the USTR does not want to clarify these issues at this stage, possibly to keep their enforcement options open.

It remains to be seen what the consequences of misinterpretation may be, but it is clear from the USTR announcements that the burden of compliance is firmly on the vessel operator, who must interpret the Federal Register notices and USTR guidance to determine their own liability. As such, the requirement to comply with the new port fees may trigger a need to review and potentially update existing charterparty agreements and other commercial contracts. It is therefore recommended that parties reassess their current contractual terms which allocate responsibility for governmental charges, such as the new USTR port fees. Going forward, it also may be advisable for new charters to include an express "trade wars" clause to deal with the risk of disputes over cost allocation.

This article was supplied by Owen Webb (Owen.webb@hfw.com) and Stephen Thompson (Stephen.thompson@hfw.com) of HFW, sponsors of Inside ICHCA.

FPH to invest \$390 million in Flinders Adelaide Container Terminal

Flinders Port Holdings (FPH) is set to invest \$390 million in the Flinders Adelaide Container Terminal (FACT) to improve operational capacity and ensure continued efficiency over the next two years. The investment,

which marks the most significant spend at FPH's Port Adelaide facilities since it purchased FACT in 2012, marks the beginning of FPH's GatewaySA Program of Works.

FACT has been the only container terminal in South Australia since it opened in 1978 and \$350 million of the investment is aimed at enhancing its operational capacity and efficiency. The GatewaySA Program of Works covers multiple projects within the FACT precinct, including the procurement of two additional Super Post Panamax STS Cranes (to be the largest in Australia), a 135-metre berth extension, upgrades to IT systems, new terminal access and egress, expansion of the Empty Container Depot, new sitewide services, pavements and hardstands, and proof of concept of an Auto Rubber Tyre Gantry operating mode.

FPH CEO Stewart Lammin said the GatewaySA Program of Works represented a major sustaining capital upgrade, preparing the terminal for future demands, innovation, technology and growth. "The FPH long-term Masterplan identified a need to perform a detailed assessment of the future operations for FACT," Lammin said. "As South Australia's international trade gateway, we are committed to ensuring its long-term viability for the benefit of our customers and the local economy."

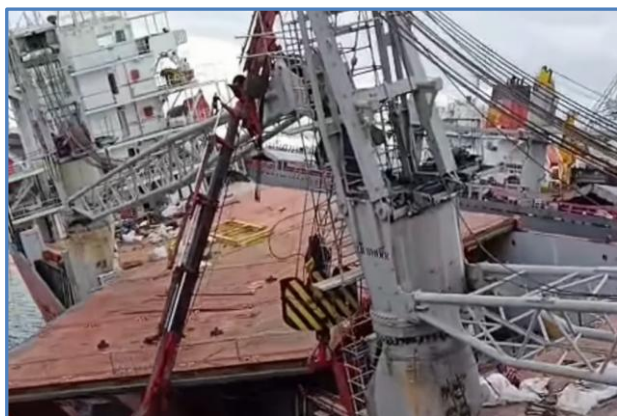
Throughout the Program of Works, FACT will remain operational. "Communication, collaboration, careful staging and planning of these works will be key success factors," Lammin said. GatewaySA has engaged McConnell Dowell to deliver the extension of the quay-line at FACT, with mobilisation to site underway following a six-month Early Contractor Involvement planning and development period. Vessel operations will continue throughout the 18-month construction timeline.

With the purchase of the two additional STS cranes, plus the berth extension, FACT will be able to service two 366-metre vessels simultaneously. "This increased capacity will instil confidence for our shipping line customers and enable the terminal to handle the largest container vessels currently calling Australian ports, but also larger container vessels that will call in the future," Lammin said.

FPH has awarded the tender for its TOS, a software system that manages and optimises the movement of storage containers within a terminal, to Tata Consultancy Services. The upgraded TOS will perform vessel and yard planning, container tracking, resource allocation, data management and analytics. Development works have also begun on land adjacent to the terminal, doubling the capacity of the Empty Container Depot, including full and empty reefer (refrigerated container) handling. The Empty Container Depot is an important link in the logistics chain, and this expansion will improve service levels for shipping lines, logistics providers, transport companies and import-export stakeholders.

Along with the Program of Works at FACT, FPH has invested \$40 million to upgrade equipment to secure continuous and efficient operations, including 14 hybrid straddle carriers over the last three years and three reach stackers and three empty container handlers in the past year.

Vessel capsizes at Turkish shipyard



Two workers have tragically lost their lives, and several others were injured when the Ro-Ro cargo vessel *Elmes*, which was undergoing repairs at the Yildiz Shipyard in Turkey, suddenly tipped over.

As reported, the cause of the incident remains unknown, and an investigation has been launched to determine the circumstances. The Yildiz Shipyard is part of the larger Tuzla Shipyards complex.

Source: Breakbulk News

The vessel capsized to its port side, causing some workers to fall into the sea. Others nearby were caught off-guard as hatch covers, and heavy components fell onto them.

Early reports confirm that two Ukrainian workers died in the accident and several others have sustained injuries. Emergency response teams including medical personnel, firefighters, the Coast Guard and police were quickly dispatched to the scene to assist the victims.

Footage of the incident can be seen here: <https://www.youtube.com/shorts/gvyHFKNfcpY?feature=share>

NSW Government to review PBLIS

The NSW Government is inviting feedback on proposed changes to the Regulation and current Port Botany Landside Improvement Strategy (PBLIS) Mandatory Standards, and new Performance Benchmarks Mandatory Standards. These changes implement endorsed recommendations from the Independent Review of the Act and the PBLIS and require regulatory changes. There is a six-week public consultation from 20 October until 28 November 2025, to gain feedback on the proposed changes required to implement the recommendations.

Stakeholders are encouraged to provide feedback on proposed changes outlined in the:

- **Draft Ports and Maritime Administration Regulation 2025**
- **Draft Port Botany Landside Operations – Mandatory Standards and Directions**
- **Draft Port Botany Landside Improvement Strategy – Performance Benchmarks**

To support your submissions, please refer to the **Regulatory Impact Statement (RIS) 2025 the PBLIS Regulatory Changes Consultation Fact Sheet** and the **PBLIS Stevedore and Carrier performance charts**.

Submissions will be made available on **the Ports and Maritime Administration Act and Port Botany Landside Improvement Strategy** project website. Feedback will inform changes to the Ports and Maritime Administration Regulation 2021 and PBLIS Mandatory Standards. A second round of consultation to consider any refinements to PBLIS regulatory changes based on feedback from this consultation is planned for 2026.

You can have your say by uploading a submission by 11:59pm 28 November 2025.

MEPC resolution postponed

The International Maritime Organization (IMO) has agreed to adjourn the extraordinary session of the Marine Environment Protection Committee (MEPC), which was convened recently to consider the adoption of draft amendments to International Convention for the Prevention of Pollution from Ships (MARPOL) Annex VI, including the IMO Net-Zero Framework.

The extraordinary session will reconvene in 12 months' time. In the interim, member states will continue to work towards consensus on the IMO Net-Zero Framework. The Intersessional Working Group on the Reduction on Greenhouse Gas Emissions from Ships, will continue work on the guidelines for implementing the Net-Zero Framework.

The IMO Net-Zero Framework was approved at the MEPC 83 session in April 2025, as a new Chapter 5 of the Draft Revised Annex VI of MARPOL. It comprises a set of international regulations aimed at reducing greenhouse gas (GHG) emissions from ships, in line with IMO's 2023 Strategy for Reduction of GHG Emissions from Ships. It includes two key elements: a global fuel standard and global GHG emissions pricing mechanism.

Updates from the Department of Agriculture, Fisheries and Forestry

DCCC meeting

The Department of Agriculture, Fisheries and Forestry Cargo Consultative Committee (DCCC) brings together DAFF and industry representatives (including ICHCA) to address biosecurity issues impacting trade and logistics with the purpose of ensuring effective biosecurity regulation without unnecessary trade barriers. The next DCCC meeting will be held on 27 November 2025. If you would like to raise any biosecurity issues, please contact Peter van Duyn.

BPL season commences

The Department will commence its annual heightened surveillance regime for managing the risks posed by Burnt Pine Longicorn (BPL) beetles (*Arhopalus fesus*) on vessels and imported cargo arriving from New Zealand.

Timber and timber products loaded on vessels departing New Zealand from 00:01 hours (NZST) on Saturday 1 November 2025 through to 23:59 hours (NZST) on Thursday 30 April 2026 are subject to the heightened inspection. The department requests that vessel masters and crew remain vigilant for BPL and advise the Department of any suspected detections of BPL as soon as possible. Early detection and accurate reporting of pests prior to arrival assists in managing the risk offshore, where possible, and minimises the level of intervention by the Department. The Department will issue a notification for the conclusion of the BPL flight season in 2026.

New Biosecurity IGB

The Federal Government has appointed Dr Melissa McEwen as Australia's next Inspector-General of Biosecurity (IGB). Dr McEwen commenced her 5-year term on 25 October, bringing with her a wealth of experience in biosecurity, regulatory systems, and scientific leadership. Dr McEwen has held a range of roles that combine science, policy and regulation, including helping to establish the role of the Inspector-General of Live Animal Exports. Her strong understanding of Australia's biosecurity system and commitment to its integrity make her well placed to take on this important role.

The IGB is an independent statutory officer who provides assurance over Australia's biosecurity risk-management systems through independent evaluation and verification. The Government thanks outgoing IGB Dr Lloyd Klump for his service and commitment to strengthening Australia's biosecurity.

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