

法規名稱：AGREED MINUTES OF THE 7TH SINO-KOREA JOINT MARITIME CONSULTATIVE COMMITTEE MEETING

簽訂日期：民國 80 年 05 月 03 日

生效日期：民國 80 年 05 月 03 日

Agreed Minutes

1 Delegations of the Republic of China and the Republic of Korea held the 7th round of Joint Maritime Consultative Committee Meeting in Seoul on May 2 and 3, 1991 in accordance with Article 8 of the Agreement on Maritime Transport between the Government of the Republic of China and the Government of the Republic of Korea. (hereinafter called the "Shipping Agreement")

2 The delegation of the Republic of China was headed by Mr. Lin, Chin-chuan, Deputy Director, Department of Navigation and Aviation, Ministry of Communications. The delegation of the Republic of Korea was led by Mr. Suh, Jae-Gook, Director General, Marine Transport Bureau, Korea Maritime and Port Administration.

The lists of both delegations are attached as Annex A and B.

3 During the Meeting, both delegations exchanged views on a number of shipping related issues, including international shipping environment, in an amicable and cordial atmosphere and highly evaluated the usefulness of the Joint Meeting.

4 The two delegations frankly and sincerely discussed issues of mutual interests and reached understandings as follows:

A. Restrictions on Cargo Solicitation for the ROC Carriers in Korea

Pointing out that the restrictions on cargo solicitation for the ROC carriers in Korea were against the principles of mutual equality based on the Shipping Agreement, the ROC side requested the Korean side to present a time-table for lifting of the waiver system and the restriction on cargo solicitation of interport s-

ervice and Korea-Japan route.

The Korean delegation explained that, though the legal basis for the integration of Korea-Japan and Korea-Southeast Asian routes would be effective by the end of 1991, it should take a considerable time to implement the actual integration due to the domestic circumstances in Korea.

The ROC side presented the following time-table to lessen the restrictions on cargo solicitation for the ROC shipping companies in Korea;

- For the waiver system, the law shall be revised by 1993 and the related regulations shall be streamlined by 1995.
- The Chinese carriers shall be able to participate in the feeder services on the Korea-Japan route once the Japanese carriers are allowed to engage above services.
- The participation of the ROC oceangoing carriers in interport services on the Korea-Southeast Asian route shall be allowed at the time when Korean ocean-going shipping companies are allowed to take part in Southeast Asian service. The time is expected to be 1995.

B. Interport Services of Korean Oceangoing Vessels in the Near Sea Route.

The Chinese delegation demanded that the Government of the ROK should take regulatory actions against Korean Ocean-going liners which violated the ROK law about interport services in the near sea route of the ROC.

The Korean side stated it would take actions against such liners according to the laws if the ROC side hands in evidence materials to tell any ROK shipping company had committed a violation.

C. The Berthing Priority at the Port of Pusan

The Chinese delegation indicated that there were unfair treatments in berthing priority at the Port of Pusan to the ROC container ships.

The Korean delegation explained that there was no discrimination according to the flag of vessel and that the BCTOC (Busan Container Terminal Operation Corporation) had kept the rule of de-

termining the priority on the base of optimizing operational efficiency of the terminal.

The Chinese side requested that the vessels calling at the Port of Pusan every 5 days should be considered as equivalent priority to the vessels of fixed day services. The Korean delegation gave the document regulating the berth priority to the ROC side and explained that the relevant authority in Korea would reconsider the Chinese proposal when the 3 additional berths start running in June 1991. The result will be informed to the Chinese side.

D. Construction Plan of Container Terminals in Korea

Emphasizing that container terminals play very important roles in liner shipping sector, the ROC side asked that the ROC liner shipping companies should be allowed to lease and operate her own container terminals in Korea.

The Korean side explained as follows:

- Though the Port of Pusan is expected to expand three new container berths by this coming June and four more berths by 1994, it seems inevitable that container terminals in the Port of Pusan should be run as public terminals due to the rapidly growing container cargo traffic in the Port of Pusan.

However, the ROC carriers are welcomed to lease container terminals in the Port of Pusan once the terminals are decided to be leased.

- In addition, ten more container berths are planned to be constructed in the Port of Kwangyang by the year of 2000 and they are planned to be leased to the shipping lines which will invest to the construction. If the Chinese carriers are interested in the development of the Port of Kwangyang, the Korean side is pleased to forward necessary materials to the ROC side.

E. Formation of the Discussion Agreement

The Korean delegation expressed that the ceiling restriction for the Chinese carriers in the near sea route had been lifted since January, 1990. However, the Korean delegation strongly requested that Chinese shipping companies should do their best to form a

consultative body, which would certainly lead to equal cargo sharing for both sides shipping companies, and market stabilization in the Southeast Asian routes, stipulated by the agreement at the 6th Round of Consultative Meeting.

In addition, the Korean side expressed its views that restrictions of interport service on the Southeast Asian route could be lifted immediately, if the consultative body among the shipping lines of both countries is formed and the cargo sharing agreement based on Article 2 of the Shipping Agreement is implemented

The both sides agreed that the Association of Shipping Services of the ROC and the Korea Shipowners' Association of the ROK would act as respective negotiation party for the formation of the Discussion Agreement.

F. Korean Shipowners' Representatives in the ROC.

The Korean side pointed out that there were no restrictions comparable with the Chinese side on the number of foreign shipowners' representatives in Korea. The Korean side requested that the ROC, on the basis of the principle of mutual benefit and reciprocity rendered by the Shipping Agreement, should allow the increase of the number of Korean shipowners' representatives in the ROC.

The Korean delegation explained that the ROK had allowed foreign shipping companies to establish their branch offices in Korea since May 1989. The Korean side asked whether the ROC would allow Korean shipping companies to establish their offices in the ROC if they want to.

The Chinese side stated that unlimited number of foreign shipowners' representatives in the ROC had not been allowed by the domestic law. The Chinese side, however, expressed its intention that the Ministry of Communications would exert to settle this problem with sincerity if the Korean shipping companies submit information on their necessity to increase the number of resident representatives.

G. Exclusive Rent of Container Terminal in the Kaohsiung Harbour

Regarding the agreed minutes at the 6th Round of Meeting that the ROC side would give assistance in the Kaohsiung Harbour for the Korean shipping companies, the ROK side regretted that the application by the Hanjin Shipping Co., Ltd for the lease of Pier 64 in the Kaohsiung Harbour had not been accepted.

Emphasizing that the container cargo handled by the Korean shipping companies was by no means less than that handled by the American or Japanese shipping companies, the Korean side once again made a strong demand that the ROC side should exert every effort so that Korean shipping companies could secure an exclusive container terminal in the Kaohsiung Harbour.

Referring to that there was no discrimination on leasing an exclusive container terminal for the Korean shipping companies, the ROC side explained that the decision on Pier 64 as public berth was made because the Kaohsiung Harbour was short of public pier and there were many competitors for Pier 64.

The Chinese side expressed that the Kaohsiung Harbour's 5th terminal would be constructed in the near future and the Korean carriers will be welcomed to lease those terminals after construction. The Chinese side advised the Korean carriers to contact with the Kaohsiung Harbour Bureau. Necessary assistance will be given by the Ministry of Communications of the ROC.

5 Both delegations reached the same conclusion that the 7th Joint Maritime Consultative Meeting was constructive and it would contribute to the strengthening of traditional relationship and mutual cooperation in the maritime field between the two countries.

Both delegations agreed that the 8th round of Consultative Meeting would be held in Taipei next year and the date would be determined through the diplomatic channels.

May 3, 1991

[Signed]

Mr. Lin, Chin-Chuan
Chief Delegate

The Republic of China

[Signed]

Mr. Suh, Jae-Gook

Chief Delegate

The Republic of Korea

Annex "A"

List of the Chinese Delegation

- Chief Delegate
 - Mr. Lin, Chin-Chuan (林金川)
Deputy Director
Department of Navigation and
Aviation
Ministry of Communications
(MOC)
- Delegate
 - Mr. Bao, Jya-Yuan (包嘉源)
Section Chief
Department of Navigation and
Aviation
Ministry of Communications
(MOC)
 - Mr. Cheng, Chorng-Been (鄭崇賓)
Specialist
Department of Navigation and
Aviation
Ministry of Communications
(MOC)
 - Mr. Lin, Shun-Dar (劉順達)
Specialist
Department of East Asia and
Pacific Area
Ministry of Foreign Affairs
(MOC)
 - Mr. Hsiang, Chung-Fa (相重發)



Vice Secretary General
Association of Shipping Services,
R.O.C (AOSS)

- Mr. Chang, Guo-Hua (張國華)
President
Evergreen Marine Corp., Ltd.
- Mr. Lee, Mun-Chi (李孟舉)
President
Uniglory Marine Corp., Ltd.
- Mr. Jou, Muh-Haur (周慕豪)
Secior Manager
Chinese Maritime Transport Ltd.
- Mr. Chen, Ching-Chih (陳清治)
Vice Chairman
Wan Hai Steamship Co., Ltd.
- Mr. Hwang, Sin-Nan (黃信南)
Vice President
Chun Sine Marine Co., Ltd.

Annex "B"

List of the Korean Delegation

- Chief Delegate
 - Mr. Suh, Jae-Gook (徐載國)
Director General
Marine Transport Bureau
Korea Maritime and Port
Administration (KMPA)
- Delegate
 - Mr. Suh, Jung-Ho (徐廷皓)
Director
Shipping Promotion Division
Marine Transport Bureau, KMPA
 - Mr. Baek Ok-In (白玉寅)
Director
Ocean Going Shipping Division



- Marine Transport Bureau, KMPA
- Mr. Kim, Sung-Jin (金性珍)
Assistant Director
Shipping Promotion Division
Marine Transport Bureau, KMPA
 - Mr. Yu, Ji-Eun (柳枝殷)
Assistant Director
International Trade Division II.
Ministry of Foreign Affairs
 - Mr. Park, Chang-Hong (朴昌弘)
Secretary General
Korea Shipowners' Association
 - Mr. Kwon, Hoon (權勳)
Senior Vice President
Hanjin Shipping Co., Ltd.
 - Mr. Moon, Ik-Sang (文益祥)
Senior Executive
Hyundai Merchant Marine
Co., Ltd.
 - Mr. Park, Hyo-Won (朴孝源)
Vice Chairman
Cho Yang Maritime Co., Ltd.
 - Mr. Yang, Geel-Yong (梁吉容)
Vice President
Dongnama Shipping Co., Ltd.
 - Mr. Kim, Min-Young (金敏英)
Senior Managing Director
Heung-A Shipping Co., Ltd.