



## **CARGO INCIDENT NOTIFICATION SYSTEM**

### **Statutes of the Cargo Incident Notification System Organisation**

The Cargo Incident Notification System (CINS) Organisation has been established as an independent, not-for-profit organisation, governed by the Statutes below and by English law. CINS adheres to a strict practice relating to anti-trust legislation and its meetings are governed by the guidelines given in Appendix A at the end of this document

#### **Administration, Duration and Objectives**

##### *Article 1*

These statutes cover the not-for-profit international association, given the name "Cargo Incident Notification System Organisation" and abbreviated, where appropriate, to "CINS".

##### *Article 2*

The Contact Office is as follows:

CINS Secretariat, Suite 3, Charter House 26 Claremont Road, Surbiton KT6 4QZ, UK  
T: +44 (0)20 8398 9048 • F: +44 (0)870 7620434 • E: [secretary@cinsnet.com](mailto:secretary@cinsnet.com)

##### *Article 3*

CINS is established for an unlimited period of time.

##### *Article 4*

The objective of CINS is to highlight risks posed by certain cargoes and/or packing failures in order to improve safety in the liner shipping industry.

CINS intends to develop and use a continuous improvement model to enhance the safety of carriage of cargo.

##### *Article 5*

CINS aims to achieve its purpose primarily in the following ways:

1. By collecting information on operational accidents and incidents, excluding all commercial information supplied by the seaborne Carriers. This will be achieved by means of entering relevant incidents on a database, access to which will be limited to participating carriers and subscribing insurers (IG P&I Clubs and TT Club);
2. Analysing the data and looking for specific incidents which may require immediate action or assessing incident trends;
3. Addressing areas of concern to IMO and/or other relevant authorities to formulate appropriate changes in legislation, recommendations or advice. This may include amendments to IMDG Code or advice on training issues or on the packing and securing of cargo in containers or as general cargo;

4. Collaborating on the development of good practice guidelines to provide clarity to all stakeholders in the unit load supply chain;
5. Publishing and disseminating information, organising meetings and workshops, and generally encouraging co-operation and efficiency to improve safety through the supply chain;
6. Working in collaboration with organisations worldwide on a global level.

#### *Article 6*

Participating Carriers commit to report any cargo related incident under sea transport, port or intermodal operations which causes or has potential to cause:

1. injury or loss of life;
2. environmental concerns;
3. loss or serious damage to cargo and assets

### **Members of the Association**

#### *Article 7*

The number of members is unlimited, without being less than three members. CINS is composed of Full Members, Advisory Members and Honorary Members, all of which will be corporate entities. The Board can define any other membership category, including its rights and obligations, by a decision taken pursuant to Article 15 and following these statutes. All membership criteria, not provided for in these statutes, are defined in resolution by the Board.

#### *Article 8*

**Full Membership** of CINS is open to all container ship Carriers.

**Advisory Membership** of CINS is restricted to the International Group of P&I Clubs (IG P&I Clubs) and TT Club Mutual Insurance Ltd (TT Club).

**Honorary Membership** of CINS is open to other relevant organisations, whose activities involve specific co-operation with CINS. The Honorary Membership is bestowed upon relevant organisations only in rare cases and after proven and lengthy cooperation. Such Honorary Membership may only be granted on the basis of unanimous decision of the Board.

**Full Members** have full voting rights. **Advisory Members** and **Honorary Members** do not have voting rights.

#### *Article 9*

Membership Application requests are to be forwarded, in writing, to the General Secretary of CINS. The Board has the power, with majority of the votes of the Directors, to accept or refuse such requests.

Membership cannot be transferred to another company without the approval of the Board.





#### *Article 10*

There will be at least one General Meeting each year, where the Board will present a Report on decisions made at the Board Meeting. All Members are allowed to participate in general meetings, events or any other activities within CINS. Non-Members may be permitted to attend such meetings, at the discretion of the Board.

#### *Article 11*

CINS Working Groups (WGs) are co-ordinated by a Leader who must be approved by the Board. The composition of a WG will be determined by its Leader under Board instruction as and if required. Leaders can invite others to participate in a WG, subject to approval of the Board, but the majority of participants in a WG shall be Full Members.

#### *Article 12*

Members remain free to withdraw at any time from CINS by forwarding their resignation in writing to the General Secretary. In the case that Members leave during the course of a year, no refunds of membership fee will be made

#### *Article 13*

The exclusion of a Member may be decided by the Board based on a majority vote. The reasons for such action may include, but are not limited to:

1. Deliberate damage to the interests of CINS, including but not limited to seeking to use CINS for own commercial reasons and seeking to use CINS as leverage towards governmental authorities.
2. Non-payment of the annual membership fee.
3. Lack of contribution in furtherance of the objectives of CINS; or non-compliance with these Statutes

#### *Article 14*

The annual membership fee shall be fixed by the Board. Payment must be made in full, within 30 days of receipt of invoice. Membership fees are not refundable.

In the event of additional funds being required for specific projects, the Board is entitled to request additional fees from the Members.

### **Directors and Administration**

#### *Article 15*

CINS is managed by a Board composed of the five founding Full Member Lines.

Should the individual representing a founding Full Member change role at their company, or leave the company, then the individual shall no longer be able to represent his company at Board Meetings. The individual representing the Member Company shall be engaged in work relevant to CINS.



In the case of a resignation of a Director, the Board shall elect by co-option a substitute Director, being the individual with relevant responsibility and competence in the founding Full Member's organisation.

A Director's mandate remains on an honorary basis and gives no right to any remuneration, unless otherwise decided and approved by the Members. The Directors do not contract, owing to their function, any personal commitments and remain only responsible for the execution of their mandate.

#### *Article 16*

The Board shall elect from the Directors a Chairman and a Deputy Chairman, who will serve for an initial 3-year term. Subject to Board agreement, this can be extended.

#### *Article 17*

Board meetings are convened by the Chairman or two Board Members. Decisions are taken at the absolute majority of the Directors' votes, the Chairman having, in the event of an even vote, the casting vote. Decisions taken are recorded in the statements signed by the Chairman and the General Secretary.

Directors are allowed to mandate, by letter, fax or email, one of their colleagues to represent them at a Board meeting.

Votes may be undertaken by Board Members who are either present at the meeting, or who are represented by another Board Member.

Directors may be accompanied at Board meetings by one colleague from the same organisation, but any such person will not have voting rights unless representing a Director.

#### *Article 18*

The Board is in full possession of the widest powers to manage the business of CINS or to perform any administrative action. It decides on the practices and character of CINS, as well as its policy to reach the Organisation's objectives.

Anything not specifically reserved for the General Membership (by these statutes or by law) is within the competence of the Board. The Board will also be allowed to appoint staff and to be assisted by advisors who are not necessarily chosen from among the Members.

#### *Article 19*

The Board is allowed, under its own responsibility, to delegate the daily management of CINS to a General Secretary, this being either one of its Members or a third party. The General Secretary will be required to work within the agreed and controlled annual budget and will report to the Board with financial management information on a quarterly basis. The General Secretary's role and responsibilities are detailed in a "Roles and Responsibilities" document.

*Article 20*

The Chairman will present a report of the Board decisions at the General Meeting of Members.

**Board Meetings**

*Article 21*

The Board is composed of founding Full Members only. The Chairman or, if he is absent, the Deputy Chairman (or another Member of the Board appointed by the Board in case of the Chairman or Deputy Chairman's pre-notified absence) presides.

*Article 22*

The following items are decided by the Board:

1. General Policy and Strategy
2. Amendment of the Statutes
3. Budget and accounts approval
4. Fixing of the annual membership fee
5. Dates and policy about CINS future meetings
6. Voluntary dissolution of CINS.

*Article 23*

The Board will meet a minimum of once each year.

*Article 24*

The Chairman of the Board will invite Board Members to the Board Meeting. Board members are, subject to Article 17, permitted to be represented by another individual from the same company. Invitations are to be made in writing at least 10 days before the Board Meeting. The agenda will be included.

*Article 25*

The Chairman of the Board must summon a Board Meeting if required by 2/5 of the Board members.

*Article 26*

At least 3/5 of the Board's Members must be present or participating by conference call for a duly constituted Board Meeting.

When there is a vote for a change in the statutes or the dissolution of the Organisation, then all five Board Members must participate.



Each Board Member has one vote. Any Board Member, who intends not to attend the Board Meeting, is allowed before the beginning of the Meeting, to express their vote in writing. In the event of such a case, this Member will communicate in writing to the Board the name of the designated person, who will be entitled to vote on behalf of this Member.

No single Director may represent more than one other Director.

### **General Provisions**

#### *Article 27*

The CINS year shall begin on 1 January and shall terminate on 31 December of each year. Membership fees will be for this period. Companies joining CINS during the course of the year will pay a pro rata amount, based on the number of months of the year that remain.

#### *Article 28*

In the event of dissolution, the Board will determine the allocation of the net remaining assets after payment of the debts and discharging of the expenses.

#### *Article 29*

These Statutes are worded in English, are subject to English Law and jurisdiction, and binding amongst the parties.

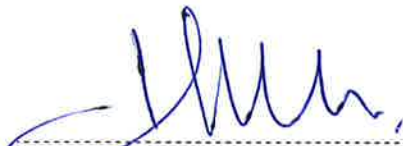
### **CINS Board Members April 2015**



Uffe Ernst-Frederiksen  
Maersk Line



Ken Rohlmann  
Hapag Lloyd



Dirk Vande Velde  
MSC – Mediterranean Shipping Co



Marc Lefebvre  
CMA CGM



Capt S H Lin  
Evergreen Line