



International Federation of Shipmasters'
Associations
IFSMA

44th Annual General Assembly
(AGA)

BUENOS AIRES

ARGENTINA

Argentine

Merchant Marine changes

and

Recent Maritime Law

BEFORE 1991

NATIONAL STATE FLEET

Tankers

General cargo and containers

Ore carriers

Yacimientos
Petróíferos Fiscales
(YPF)

Empresa Líneas
Marítimas Argentinas
(ELMA)

Yacimientos
Carboníferos Fiscales
(YCF)

Cabotage

Exportation

Far East

Middle East

Europe

North Atlantic

North Pacific

Cabotage

30 ships

45 ships

3 ships

Inland waters / tugs

Dredgers

Navy Transports

Flota Fluvial del Estado

Dragado y Vías Navegables

Transportes Navales

60 ships

12 ships

4 ships

BEFORE 1991

NATIONAL PRIVATE FLEET

Tankers

30 ships

General cargo and containers

29 ships

Bulk carriers

8 ships

Inland waters / tugs

500 ships

Fisheries

250 ships

Offshore

8 ships

BEFORE 1991

Navigation Law

Goods Transport Protection Law

Cabotage Law

Ship Insurance Law

Employment Contract Law

Collective Bargaining Agreements

Decrees 1772/1991 and 817/1992

AFTER 1991

NATIONAL STATE FLEET

Tankers

General cargo and containers

Ore carriers

Yacimientos
Petróíferos Fiscales
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Marítimas Argentinas
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Yacimientos
Carboníferos Fiscales
(YCF)

**STATE COMPANIES CLOSE DOWN
SHIPPING ACTIVITIES**

Dredgers

Navy Transports

Dragado y Vías Navegables

Transportes Navales

6 ships


3 ships

AFTER 1991

NATIONAL PRIVATE FLEET

**All owners were authorized
to reflag their ships
Most of them in flags of convenience**

EVEN IN THE NATIONAL CABOTAGE



**Since 1991 up to 2004
Argentinian seafarers were
treated as foreign citizens in
our own waters**

No CBAs

No health care

No contribution for retirement

No union fees

Salaries under ILO minimum

No indemnization

Reduction of crew (30%)

Women discrimination

The government supported the abuse of the owners

Decree 1010/2004

2004

NATIONAL PRIVATE FLEET

**All owners were FORCED
to reflag their ships**

**AT THAT TIME,
ONLY THE CABOTAGE FLEET
WAS REMAINING!**



Decree 1010/2004

Navigation Law

Cabotage Law

Ship Insurance Law

Employment Contract Law

Collective Bargaining Agreements

All contracts celebrated to crew shall be governed by standing Argentine regulations and shall remain under Argentine administrative and judicial jurisdiction.

Argentine flag treatment is granted, to all navigation, communication and commercial ends, inland and international, to all foreign flagged vessels on bareboat charter, under the system of temporary import by Argentine ship-owners, subject to conditions and terms outlined in this decree.

AFTER 2004

NEW COLLECTIVE BARGAINING AGREEMENTS

SIGNIFICANT INCREASE IN LABOR RIGHTS AND GUARANTEES

SHIPOWNERS MUST REQUIRE SEAFARERS TO THE CORRESPONDING UNION.

SHIPOWNERS CAN NOT HIRE UNAFFILIATED SEAFARERS

MORE VACATION DAYS (REGIME 1 X 1)

WOMEN RIGHTS AND GUARANTEES

WAGE SCALE DIFFERENTIAL BY VESSEL TYPE

SCALE OF PAYMENTS FOR CLEANING TANKS AND HOLDS

HIGH SALARY LEVELS





Between 2004 and 2006 have returned to the National Register over 76 ships:

Oil Tankers

Tugboats

General Cargo Vessels

Bulk Carriers

Barges

Inland waterways units

Since 2004 up to 2017 have been incorporated by BAREBOAT Charter 24 vessels:

Oil Tankers

Tugboats

Bulk carriers

Full Container Vessels

2004 / 2017

During the following thirteen years, the Centro de Capitanes de Ultramar y Oficiales de la Marina Mercante, elaborated its proposals for a new Merchant Shipping Act.

First, developing consensus for all sectors of the activity.

Then, working and evaluating specific rules to be included in the Act.

And finally, discussing and analyzing all different views, together with Members of the Congress, In order to arrive for a permanent Argentine Maritime transport solution

So that, much of the enacted law is based on “Centro de Capitanes” proposals.



In December 2017, the Congress approved the new Merchant Shipping Act, leaving behind 26 years of decreasing of Argentine transport capacity.

Law 27.419

National Merchant Marine
Development

Law Adopted in December 2017

XI CHAPTERS for Merchant Shipping Development

Chapter I General Provisions: Objectives of the Law

Chapter II National Owners: Conditions for shipowners

Chapter III Special Tax System: Tax reduction for some time

Chapter IV Vessels Register: Conditions and record for carriers vessels

Chapter V Bareboat Charter: National Treatment for foreign flags ships

Chapter VI Insurance System: Special insurance contracts

Chapter VII Goods Transport Protection: Only for State trading

Chapter VIII Special Provisions for International Trade: Cessation of flag

Chapter IX Crew Conditions: Exclusive citizens employment

Chapter X Legal Status for Ship Mortgage: Changes in navigation Law

Chapter XI Concluding Provisions: Official Publication and coming in force

Following Actions



The present Law is an important step in our legislation.

However, we need to work on complementary rules to make more attractive and competitive the National fleet for cabotaje and international trade.

OUTSTANDING ISSUES

- Argentina increased exports of grains exceeding 100 million tons per year, but ALL are transported by foreign vessels. The work of Argentine seafarers is protected by the law, and we hope owners will include new vessels for this trade in short time.
- Particularly the trade agreement between Argentina – Brasil should be reinforced and expanded among the others countries who are members of the MERCOSUR.
- Transport of containers to and from Patagonian ports should be extended due to lower transport costs.
To this end improvements in port services must be proposed in order to speed up the transit time of liner service.



We are satisfied with the progress concerned to Argentine legislation.

We feel very proud of the participation and the prominence of the “Centro de Capitanes de Ultramar y Oficiales de la Marina Mercante” in all these achievements

A blue-tinted photograph of a large, snow-capped mountain peak, likely Mount Everest, with the word "thanks!" overlaid in white, italicized text. The mountain is partially obscured by a large, billowing plume of white smoke or steam rising from its summit. The sky is a deep, clear blue, and the foreground shows the rugged, snow-covered slopes of the mountain.

thanks!