Logistics in Japan and ASEAN Nations

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Director
International Logistics Division, MLIT
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I  Introduction ~Key Factors for Logistics~

II  Laws and Regulations for Logistics
   • Freight Forwarding Business Act
   • Warehouse Business Act

III Advancement of Logistics System in ASEAN
Key Factors for Development in Logistics Sector

**Laws & Regulations**
- Sustainable Development
- Soft/Service Development
  - Various Logistics Services Provided by Operators such as Forwarding, SCM

**Infrastructure Development**
- Hard Developments Such as Road, Port. Bridges Developments etc

**Finance**

**Laws/ Regulations And Finance Serve as the System Base for Development of Logistics**

**Issues & Challenges**
- Traffic Congestion
- Environment Problems
- Energy Problem
- HR/Labor Issues

**Sustainable Logistics**

**Green Logistics**

**Modal Shift**

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<table>
<thead>
<tr>
<th>Logistics Business</th>
<th>Related Legislations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trucking Business</td>
<td>Motor Truck Transportation Business Act</td>
</tr>
<tr>
<td></td>
<td>Road Transportation Vehicle Act</td>
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<tr>
<td></td>
<td>Road Traffic Act</td>
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<tr>
<td>Freight Railway Business</td>
<td>Railway Business Act</td>
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<tr>
<td>Domestic Shipping Business</td>
<td>Domestic Shipping Business Act</td>
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<tr>
<td></td>
<td>Maritime Transport Act</td>
</tr>
<tr>
<td></td>
<td>Ship Safety Act</td>
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<tr>
<td></td>
<td>Ship Officers and Small Ship Driver Act</td>
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<tr>
<td></td>
<td>Marine Traffic Safety Act</td>
</tr>
<tr>
<td>Ocean-Going Shipping Business</td>
<td>Maritime Transport Act</td>
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<td></td>
<td>Ship Safety Act</td>
</tr>
<tr>
<td></td>
<td>Ship Officers and Small Ship Driver Act</td>
</tr>
<tr>
<td></td>
<td>Marine Traffic Safety Act</td>
</tr>
<tr>
<td>Harbor Transport Business</td>
<td>Harbor Transport Business Act</td>
</tr>
<tr>
<td>Air Cargo Business</td>
<td>Civil Aeronautics Act</td>
</tr>
<tr>
<td>Freight Forwarding Business</td>
<td>Consigned Freight Forwarding Business Act</td>
</tr>
<tr>
<td>Warehouse Business</td>
<td>Warehouse Act</td>
</tr>
<tr>
<td>Truck Terminal Business</td>
<td>Automobile Terminal Act</td>
</tr>
</tbody>
</table>

Purpose

- **To Ensure Quality of service (To Protect Users)**
- **To Ensure the Safety**
- **To Ensure the Sound Competition**
I  Freight Forwarding Business Act
Framework of Legislation Related to Logistics Business

Framework of Cargo Transport Business

Each actual transport (such as truck, ship, airplane, railway transport) has individual act respectively. On the other hand, Freight forwarding has only one act across the type of transportation.

<table>
<thead>
<tr>
<th>Type of Transportation</th>
<th>Regulation of Actual Transport</th>
<th>Regulation of Freight forwarding</th>
</tr>
</thead>
<tbody>
<tr>
<td>Truck</td>
<td>Motor Truck Transportation Business Act</td>
<td>Consigned Freight Forwarding Business Act</td>
</tr>
<tr>
<td>Ship</td>
<td>Maritime Transport Act Domestic Shipping Act</td>
<td>Freight Forwarding Business Act</td>
</tr>
<tr>
<td>Airplane</td>
<td>Civil Aeronautics Act</td>
<td></td>
</tr>
<tr>
<td>Railway</td>
<td>Railway Business Act</td>
<td></td>
</tr>
</tbody>
</table>

Freight forwarding business is to transport cargo by using actual carriers (such as truck, ship, airplane, railway).

Responsibility for Shipper

Responsibility for Freight forwarder
Need for Comprehensive Logistics Operators

Demand Shift from Separate Logistics Operations to Total Logistics Operation Service

- Business Models of Industries Became More Seamless Flow
- Needs from Business Sectors for More Total Logistics Service
- Trans-Modal Logistics Systems:
  - One Entity Provides Multiple Logistics Functions Such as Transportation, Warehousing, Cargo Shipping, Air, and Forwarding Service Based on Customers’ Business Needs
  - Logistics Company Conducting Forwarder, Trucking and/or Warehouse Business
  - Forwarder May Act as Consultant and/or Operator to Propose and Implement the Most Efficient Overall Logistics etc

New Stream of Logistics Systems

Traditional Logistics System

Separate Operations

Makers/ Shippers

Forwarding

Transportation

Warehouse

Shipping

Air

Total Logistics Solutions

Transportation

Forwarding

Cargo Shipping

Warehouse

Air

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Freight Forwarding Business (Reasons for Regulation Needs)

Features of Freight Forwarding Business

1. No Need to Invest in Facilities (i.e. Trucks, Airplane, Ships)
2. Possible to Start the Business Only with Knowledge and Experience
3. Pose Primary Responsibility for Shippers

- Enables Entrance of Non-Professional Level Business Entities

- Need for the Protection of Shippers (Users)

- Regulations are Imposed by The Consigned Freight Forwarding Business Act
Enforcement of “Consigned Freight Forwarding Business Act”

Established the New Act Based on the Growing Need for Multimodal Transport

Business Entry: **Permission System**

Fare: **Advance Reporting System**

Amendment of “Consigned Freight Forwarding Business Act”

Promote Free Business Deployment by Further Deregulation

Business Entry: 1st Cass Freight Forwarding Business: **Registration**

Fare: **Ex Post Facto Report System**

**Economic Structure Shifts from Heavy Industry to Soft Industry**
- Diversified Trend of Logistics Needs: More Smaller Packages, Higher Frequency, More Speedier Service
- New Needs for Multi-Mode Transportation: Regulation System to Meet Seamless Multi-Mode Transportation

**In 1990**
Enforcement of “Consigned Freight Forwarding Business Act”

**In 2003**
Amendment of “Consigned Freight Forwarding Business Act”

Promote Free Business Deployment by Further Deregulation
Characteristics of Consigned Freight Forwarding Business Act

**Characteristic 1**
- Examinations of Ability to Achieve the Business Plans for Each Transportation Mode such as Marine Transportation, Air Transportation, Railroad Transportation and Truck Transportation

**Characteristic 2**
- Approval Needed for “Terms of conditions”
  - Clarifications on Conditions (i.e. Liability for Transportation)

**Characteristic 3**
- Post-Reporting on Charges and Fees (After the Incidents/Changes)
  - Simplification of Procedures

Regulation Management Philosophy:
Post-Submissions & Post-Reporting Checking System
Freight Forwarding Business (Types and Definition)

1st Class Freight Forwarding Business
- Port
- Airport
- Station
- Door

Shipping
- Port
- Airport

Air
- Airport
- Station

Railway
- Station
- Door

Truck
- Door

2nd Class Freight Forwarding Business
- Collect Cargo
- Port
- Airport
- Station
- Door

(Mainline)

- Port
- Airport
- Station

(Cargo Delivery)

- Door

Door to Door Transport Service

2nd Class Freight Forwarding Operator Provides Door to Door Transport Service Taking a Responsibility of Shipper
Key Features of Consigned Freight Forwarding Business Act

- **Start of Business**
  - Registration
  - Approval of terms of conditions
  - Registration of changes on registered information
- **Changes on Services**
  - Approval of business plans
  - Approval of collecting/delivery business plans
- **Report**
  - Report of changes on registered information/business plans
  - Approval of changes on terms of conditions
  - Submission of sales report/business performance report
  - Report upon fair/fee change
- **Adverse Disposition**
  - Order to improve business/to change fair/fee
  - Termination of business/cancellation of registration/permit
### 1st Class Freight Forwarding Business

**Characteristics**

- **Registration** to MLIT is Necessary to Start Business

- **Criteria for Registration**
  - To Have the Necessary Facilities to Conduct the Business
  - To Have the Financial Foundation Necessary to Conduct the Business
  - No Past History Records on Law Violations

Confirm Only the Necessary Minimums for Each Criteria

### 2nd Class Freight Forwarding Business

**Characteristics**

- **Approval** from MLIT is Necessary to Start Business

- **Criteria for Approval**
  - To Have a Proper Business Plan
  - To Have Appropriate Pick-Ups/Collection and Delivery Operation Plan
  - To Have an Ability to Perform the Proper Business (Facilities and Financial Foundation are Needed for the Business)
  - No Past History Records on Law Violations

2nd Class Operators are Required to Operate Seamlessly between Mainline and Truck transport

Precise Examinations are Required to be Conducted to Obtain Permission
Authorization and Contacts For Submissions of New Business Entries on Freight Forwarding Business

<table>
<thead>
<tr>
<th>1st Class Forwarding Business</th>
<th>Registration</th>
<th>Submission Contacts</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Ocean Marine Shipment</strong></td>
<td>Minister of Land, Infrastructure, Transport and Tourism</td>
<td>District Transport Bureaus</td>
</tr>
<tr>
<td><strong>Cargo Vehicle</strong></td>
<td>Director of the District Transport Bureau</td>
<td>District Transport Bureaus Branch</td>
</tr>
<tr>
<td><strong>Railways</strong></td>
<td>Minister of Land, Infrastructure, Transport and Tourism</td>
<td>District Transport Bureaus</td>
</tr>
<tr>
<td><strong>Inland Marine Shipment</strong></td>
<td>Minister of Land, Infrastructure, Transport and Tourism</td>
<td>District Transport Bureaus</td>
</tr>
<tr>
<td><strong>Air</strong></td>
<td>Minister of Land, Infrastructure, Transport and Tourism</td>
<td>District Transport Bureaus</td>
</tr>
<tr>
<td><strong>Operations by Foreigners</strong></td>
<td>Minister of Land, Infrastructure, Transport and Tourism</td>
<td>MLIT</td>
</tr>
<tr>
<td>(Ocean Marine/International Air)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2nd Class Forwarding Business</th>
<th>Approval</th>
<th>Submission Contacts</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Ocean Marine Shipment</strong></td>
<td>Minister of Land, Infrastructure, Transport and Tourism</td>
<td>District Transport Bureaus</td>
</tr>
<tr>
<td><strong>Cargo Vehicle</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Railways</strong></td>
<td>Minister of Land, Infrastructure, Transport and Tourism</td>
<td>District Transport Bureaus</td>
</tr>
<tr>
<td><strong>Inland Marine Shipment</strong></td>
<td>Minister of Land, Infrastructure, Transport and Tourism</td>
<td>District Transport Bureaus</td>
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<tr>
<td><strong>Air</strong></td>
<td>Minister of Land, Infrastructure, Transport and Tourism</td>
<td>District Transport Bureaus</td>
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<td>(Ocean Marine/International Air)</td>
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<td></td>
</tr>
</tbody>
</table>
Ⅱ Warehouse Business Act
Warehouse companies provide not only a storage function, but also play an important role in Supply Chain such as Distribution Processing etc. In Japan, Transportation Business and Warehouse Business work together to provide the efficient transport service.
## Warehouse Classifications in Japan

<table>
<thead>
<tr>
<th>Business Warehouse</th>
<th>Warehouse Registered Under the Warehousing Business Act</th>
<th>Bonded Storage Area (Warehouse/Shelter)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal Warehouse</td>
<td>Warehouse Manufacturers and Wholesalers Use to Store Its Own Cargos</td>
<td>Designated Bonded Area Under the Customs Law</td>
</tr>
</tbody>
</table>

### Warehousing Business Act Article 2-1:

The term “Warehouse” means a structure for preventing articles from being lost or damaged or a piece of land or a surface of the water to which alterations have been made for preventing articles from being lost or damaged which is used for storage of articles.

### Warehousing Business Act Article 2-2

The term “Warehousing Business” as used in this Act means a business of storing deposited articles in the Warehouse.

### Exclusions

**Non-Consignment Goods**
- Safe Custody (I.E: Bank Deposit)
- Temporary Storage During the Transit Under the Transport Agreement (I.E: Shelter, Temporary Storage, Distribution Center)
- Storage During Service such as Repairing
- Personal Storage

**Non-Sales Purpose**
- Agriculture Warehouse
- Warehouse Business Provided for Members of the Mutual Union

**Exclusions Under the Laws and Regulations**
- Safe Custody (I.e: Safety Box of Banks)
- Storing of Goods Followed After the Completion of Service such as Repairing
- Temporary Holdings of Belongings Such as Lockers
- Car Parking, Bicycles Parking
### Classifications of Business Warehouse

| Class 1 Warehouses | • No Restrictions on Goods Stored Except the Hazardous Materials  
|                    | • Have Features such as Water-Proof Function, Humidity-Proof Functions, Thermal Insulation Function, Fire-Proof Functions |
| Class 2 Warehouses | Class 1 Warehouses which Do NOT NEED Fire-Proof Functions  
|                    | (Livestock Feeds, Glasses, Canned Products etc) |
| Class 3 Warehouses | Class 1 Warehouses which DO NOT NEED Water-Proof, Humidity-Proof, Thermal Insulation, Fire-Proof, Mouse-Proof Functions  
|                    | (Ceramics, Raw Timbers etc) |
| Open-Air Warehouses | Warehouses to Store Lumbers, Tiles at Open-Air |
| Silos & Tanks | Warehouses to Store Bulk Cargos such as Grains and Liquid Commodities |
| Warehouses for Hazardous Goods | Warehouses to Store Designated Hazardous Goods Using “Shed” or “Tank” |
| Cold Stores | Warehouses to Store Goods That are Appropriate to be Stored Under 10°C Such as Frozen Seafood, and Meats etc |
| Timber Pond | Warehouses to Store Raw Timbers on the Surface of a Storage Pond |

- **Silos and Tanks**
- **Warehouses for Hazardous Goods**
- **Cold Stores**
- **Timber Pond**

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Structure of Warehousing Business Act

Sample Application Criteria for Business Registration

- Location of the Warehouse
- Types of the Warehouse
- Facilities and Equipments of the Warehouse
- Types of Goods Stored
- Share Capital or Gross Capital Amount of Share
- Attached References: User Authorization Proof of the Warehouses and Land, Warehouse Plan, Map of Neighborhoods Near the Warehouse, Location Maps of Chief Warehouse Administrators etc.

Registration Standards

Applicants Shall NOT Fall Under Following Refusals of Registration (Article 6-1)

- Warehouse Facilities or Equipments Fails to Conform the Necessary Facility and Equipment Standards
- Fails to Conform to Surely Secure the Appointment of Warehouse Operation Managers
- Sentenced Imprisonment of Over 1 Year or Has Past Criminal Record Within 2 Years
- Revocation of Registrations within 2 years

Start of Business Operation

- Pre-Submission of Warehouse Consignment Contract
- Submission of Warehousing Fee
- Follow Up Reporting on Warehouse Usage Situation
- Maintenance Obligation of Facilities or Equipments/Orders for Improvements
- Business Operation Improvements Order
- Registration Changes or Submission of Minor Changes
Why does the Registration Administered by Minister of Land, Infrastructure, Transport and Tourism Necessary?

- To Tie the Bond Between Producers and Consumers as the Knots of Logistics
- To Store the Valuable Goods that are Quintessential to Lives of Nationals in Great Volume and Safe Manner
- Securing the Appropriate Warehousing Business Operations is Important for Stability of Our Nation’s Economy

Criteria for Chief Warehouse Administrator
- To Have Over 2 Years Experience on Warehouse Management in Leader/Coaching Positions
- To Have Over 3 Years Operational Experience on Warehouse Management etc

Job Expectations for Chief Warehouse Administrator
- To Prevent Fire at the Warehouse
- To Secure the Proper Operation of Warehouse Management Work
- To Prevent the Labor Related Disasters/
- To Train Site Workers

Maintenance of Facility and Equipment Standards of Warehouses
Appropriate Management by the Chief Warehouse Administrator
## Authorization and Contacts for Registration of New Business Entries and Changes of Registration on Warehouse Business

<table>
<thead>
<tr>
<th>Approval</th>
<th>Submission Contacts</th>
<th>Approval</th>
<th>Submission Contacts</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Business Registration</strong></td>
<td><strong>Operator with Effective Area of Over 100,000m(^2)</strong></td>
<td><strong>Operator with Effective Area Under 100,000m(^2)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Minister of Land, Infrastructure, Transport and Tourism</strong></td>
<td><strong>Competent Local Transport Bureaus/Branch</strong></td>
<td><strong>Director – General of Competent Local District Transport Bureaus</strong></td>
<td><strong>Competent Local Transport Bureaus/Branch</strong></td>
</tr>
<tr>
<td><strong>Registration of Change (Add Facilities/Equipments of Warehouses, Major Structure Changes of Warehouses etc)</strong></td>
<td><strong>Competent Director-General of Warehouse Location</strong></td>
<td><strong>Competent Transport Bureaus/Branch of Warehouse Location</strong></td>
<td><strong>Competent Director-General of Warehouse Location</strong></td>
</tr>
<tr>
<td><strong>Minor Changes (Warehouseman’s Name, Capital etc)</strong></td>
<td><strong>Director – General of Competent Local District Transport Bureaus</strong></td>
<td><strong>Competent Local Transport Bureaus/Branch</strong></td>
<td><strong>Director – General of Competent Local District Transport Bureaus</strong></td>
</tr>
</tbody>
</table>

* Competent Local Transport Bureaus/Branch mean Local Transport Bureau or Branch which has Jurisdiction Over the Principal Business Office of Warehouseman.

* Competent Transport Bureaus/Branch mean Local Transport Bureau or Branch which has Jurisdiction Over the Warehouse Location.
Ⅲ Logistics Systems in ASEAN and Challenge Factors for Development
### Logistic Performance Index 2012

<table>
<thead>
<tr>
<th>Country</th>
<th>LPI Rank</th>
<th>Customs</th>
<th>Infrastructure</th>
<th>International shipments</th>
<th>Logistics competence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Singapore</td>
<td>1</td>
<td>4.1</td>
<td>4.15</td>
<td>3.99</td>
<td>4.07</td>
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<td>Japan</td>
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<td>3.72</td>
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<td>United States</td>
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<td>Myanmar</td>
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<td>2.47</td>
<td>2.42</td>
</tr>
</tbody>
</table>

Ref: World Bank
Thailand Sets the Same Direction for Logistics Policy as ASEAN 2015 Policy

Single Market and Production Base
- Free flow of goods
- Free flow of services
- Free flow of investment
- Free flow of skilled labor
- Free flow of capital

Ref: Presentation from Thai MOT at Policy Dialogue
Thailand: Challenges Surrounding Logistics

The awareness of issues on logistics in Thailand

- **Current Transport Cost = 7.2 % of GDP**
  Country’s competitiveness

- **Fluctuation of Fuel Price**
  Fuel cost in transport sector = 1.2 trillion baht/year

- **Imbalance in modal share of transport**
  86% - road transport, shift more road trips to rail and water trips

- **Excessive private-car-oriented transport**
  Lack of efficient public transport

The Measures focused on MODAL SHIFT

- Develop and improve the existing railway network as the transport backbone of the country

- Develop the infrastructure development to enhance the freight transport by inland waterway and coast

- Develop the transport facilitation which enables the complete integration of railway and waterway with road transport and brings about the multimodal transport linking with production base and exporting gateway of the country

Ref: Presentation from Thai MOT at Policy Dialogue
Indonesia: Logistics Policy

Indonesia Sets Sislogas as Its Original National Logistics Policy

NATIONAL LOGISTICS SYSTEM: APPROACH & KEY DRIVERS

1. Paradigm: *ship follows the trade & ship promotes the trade*
2. Using six key drivers: Commodity, Transportation, Infrastructure, Player & Logistics Service Provider, ICT Infrastructure, HRM, and Regulation & Policy
3. Based on Supply Chain Management

Commodity
Transportation
Player & Service Provider
HRM
ICT
Regulation & Policy

Sislognas

Competitiveness

Social Welfare

Indonesia Logistics Vision 2025
Indonesia’s Logistics Cost per GDP was 27% in 2013

- Congestion that occurs in the Jakarta city resulted trucks can only do one trip in a day from industrial location to the port
- The shipping cost of container from Padang to Jakarta **Rp 5,4 million**, while the shipping cost of the same container from Jakarta to Singapore only **Rp 1,8 million**.
- The price of cement in Papua's twenty times higher than the price of cement in Jakarta, because the shipping cost is expensive.

Indonesia has implemented policies in order to reduce traffic load in roads

→ redirected and balanced using other modes of transportation such as rail and short-sea shipping
→ Improve MULTI MODAL
Expectations Toward MODAL SHIFT

Key Steps to Realize the Advancement of MODAL SHIFT

Development of Hard Infrastructures
- Inland Shipping
- Railways etc

Service that Meets Cargo Owners High Expectations
- Rapidity → Reduction of Lead Time
- Punctuality → Controlled Logistics Schedule Management
- Less Damage to Cargos → Reduction of Loss

Door to Door Transport Service
- Development of Comprehensive Logistics Business Operators such as Forwarders
- Development of Seamless Multi-Modal Transportations
### Common Challenges on Advancement of Logistics System in ASEAN Nations

<table>
<thead>
<tr>
<th>Category</th>
<th>Challenges</th>
</tr>
</thead>
</table>
| Foreign Investments              | • Majority Equity Share Restriction for Investments Made by Foreign Companies  
  • i.e. Foreign Investment Restrictions in Myanmar’s Case:  
  • Warehouse: Myanmar Local Companies to Invest Over 40% in JV Format  
  • Logistics: Difficult to Obtain the Company Approvals Unless Structured in JV Format with Myanmar Companies. |
| Multiple Licensing               | • Multiple License Prohibition for Transport/Warehouse/Forwarding Business                                                                                                                                 |
| Custom Clearance                 | • Long Average Process Time for Custom Clearance  
  • Unclear Classification Standards                                                                                                                                                                      |
| Logistics Professionals Management | • Education/Training Need for Local Professional Logistics Managers/Specialists/Workers to Provide Efficient SCM  
  • Visa Acceptance Needs for Professional Logistics Workers to Teach, Monitor the SCM Logistics Site                                                                                                 |

Overcoming these issues will lead to enhancement of logistics.
Thank You