

Operational Hurdles Influencing Freight Forwarding Practices as a Profession in the Nigerian Maritime Industry

Mogbojuri Oluwagbenga¹ and Kingdom Bello²

¹Department Of Maritime Transport Studies, Maritime Academy Of Nigeria, 4, Oron, Akwalbom State

²Department of Transport Management Technology, The Federal University Of Technology, Akure, Nigeria

Corresponding author: gbengene1546@gmail.Com

ABSTRACT

Freight forwarding plays a significant role in processing of documents and forwarding of consignment at any seaport or customs station. Unfortunately, this profession has not been executed with high level of professionalism with series of unprofessional ethics. Therefore this study examined the major factors influencing the profession of freight forwarding practices and the effect of cargo diversion on profit margin for the services of freight forwarders. This paper used primary data from field survey using questionnaire as instrument. Inferential statistics was used to analyse the collected data. The result showed that fraudulent practices, government policy, changes in tariff are all the factors that affect the freight forwarding business thus leading to diversion of cargo to other neighbouring countries which in turn affect the profit margin and shipper's financial constraints also mar the business of freight forwarding making it unproductive and not lucrative for people to patronize. The study therefore, concluded that freight forwarding system should incorporate management information systems in their daily transactions to enhance transparency and efficiency with the support of Port Authorities and Terminal operators. It was recommended that government should set up a very reasonable monitoring unit to ensure that freight forwarders observe certain minimum standards, which is to sanitize the practices of forwarding activities. Also, policy inconsistency should be addressed by the government.

Keyword: freight forwarding, sea port, cargo diversion, maritime industry

Introduction

Nigeria is a landlocked country which is accessible by deep sea ocean vessel. Thus, leading to the Nigerian maritime activities which provide one of the vital links with the outside world. The export and import of goods take place through the national seaport. These ports account for some 99 percent by value of the country's total imports and exports. Hence, the seaport is regarded as the gateway or one of the bedrock to national economy.

Maritime industry is an important industry as it is a major service provider to other industries and a major contributor to

nation's wealth. It is regarded as the strategic driver for national economic development. At the earliest commencement of international trade the services of Custom Licensed agency also known as freight forwarder or a forwarding agent comprised the movement or transportation of all kinds of goods across international frontiers or boundaries. With the development of international trade the scope of freight forwarder's job has extended to include specialized packaging, warehousing, actual carriage of goods, and offering of professional advice

to the clients. One of the major functions of freight forwarder was to plan and organized for the carriage of his customers' goods by contracting with different carriers. His obligations included counsel on all documentation and customs requirements in the country of destination. His correspondent agent overseas looked after his customers' and kept him informed about matters that would affect the mobility of goods.

Freight forwarders therefore, engage in assisting merchants in connection with preparing and booking the cargo for subsequent carriage. In doing so, they would perform a number of services ancillary to the carriage and also contract for carriage as an agent of the merchant. In Some cases, freight forwarders would at the same time act as agents for carriers, particularly, liner shipping companies for the carriage of goods by sea. The freight forwarding include the process and clearance of goods for export in the country of shipment and for import into the country of destination. Also, freight forwarders would have co-operating partners in other countries to whom instructions could be given for the receipt of the cargo at destination and for customs clearance. In some cases, the larger freight forwarding firms would have their own subsidiaries in important trading centers.

The services of the larger freight forwarding firms would also comprise the procurement of various contracts needed for the transportation of the goods from start to finish. The freight forwarder would then assemble parcel cargo from different shippers to different receivers and use the transport capacity which he would have negotiated with the various carriers. This important function is usually referred to as cargo consolidation. Particularly when the freight forwarder acts as a cargo consolidator, difficulties arise in deciding

whether he should nevertheless be considered as an agent or rather as a principal in the transaction resulting in a liability for the freight forwarder as carrier. Traditionally, freight forwarders occupied a crucial position in international trade and they were also involved in assisting merchants in connection with preparing and booking the cargo for subsequent carriage. In doing so, they would perform a number of services ancillary to the carriage and also contract for carriage as an agent of the merchant (Ramberg 1998).

Freight forwarding has been seen as a reasonably standardized function and hence one application could service an organization in multiple countries. Freight forwarding agents are authorized by the customs; the name and address of the freight forwarding agents operating from various ports can be gotten from customs house or from their nearby affiliation. "A forwarding agent get an enormous number of cargo and often group together various few ones and, by placing them into one huge consignment, acquire special freight rates from the shipping line or the airline. Be that as it may, the shipper of a little amount of goods may pay a somewhat high freight charge" (Kirubakaran, 2012).

According to Abiola (2011), some researchers described a freight forwarders as all companies involved in the movement of cargo and the membership include among others, shipping lines, road haulage, airlines and integrated carriers offering differing services related to forwarding. They do not require any license from Nigeria customs service to operate since their work does not involve custom documentation. A Licensed Customs Agent is also be called Freight Forwarder if his work also includes provision of transport logistics, e.g. road haulage, warehousing, terminal operators, etc. However, a licensed customs agent can be described as an organization that is

licensed by the Nigeria Customs Services towards engaging in processing documents and forwarding of cargo at any Customs Port, Sea port or Customs station. A licensed customs agent is responsible for processing export or import customs documentation and clearance, including accurate declaration of goods in accordance with an internationally recognized tariff. Freight forwarders also play a major role in aviation industry as they tend to negotiate rates with airlines on an individual basis.

Unfortunately, there are lot of challenges affecting the profession of freight forwarding business in Nigeria. These include government policies like import duty has made things to become more complicated for importers as a result, the cost of bringing in vehicles to the country has gone beyond common man. Similarly, lack of transport orientation among the freight forwarder and also insufficient resources in the transport sector to ever increasing need of the national transport system (Akinwale, 2012). In addition, the inadequacy of existing infrastructure facilities impedes the operations of freight forwarding business. Similarly, Freight forwarders have to contend with the arbitrary charges of the concessionaires, their poor services delivery notwithstanding.

The concessionaire took day-to-day running of the seaport from the management of Nigeria Ports Authority (NPA) following the economic reforms programme initiated by the Obasanjo Administration which was midwife by the Bureau for Public Enterprise (BPE) and also the deliberate delay by the men of Nigeria Customs in performing official duties in order to extort money from freight forwarders; intent to defraud the

government supposed accruable revenue. Freight forwarders, customs in a face-off over mass arrest; According to Daily Champion Newspaper (2011), "Tincan Island Command of Nigeria Customs Services was compelled to carry out an operation in which over 200 clearing and forwarding agents were arrested.

According to Guardian Newspaper (2011) "the umbrella body for the freight forwarders (AFCON) decided that they may boycott the port as a result of clampdown on their colleagues who were bundled at the Tincan Island Port premises were they are doing their legitimate business and are taken to court for prosecution on what they believed were frivolous count". This study examined the major factors influencing the profession of freight forwarding practices and the effect of cargo diversion on profit margin for the services of freight forwarders.

1. Literature Review

Freight forwarding business which is an integral aspect of international trade. It is regarded as a link of process that facilitates various documentations within the circle of transportation, physical distribution and supply chain of goods ready for international market achieved from exporter to the buyer/importer. Freight forwarder is the one who stand to be the vital link between exporter or shippers (seller of goods), the carrier (owner of the transport means that carries the goods), terminal operator, the haulage company, the shipping line, the bank and the consignee in the other hand. It can also be regarded as the person either corporate or unincorporated who renders services to international trade merchant either conglomerates, medium enterprise, individual entrepreneurs involved in

export, import and international supply chain.

One of the foremost freight forwarders of record is the now ancient Thomas Meadows and Company Limited of London, England. The firm came into existence in 1836 and was procured by Rockwood International Freight Inc. in 1989. Rockwood was obtained by Delmar International of Montreal, Quebec, Canada in 1990. As indicated by "Understanding the Freight Business," composed and published by the official staff of Thomas Meadows and Company in 1972, the approach of solid rail transport and steamships made the demand for the then fledgling freight forwarding industry. New world trade pattern was created among Europe and North America, developing additional interest. The first international freight forwarders were actually inn keepers in London who held and re-forward the personal effects of their hotel guests. Services render include road transport for inland carriage from warehouse service of merchant to port of shipment carry out documentation proceeding with respective organizations (customs, shipping inspection team, bank, haulage companies etc.) till the goods is transported to the buyer, a freight forwarder might have an extensive role as I have earlier said, all depends on the contractual agreement of service between him (forwarder) and the merchant (principal).

Indeed, freight forwarders have a significant role, not only in facilitating the delivery of goods and services but also in marketing their service like arranging the customs clearance for their clients, import and export, both sea freight and airfreight. Individual freight forwarders may also start looking at the possibility of forming partnerships. Expertise and skills

may be combined for increased capabilities. The more established customs brokerage/freight forwarding companies may do well to integrate their service by including forwarding, logistic and/or warehousing. Brokers/Forwarders can also expand their knowledge of total supply chain management where opportunities are great. The rules are the games in this field have been redefined with the advent of information technology; and the proverbial gold mine may be outside of customs, just waiting to be discovered. Furthermore, the emergence of integrated shippers and full service freight forwarders has enabled these new channel entities to offer multi-mode transportation service packages (for example, truck to rail to truck) that combined the advantage. It has also made the different modes, price and service highly competitive. Containerization has also contributed to the ease of switching modes as well as reducing handling, damage and pilferage. A further advantage of container is that they can often serve as a temporary storage area. Consolidation warehouses have evolved to take advantage of full track load or container efficiencies. Located strategically to the buyer, the warehouses receive goods from a number of suppliers, consolidate and ship full track loads to the buyers. Some freight forwarding companies are using the information system of their shippers to keep track of goods in transit, identify sources of delay and unreliability, and control the performance of the transport supplier.

2.1 Non-Vessel Operating Common Carriers (NVOCC)

Non-vessel Operating Common Carriers (NVOCC) are one kind of sea freight forwarders. Rather than utilizing their very own vessels, they work as transportation or logistics intermediaries.

That is, they book space on vessels and offer it in littler amounts, consolidating freight for transport in standard containers. NVOCCs own containers but don't own and operate vessels. These NVOCCs purchase container space in vessels from vessel operators and in turn will sell sea freight service in terms of Full Container Load [FCL]/Less than Container Load [LCL] to their customers. Competitive advantage with lower cost is derived from smaller shipper with less-than- container load (LCL). Non-vessel operating common carriers (NVOCCs) book space on steamships in huge amounts at lower rates and pitch space to shippers in littler sums. NVOCCs unite little shipments into compartment stacks that move under one bill of lading. Increasingly positive rates are passed on to the shipper.

2.2 Multifaceted Activities of Freight Forwarders

1. A advisor & consultant
2. As a Transporter
3. As a warehouse agent

Freight forwarding is an integral aspect of international trade. It is regarded as a link of process that facilitates various documentations within the circle of transportation, physical distribution and supply chain of goods ready for international market achieved from exporter to the buyer/importer. Freight forwarder is the one who stand to be the vital link between exporter or shippers (seller of goods), the carrier (owner of the transport means that carries the goods), terminal operator, the haulage company, the shipping line, the bank and the consignee in the other hand. It can also be regarded as the person either corporate or unincorporated who renders services to international trade merchant either conglomerates, medium enterprise,

individual entrepreneurs involved in export, import and international supply chain.

This study is of the view that developing countries must weigh very carefully the advantages and disadvantages before the introduction of a new technology. The premature nature of a new technology, the study contended may result into disillusionment and reactions that may take a long term to materialize in West Africa because the trade of many of the developing countries is either insufficient in volume or unstable in kind, although improvement in container equipment could change this.

Furthermore, trade in balance in many aspects(quality and seasonality) does not favour containerization which operates economically with regular high volume, balanced traffic flow necessary in view of vast investment on ships, containers and handling equipment. Olukoju (1994) observed that altering concentration and diffusion of Nigerian port authority is due to an interesting of many factors of which the changing technologies of transport by land and sea and major changes in trade exchange between hinterlands and free lands or ports are especially significant. The study concluded that the explanation of ten consolidation of port significance at a seaport of sustained dominate can be found in the necessary capitalization of port facilities, the polarization traffic potentials of the hinterlands in favour of particular ports.

Ogundana (1970) carried out forth studies on sea port development in colonial Nigeria, port productivity measure in Nigeria and contribution of ports to the economic development. Norgeski (1972) warned that "over ambition project should be avoided and building new port facilities should be continuously arranged on the

basic of sober traffic estimates rather loose hopes". In other words of cautions are applicable to other areas of provision transport infrastructure.

However, undue caution can be result in the ever widening "gap" between developed and developing nations. William (1963) argue in favour of "level-technology" suitable for the developing countries. The study suggested that it will be in the interest of Africa to develop an intermediate technology rather than attempt to establish complete container programme which the sub-region cannot afford and hence inappropriate in their stage of development in the early 1970's. The study asserted that trade and commerce on factors for container development did not favour, the less advanced economics nothing that the basis of successful container movement in advanced economic is relatively high valued two ways flow manufactured goods. The study recommended patternization in view of the economic factor of heavy capital expenditure involved in container movement and based on heat circumstances.

Badejo, (1994) asserted that one of the underlying issues influencing freight operations in Nigeria is lack of coordinated efforts between and within freight modes and operations. However, seaports in Nigeria are not connected with dependable road and rail networks which impedes transport of heavy and extra-ordinary traffic, (Ikporukpo, 1993). Rapu and Ayoade, (1996) stated that one of the most important apparatus of sound economic performance is the efficient delivery of cargoes as quickly and cheaply as possible freight transport plays a crucial role in the economic development of both developed and developing countries of the world.

2.3 Regulation of the freight forwarders relation to his customer by general conditions

However, the freight forwarder – except when subject to mandatory carrier liability – would enjoy freedom of contract. This freedom is invariably used in the various countries either in individual standard trading conditions or, more commonly, in the standard conditions sponsored by the domestic freight forwarders' association. In some countries, such as the Nordic countries, it has long been the tradition to negotiate with organizations representing the customers with a view to drawing up so-called "agreed" standard conditions. Realizing the need to avoid a proliferation of liability schemes, FIATA mandated a Working Group in 1994 to develop Model Rules for use not only in countries where no standard conditions as yet exist but also in countries willing to subject themselves to a uniform international regime. In view of the considerable variations with respect to liability, the distinction between the freight forwarder as agent and the freight forwarder as principal, as well as the different stipulations with respect to the basis of and the exceptions to liability, notice of claims, time-bar as well as limitation of liability Ramberg (1993).

In particular, it was impossible to reach agreement on the precise criteria distinguishing the freight forwarder's function as an intermediary from his function as an operator with carrier liability. As the notion of "commission agent" was not used in Common law systems, the Working Group chose simply to focus on the distinction between the freight forwarder as "agent" and the freight forwarder as "principal." Needless to say, in the case of a freight forwarder who expressly agreed to act as principal, thus subjecting him to carrier liability, as evidenced by the issuance of FBL or

otherwise, the task was easy. The main problem, then, was to decide what to do in the absence of such express contractual intent. In the end, the Working Group had to give in and confine itself to stating that the freight forwarder should be regarded as a principal in the transaction not only when he had expressly agreed to it, but also when there was only an implied agreement following from the freight forwarder's statements or conduct. In my view, the freight forwarder's quotation of a fixed price without the duty to account to his customer for the composition of that price constitutes such a statement or conduct tantamount to an implied agreement by the freight forwarder to be regarded as principal in the transaction. Acting on the suggestions put forward by the Working Group, FIATA, at its World (Ramberg, 1997)

Congress in Caracas 1996, adopted the FIATA Model Rules for freight forwarding services. The Model Rules follow the *delcredere*-liability system of French law mentioned earlier, to the effect that the freight forwarder as principal for carriage and other services is liable according to the same rules which would apply if the customer had entered into a separate contract for such service or carriage. Consequently, the mandatory or other rules and conditions relating to the service or carriage would apply (Art. 7.3). If the freight forwarder performed the service or carriage using his own facilities or means of transport he would, of course, be free to subject the contract to his own specific conditions insofar as these did not depart from any compulsorily applicable regime. With respect to freight forwarding services which do not engage the freight forwarder's liability as carrier, his liability is based on a duty to exercise due diligence and to take reasonable measures in performing the services (Art. 6.1.1). The Model Rules also secure the freight

forwarder's right to exercise a general lien on the goods in his possession in order to satisfy his claims not only with respect to such goods but also in respect of claims having arisen from earlier contracts with the customer (Art. 15).

2. Methodology

Apapa port complex, the largest port under the Nigerian Port Authority is located in the western zone of the tin-can island port complex Lagos-Nigeria. It falls within the bearing of 62°N and longitude 32°E. It can be found in the Apapa local government of Lagos state. The port has boundary to the north with Takwa bay villages across the lagoon. In the south it comprises Apapa wharf vehicle terminus and Apapa industrial estate comprising mainly shipping related companies like National Maritime Authority (NMA) now Nigerian Maritime Administration and Safety Agency (NIMASA), the erstwhile national shipping line and host of others.

This paper adopted primary data from field survey using questionnaire instrument. The questionnaire was administered to 50 employers who have been working as confirmed staff at least three years to be very sure of information obtained. In the course of this study, purpose sampling technique was adopted. Inferential statistics was used to analyse the collected data. The data analytical technique used in analyzing the collected data is regression analysis.

3. Result and Discussion Of Findings

The result from table 1 showed that there is significant relationship between the factors influencing the profession of freight forwarding practice with the value of R being 0.853. The factors include level of education attainment, lack of uniform

standard, lack of trust among members, falsification of documents and faking of receipt for making payments. The R^2 is .728 tells us the combined variables accounted for 73% of factors influencing the profession of freight forwarding practices. The remaining 4% may be attributed to other factors which are not accounted for in the course of this study. Similarly, table 2 shows that the F ratio which is 236.162 was statistically significant at p value = 0.01. The ANOVA

model overall predicts that the level of education attainment, lack of uniform standard, lack of trust among members, falsification of documents and faking of receipt for making payments are significant. These are the factors that mar the profession of freight forwarding practices.

Model Summary

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1	.853 ^a	.728	.722	.46696

Table 2 ANOVA^b

Model		Sum of Squares	Df	Mean Square	F	Sig.
1	Regression	92.551	5	18.510	236.162	.000 ^a
	Residual	3.449	44	.078		
	Total	96.000	49			

Table 3 Coefficients^a

Model		Unstandardized Coefficients		Standardized Coefficients	T	Sig.
		B	Std. Error	Beta		
1	(Constant)	-.055	.120		-.459	.003
	Lack of education	.076	.166	.057	.460	.004
	Lack of uniform standard	.584	.114	.659	5.099	.000

Lack of trust	.008	.118	.007	.068	.001
Falsification of document	.011	.136	-.008	-.080	.003
Faking of receipt for making payment	.468	.153	.331	3.061	.004

a. Dependent Variable: profession of freight forwarding practices

Table 3 gives the estimate of b value and tells us about the relationship between dependent variable and independent variable. However, the b value indicate both positive and negative relationship from the below model.

$$Pffp = -0.65 + 0.76le + 0.58lu + 0.008lt - 0.11fd + 0.468frp$$

Where pffp = profession of freight forwarding practice

le = level of education

lu = level of uniform standard

lt = level of trust

fd = falsification of documents

frp = faking of receipts for making payment

However, the b value indicated level of education attainment, lack of uniform standard, lack of trust among members, falsification of documents and faking of receipt for making payments that increase by one unit, mar the profession of freight forwarding.

Table 4 Model Summary^b

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1	.838 ^a	.703	.696	.58913

a. Predictors: (Constant), toutingofbusiness, portoperators, Financialconstraint, theratechargeable, changesintariff

b. Dependent Variable: CARGODIVERSION

Table 5 ANOVA^b

Model		Sum of Squares	Df	Mean Square	F	Sig.
1	Regression	61.955	5	12.391	190.324	.000 ^a
	Residual	2.865	44	.065		
	Total	64.820	49			

a. Predictors: (Constant), toutingofbusiness, portoperators, Financialconstraint, theratechargeable, changesintariff

b. Dependent Variable: CARGODIVERSION

Table 6 Coefficients^a

Model		Unstandardized Coefficients		Standardized Coefficients		
		B	Std. Error	Beta	T	Sig.
1	(Constant)	-.313	.134		-2.332	.004
	Shippers' Financial constraint	.736	.140	.414	5.268	.000
	Changes in tariff	-.059	.091	-.077	-.641	.003
	Freight rate	.370	.102	.406	3.619	.001
	Government policy	.253	.079	.277	3.214	.002
	Touting of business	.005	.068	.005	.071	.004

a. Dependent Variable: Cargo diversion affects the profit margin

Table 6 is interpreted below:

$$Y = -3.13 + 0.736x_1 - 0.059x_2 + 0.370x_3 + 0.253x_4 + 0.005x_5$$

(0.134) (0.140) (0.091) (0.102) (0.079) (0.068) → standard errors

To determine which of the variables included in the model contributed to the prediction of the dependent variable, looking at the standardized coefficients i.e. Beta values, while comparing the contribution of each independent variable: X_1 = Shippers' financial constraint mar the business of freight forwarding in Nigeria with beta value of 0.414 at 95 percent confidence level indicates that independent variable has direct influence on variable. X_2 = Changes in tariff affect the forwarding business with beta value of -0.077 at 0.05 significance level indicates that independent variable has indirect influence on dependent variable. X_3 = The rate chargeable on cargo is at variance from one freight forwarding to another of beta value 0.406 at 0.05 significance level indicates that independent variable has direct influence on dependent variable. X_4 = Government policy affect freight forwarding business in Nigeria with beta value 0.277 at 0.05 significance level indicates that independent variable has direct influence on dependent variable. X_5 = There is an art of touting in the business with 0.005 beta value indicates that

independent variable has positive and direct relation with the dependent variable

The analysis above is based on the response from the professionals in the Nigeria Maritime industry. Hence, it was discovered that freight forwarders thus play a vital role in the performance and efficiency of port system.

However, it is a sad issue that fraudulent practice still affects the business of freight forwarding in Nigeria. The analysis above shows that fraudulent practice is common among members in the port which result in an art of touting in the business. Changes in tariff affect the business thus leading to diversion of cargo to other neighbouring countries which in turn affect the profit margin. However, the analyses above have shown that inconsistency government policy has directly influence cargo diversion which in turn affects the profit margin.

5.0 Conclusion and Recommendations

The study concluded that freight forwarding should incorporate information systems in their daily transactions to enhance transparency and efficiency with the support of Port Authorities and Terminal operators. The following are some recommendations to provide a realistic solution to the problems affecting the freight forwarding business.

1. Government should set up a very reasonable monitoring unit to ensure that freight forwarders observe certain minimum standards, which is to sanitize the practice of forwarding activities
2. Nigeria Custom Service should be given all the support it requires to perform its statutory duties most especially in the areas of trade facilitation and collection of duties without distractions and inhibitions from the ministry or the other arms of government or agencies
3. Government should enforce the necessary sanctions on any illegal freight forwarders doing business in the port.
4. Training such as seminar, workshop and conferences should be put in place for freight forwarders in order to ensure productivity and competence to perform their task.
5. Management information system should be incorporated in order to enhance efficiency in the profession of freight forwarding business.

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