



KUNDA SADAM

Kunda Sadam AS

PORT DUES

Valid from 1 July 2019

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In case of legal disputes the original document in Estonian will prevail.*

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1. GENERAL PART

- 1.1 The Port Dues and fees (hereinafter the Dues) levied by Kunda Sadam AS (hereinafter the Port Authority) and their changes shall be established by the Port Authority. All persons operating in the port shall be notified of changes in the Dues at the port website www.kundasadam.ee or in some other way at least one month prior to the date of effecting of the changes.
- 1.2 The Dues include:
 - 1.2.1 Tonnage due;
 - 1.2.2 Channel due;
 - 1.2.3 Mooring due;
 - 1.2.4 Berth due;
 - 1.2.5 Roadstead due;
 - 1.2.6 Towage due;
 - 1.2.7 Waste due;
 - 1.2.8 Electricity fee.
- 1.3 The Dues are levied by the Port Authority.
- 1.4 In addition to the Dues the shipowner of the vessel calling to the port has to pay the pilotage due, levied by AS Eesti Loots (www.loots.ee) and the waterway due, levied by the Maritime Administration (www.veeteedeamet.ee).
- 1.5 Dues are not levied from:
 - 1.5.1 ships calling at the port only for the transporting to the land the sick, victims of a marine casualty or the deceased, in case the time of their laying in the port does not exceed 24 hours;
 - 1.5.2 training and research ships taking part in international co-operation programmes (upon decision of the Port Authority).
- 1.6 Value added tax in accordance with effective legal acts shall be added to the Dues.
- 1.7 The Dues shall be paid to the Port Authority by the shipowner or the ship's agency according to invoices based on charges stipulated in the Dues. The basis for the invoice(s) from the Port Authority is the Statement of Facts issued by the ship's captain (hereinafter the Captain) or the ship's agent in coordination with the port.
- 1.8 The estimated cost of the Dues has to be prepaid by the ship's agent or the Captain (shipowner) of the vessel before the mooring of the ship. In the contract a due date can be established for the payment of the Dues. For every delayed day, the Port Authority is entitled to a fine in the amount of 0.15% of the amount overdue. The invoice shall be considered settled after the amounts are collected in the Port Authority's bank account. The payer of the invoice shall cover all transfer related costs (full amount to the receiver, OUR code in the SWIFT payment order). If the payment is made from a paying agency within the EEA (European Economic Area) in the currency of an EEA country the payer shall cover transfer costs related to sending the payment and the Port Authority shall cover the costs related to receiving the payment (shared costs, SHA code in the SWIFT payment order or SEPA payment).
- 1.9 Port Authority reserves the right to change the size of the Dues.
- 1.10 Port Rules of the Port of Kunda established by the Port Authority shall be a related document of the Dues.
- 1.11 To all disputes arising out of or relating to the Dues that cannot be settled by the agreement, Estonian law will be applied and these shall be settled by Harju County Court.

2. SUBMISSION OF INFORMATION

- 2.1 Upon a ship's arrival to the port, the shipowner is obliged to present through the Captain or ship's agent the following basic information regarding the vessel to the harbour master's office: gross tonnage (GT), ship's length (L) max, ship's width (B) from the mid-ship section, draught (T) max. Information on the ship's gross tonnage, length and width should be based on the ship's International Tonnage Certificate. Information and documents shall be transmitted through the Estonian Maritime Document Exchange (EMDE) system. If EMDE is not functioning, the necessary information shall be forwarded in another manner.
- 2.2 A tandem towing train (tugboat formation) is considered to be one ship. The Captain (agent) of the tandem should inform the harbour master's office with the overall length and gross tonnage of the tandem and the maximum width of the barge, and shall present separate tonnage certificate of each barge and the tugboat. Port dues will be calculated based on the sum of gross tonnages of the ships.
- 2.3 The basis for the calculation of port dues for segregated ballast oil tankers (double hull oil tankers conforming to requirements of article 2 of the Council of the European Union Regulation No. 2978/94 of 21 November 1994) shall be the reduced gross tonnage outlined in the tonnage certificate issued under the 1969 International Convention on Tonnage Measurement of Ships. The reduced gross tonnage shall be taken into account if there is a corresponding note in the "Notes" section of the ship's tonnage certificate.
- 2.4 Prior to leaving port, the Captain or ship's agent are obligated to present the Statement of Facts to the harbour master's office.
- 2.5 The shipowner or its representative (Captain, ship's agent) is liable for presenting the correct information.

3. PORT DUES

3.1 General Provisions

- 3.1.1 Every ship calling the port is obliged to pay the port dues according to tariffs stipulated in the Dues.
- 3.1.2 One call to port means the ship's arrival to the roads, entering the port and leaving the port, whereas including every necessary action (e.g. mooring, shifting, leaving to the roads etc.) during the ship's stay in port.
- 3.1.3 If a ship does not enter the port during a call and performs necessary actions (loading and unloading operations, change of crew members, letting passengers disembark and embark) only at the roads, the shipowner or the ship's agent shall pay only the roadstead dues to the Port Authority.
- 3.1.4 If two or more ships lie alongside each other, the Dues shall be levied from all ships.

3.2 Tonnage due

- 3.2.1 Tonnage due for every ship calling the port is based on the ship's gross tonnage (GT):

0.36 EUR x GT unit

- 3.2.2 If a ship loads and unloads cargo during one call to the port, 25% shall be added to tonnage dues.

3.3 Channel due

- 3.3.1 All ships calling the port are obliged to pay, one time, the channel due, except ships outlined in clause 1.5 of the Dues and ships performing loading/unloading operations at the roads. The channel due is calculated:

0.32 EUR x GT unit

3.4 Mooring due

- 3.4.1 Mooring due shall be imposed for mooring operations based on the ship's gross tonnage (GT). Mooring operations are deemed to be hauling of a ship upon mooring at berth and leaving the berth, shifting of a ship from one berth to another and if taking a ship to the roads and bringing back to berth. The mooring due is calculated:

Ship's gross tonnage (GT)	Mooring due (EUR)
1 – 100	15.34
101 – 300	25.56
301 – 500	40.90
501 – 800	51.13
801 – 1000	92.03
1001 – 1500	102.26
1501 – 2000	112.48
2001 – 2500	122.71
2501 – 3000	127.82
3001 – 3500	135.49
3501 – 4000	140.61
4001 – 5000	143.16
5001 – 6000	153.39
6001 – 8000	204.52
8001 – 10000	255.65
10001 – 12000	306.78
12001 – 15000	383.47
15001 – 20000	460.16

- 3.4.2 25% shall be added to the mooring due outlined in clause 3.4.1 if at least one hauling of a ship during the mooring operations takes place during Monday-Friday between 20:00–08:00 or during weekend (Saturday and Sunday, 24h). 50% shall be added to the mooring due if at least one hauling of a ship takes place on a national or public holiday.
- 3.4.3 The Captain (shipowner) should pay for shifting of the ship (reversion of the ship at berth, re-mooring, taking the ship to the roads): if the Captain orders a mooring operation in connection with service to the ship, or if the ship must be taken to the roads in connection with cleaning and washing the holds or in cases outlined in clause 3.5.7 in this appendix to the Port Rules. In other cases, the shifting of a ship shall be carried out at the expense of the party (parties) ordering the service.
- 3.4.4 If shifting to another berth is performed by the ship's crew and this is accepted by the harbour master's office, the mooring due shall not be charged. It is prohibited to shift a ship to another berth without informing the harbour master's office thereof.

3.5 Berth due

- 3.5.1 Berth due for every ship calling the port is charged for staying at berth based on gross tonnage (GT):

0.30 EUR x GT unit

3.5.2 If the ship is not ready for loading/unloading operations or the loading/unloading operations have been stopped due to the ship, an extra fee is charged for the use of the berth at the rate of: **110 EUR per hour**.

3.5.2.1 The extra fee specified in clause 3.5.2 is charged in the following cases:

- the ship has a technical fault (with closing of cargo rooms, etc.);
- the ship is not prepared for loading cargo on deck (spacers are missing, etc.);
- the cargo is missing and cannot be loaded;
- loading/unloading operations have been stopped by the ship due to reasons not depending on the port;
- the ship remains at berth after completing loading/unloading operations due to reasons originating from the ship and thus hinders port operation.

3.5.3 Berth due for usage of non-occupied berth agreed on beforehand by the Captain and not related to loading/unloading operations (only for staying purposes: bunkering, delivery of ship generated waste, repair works, exchange of crew members, execution of ship's documents etc.) is charged on the basis of each meter of the length of the ship specified in the Tonnage Certificate at the rate of **0.30 EUR per hour**.

3.5.4 At the reasoned request of the port authority, a vessel is obliged to free the berth immediately (shift to a free berth or leave to the roads), bearing the costs of necessary services – towage, pilot and mooring dues. Upon not freeing a berth in a timely manner, the Captain (shipowner) shall cover all the costs caused by failure to free the berth.

3.6 Roadstead due

3.6.1 Roadstead due is imposed on ships which perform their loading/unloading operations at the roads or if passengers disembark and embark at the roads. Roadstead due is calculated:

0.10 EUR x GT per twenty-four hour period

3.7 Towage due

3.7.1 Towage due is imposed for the use of tugboat services based on the time factor. Towage due is paid by the ordering party and it is calculated:

in summer conditions (01.05.-30.11.) as **300.00 EUR per hour**
in winter conditions (01.12.-30.04.) as **450.00 EUR per hour**

3.7.2 The actual working time of the tugboat starts from the moment she leaves berth until she moors back at berth. Upon calculation of the towage due, each started hour is rounded up to the full hour.

3.7.3 25% shall be added to towage due outlined in clause 3.7.1 if towage services are used during Monday-Friday between 20:00-08:00 and during weekend (Saturday and Sunday, 24h), and 50% shall be added to towage due if towage services are used on national or public holiday.

3.7.4 The tugboat shall be ordered according to the procedure outlined in the port rules either by the Captain or ship's agent of the ship seeking for this service, by a pilot (previously coordinating it with the Captain of the ship seeking for this service) or directly by the party looking for towage assistance.

3.7.5 The order for towage services shall be presented at least 1.5 hours prior to the start of the planned work and shall be defined 30 minutes prior to the start of the work. If the tugboat is ordered without prior warning time, the due charges be doubled.

3.7.6 If the towage order has to be cancelled or the schedule has to be changed, the ordering person should inform the Captain of the tugboat thereof at least 30 minutes prior to the initially set time. If the order is cancelled or postponed less than 30 minutes before the initially set time, the ordering person shall pay a fee which equals the towage due for one hour.

- 3.7.7 If the ordering person did not use the towage service and did not cancel the order, the ordering person shall pay a fee which equals the towage due for two hours.
- 3.7.8 100% shall be added to the towage due if the ship's engines are not in proper working order when mooring, shifting or assisting the ship to the roads.
- 3.7.9 If the tugboat is ordered for activities on the roads (e.g. change of crew members, delivery of supplies, disembarking and embarking of passengers etc.), the charges will be calculated based on actual amount of time spent.
- 3.7.10 The charges for using the tugboat service outside the water area of the port shall be agreed upon separately for each individual contract.
- 3.7.11 During towage (assistance) of a ship, the tugboat is at the service of the Captain of the towed ship and the Captain of the tugboat and the crew members are subject to the Captain (the pilot) of the towed ship. Damage caused to the tugboat due to the activity of the Captain of the towed ship or of the pilot shall be covered by the party who ordered the tugboat. The ship whose Captain has had navigational control is liable for all damages during towage, until proven otherwise.

3.8 Waste due

- 3.8.1 All ships calling the port, regardless of whether they deliver any waste in the port or not, are obliged to pay the waste due, except ships outlined in clause 1.5, ships performing loading/unloading operations at the roads and ships that have been granted an exemption by the Maritime Administration according to subsection 29(1) of the Ports Act and ship generated waste and cargo residues are not received from such ship. Waste due is calculated:

0.05 EUR x GT unit

- 3.8.2 If the waste due does not cover all expenses related to reception of ship generated waste, the Captain (shipowner) shall pay an amount of the expenses not covered.
- 3.8.3 Waste due covers, among others, delivery of up to 12 m³ of engine room bilge water or waste oil (slops, sludge etc.) per one port-call. If a ship delivers more than 12 m³ of the said waste, the Captain (the shipowner) should pay the amount actually spent on handling the waste delivered over the said limit.
- 3.8.4 Reception fee for special waste (radioactive waste, infectious waste) shall be determined separately for each case.
- 3.8.5 In case there will be an unauthorized waste discovered on berths, either hidden or disposed into the water, the person performing these actions is obliged to cover all the damages and the Port Authority's expenses on collection and transportation of the waste and handing it over to a waste handler, and all other possible expenses that may arise in connection with handling of the said waste.
- 3.8.6 Reception of waste shall be carried out according to the legal acts, to the management system of the Port Authority and according to the Port of Kunda plan for reception and handling ship generated waste (available at www.kundasadam.ee).

3.9 Fee for electricity consumption

- 3.9.1 The ship pays for the consumption of electricity based on the actual consumption according to the invoice presented by the Port Authority.