

# Tariff regulations for sea-going vessels

**FREE TRANSLATION - Only the Dutch version is legally valid**

**Havenbedrijf Antwerpen NV van Publiek Recht (Antwerp Port Authority)**

[www.portofantwerp.com](http://www.portofantwerp.com)

**Board of Directors of 2 December 2019**

**Date of commencement: 1 January 2020**

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# Basic principles

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## article 1 Terminology

The application of these tariff regulations is based on the following concepts:

### 1.1 sea-going vessels

Vessels registered in the "Lloyd's Register of Ships" or vessels holding a valid international tonnage certificate.

### 1.2

Fees owed by sea-going vessels for each call into and/or stay in the port, based on the following components:

- tonnage dues: an indivisible charge calculated on the basis of the ship's tonnage;
- berthing dues: an indivisible charge calculated on the basis of the goods unloaded and/or loaded by the vessel in port, expressed in tons.

### 1.3 port

The area as defined by the Municipal Police regulations of the port.

### 1.4 duration of stay

Duration of the vessel's stay in port, which is calculated as follows:

- for sea-going vessels that moor in the docks from the time they enter into the lock upon arrival at the port until the time they sail out of the lock upon departure from the port;
- for sea-going vessels that moor at the Scheldt quays or at the additional installations at the river Scheldt and in tidal docks, or stay at the roadstead, from the time they occupy their mooring upon arrival at the port until the time they leave it upon departure from the port;

### 1.5 working days

Weekdays from Monday up to and including Friday, except for public holidays.

### 1.6 month

A period of 30 consecutive calendar days.

## **1.7 tons**

A mass of 1,000 kg.

## **1.8 freight ton**

A mass expressed in ton or m<sup>3</sup>, whereby the larger of the two is used as a basis for measurement.

## **1.9 unit of gross tonnage**

Unit without dimension, used as the unit of volume for sea-going vessels, as indicated in the international tonnage certificate issued in the country of registration of the vessel in accordance with the definitions of the International Treaty on Vessel Measurements, issued in London on 23 June 1969. The gross tonnage unit is traditionally abbreviated to GT = Gross Tonnage.

## **1.10 general cargo ship**

A sea-going vessel referred to in Lloyd's Register of Ships under the type indication of «general cargo», «pallet carrier», «barge carrier», «heavy load carrier» or «heavy lift carrier».

## **1.11 container ship**

A sea-going vessel based on a complete cellular structure and referred to in Lloyd's Register of Ships under the simple type indication of «container ship».

## **1.12 open-top container ship**

An open-top containership, usually called as such in the International Tonnage Certificate (1969) and for which in this certificate, under 'Remarks', the reduced gross tonnage is mentioned and as well confirmed that this reduction is in accordance with the IMO resolution in force. This means that the vessel is designed for the carriage of containers and is constructed like an open "U". Not less than two third of the total cargo space has to be in an 'open-top' configuration, which means an open area without hatches.

## **1.13 bulk carrier**

A sea-going vessel referred to in Lloyd's Register of Ships as a «bulk carrier» type of vessel.

## **1.14 roll-on/roll-off ship**

A sea-going vessel referred to in Lloyd's Register of Ships as a «roro» type of vessel.

### **1.15 vehicle carrier**

A sea-going vessel referred to in Lloyd's Register of Ships as a «vehicle» type of vessel.

### **1.16 refrigerated cargo ship**

A sea-going vessel referred to in Lloyd's Register of Ships as a «refrigerated cargo» type of vessel.

### **1.17 tanker**

A sea-going vessel referred to in Lloyd's Register of Ships as a «tanker» type of vessel or a combination tanker that is equipped for the alternate transport of liquid and dry bulk cargo, insofar as this vessel transports a fully or partially liquid cargo.

### **1.18 single hull**

With a single hull the cargo tank wall is the exterior wall and/or the Marpol requirements for a double hull are not met.

### **1.19 segregated ballast tank**

A tank reserved for ballast water. Segregated ballast refers to the fact that ballast water is kept in a tank which is completely separated from the oil cargo and the fuel system.

### **1.20 parcel tanker**

A tanker constructed to simultaneously transport various types of liquid cargo, or different gradations of the same liquid cargo.

### **1.21 bulk cargo**

Goods that can be moved by pumping, transferred by chute or by means of suction.

### **1.22 project goods / cargo**

Goods including machinery, construction material, heavy or indivisible items, the batch size of which is minimum 500 freight tons.

### **1.23 empty-handed**

When a vessel, without any loading or unloading operations, has to leave the port again due to purely nautical reasons.

### **1.24 shipping lines**

Recognised by the Port Authority on the basis of the set requirements.

### **1.25 bulk lines**

Recognised by the Port Authority on the basis of the set requirements.

### **1.26 services of brokerage**

Services which in accordance with the Belgian VAT legal theory are provided by a third party and have contributed to the achieving of certain frequencies and/or the loading/unloading of goods in the port of Antwerp.

### **1.27 selfbill note**

Administrative document formatted by the Port Authority concerning brokerage service fees for which no credit note can be granted.

### **1.28 principal**

Principal of the agent;  
the shipping company, the owner, the charterer or the captain who grants the authority to act in his name

### **1.29 ESI**

Environmental Ship Index: identifies seagoing ships that emit fewer polluting substances than allowed. A ship can have an ESI score between 0 and 100, where a ship scores 0 if it complies with the legal standards regarding NOx- and SOx- emissions. Ships with the best performance score close to 100, i.e. their SOx and NOx emissions are virtually zero and they can report a downward trend in their CO2 emissions. Bonus points can be obtained by having a shore power connection on board.

<http://www.environmentalshipindex.org/Public/Home>

### **1.30 Port Authority**

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### **1.31 Port Dues Department**

Department of the Financial Department of the Port Authority which is in charge of the management of the port dues.

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T +32 3 205 70 77

## **article 2 Application range**

The tariff regulations apply to all vessels calling the port of Antwerp.

## **article 3 Main principles**

### **3.1 payment of port dues**

Every time a sea-going vessel enters the port, it is liable for payment of the port dues, which include the tonnage dues and berthing dues, to the Port Authority. The shipowner, shipping company, charterer or timecharterer, master or representative authorised to act on behalf of one of these parties shall be severally responsible for the port dues. If several shipowners, shipping companies, charterers, timecharterers, masters or their representatives operate during the time the vessel is in port, those who initially acted in that capacity shall remain liable for the payment of the port dues.

If a «declaration of transfer» was submitted, the shipowner, shipping company, charterer, timecharterer, master or their representative who takes over shall be liable for payment of the specific share of the berthing dues that relates to activities executed after the transfer. The transfer must be in accordance with the Port Authority's instructions. In the event of a transfer, the formalities must be accomplished by the party which is liable for payment.

### **3.2 formalities**

Each shipping agent will provide to the Port Authority's Port Dues Department with all information and will provide access to all documents which may serve to support or verify the declaration. If several shipping agents act on behalf of the same sea-going vessel, without an actual transfer taking place, the shipping agent who submits the application must complete all formalities required to define the tonnage and berthing dues.

### 3.3 correspondence with the Port Authority

All correspondence relating to port dues must indicate the name and address of the shipping company on behalf of which the action is being undertaken.

## article 4 Payment

### 4.1 invoices

#### Electronic invoices

Invoices can be obtained electronically upon request of the agent in the web application 'Portdues portal' by selecting the activity 'consulting invoices'.

#### Invoicing to the principal

In case invoices don't have to be made out to the agent, the agent has to inform electronically and in advance which principal should be invoiced to on the web application 'Portdues portal' by selecting the activity 'berthing dues and principals'.

### 4.2 date

#### Date of payment

Invoices relating to these tariff regulations must be paid at the latest on the mentioned due date. The invoices will be paid by giro by setting up a direct debit with the Antwerp Port Authority. This direct debit needs to be able to be collected at a guarantor (bank, insurance company, ...) which is under the supervision of the Financial Services and Markets Authority (FSMA) in Belgium. Any further information can be obtained by email at [debiteuren@portofantwerp.com](mailto:debiteuren@portofantwerp.com) or by telephone at +32 (0) 3 205 21 06.

#### Guarantees

Whether or not it is obligatory to provide a guarantee depends on two factors, as described below:

- the client is a member of the relevant trade association
- a direct debit, as described under 'date of payment', has been set up.

	The client has set up a direct debit	The client has not set up a direct debit
The client is a member of the relevant trade	No bank guarantee	A bank guarantee amounting to 1 month's

association		turnover
The client is not a member of the relevant trade association	A bank guarantee amounting to 1 month's turnover	A bank guarantee amounting to 1 month's turnover

The bank guarantee needs to be issued by a guarantor (bank, insurance company, ...) which is under the supervision of the Financial Services and Markets Authority (FSMA) in Belgium. As soon as the client provides a direct debit which did not require a guarantee, the transition to the system of a bank guarantee (with a release of the direct debit) shall not be permitted.

If the client has to provide a direct debit, the invoices need to be paid by giro into one of the accounts held by the Port Authority.

If a direct debit is not provided, was cancelled or payment was declined, the client will immediately be required to set the requested guarantees. If an invoice remains unpaid, the normal trajectory for collecting the invoiced funds will be initiated and the file will be transferred to the legal department. When a problematic payment history is determined, the Port Authority has the right to demand a bank guarantee amounting to 2 month's turnover. Such a bank guarantee can also be requested as condition for allowing a repayment schedule.

### **Late payment**

Late payment shall by law, and without notice of default, incur interest. Interest shall be calculated on the basis of the special legal interest rate as published in the Belgian Official Bulletin. The executive committee shall define the actual implementation procedure for the application of interest in the event of late payment, whereby limited, motivated deviations from the strict and verbatim application of the above mentioned rules shall be feasible.

### **Term of payment**

The due date of the invoices will be calculated on the basis of a term of payment of 15 calendar days.

### **Foreign currency**

Costs associated with the exchange of foreign currency into Euro, or any other costs, shall be at the debtor's expense.

### **Competent court of jurisdiction**

The courts of Antwerp shall have sole authority in the event of disputes. Only Belgian legislation shall apply.

#### **4.3 outstanding claims**

When paying credit notes and/or selfbill notes, the Port Authority shall verify whether the beneficiary still has outstanding accounts with the Port Authority. If so, the returns will officially be used to settle existing arrears.

#### **4.4 payment of credit notes and / or selfbill notes**

A credit note and/or a selfbill note will be paid to the concerned operator of the shipping line or bulk line, after it has been duly stamped and signed by the operator, with indication of the name and the function of the undersigned and has been handed over to the Port Dues Department. The credit note or selfbill note made out to a company which has a proxy from the involved operator and when this proxy has been sent to the Port Dues Department, can be paid directly.

This proxy must be supplied to the Port Dues Department with following formulation:

“The undersigned, ..... operator of the shipping line/bulk line in Antwerp, recognised under the name of ..... code-number ....., hereby authorises the company ....., to collect in our name the receipt (credit notes and/or the selfbill notes) relating to tonnage dues refunds on our behalf. These refunds relate to the tonnage dues of vessels declared in the above mentioned shipping line/bulk line.”

The authorizations which are handed over to the Port Authority must be renewed every two years. The Port Authority's Port Dues Department reserves the right to, for verification purposes, directly address the operator with a letter in which this mandate is acknowledged, possibly supplemented by a list of credit notes and/or a selfbill invoices that were paid to the authorized agent.

#### **4.5 credit note and / or selfbill note payment terms**

Credit notes and/or the selfbill notes issued in relation to tonnage dues can be submitted for payment at the latest one year after the date of issue. The right for reimbursement expires after one year.

# Tonnage dues

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## article 5 Principles of application

### 5.1 formalities

In order to determine the tonnage dues, the ship operator, the shipowner, the charterer, the timecharterer, the master or the authorised representative of any one of them, must submit the vessel's international tonnage certificate (1969) whenever a sea-going vessel calls the port. The Port Dues Department is able to grant a full or partial exemption to this submission.

The certificate must be submitted electronically within 3 working days of the vessel's arrival and at the latest before its departure.

### 5.2 calculation basis for the tonnage dues

The calculation of the tonnage dues is exclusively based on the gross tonnage unit stipulated in the submitted tonnage certificate, in accordance with the definitions of the 1969 International Treaty on the measurement of sea-going vessels. For open-top container ships, the reduced gross tonnage is taken into account.

If the tonnage certificate (1969) is not submitted, the Port Dues Department shall make an official estimate. The tonnage dues can be levied under guarantee in accordance with this estimate.

### 5.3 tonnage dues under guarantee

The tonnage dues imposed under guarantee amount to 1.57 EUR per GT. This charge will definitely be imposed unless sufficient proof to the contrary is submitted within 15 calendar days of the sea-going vessel's departure.

### 5.4 duration of stay

Payment of the tonnage dues entitles sea-going vessels to stay at the port for an uninterrupted period of twenty days starting from the day of arrival at the port. Upon expiry of the twenty-day period additional tonnage dues will be due whenever another 20 day period starts. These additional tonnage dues are calculated on the basis of the non-liner trade tariffs.

The time a sea-going vessel spends in a dry dock in the port of Antwerp shall not be included in the calculation of the tonnage dues.

From the moment sea-going vessels are placed under curatorship, the duration of stay of new tonnage dues will only count ten days.

## **5.5 measures to protect the environment**

### **Tankers**

For tankers without segregated ballast tanks and for single hull tankers, the tonnage dues for tankers is increased by 35%.

### **ESI discount**

A discount on the tonnage dues is granted for each call of a ship with the following ESI score. Vessels with construction year after 2010, as mentioned in the tonnage certificate, can't benefit from the discount in the first category up to and including score 50.

ESI score	Discount percentage
31 to 50	4%
50.1 to 70	10%
70.1 to 100	15%

The discount is calculated based on the net invoiced tonnage dues, after deduction of any possible discounts. In order to get a discount, a ship must be registered and published on the public part of the ESI website.

## **article 6 Exemptions and reductions**

Exemption from or a reduction in the tonnage dues can be obtained subject to the following conditions:

- an application by e-mail is submitted to the Port Dues Department;
- no trade activities are executed during the stay in the port;
- the necessary substantiation is submitted electronically to the Port Dues Department.

### **6.1 exemptions shall apply for sea-going vessels that:**

1. are school ships or war ships;
2. remain inactive at the roadstead;
3. call into port solely for tank cleaning and/or degassing purposes and
  - that deliver the residues to a recognised collector of such substances;
  - a certificate issued by the acquirer or an extract from the logbook indicating the start and completion of the operations has to be submitted;
  - the vessel has to leave port within 48 hours, the time for tank cleaning and/or degassing purposes, Sundays and holidays not included;
4. are cruise ships mooring at the river Scheldt quays;
5. are involved in operations on behalf of the City of Antwerp, the Flemish Region, the Belgian Government or the Port Authority, provided they are observing the procedures described in the tariff regulations for inland navigation;
6. are tugboats that have paid an inland navigation subscription.

### **6.2 a tariff of 0.1760 EUR/GT will be applied for sea-going vessels entering the port:**

1. because of perils at sea and that are not laid up in port. When depositing goods that need to be unloaded as a result of perils at sea, at a location appointed by the Port Authority, the berthing dues are not indebted, on condition that this cargo will be loaded back onto the same vessel;
2. in the context of a voyage for tourist purposes;
3. solely for bunkering with fuel or other ship's stores/supplies for own use and leaving the port within 48 hours (not including Sundays and public holidays);
4. solely for disinfection purposes and leaving within 48 hours (not including Sundays and public holidays);
5. empty-handed and leaving within 48 hours;

6. after they unloaded during a stay, subsequently degass at sea and conclusively call the port again to execute new trade activities. The initial stay however will be charged basis the tariff regulation and the applicable liner or non liner tariff;
7. exclusively for repairs to be carried out by a ship repairer on condition that the vessel is not laid up in port;
8. to go into dry dock on condition that the vessel is not laid up in port;
9. exclusively for transit within 18 hours; time spent on Sundays and public holidays shall not be taken into account. Time spent on Sundays and public holidays will, however, be included when defining the length of stay in port if there is no injunction forbidding the use of the waterway to commercial shipping on the Albert Canal during this time.

## **article 7 Non-liner trade tariffs**

Vessels not sailing in a regular sea shipping line shall be subject to non-liner trade tariffs.

<b>NON-LINER TRADE</b>	<b>EUR/GT</b>
container ship on the River Scheldt	0.6622
container ship behind the locks	0.6253
roll-on/roll-off carrier / car carrier / vehicle carrier	0.5121
tanker	0.7658
reefer	0.6253
bulk carrier or general cargo ship*	0.6253
other vessels	0.7658

\* Applicable when the total loaded and unloaded general cargo weight, not including containers, exceeds 30% of the total loaded and unloaded quantity on board of the bulk carrier or general cargo ship and this is reported to the Port Dues Department at the latest upon arrival of the vessel. These ships are not eligible to be cleared in a bulk line.

## article 8 Liner trade tariffs

### 8.1 geographical shipping areas

- **Short sea shipping area:** the ports of Gibraltar in the south to the Gulf of Yenisei in the north, including the ports of Great Britain, Ireland, Iceland and Greenland.
- **Deep sea shipping area:** all sea ports throughout the world except those in the short sea shipping area.

### 8.2 shipping lines

Regular shipping lines are classified into:

- short sea shipping lines within the short sea shipping area
- deep sea shipping lines within the deep sea shipping area

### 8.3 needed data for the electronic application for recognition of a regular shipping line

- the name of the shipping line;
- the type of the shipping line;
- the name and address of the operator, i.e. the shipowner, charterer who is establishing the shipping line;
- e-mail address and telephone number of the contact at the operator;
- authorisation to the local agent to apply for recognition;
- the voyages completed or to be completed by vessels in that shipping line.

### 8.4 requirements for recognition

- the shipping line must be established by a single operator, including companies that are proven to be 100% owned by the operator;
- the shipping line must be organised to ensure that at least one voyage is completed every 30 days;
- the voyages must be completed either by non-chartered vessels that are owned by, or vessels at the disposal of, the shipowner or charterer who is establishing the shipping line;
- the voyages must be completed in the shipping area of the shipping line;

- In order to register voyages in a short sea shipping line, the ships and their cargo must originate from or be destined for a port within the short sea shipping area;
- In order to register voyages in a deep sea shipping line, the ships and their cargo must originate from or be destined for a port within the deep sea shipping area;
- the date of arrival of the call into port shall be the effective start date;
- the shipping line must have passed a 2 month regularity test before recognition as a regular shipping line can be obtained. The recognition takes effect from the first regular vessel of the successful 2 month test period;
- New shipping lines have to opt for electronic invoicing;
- Existing shipping lines that have undergone changes must opt for electronic invoicing.

## **8.5 voyages**

Regular voyages are voyages completed along the usual travel route and within 30 days of the previous 'date counting' voyage in the line or when the achieved frequency in the actual calendar year shows an expected frequency of 1 call per month.

Journeys of vessels, for which the total weight of their non-containerised conventional cargo has been demonstrated to amount to at least 50% of the total loading and unloading weight, shall be considered as regular voyages and charged at the liner trade tariff. Voyages of container ships registered by a shipping company in its regular shipping line and for which proof is supplied that these container ships call at Antwerp under a cooperation agreement with other shipping companies, are considered to be regular.

'Date counting' voyages are applied to calculate the 30 day period.

The following are considered 'date counting' voyages:

- regular voyages;
- voyages completed outside the 30 day period with respect to the previous regular voyage in the line.

## **8.6 proof of chartering and ownership**

### **Proof of chartering**

Proof that a vessel was chartered by or made available to the operator of a recognised shipping line must be submitted electronically with one of the following documents:

- the charter party between the owner of the vessel and the operator of the shipping line, where applicable with appendices; proof of authenticity must be submitted every 2 years for long term charter parties;
- An overview list signed by the operator, containing long-term vessel charters with starting date and final date of the charter period;
- in the absence of a charter party for the vessel in question, a long term chartering contract in the name of the operator of the recognised shipping line with a nomination for each vessel that is utilised;
- if the above is not possible, any kind of proof that can be submitted to the satisfaction of the Port Dues Department;
- a charter statement made by the agent in a manner prescribed by the Port Dues Department, in which case the charter parties in principle no longer have to be supplied. The charter parties do have to be supplied if the Port Dues Department asks for them.

#### **Proof of ownership of the vessel**

Proof that a vessel sailing in a recognised shipping line is the property of the operator of the line must be submitted electronically with one of the following documents:

- the vessel's declaration of ownership;
- an overview list, signed by the operator and containing the own vessels;
- a declaration of ownership of the vessel provided by the agent in a manner prescribed by the Port Dues Department whereby the proof of ownership no longer has to be presented. The proof of ownership will still have to be presented when required by port dues.

Every change to the document data concerning the period of chartering or property shall be submitted electronically as soon as possible to the Port Authority's Port Dues Department.

### **8.7 charge of the liner trade tariff**

#### **Immediate charge of the liner trade tariff**

The tonnage dues at liner trade tariff shall be applied for regular voyages completed by vessels for which proof is submitted within 2 months of the day of arrival that

- they are owned by the operator and have not been chartered to a third party;
- they can be included in the shipping line as a time charter by the operator.

#### **Deferred charge of the liner trade tariff by means of credit notes and/or selfbill notes**

Voyages which are not immediately charged with the liner trade tariff are always charged with the non-liner trade tariff. If proof is given at the latest 2 months after the day of their arrival in the port that the vessels can be included in the shipping line by an operator by means of a voyage charter, contract of affreightment or to be nominated, a credit note and/or selfbill note liner trade is granted.

If the above mentioned proof is submitted after the 2 months period, but at the latest 4 months after the date of the vessel's arrival, the voyage will be considered as a 'date counting', providing all other relevant conditions have been complied with.

## **8.8 rectifications**

Negligence on the part of the shipping agent or the operator resulting in the liner trade and bulk shipping tariffs not being applied, gives the shipping agent or the operator the option to be charged the liner trade tariff subject to payment of a special additional fee of 644 EUR.

If submitting the charter party does not generate a liner trade tariff, the shipping agent or the operator has the option to submit an electronic request for rectification to the Port Dues Department within 2 months of the notification received from the Port Dues Department.

If, as a result of incomplete or incorrect information, the liner trade tariff was obtained unfairly,

- the shipping agent must settle the difference between the liner trade tariff and the non-liner trade tariff immediately;
- in addition, the shipping agent must pay a special additional fee to the Port Authority equal to the difference between the liner trade tariff and the non-liner trade tariff, unless the opposite can be proven to the full satisfaction of the Port Authority.

The Port Dues Department shall be entitled to request information from any of the parties involved in the operation of the shipping line recognised as regular.

## **8.9 revocation of the recognition of a shipping line**

The executive committee or its authorised representative shall be entitled to revoke the recognition when the applicable conditions are no longer being met or when the shipping line has been irregular for a period of 4 months.

## 8.10 liner trade tariffs

Vessels sailing in a regular sea shipping line shall be subject to liner trade tariffs.

	deepsea	shortsea **
	EUR/GT	EUR/GT
container ship on the River Scheldt	0.2686	0.2157
container ship behind the locks	0.2351	0.2157
roll on/roll off carrier/car carrier/vehicle carrier	0.1835	0.1835
tanker	0.3898	0.3898
reefer	0.2970	0.2970
bulk carrier or general cargo ship*	0.2970	0.2970
other vessels	0.4366	0.4366

\* Applicable when the total loaded and unloaded general cargo weight, not including containers, exceeds 30% of the total loaded and unloaded quantity on board of the bulk carrier or general cargo ship and this is reported to the Port Dues Department at the latest upon arrival of the vessel. These ships are not eligible to be cleared in a bulk line. If they don't live up to these conditions, the tariff 'other vessels' will be charged.

\*\* shortsea tariff applicable when the total loaded and unloaded container weight exceeds 70% of the total loaded and unloaded quantity; a container vessel not living up to these conditions, is charged at the tariff of other vessels.

### Credit notes and/or selfbill notes liner trade

Vessels operating in a recognised sea shipping line on the basis of a voyage charter, contract of affreightment or to be nominated, will be charged at non-liner tariff, followed by a credit note and/or a selfbill note.

CREDIT NOTE AND/OR SELFBILL NOTE	EUR/GT
vessels charged at bulk carrier or general cargo ship trade tariff	0.2561
other vessels	0.2500
vessels charged at the shortsea tariff for container vessels	0.3394

## 8.11 frequency reduction

The frequency reduction on the tonnage dues is granted on the basis of the frequency number of a vessel in a shipping line. This frequency number is granted based on the order of calls in that line. Vessels which do not qualify for a frequency reduction are not counted for the granting of the frequency number. For deep sea lines the frequency reduction applies for all vessels, for short sea lines the frequency reduction only applies for: tankers with GT of maximum 4,500, bulk carriers or general cargo ships with over 30% general cargo, roll on/roll off and vehicle carriers and vessels charged at the shortsea tariff for container vessels.

<b>DEEP SEA LINE</b>			
frequency number	53-150	151-200	>200
reduction per call	10%	20%	30%

<b>SHORT SEA LINE</b>		
frequency number	27-52	>52
reduction per call	25%	50%

Credit notes and/or selfbill notes for voyages that have been included in a shipping line by means of a voyage charter, contract of affreightment or to be nominated and that qualify for frequency reductions, are calculated as follows: the basic credit notes and/or selfbill notes are increased with the respective frequency reduction percentages.

## 8.12 reduction project cargo

Vessels transporting project cargo can benefit from the liner trade tariff if:

- these vessels are operating within the framework of one or more approved projects for the same operator;
- it has been demonstrated to the full satisfaction of the Port Dues Department that the vessels are transporting project goods to be unloaded/loaded in the port of Antwerp.

The liner trade tariff is charged whether or not the voyages are made in a shipping line.

### 8.13 reduction for second call

The tonnage dues will be reduced by 50 % when a sea-going vessel calls the port again within the framework of the same recognised deep sea shipping line, after having called one or more ports situated within the short sea shipping area and before starting its deep sea return voyage. This reduction does not apply for sea-going vessels that load and unload the same goods within the short sea shipping area.

## article 9 Bulk shipping tariffs

### 10.1 dry and liquid bulk line

Bulk lines are intended for vessels carrying a minimum of 70% dry or liquid bulk cargo with respect to the total loading and unloading whatever their origin or destination.

Voyages covered within the framework of one or more purchasing/sales contracts or a declaration of intent to buy and/or sell and involving the unloading/loading in the port of Antwerp in bulk lines will be charged at non-liner trade tariff, followed by a credit note and/or a selfbill note.

<b>Credit note and/or selfbill note bulk line</b>	loaded / discharged tons bulk cargo		<b>EUR/GT</b>
	<b>from</b>	<b>to / incl.</b>	
general cargo ship bulk carriers tanker	1	200,000	0.2045
	200,001	400,000	0.2166
	400,001	600,000	0.2208
	600,001	1,000,000	0.2330
	1,000,001		0.3292

Credit note and/or selfbill note based on the one hand on the vessel's GT and on the other hand on the total amount of loaded/unloaded tons of dry bulk cargo in a current calendar year.

### 9.2 geographical shipping area

The bulk shipping area contains all sea ports throughout the world.

### **9.3 needed data for the electronic application for recognition of a bulk line**

- the name of the bulk line;
- the indication of the type bulk line;
- the name and address of the operator, i.e. the purchasing or selling party to a contract who is establishing the bulk line;
- mail address and telephone number of the contact person with the operator;
- authorisation to the local agent to apply for recognition;
- the voyages completed or to be completed by vessels in that bulk line;
- one or more purchase/sales contracts or the declaration of intent to purchase and/or sell, made out in the name of the operator and signed by same.

### **9.4 requirements for recognition**

- The bulk line can only be established by a single operator, including those companies of which has been proven they're 100% owned by the operator, who buys or sells a minimum of 100,000 ton dry bulk cargo or 300,000 tons liquid bulk cargo, with unloading/loading in the port of Antwerp:
  - either on the basis of one or more purchasing/sales contracts;
  - either on the basis of a provisional declaration of intent to buy and/or sell;

voyages must be completed within the framework of the tonnage listed in one or more purchasing/sales contracts or a provisional declaration of intent to buy and/or sell;

- prior to recognition as a bulk line, the bulk line operator must have loaded/unloaded 100,000 ton of dry bulk or 300,000 ton of liquid bulk cargo in the port of Antwerp. Recognition shall not be awarded with retrospective effect. Recognition shall take effect from the 100,001st ton of dry bulk or 300,001st ton liquid bulk cargo loaded/unloaded in the port of Antwerp;
- new shipping lines have to opt for electronic invoicing;
- existing bulk lines that have undergone changes must opt for electronic invoicing.

### **9.5 proof of transport**

Proof that a vessel was utilised by a bulk line operator for a voyage to unload/load bulk cargo in the port of Antwerp must be submitted with a bill of lading in the name of the bulk line operator, with an indication of the transported quantity and nature of the bulk cargo. If no bill of lading is available the Port Dues Department may accept other proof.

The evidence must be submitted at the latest 1 month after the day the vessel arrives in the port.

After consultation with the Port Dues Department, a declaration of 'ownership of the goods' can be submitted electronically stating the discharged and/or loaded tonnage. In case of doubt, the Port Dues Department can request the Bill(s) of Lading.

#### **9.6 credit notes and/or selfbill notes bulk lines**

- Credit notes and/or selfbill notes, for voyages completed in a bulk line during which one or more part cargos were unloaded/loaded from/onto the same vessel in the port of Antwerp, are calculated as follows: the maximum credit note and/or selfbill note amount is the tariff multiplied by the vessel's GT. This amount is reduced by the percentage ratio of the non-proven share with respect to the total quantity of loaded/unloaded goods. The remaining amount is distributed per operator in function of his proven share of loaded/unloaded tons of bulk cargo.
- Bulk cargo unloaded/loaded in the port of Antwerp prior to the recognition shall not be taken into account in the above mentioned credit note and/or selfbill note. However, they do qualify for the definition of the total unloaded/loaded tons of bulk cargo in the port of Antwerp in the current calendar year.

#### **9.7 revocation of the recognition of a bulk line**

The executive committee or its authorised representative shall be entitled to revoke the recognition when the applicable conditions are no longer being met. This revocation shall take effect if the recognised bulk line has been inactive for a period of 4 months.

# Berthing dues

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## article 10 Tariffs

goods handled	EUR/ton
containers	0.1762
general cargo	0.0390
other	0.1691

Containers: both loaded and empty containers

General cargo: wood, fruit, iron and steel, paper, cars and other non-containerised general cargo.

### 10.1 formalities

In order to determine the indebted berthing dues, the shipowner, shipping company, charterer, master or representative authorised to act on behalf of any of these parties, must submit an electronic declaration via <https://apps.portofantwerp.com/portdues>, unless the Port Authority grants exemption.

### 10.2 the electronic declaration

For each unloading and loading, the number of tons handled must be submitted separately. This includes the weight of the packaging, containers, trailers, self-powered loading platforms or other means that are part of the goods during unloading or loading, except for mafi's and cassettes. The weight of the empty containers, trailers etc. must also be indicated. Measures and weights not expressed in tons must be converted into tons.

The declaration must be submitted at the latest 10 working days both after loading and unloading. In case no discharge or loading operations were carried out, the shipping agent will have to decline the electronic declaration, stating the reason why.

The weight used to determine the berthing dues must always be rounded up to the higher ton, for each individual group of goods. In the case of direct transshipment from one sea-going vessel to another, the berthing dues will be charged to both the unloading and loading sea-going vessel. For the transfer of bunkers, berthing dues will only be levied on the unloading of the bunkership.

### **10.3 documentary evidence**

In the event of doubt, the loading and unloading report or any other document must be submitted electronically on request of the Port Authority.

### **10.4 charge**

- Berthing dues shall be charged at a minimum rate of 33 EUR per declaration, if electronic invoicing has not been opted for.
- The berthing dues tariff for containers includes the scanning fee. The scanning fee is the compensation due for containers that are scanned by the customs department.

### **10.5 basis**

The calculation of the berthing dues is based on the number of loaded or unloaded tons.

When the inspection carried out by the Port Dues Department establishes that the number of unloaded and/or loaded tons indicated on the electronic declaration differs from the actual situation, a new declaration must be made for the share that has not been declared.

When the shipping agent does not complete (both after loading and discharging operation) or declines (because of no discharging or loading operation) the electronic declaration within the period of 10 working days, the berthing dues will be calculated with enforcement. This calculation shall be based on the highest berthing dues tariff on the sea-going vessel's deadweight tonnage for unloading, increased by the highest berthing dues tariff on the sea-going vessel's deadweight tonnage for loading.

# Disputes

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## article 11

### 11.1 disputes regular shipping lines

- 1) If several operators want to claim the same credit note and/or selfbill note, and it concerns the whole or a part of the same loaded/unloaded goods, the Port Dues Department can distribute the credit note and/or selfbill note on a pro rata basis and to the extent of the demonstrated chartering. The call is cleared in the line of the operator of the incoming voyage.
- 2) When several operators wishing to use a credit note and/or selfbill note, one for the unloaded and the other for the loaded cargo claim, then the credit note and/or selfbillnote will be due to the operator of the incoming voyage. The call will be cleared in the line of the latter.

### 11.2 disputes bulk lines

When in bulk lines dry bulk cargo is bought or sold by the operator of this line and transported by the operator of a shipping line, the liner trade credit note and/or selfbill note shall be made out to the bulk line operator, providing all conditions have been met.

When during the call in addition to the dry bulk other goods are transported by an operator of a shipping line, then the credit note and/or selfbill note is due to the operator of the incoming voyage, providing all conditions have been met.

When in liquid bulk lines liquid cargo is bought or sold by the operator of this line and transported by an operator of a regular shipping line, the liner discount will be granted to the operator of the regular shipping line, provided all conditions have been met.

In case of dispute between two bulk lines the operator mentioned as 'consignee' on the 'bill of lading' is entitled to the credit note and/or selfbill note.

When the incoming operator clears the call in a bulk line, the charter will be viewed based on the part of the bulk cargo as electronically declared by the incoming operator, and not on the total loaded and discharged tonnage.

### 11.3 recovery of discounts and reductions

When it has been established that the discounts and reductions mentioned in these regulations have been wrongly granted, they can always be recovered.

#### **11.4 requested changes**

If the Port Authority makes any rectifications at the request of the client, it will charge an amount of 33 EUR for the extra administration. These rectifications do not apply to the late submission of the charter parties.

Such requests can be made up until two months after the invoice date.

#### **11.5 force majeure, unforeseen and exceptional circumstances**

In case of force majeure, unforeseen and exceptional circumstances the Executive Committee will decide.

All earlier decrees in conflict with these regulations no longer apply.

# Ship's waste

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## article 12 Glossary

### 12.1 registration

Notification made by the ship's captain.

### 12.2 waste contribution for ship's waste

A contribution to be paid by any ship when calling at the port.

### 12.3 Apics

Antwerp Port Information and Control System, port information system in Antwerp.

### 12.4 EER

European Economic Area: members of European Union + Iceland, Liechtenstein and Norway.

### 12.5 EU

Belgium, Bulgaria, Croatia, Cyprus (Greek part), Denmark, Germany, Estonia, Finland, France, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Austria, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Czech Republic, United Kingdom, Sweden.

### 12.6 financial compensation

The total compensation the Antwerp Port Authority grants in order to reduce the costs for and made by seagoing ships for the collection and disposal of ship-generated waste. This compensation depends on the nature and volume of the delivered ship's waste.

### 12.7 port reception facility

Fixed, floating or mobile facility which carries out reception of ship's waste or cargo residues.

### 12.8 Helcom

EU + part of Russia (at the Baltic Sea).

## **12.9 notification**

Notification made by the port reception facility.

## **12.10 cargo residues**

The remnants of any cargo material on board in cargo holds or tanks which remain after unloading procedures and/or cleaning operations, including loading/unloading excesses and spillage.

## **12.11 oily waste (Marpol annex I)**

Includes: sludge, bilge water, used lubricating oil, dirty ballast water and contaminated washing water originating from the cleaning of cargo holds and tanks.

## **12.12 OVAM**

Openbare Vlaamse Afvalstoffen Maatschappij (Flemish Public Waste Agency), afdeling afvalstoffenbeheer, Dienst Selectief Ingezamelde Stromen (Department of Waste Management), Stationsstraat 110, 2800 Mechelen.

## **12.13 ship's garbage (Marpol annex V)**

includes: food waste of the crew, domestic waste or similar (such as i.e. plastics, cardboard, paper), maintenance waste from the engine room such as soot, machine parts, paint residues and cleaning cloths (rags)

## **article 13 Scope of application**

All seagoing vessels calling at the Port of Antwerp must deliver their waste to a port reception facility before leaving the port, unless there is sufficient storage capacity on board allowing these vessels to call at a next port and deliver their waste at another licensed port reception facility.

All seagoing vessels that call at the Port of Antwerp have to pay a waste fee to the Port Authority.

## **article 14 Registration procedure**

### **14.1 procedure for registration**

All vessels calling at the Port of Antwerp must comply with the registration requirements for each call:

- at least 24 hours before arrival unless the port of call is known less than 24 hours before arrival;
- not later than at departure from the previous port, if the voyage takes less than 24 hours.

The registration details must be reported electronically via APICS to the harbour master's administration.

### **14.2 exemption of registration**

Following vessels are exempt of registration:

- war vessels, naval auxiliary vessels and other vessels owned or operated by a State on the condition that they are used exclusively in service of a government and for non-commercial activities;
- non-self-propelled vessels, such as pontoons;
- vessels that have been granted an exemption by the OVAM;
- fishing vessels or recreational vessels authorized to carry no more than 12 passengers.

## **article 15 Fees for ship's waste**

For each call a mandatory waste fee must be paid to the Port Authority irrespective of the use of a port reception facility. As an incentive to deliver the ship's waste at port reception facilities, the disposal of the waste will be partly covered through the collection of these fees.

The mandatory waste fee consists of a fixed and a variable fee.

- Fixed fee
  - For ships up to 3,000 GT: 75 EUR
  - For ships from 3,001 GT: 110 EUR
- The variable fee amounts to 0.005 EUR multiplied by the ship's GT.

The maximum waste fee is 480 EUR.

Following vessels are exempt of the payment of a waste fee:

- war vessels, naval auxiliary vessels and other vessels owned or operated by a State on the condition that they are used exclusively in service of a government and for other than trading purposes activities;
- non-self-propelled vessels, such as pontoons;
- vessels that have been granted an exemption by the OVAM;
- fishing vessels and recreational vessels authorized to carry no more than 12 passengers.

## **article 16 Procedure for application for exemption from the mandatory registration and waste delivery and payment of the waste fee**

Seagoing vessels in scheduled traffic with frequent and regular port calls may have the waste fee waived or refunded if they are granted an exemption by the OVAM.

Vessels are exempted from mandatory registration, waste delivery and waste fee if they meet the following conditions:

- the vessel is sailing in a liner service with frequent and regular calls (at least 1 call every 14 calendar days for at least 4 consecutive months);
- evidence can be delivered that the vessel has made an arrangement for the delivery of her waste;
- evidence can be delivered that the vessel has arranged the payment of its waste fee in an EU, EER or HELCOM port at which it will call during its voyage.

Furthermore the exemption is only valid for the period of the provided service schedule.

The OVAM offers the use of a digital e-service

<https://services.ovam.be/scheepvaart/> for the application for exemptions.

## **article 17 Procedure for application for reduced contribution for environmentally friendly ships**

Ships which do not produce any slops and sludges such as ships fuelled exclusively by LNG can be granted a 50% reduction on the waste fee.

An application for reduction of the waste fee must be sent to the OVAM. The following documents need to be included in the official application:

- name and IMO number of the vessel;
- sufficient evidence that the vessel in question does not produce any slops and sludges and a copy of the International Oil Pollution Prevention Certificate (IOPP) including supplement.

The OVAM offers the use of a digital e-service

<https://services.ovam.be/scheepvaart/> for the application for reductions.

## **article 18 Basic principles for financial compensation**

In order to encourage waste deliveries at a port reception facility, the collected waste fees are used to reduce the costs of each waste delivery significantly.

Only ships which pay a waste fee may obtain financial compensation for the delivery of their oily waste or ship's garbage in the Port of Antwerp.

The maximum compensation = invoice amount of the port reception facility

The financial compensation to the ship through the port reception facility consists of a fixed and a variable compensation.

- Per call, the fixed compensation will be granted no more than once for annex I and once for annex V:
  - oily waste: 300 EUR
    - o double hull collection vessel: 350 EUR
  - ship's garbage: 200 EUR

The request for a double hull collection vessel must be submitted at OVAM.

- Variable compensation
  - oily waste: 25 EUR/m<sup>3</sup>
  - ship's garbage: 25 EUR/m<sup>3</sup>

The Port Authority limits the variable compensation in each of the following situations when:

- the collected amount exceeds the storage capacity of the waste tanks listed in the International Oil Pollution Prevention Certificate (IOPP);
- ships stay in the port for more than 20 calendar days.

The Port Authority does not offer financial compensation:

- when Port State Control forces a ship to make a delivery;
- for ballast water, washing water and cargo residues originating from cargo holds or tanks;
- for cargo-related waste such as dunnage, packaging material, tire iron, cargo residues, washing water with cargo residues... .

If the Port Authority asks for additional information, the port reception facility must supply it.

In case of misuse or attempted misuse of the compensation, it will be claimed back and the port reception facility will not be able to apply for any compensation during one month. In case of repeated misuse or attempted misuse, the port reception facility will never again be able to apply for any compensation of collecting costs;

The port reception facility has the opportunity to link its website to the website of the Port Authority only if it publishes its tariffs of waste collection on its website. For this purpose it can apply to the Port Dues Department.

## **article 19 Conditions for financial compensation to vessels via the port reception facilities**

- The port reception facility must be authorized by the harbour master's office of the Port Authority;
- the collecting cost must be in accordance with market prices;
- the port reception facility must keep clear, transparent accounts for the Port Authority;
- the port reception facility's invoice to the ship must state the full amount for collection and processing as well as the amount of the financial compensation that is being deducted and that the Port Authority acts as 'third payer' for this;
- all details on the collection and processing of waste materials including those for which no compensation is offered, are delivered electronically in m<sup>3</sup> to the Port Authority through the web application 'Portdues portal' under the activity 'collection of waste';
- the collection of oily waste must be notified not later than 1 working day after departure of the vessel. For the collection of garbage, the notification is expected not later than 4 working days after departure of the seagoing vessel;
- after the Port Authority has approved the waste delivery registration, the financial compensation will be paid immediately.

## article 20 Summary table

All vessels have to deliver their waste to a port reception facility before leaving the port unless in case of sufficient storage capacity on board.

type of vessel	mandatory registration	waste fee	financial compensation
non-self propelling pontoon	No	no	no
fishing boat	No	no	no
pleasure boat ≤ 12 passengers	No	no	no
war vessel, navy vessel and public vessels (non-commercial use)	no	no	no
vessel exempted by the OVAM	No	no	no
vessel that delivered ship's waste in Antwerp	Yes	yes	yes
environmentally-friendly vessel that delivered ship's waste in Antwerp	Yes	reduction 50%	yes
other vessel	Yes	yes	no

## article 21 Reporting inadequacies of a port reception facility

The reporting form for reporting inadequacies of a port reception facility can be downloaded via [www.portofantwerp.com](http://www.portofantwerp.com).

This reporting form shall be submitted to:

Federal Public service of Transport  
General Managership of maritime transport  
Navigation Control Department  
Franklinbuilding  
Posthoflei 5  
B-2600 Antwerp  
Tel. +32-3-229.00.30  
Fax. +32 3 229 00 31  
E-mail: [sc.antwerpen@mobilit.fgov.be](mailto:sc.antwerpen@mobilit.fgov.be)

Havenbedrijf Antwerpen NV van publiek recht (Antwerp Port Authority)  
Attn. Mr Jacques Vandermeiren, CEO  
Havenhuis, Zaha Hadidplein 1, 2030 Antwerp  
tel. +32-3-205.20.11  
e-mail: [info@portofantwerp.com](mailto:info@portofantwerp.com)

# Inspection fees

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## article 22 Tariffs

Fee for the use of the border inspection centre's facilities.

### 22.1 human consumption

Applicants who use the facilities of the border inspection centre shall be liable for payment of a fee of 48 EUR for every container containing products that need to be inspected in accordance with EU guidelines, including among others meat, fish and products derived from them for human consumption.

### 22.2 other inspections

Applicants who use the facilities of the border inspection centre shall be liable for payment of a fee of 14 EUR for every container containing products that need to be inspected in accordance with EU guidelines, including among others meat, fish, plants and products derived from them for animal consumption among others.

### 22.3 electricity consumption

Applicants shall be charged a fee for the electricity consumed on site by containers parked on the inspection centre's site whilst awaiting inspection or inspection results. Applicants shall pay a fixed fee of 19 EUR per calendar day for the first 3 calendar days and 57 euro per calendar day from the fourth day onwards. Both the day of connection and the day of disconnection will be counted as a complete calendar day.

### 22.4 use of the site

As soon as the competent authority releases the goods or containers, the goods or containers must immediately leave the premises of the Border Inspection Post.

From the next working day after release, the port authority will apply the fees below :

- 20ft' containers : 2.89 EUR/day

- 30ft' containers : 4.33 EUR/day
- 40ft' containers : 5.77 EUR/day
- 45ft' containers : 6.25 EUR/day

the minimum amount for each invoice is 33 EUR, unless electronic invoicing had been opted for.

# Selfbill notes

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## article 23 Administrative processing

### 23.1 method

The selfbill note is drawn up by the Port Authority on paper or electronically in duplicate, the original being intended for the Port Authority, the double for the third party, who has to retain it. The third party records the received selfbill note in its book for outgoing invoices, while the Port Authority records these documents in its book for incoming invoices.

### 23.2 agreement / disagreement

Unless the third party announces explicitly and in writing to the Port Authority his disagreement with the selfbill note, this selfbill note is implicitly considered as accepted. Disagreement will be explicitly announced at last two months after date of issue by means of an acceptance piece. The third party draws up this acceptance piece in two copies and provides it to the Port Authority electronically.

The acceptance piece mentions at least:

- date of issue
- coordinates of the third party
- reference date and - number of the selfbill note
- reason of disagreement
- signature

Both parties must retain their copy of the acceptance piece.

# VAT handling

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## article 24 Exemption

### 24.1 exemption article 42

The customer of the service agrees with the applied VAT exemption / settlement and declares by sworn statement that the ship is mainly used for sailing on the high seas (which means that the ship is used for 70% on the high seas as described in the Belgian Tax Authorities VAT Circular Letter 2019 / C / 44 - dated 29.05.2019 - Addendum to VAT notification no. 24 of 29-08-1978) and is exclusively intended for commercial shipping or, on the other hand, is only intended for coastal fishing and activities carried out by lifeboats and assistance vessels on sea.

At the request of the Port of Antwerp, the customer will provide proof that the ship complies with the 70% rule.

In the event of non-compliance of these conditions, the customer of the service will, upon specific request, pay the due VAT (including possibly imposed fines and default interest).

FREE TRANSLATION – Only the Dutch version is legally valid.

### 24.2 VAT treatment of selfbills

The Port of Antwerp will apply the VAT reverse charged principle when drawing up a self-bill.

The provisions are based on an individual agreement with Belgian VAT Tax Authorities reference number ET 120.551 and on the applicability of the VAT Circular Letter AAFisc No. 53/2013 of 16 December 2013 on self-billing.

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