
MINISTRY OF MARITIME INFRASTRUCTURES AND ECONOMY

Maritime and Port Institute

Deliberation n° 012/CA/2013

which approves the ENAPOR'S tariff legislation

The Board of Directors met in ordinary session on 17 and 18 January 2013 in the IMP's head office in Mindelo and decided the following, after having considered ENAPOR's tariff legislation proposal and having consulted with the interested parties:

Considering the reasons and grounds put forward by ENAPOR in the background section of the proposal and following the recommendations made by the IMP in the meeting held on 15 October 2012, the IMP's Board of Directors has approved, under the provisions of Article 2, section 1(f) of the statute of the IMP approved by implementing decree 3/2005 of 11 April and of Article 72, section 1(d) of the legal regime of ports of Cape Verde, approved by legislative decree 10/2012 of 1 November, the establishment of ENAPOR's tariff legislation, as amended in the version of 21 December 2012, to be in effect from the date of publication in the *Official Gazette*.

TARIFF LEGISLATION

Background notes

Cape Verde's economic growth has called for strong investment in port activity in terms of infrastructures, equipment and human resources, which has had an impact on ENAPOR's financial structure.

ENAPOR's intensified effort to efficiently meet the needs of the country's port industry will only be successful with a well-defined policy of tariff update that does not affect the country's competitiveness and, above all, that has a minimal impact on the prices of imported and exported goods.

Following ENAPOR's strategic policy, tariff update is needed in order to guarantee the company's financial strength, investments and commitments, as well as to meet the expectations of the stakeholders and to achieve the objectives of the sector.

Therefore, this Tariff Legislation, which establishes an annual update, is designed to be a strategic instrument in the policy of the company in all its aspects, as a part of the strategy for development and national port operation. The primary objectives of the Tariff Legislation are:

- To contribute to the improvement of human resources performance, infrastructures and port facilities, optimizing their combined use;
- To contribute to enhance productiveness, efficiency and fixed and variable costs containment;
- To maximize revenues for them to progressively ensure coverage of costs and contribute to financing investments;
- To help the country's port system to increase its benefits in the regional and national markets

Thus, the new tariffs aim at updating the Tariff Legislation that has been in effect since 2004, as well as simplifying the system by restructuring it. The prime features of the new tariffs are:

1. The former structure undergoes minor changes, maintaining the fundamental concepts, philosophy and procedures, which is fully understandable, given the national climate. Additionally, two new services are created on the structure, the steering service and the collection and transport of solid waste.

2. There is a significant change in coastal traffic, since it is suggested that the Port Use and the Freight Traffic fees are to be charged to the carrier, that is, the vessel or its representative. One of the purposes of this measure is to foster the emergence of freight forwarders in the inter-island transport, reducing the number of taxable persons in the company, and in doing so, to lessen the administrative procedures and to improve the level of customer service efficiency.

3. Following the implementation of the reduction of cross subsidization policy, there is still a focus on the approximation of Deep-Sea and Coastal fees, both concerning cargo handling and ship's parking, entry and berthing, so equal conditions may be achieved in the future with regard to these types of maritime traffic.

4. Given that, in many cases, the costs of coastal vessels are higher than those of deep-sea vessels due to the fact that the ships are small in size and frequently technologically obsolete, the handling of the goods in coastal vessels is less efficient as a result of inadequate cargo packaging or poor level of unitization.

Tariff Legislation of ENAPOR, S.A. – Empresa Nacional de Administração dos Portos, S. A. (National Port Administration Company, public limited company)

CHAPTER 1 General Provisions

Article 1 Scope of Application

The National Port Administration Company, public limited company, hereinafter ENAPOR, S. A., will charge, within its jurisdiction, the fees set out in this document for the use of its facilities and equipment, the supply of goods or services involving its economic exploitation.

Article 2 Competence of the Board of Directors of ENAPOR, S.A.

Notwithstanding the situations listed in this document or defined by special legislation, The Board of Directors of ENAPOR, S.A., while respecting the competencies of the Regulatory Authority, is responsible for the following:

- a) Service supply by prior agreement
- b) Services performed outside the port area
- c) Services rendered in rescue operations, waste collection and treatment, assistance to ships in distress and fire on board and others of the same nature
- d) Advance fee payment due dates or advance payment bonds
- e) Resolution of particular cases not stipulated

Article 3 Definitions

Definitions of the terms in this Tariff Package are provided in an Annex for the purpose of application.

Article 4 Utilization of staff

1. These fees apply during normal business hours and always include the labour cost of the staff needed for performing the service.

2. When the staff is used beyond normal duties or hours by demand of the service requester or when required by the operations, a staff tariff will be applied according to the provisions of this regulation.

Article 5 Units of measurement

1. The applicable units of measurement are:

- a. Quantity: cargo unit;
- b. Mass: metric ton;
- c. Volume: cubic meter;
- d. Area: square meter;
- e. Length: linear meter;
- f. Time: hour, day, month and year;
- g. Capacity (gross tonnage, GT) and dimension of ships or vessels.

2. In cases where there is more than one unit of measurement, ENAPOR, S.A. will select the most suitable.

3. For the application of fees, the gross tonnage (GT), the overall length, the breadth and maximum draft of ships and vessels are outlined in the Gross Tonnage Certificate, issued in accordance with the International Convention on Tonnage Measurement of ships of 1969.

4. Except if otherwise stated, the units of measurement provided in this Tariff Legislation are indivisible and will be rounded up.

5. Direct measurements performed by ENAPOR, S.A. or any other authority recognized by ENAPOR, S.A. will prevail over those declared.

Article 6 Service requisition

1. The provision of services will be preceded by a requisition in accordance with the terms set out in the Cape Verde's Port Operation Regulation. The requesting parties are responsible for payment of all fees.

2. The norms and deadlines for request, alteration or cancellation of services and their possible penalties must meet the current Port Operation Regulations.

Article 7 Charging of fees

1. ENAPOR, S.A. may claim for advance payment, bank guarantee or bond insurance prior to any provision of services in order to safeguard the payment of the requested service.

2. In the case of overdue or unpaid invoices and risk of non-payment of services provided, ENAPOR, S.A. reserves the right to take whatever measures it deems necessary for the protection of credits, namely as follows.

3. On-going operations carried out by ENAPOR, S.A. may be interrupted and in the case of clearance of cargo, goods may be retained if the client has failed to make advance payment or has not provided the bank guarantee or bond insurance referred to above.

4. The value of the goods retained under the terms of the previous article must not exceed the amount of debt, except in cases of indivisible cargo, as in accordance with the law.

5. In accordance with the law, ENAPOR, S.A. may ask the competent authorities to not authorize the departure of any vessel whose owner or operator is responsible for overdue payments owed to ENAPOR, S.A. as long as they are not paid or secured by bank guarantee, bond insurance or any suitable guarantee.

6. The charging of fees may be entrusted to other authorities, under conditions to be determined by the Board of Directors of ENAPOR, S.A.

7. Fees may also be paid by third parties on behalf of the fee payer, under the legal terms.

8. In cases of enforced collection, a minimum fee determined by ENAPOR, S.A. will be added to the total invoice amount as an enforcement proceeding.

Article 8 Invoice claiming

1. Invoice claims must be submitted in writing with duly justified reason within 15 calendar days from the date of issue. Since the claims do not have suspensory effect, the full invoice amount should be paid within the due date, including the part that is the object of the claim.

1. If the due date of the invoice has expired, the amount will be subject to the legal interest rates for late payment.

CHAPTER 2 Ship entry, parking and berthing

Article 9 Entry and parking fees

1. The entry and parking fees are payable for the provision and use of systems with regard to the entry, parking and clearance of vessels, infrastructures used for ship and cargo operations and safety and environment protection, in accordance with the Port Operation Regulations.

2. The entry and parking fees are applicable to all ships and vessels calling the port, with the exceptions provided for in article 10.

3. The entry and parking fees are calculated per unit volume (m³), derived from the product of the overall length by breadth and maximum draft for indivisible period of 24 hours, as provided for in the following tables:

a) Coastal vessels

Up to 1,999.9 m ³	$(0,75 \times V^{0.98}) \times T$
Over 1,999.9 m ³	$(0,27 \times V^{0.98} + x \times 10^3) \times T$

b) Deep-sea vessels

Up to 6,999.9 m ³	$(V^{0.98} + 1 \times 10^3) \times T$
From 7,000.0 to 24,999.9 m ³	$(0,7 \times V^{0.98} + 3 \times 10^3) \times T$
Over 25,000.0 m ³	$(0,23 \times V^{0.98} + 4 \times 10^{3.5}) \times T$

V - The entry and parking fees are calculated per unit volume (m³), derived from the product of the overall length by breadth and maximum draft.

T - Indivisible period of 24 hours of a ship's stay in port in the period under review.

4. For determining the fee, time count begins when the ship enters the port and finishes when it clears the port.

Article 10 Exemptions and Reductions

1. The following vessels and ships are exempt from all entry and parking fees:

- a) Hospital ships
- b) Capeverdean Navy Ships
- c) Ships in international scientific, cultural and charity mission, when requested
- d) Tugboats and floating equipment serving the port
- e) Local traffic and coastal fishing ships, whose product of overall length by breadth by draft is under 45 m³
- f) Vessels calling exclusively for bunkering, provided that they have legal permission and match the port's equipment for service provision
- g) Ships for emergency response operations, when duly recognized by the Maritime and Port Authority.

2. Vessels calling exclusively for the supply of provisions, water, fuel, lubricants and spare parts for their own use or for crew changes will benefit from a 20% reduction.

3. Coastal vessels will benefit from a 50% reduction when they stay at the port for a period of 12 hours or less

**Article 11
Berthing fees**

1. The berthing fees are related to the use of quay and/or berth, in accordance with the port operation regulations.

2. The fees charged to ships berthed to the quay will be calculated using the following tables and formulae:

a) National coastal and shipping vessels

Up to 1,999.9 m ³	$(0,44 \times V \times 10^{0,5}) \times T$
From 2000 to 2,999.9m ³	$(0,21 \times 10^{0,5} \times V + 0,7 \times 10^3) \times T$
Over 3,000 m ³	$(0,16 \times 10^{0,5} \times V + 2 \times 10^3) \times T$

b) Deep-sea vessels

Up to 6,999.9 m ³	$(0,9 \times 10^{0,5} \times V + 0,5 \times 10^4) \times T$
From 7000 to 14,999.9 m ³	$(0,17 \times 10^{0,5} \times V + 2,2 \times 10^4) \times T$
From 15000 to 24,999.9 m ³	$(0,15 \times 10^{0,5} \times V + 2,3 \times 10^4) \times T$
Over 25,000.0m ³	$(0,12 \times 10^{0,5} \times V + 2,6 \times 10^4) \times T$

V - Volume (m³) derived from the product of the overall length by breadth and maximum draft

T - Indivisible period of 24 hours of a ship's stay in port in the period under review.

3. Domestic deep-sea vessels benefit from a 25% reduction.

4. Coastal vessels will benefit from a 50% reduction when they stay at the port for a period of 12 hours or less.

5. Ferries, ro-ro ships and any other ships exclusively used for passenger transport will benefit from a 20% reduction.

6. The berthing fee for cruise ships which have been in the port for the 365 days immediately prior to the calling date will benefit from the following reductions:

-10% from 3 to 6 calls

-20% - over 7 scales

7. The reductions listed above are not cumulative.

Article 12

Fees for Regular Service Ships

1. Passenger and cargo ferry-boats running regular services can be subject to a single fee for entry, berthing, parking, mooring and unmooring, when requested, calculated as provided for in the following tables:

a) Daily services

Ships (GRT)	Daily Service	Monthly fee
Up to 1,000.0	One daily service Two daily services	130,000.00 170,000.00
From 1,000.0 to 2,000.0	One daily service Two daily services	150,000.00 210,000.00
Over 3,000.0	One daily service Two daily services	190,000.00 270,000.00

b) Weekly services

Ships (GRT)	Daily Service	Monthly fee
Up to 1,000.0	Up to two weekly services Over two weekly services	80,000.00 110,000.00
From 1,000.0 to 2,000.0	Up to two weekly services Over two weekly services	120,000.00 160,000.00
Over 3,000.0	Up to two weekly services Over two weekly services	160,000.00 240,000.00

2. For the purpose of collecting the fees specified above, a travel itinerary is requested, including the departure and arrival schedule.

CHAPTER III

Port Use

Article 13

Port Use Tariff

1. Port use fees are payable for the provision and use of infrastructures involving ship, cargo and passenger operations, safety, inspections, control and environment protection, in accordance with the Port Operation Regulations.

2. Cargoes using the port are subject to single fees established according to cargo categories and types provided for in the following numbers.

3. Fees applied to cargo coming from or going to foreign ports:

Cargo category	Unit	Unloading	Loading	Transit	Transshipment	Shifting	
						from hold to hold (shifting)	Hold – quay - hold
Liquid bulk	Ton	114.00			68.00		
Solid bulk							
Grain	Ton	176.00	146.00		87.00	58.00	
Sand*	Ton ³	269.00					
Gravel and similar materials*	Ton ³	240.00					
Other cargo	Ton	218.00	218.00			87.00	131.00
General cargo							
Cement	Ton	229.00	229.00	229.00	137.00	92.00	137.00
Iron and similar materials	Ton	229.00	229.00	229.00	137.00	92.00	137.00
Maize, Wheat, Rice, Beans and Sugar (Bagged)	Ton	176.00	176.00	260.00	87.00	58.00	87.00

Cargo Category	Unit	Unloading	Loading	Transit	Transshipment	Shifting	
						from hold to hold (shifting)	Hold-quay-hold
Other goods	Ton/m³	176.00	176.00	260.00	87.00	58.00	87.00
Vehicles							
Motorcycles	U	1,135.00	1,135.00	735.00	441.00	294.00	441.00
Light vehicles	U	3,354.00	3,354.00	2,354.00	1,412.00	942.00	1,412.00
Other vehicles	U	5,315.00	5,315.00	4,815.00	2,889.00	1,926.00	2,889.00
Loaded vehicles	U	7,206.00	7,206.00	6,206.00	3,724.00	2,482.00	3,724.00
Loaded vehicles in ro-ro traffic	U	6,564.00	6,564.00	5,564.00			3,338.00
Empty vehicles in ro-ro traffic	U	3,354.00	3,354.00	2,354.00			1,412.00
Containers							
Loaded containers <= 20'	U	9,688.00	9,658.00	1,500.00	1,500.00	1,500.00	1,500.00
Loaded containers > 20'	U	13,672.00	13,672.00	2,250.00	2,250.00	2,250.00	2,250.00
Empty containers	U	4,230.00	4,230.00	1,000.00	1,000.00	1,000.00	1,000.00

4. Fees applied to cargo coming from or going to national ports:

Cargo Category	Unit	Unloading	Loading	Transit	Transshipment	Shifting	
						Transfer (from hold to hold)	Hold-quay-hold
Liquid bulk	Ton	84.00	84.00		34.00	34.00	
Solid bulk	Ton	84.00	84.00		34.00	34.00	
General cargo							
Cement	Ton	74.00	74.00	59.00	29.00	29.00	29.00
Iron and similar materials	Ton	74.00	74.00		29.00	29.00	29.00
Other goods	Ton/m³	42.00	42.00	34.00	17.00	17.00	17.00
Vehicles							
Motorcycles	U	105.00	105.00	84.00	42.00	42.00	42.00
Light vehicles	U	735.00	735.00	588.00	294.00	294.00	294.00
Other vehicles	U	1050.00	1050.00	840.00	420.00	420.00	420.00
Containers							
Loaded containers <= 20'	U	3,465.00	3,465.00	1,500.00	1,500.00	1,500.00	1,500.00
Loaded containers > 20'	U	5,168.00	5,168.00	2,250.00	2,250.00	2,250.00	2,250.00
Drums	U	11.00	11.00	11.00	11.00	11.00	11.00
Small livestock	Cattle head	32.00	32.00	32.00	32.00	32.00	32.00
Large livestock	Cattle head	300.00	300.00	300.00	300.00	300.00	300.00
Small volumes up to 50 kg.	U	32.00	32.00	32.00	32.00	32.00	32.00
Fuel containers							
<= 10 m³	U	483.00	483.00	386.00	210.00	210.00	210.00
> 10 m³ and <= 18 m³	U	1,680.00	1,680.00	1,344.00	672.00	672.00	672.00

5. Fees for loading and unloading of vehicles in roll-on roll-off traffic:

Vehicle	Unit	Fee
Motorcycles		250.00
Light vehicles/Jeeps	U	500.00
Dual use/utility vehicles ¹		750.00
Freight vehicles ²		1,300.00
Freight vehicles ³ and buses	U	1,700.00
Pesados e/ou atrelados para contentor <= 20'		2,200.00
Pesados e/ou atrelados para contentor > 20'	U	3,000.00
Self-propelled equipment and machinery		2,800.00

¹Double cab cars, including both flat bed and non pickup box types pickup and minibuses up to 30 seats.

²Flat bed freight vehicles, Toyota DINA 150 and similar models

³Flat bed freight vehicles, Toyota DINA 200 and similar models

- The figures included in the above table cover both the loading and unloading fee.

6. For vehicle transfer (ship-quay-ship) in ro-ro ships, 35% of the fees provided in this article will be charged.

7. Except as provided in the following numbers, cargo owners or their authorized representatives are responsible for the payment of the above fees.

8. In the case of containers whose contents are addressed to more than one recipient and for vehicles transported in roll-on roll-off and their cargo, the ship owners, agent or their representatives are responsible for the payment of the above fees.

9. In coastal traffic, the port use fee is charged to the carriers and their representatives and it must take place at the moment of issue of the shipping order and its payment.

Article 14

Exemptions and reductions

1. The following cargoes are exempt from the port use fee:
 - a) Passenger's luggage, including hand luggage, up to 50 kg per passenger
 - b) Full or empty mail bags and trunks
 - c) Fish and fishing nets and equipment belonging to fishing boats
 - d) Provisions and spare parts for the ship's own use
 - e) Empty standard 20' and 40' containers, used in coastal traffic
 - f) Scientific material for ships in scientific missions and materials used by official entities for the installation or conservation of signalling networks under their control
 - g) Cargoes addressed to charity organizations and coffins or funerary urns containing human remains

2. Empty fuel containers used by oil companies will benefit from a 50% reduction.

CHAPTER IV Goods traffic

Article 15 Fees of goods traffic

1. Goods traffic includes all services related to goods handling, namely loading, unloading, transit, transfer or transshipment within areas of jurisdiction of ENAPOR, S.A.

2. Any handling of goods within the areas under jurisdiction of ENAPOR, S.A. will be carried out in such manner as the Board of Directors deems appropriate, in accordance with the law.

3. Notwithstanding the provisions of the following number, the fees for goods handling include the labour costs of stevedore personnel and permanent land staff.

4. Additional labour costs derived from the use of staff beyond normal duties are the responsibility of the ship owner, agent or service requester.

5. The above costs are charged according to the table of stevedore and labour costs table provided in Annex 2, with an extra 20% charge for administration fees.

6. The labour costs of board staff are the sole responsibility of the ship owners, agents or service requester.

7. Except as provided in the following number, cargo owners or their authorized representatives are responsible for the payment of the above fees.

8. In coastal traffic, the fee for goods traffic is charged to the carriers and their representatives and it must take place at the moment of issue of the shipping order and its payment.

Article 16

Cargo coming from or going to foreign ports

A – NON-CONTAINERISED GOODS

1. The following fees will be applied to the goods loaded or unloaded in direct traffic.

Cargo category	Unit	Loading	Unloading
1. Solid bulk	Ton	540.00	540.00
1.1. Grains			
1.2. Inert materials	Ton/m ³	(1)	(1)
2. Bagged goods			
2.1. Maize, rice, beans and sugar	Ton	374.00	374.00
2.2. Wheat and cement	Ton	693.00	693.00
3. Iron and similar materials, including sheets	Ton	893.00	893.00
4. Wood	Ton/m ³	557.00	557.00
5. Motorcycles and motorized bicycles	U	1,575.00	1,575.00
6. Light vehicles	U	3,234.00	3,234.00
7. Other vehicles	U	9,409.00	9,409.00
8. Other goods	Ton/m ³	808.00	808.00

(1) To be determined according to the specific conditions of the operation

-The goods listed in sections 2 and 8 of the above table will benefit from a 10% reduction when palletized, pre-slung or unitized.

2. The following fees will be applied to the goods loaded or unloaded in semi-direct traffic.

Cargo category	Unit	Loading	Unloading
1. Iron and similar materials, including sheets	Ton	1,102.00	1,102.00
1.2. Wood	Ton/m ³	682.00	682.00

3. The following fees will be applied to cargo in transit, transferred and transhipped

6

Cargo Category	Unit	Transit	Transshipment	Shifting	
				(Shifting) from hold to hold	from hold to hold
1. Solid bulk	Ton		140.00	275.00	
1.1. Grains					
1.2. Inert materials					
2. Bagged goods					
2.1. Maize, rise, beans and sugar	Ton	771.00	129.00	193.00	771.00
2.2. Wheat and cement	Ton	1,640.00	298.00	447.00	1,789.00
3. Iron and similar materials, including sheets	Ton	1,940.00	353.00	529.00	2,117.00
4. Wood	Ton/m3	1,502.00	273.00	410.00	1,638.00
5. Motorcycles and motorized bicycles	U	3,240.00	1,080.00	1,350.00	3,240.00
6. Light vehicles	U	6,653.00	2,218.00	2,272.00	6,653.00
7. Other vehicles	U	19,354.00	6,451.00	4,838.00	19,354.00
Special goods, including non-bulk fuel	Ton/m3	1,640.00	298.00	447.00	1,789.00
8. Other goods	Ton/m3	1,423.00	259.00	388.00	1,552.00

4. All goods loaded or unloaded in indirect traffic regime will be subject to the following fees:

Cargo category	Unit	Loading	Unloading
1. Bagged goods			
1.1. Maize, rise, beans and sugar	Ton	643.00	643.00
1.2. Wheat and cement	Ton	1,491.00	1,491.00
2. Iron and similar materials, including sheets	Ton	1,764.00	1,764.00
3. Wood	Ton/m ³	1,365.00	1,365.00
4. Motorcycles and motorized bicycles	U	2,700.00	2,700.00
5. Light vehicles	U	5,544.00	5,544.00
6. Other vehicles	U	16,128.00	16,128.00
Special goods, including non-bulk fuel	Ton/m ³	1,491.00	1,491.00
8. Other goods	Ton/m ³	1,294.00	1,294.00

5. Vehicles and other goods transported in roll-on roll-off traffic will benefit from a 50% reduction on above fees.

- In the cases where mechanical and lifting devices, such as cranes, floating cranes and heavy forklifts are required for the handling of goods, due to its weight or dimensions, an extra fee will be added for the use of this equipment.

B - CONTAINERS

a) Ports of Praia, São Vicente, Sal and Boavista

1. The following fees will be applied to all containers loaded and unloaded off the ports of Praia, São Vicente, Sal and Boavista:

Cargo category	Unit	Unloading	Loading
<=20' loaded container	U	20,107.00	16,056.00
> 20' loaded container	U	31,629.00	23,834.00
Empty container	U	5,570.00	5,570.00

2. All containers transported in roll-on roll-off traffic will benefit from a 50% reduction on above fees.

3. The above fees only cover the following operations, not including the use of cranes or other gear:

- Containers to load:
Container receiving and unloading
Loading on vehicle and transport to the ship
Container loading onto the ship
- Containers to unload:
Container unloading from ship to offshore terminal
Transport from ship to yard
Container unloading at yard
Loading on vehicle for departure from the port

4. In authorized cases, direct loading and unloading of containers will be subject to the fees provided for in point 1.

5. The following fees will be applied to the containers transferred, transhipped and unloaded for later loading to other ports (in transit) when they do not leave the port during their stay and that their cargo does not need to be handled.

Container	Unit	Transit	Transshipment	Shifting	
				Shifting (from hold to hold)	Hold - quay-hold
<= 20' loaded container	U	7,000.00	3,095.00	3,250.00	5,400.00
> 20' loaded container	U	10,000.00	4,552.00	3,800.00	6,525.00
Empty container	U	5,300.00	2,400.00	2,400.00	3,480.00

6. All containers transported in roll-on roll-off traffic will benefit from a 50% reduction on the above fees while containers in transit not loaded and unloaded in roll-on roll-off will benefit from a 35% reduction of these fees.

b) For the other ports of Cape Verde:

1. Direct traffic

Container	Unit	Unloading	Loading
<=20' loaded container	U	12,067.00	10,635.00
> 20' loaded container	U	19,243.00	16,951.00
Empty container	U	4,100.00	4,100.00

2. Indirect traffic

Container	Unit	Unloading	Loading
<=20' loaded container	U	23,267.00	20,017.00
> 20' loaded container	U	36,930.00	31,967.00
Empty container	U	5,600.00	5,600.00

3. The following fees are applicable to all containers in transit, shifted and transferred

Container	Unit	Transit	Transshipment	Shifting	
				Shifting (from hold to hold)	Hold - quay-hold
<= 20' loaded container	U	7,000.00	4,095.00	5,250.00	8,400.00
> 20' loaded container	U	10,000.00	6,552.00	9,030.00	11,025.00
Empty container	U	5,300.00	5,560.00	5,544.00	5,744.00

4. In cases of containers in transit and indirect traffic, an additional fee will be charged for the use of lifting equipment for moving them.

5. The above loading and unloading fees are also applicable to goods coming from or going to foreign ports in transit or transhipped in other ports of the country.

6. In the case of containers whose contents are addressed to more than one recipient and for vehicles transported in roll-on roll-off and their cargo, the ship owners, agent or their representatives are responsible for the payment of the above fees.

Article17**Cargo coming from or going to national ports**

1. The fees listed below cover the following operations:

a) Unloaded goods

Vertical cargo handling from the ship to the vertical quay wall by the ship's crane.

b) Loaded goods:

Vertical cargo handling from the vertical quay wall to the ship by the ship's crane.

2. When goods are removed from other location other than the vertical quay wall, the fee will be subject to a 30% surcharge.

3. The above fees for goods and containers in transit will be surcharged with the fee for the use of equipment for handling them from or to the vertical quay wall or for storage and stocking.

A - CONTAINERS

1 - The following fees are applicable for container loading, unloading, transit and transshipment:

Cargo category	Unit	Unloading	Loading	Transit	Transshipment
<=20'	U	7,035.00	7,035.00	5,720.00	3,255.00

loaded container					
> 20' loaded container	U	10,552.00	10,552.00	8,080.00	5,208.00
Empty container	U	2,220.00	2,220.00	2,900.00	1,300.00

2 - The following fees are applicable for container transfer:

Container	Unit	Transfer	
		Shifting (from hold to hold)	Hold - quay-hold
<= 20' loaded container	U	3,150.00	5,250.00
> 20' loaded container	U	5,040.00	8,400.00
Empty container	U	1,400.00	2,000.00

B. NON-CONTAINERISED GOODS

1. Fees applicable to loading and unloading:

Cargo category	Unit	Unloading	Loading
1-Bagged goods*			
1.1 Cement	Ton	402.00	402.00
1.2 Wheat	Ton	402.00	402.00
1.3 Other foodstuffs	Ton	350.00	350.00
2-Motorcycles	U	900.00	900.00
3-Light vehicles	U	2,260.00	2,260.00
4-Other vehicles	U	5,040.00	5,040.00
5-Special goods including non-bulk fuel	Ton/m ³	418.00	418.00
6-Other goods*	Ton/m ³	350.00	350.00
7.1 Loaded drums	U	105.00	105.00
7.2 Empty drums	U	42.00	42.00
8-Small volumes up to 50kg	U	105.00	105.00
9-Livestock			
9.1 Large	Cattle head	300.00	300.00
9.2 Small	Cattle head	50.00	50.00

§ The goods referred to in numbers 1, 5 and 6 of this regulation will benefit from a 20% reduction whenever palletized, pre-slung or unitized in any way.

2. The following fees shall be charged for cargo in transit, shifting and transshipment:

Cargo category	Unit	Transit	Transshipment	Shifting	
				Hold/hold	Hold/quay/hold
1-Bagged goods					
1.1 Cement	Ton	684.00	201.00	201.00	764.00
1.2 Wheat	Ton	684.00	201.00	201.00	764.00
1.3 Other foodstuff	Ton	595.00	175.00	175.00	665.00
2-Motorcycles	U	1,350.00	450.00	450.00	1,530.00
3-Light vehicles	U	3,390.00	1,130.00	1,130.00	3,842.00
4-Other vehicles	U	7,560.00	2,520.00	2,520.00	8,568.00
5-Special goods including non-bulk fuel	Ton/m ³	684.00	201.00	201.00	764.00
6-Other goods	Ton/m ³	595.00	175.00	175.00	665.00
7.1 Loaded drums	U	1,350.00	450.00	450.00	1,530.00
7.2 Empty drums	U	3,390.00	1,130.00	1,130.00	3,842.00
8-Small volumes up to 50 kg	U	7,560.00	2,520.00	2,520.00	8,568.00
9-Livestock	Cattle head	684.00	201.00	201.00	764.00

§ The goods referred to in points one, five and six of this regulation will benefit from a 20% reduction when palletized, pre-slung or unitized in any way.

C-SPECIAL CONTAINERS HANDLED BY OIL COMPANIES:

1- Fees applicable to loading, unloading, transit and transshipment.

Container		Shifting	Loading	Transfer	Transshipment
<= 10m³ loaded	U	1,155.00	1,155.00		528.00
> 10m³ and <= 18m³ loaded	U	3,675.00	3,675.00		1,787.00
<= 10 m³ empty	U	483.00	483.00		210.00
> 10m³ and <= 18m³ empty	U	1,838.00	1,838.00		840.00

2- Fees applicable to shifting operations.

Container		Hold/Hold Shifting	Hold/quay/hold
<= 10m³ loaded	U	441.00	945.00
> 10m³ and <= 18m³ loaded	U	1,470.00	3,045.00
<= 10 m³ empty	U	210.00	609.00
> 10m³ and <= 18m³ empty	U	840.00	1,890.00

Article 18 Fish handling tariff

1. Fish handled in port in direct traffic regime is subject to the payment of the following fees:

	Unit	Loading	Unloading	Transshipment
Bulk fish	Ton	1,911.00	1,911.00	210.00
Packaged fish	Ton	1,529.00	1,529.00	210.00

2. Fish unloaded from fishing vessels and immediately containerised for later embarkation shall pay a single fee of 28,870.00 per 20-foot container and 44,048.00 per 40-foot container.

3. The fee referred in 2 above cover the following operations:

- Handling of empty container to vessel's side;
- Unloading of fish and its placing into container;
- Removing of loaded container to a storage in port;
- Embarkation of a loaded container.

4. The fee referred in number 2 above is also applicable to unloading of containerized provisions and baits for later embarkation on fishing vessels.

CHAPTER V Passenger traffic

Article 19 Passenger traffic tariff

1. A fee of 30.00 shall be paid per each boarded passenger.

2. Passenger service fee shall be billed directly to the carriers or their representatives; the fee must not be charged separately from the act of the ticket issuing or ticket payment.

3. The following passengers are exempt from payment of the passenger service fee:

- a) Passengers in direct transit;
- b) Children under 2 years old.

CHAPTER VI Towage

Article 20 Tugboat assistance

1. The towage fees are charged for services provided to vessels and ships in the following manoeuvres: entering and mooring or anchoring, let-go or lift and clear; tying to and untying from buoys; shifts; tests; anchoring or lift; moving alongside the quay or other berthing structure.

2. The fees are charges per tugboat according to time and per class of gross tonnage as follows:

Vessel's Gross Tonnage (GT)	Escudo/Tugboat/Hour
Less than 2,000	12,636.00
From 2,000 to 4,999	18,954.00
From 5,000 to 9,999	26,536.00
From 10,000 to 29,999	37,150.00
From 30,000 to 49,999	52,010.00
More than 50,000	72,814.00

3. Unless otherwise specified, all vessels whose gross tonnage equals or is over 2,000 shall compulsorily use tugboat assistance when carrying out manoeuvres listed in number 1 above.

4. The fees outlined in number 2 above will increase 30% on the workdays in the period from 0.00 to 08.00 a.m. and from 18.00 to 24.00 p.m. and 50% on Saturdays, Sundays and holidays.

5. If the service is cancelled or altered without advance warning of at least two hours before the due time, a cancellation or alteration fee equivalent to the 50% of the fee applicable to a manoeuvre and gross tonnage class according to each particular case shall be charged. If a manoeuvre is cancelled after the due time of the operation, the fee shall be charged as if it has been carried out.

6. If the tugboat is ready for the operation and the service does not get started until sixty minutes after the time it has been requested, a fee equivalent to 50% of the one applicable to a given gross tonnage class shall be charged for each delay hour or its fraction.

7. The services that exceed one hour shall be charged for periods of indivisible half hour according to the fee established hereinabove in number 2.

8. The fees outlined in number 2 will increase 50% whenever the vessel carries out the operation using exclusively the tugboat bollard pull.

9. For the use of tugboats in other operations not mentioned hereinabove, as well as during the periods in which they are awaiting orders, the fees established in article 26 of this Tariff Legislation shall be applied.

10. The number of tugboats to be used according to vessel gross tonnage and the conditions of use shall be the object of specific regulations.

Article 20 Time counting

1. For the purpose of application of the tugboat tariff, the time count shall begin at the moment in which the equipment arrives at the location where the service is to be provided.

2. The counting of time may be interrupted due to breakdown, lack of fuel or due to other causes that ENAPOR S.A. shall deem as hindering for the equipment to work.

CHAPTER VII Mooring and unmooring

Article 22 Mooring and unmooring tariff

1. The mooring and unmooring tariff is payable for the services provided to the vessel such as: mooring, unmooring, moving alongside the quay, and others that involve substitution of cables as well as providing access to the vessel, to its equipment and the use of barge for launching of cables when scheduled or requested.

2. The mooring and unmooring tariff is established for each type of service according to the gross tonnage (GT) of vessel and per operation carried out within the period of 2 (two) hours, in line with the following table:

Vessel's Gross Tonnage (GT)	Mooring and unmooring and moving alongside the quay	
	Without barge	With barge

Less than 2,000	1,420.00	6,302.00
From 2,000 to 9,999	2,130.00	7,102.00
From 10,000 to 29,999	2,307.00	7,303.00
More than 30,000	2,662.00	7,703.00

3. The fees outlined in two above will increase 50% on workdays in the period from 0.00 a.m. to 08.00 a.m. and from 18.00 p.m. to 24.00 p.m. and 100% on Saturdays, Sundays and holidays.

4. If the mooring, unmooring and moving alongside the quay service is cancelled or altered prior notice of at least two hours before the due time, a cancellation or alteration fee equivalent to the 50% of the fee applicable to the manoeuvre and gross tonnage class according to each particular case shall be charged.

5. If a manoeuvre is cancelled after the due time of the operation, the fee shall be charged as if it has been carried out.

6. If the staff is present and the mooring service does not get started until sixty minutes after the time it has been requested, or 30 minutes after the due time in case of unmooring, a fee equivalent to 50% of the one applicable to the given gross tonnage class shall be charged for each delay hour or its fraction.

7. If the staff remains carrying out mooring and unmooring for longer than two hours counted since the beginning of the operation, an additional fee equivalent to 50% of the one applicable to a given gross tonnage class shall be charged for each hour or its fraction.

CHAPTER VIII Pilotage

Article 12 Pilotage Tariff

1. The pilotage tariff is payable by ship owners or their legal representatives for the services provided to the vessel by the components of the pilotage system of shipping operations, at the entry, clearance and inside the port or in the surrounding area, including its availability and use, in accordance with the current Regulation.

2. The pilotage fees are charged for services provided to a vessel in manoeuvres such as: entering and mooring or anchoring, unmooring and anchoring, unmooring and clearance, lifting and mooring, lifting and clear.

3. Entry and mooring service, or entry and anchoring, is a set of movements and manoeuvres performed by a vessel from the moment that, outside the port area, it starts approaching manoeuvres until the mooring manoeuvre is finished at the designated site.

4. Unmooring and clear service, or lifting and clear, is a set of movements and manoeuvres performed by a vessel from the moment it starts the operation until it reaches the outer limit of the port.

5. The pilotage service fees are as follows:

Mooring/unmooring	Foreign vessels	National vessels	Fishing vessels
Vessels up to 3,000 tons	43,178.00	22,178.00	13,756.00
Vessels of more than 3,000 tons	54,828.00	25,703.00	16,028.00
Entry and clearance (anchored)	19,878.00/Operation		

6. Each service referred to in the above numbers includes costs of the pilot's transportation from the station to the vessel/ship and return.

CHAPTER IX Storage

Article 24 Storage tariffs

1. The storage tariff is payable for the services provided to cargo, namely the occupation of uncovered and covered areas, depots and embankments within the port jurisdiction and management.

2. The following fees are charged per tonne and indivisible day period for storage of cargoes in uncovered and covered areas, embankments and warehouses, without affecting what has been stipulated in numbers 3 and 4:

Type of storage	Storing period				
	First 5 days	From the 6 th to the 15 th day	From the 16 th to the 30 th day	From the 31 st to the 60 th day	On the 61 st day and following
Uncovered	Free	8.00	13.00	21.00	42.00
Covered on embankment (depot or shed)	Free	17.00	26.00	42.00	104.00
Covered in warehouse	Free	21.00	36.00	73.00	170.00

3. The following fees are charges for storage of containers on embankments, parks and terminals, per unit and indivisible day:

a) Loaded containers

Time of storage	Container <= 20 feet Loaded	Container >20 feet Loaded
First 5 days	Free	Free
From the 6 th to the 15 th day	208.00	208.00
From the 16 th to the 30 th day	364.00	473.00
From the 31 st to the 60 th day	520.00	676.00
On the 61 st day and following	881.00	1,149.00

b) Empty containers

Storing period	Container <= 20 feet Loaded	Container >20 feet Loaded
First 5 days	Free	Free
From the 6 th to the 30 th day	45.00	76.00
On the 31 st day and following	52.00	88.00

4. The following fees are charged for storage of vehicles on embankments, parks and terminals, per unit and indivisible day:

Vehicles	Storing period				
	First 5 days	From the 6 th to the 15 th day	From the 16 th to the 30 th day	From the 31 st to the 60 th day	On the 61 st day and following
Light vehicles	Free	73.00	146.00	240.00	328.00
Heavy vehicles	Free	102.00	204.00	336.00	458.00

5. For storage of motorcycles a 50% reduction of the above fees for light vehicles will be applied.

6. For storage of small non-commercial cargo volumes weighing up to 200 kg, namely, drums, boxes and parcels, the following fees are charged per unit:

Storing period	
First 5 days	Free
From the 6 th to the 30 th day	200.00

On the 30th day, a fee of 100.00 for every 30 days of storage in the port or warehouse shall be charged.

7. For the purpose of this tariff application, time count begins on the day of unloading of the goods or on the day of its reception and storing and ends on the day in which it is carried away or shipped. In case of storage transfer, time count is considered to be continuous.

8. The goods in transit will benefit from a 50% reduction.

9. In case of storage in the roll-on/roll-off terminals the fees outlined in the above numbers will be doubled, without the right to exemption, being the first storing period fee applicable to the exemption period.

10. Whenever the delivery of the goods (with exception of containers) shall require the use of equipment such as: cranes, floating cranes and heavy fork

lifters given the size and the weight of the merchandise, the fees applicable for the use of this equipment shall be charged.

11. Moreover, ENAPOR S.A. reserves the right to move to the second tier parks all containers and import cargoes that remain in the port for the period longer than 30 days.

12. In the above case, the additional costs of transport to the second tier parks as well as the costs of handling and storage in the port and in the second tier parks shall be charged in the moment of cargoes delivery to the consignees or their legal representatives.

13. ENAPOR S.A. may store special goods under conditions to be fixed. The fees shall then be charged per tonne according to the cargo category, the type of storage space and the storage time.

14. The fees to be applied as stipulated in the previous number may vary according to the type of storage and the category and type of cargo, as per the present Tariff Legislation.

15. For the purpose of tariff application, the taxable persons are owners of the cargoes, consignees or their legal representatives or other requesting entities.

CHAPTER X Use of equipment

Article 25 Tariffs for use of equipment

1. The tariff for use of equipment shall be charged for services provided to the cargo or vessel, for the use of maritime manoeuvring and transport equipment, land manoeuvring and transport equipment and other equipment used to support traffic of ships, cargoes and passengers in the port.

2. For the purpose of tariff application, the time count for the land equipment begins the moment the equipment is made available to the requesting party or leaves the base and ends when it is freed and returned back to its starting point.

3. The time count for the maritime equipment begins the moment the equipment is made available to the requesting party or leaves the base and ends when it is freed and returned back to its starting point.

4. The time count may be interrupted in case of breakdown, power failure or due to other causes that ENAPOR S.A. shall consider as hindering for the equipment to work.

5. 'On demand equipment' shall be overcharged with the fee corresponding to the 50% of the regular fee.

Article 26 Maritime manoeuvring and transport equipment

1. The following fees shall be charged for the use of maritime manoeuvring and transport equipment as well as for the use of facilities and structures assigned to such equipment per unit and indivisible time period, according to type:

Type of equipment	Fee
Tugboats	
Up to 500Hp	6,643.00
From 500 to 999 Hp	9,492.00
From 1,000 to 1,999 Hp	12,636.00
Over 2,000 Hp	39,000.00
Launches	5,877.00
Floating cranes	10,236.00
Removable fenders	7,000.00/24 hours

2. For servicing outside the port area, the fees above shall increase 50%.

3. The fee of 3,000.00 per fender and per operation shall be charged for the transport of Yokohama type floating fenders.

4. The fees outlined in the previous numbers will increase 30% on workdays in the period from 0.00 to 08.00 a.m. and from 18.00 to 24.00 p.m. and 50% on Saturdays, Sundays and holidays.

Article 27

Land manoeuvring and transport equipment

1. The following fees shall be charged for the use of land manoeuvring and transport equipment as well as for the use of facilities and structures related to this equipment, per unit and per indivisible time period, according to its type:

Type of equipment	Fee per Unit	Unit
Cranes		
≤15 t of lifting force	10,000.00	/hour
≤25 t of lifting force	15,000.00	/hour
>25 t	20,000.00	/hour
Fork lifters		
≤3 t	2,024.00	/hour
≤10 t	6,134.00	/hour
≤25 t	7,977.00	/hour
>25 t	10,544.00	/hour
Other land equipments		
Tractor < 100 HP	1,385.00	/hour
Tractor ≥ 100 HP	4,617.00	/hour
Trailers		
≤ 20 t	596.00	/hour
≤30 t	1,193.00	/hour
>40 t	2,386.00	/hour
Unloading and loading devices		
Vehicle	426.00	/hour
Containers and heavy weights	1,278.00	/hour
Other devices	149.00	/hour

2. Staff expenses according to article 34 of the present Tariff Legislation shall be added to the fees outlined above for the land equipment service provided outside normal working hours.

3. Bascules

a) A fee of 200.00 shall be charged for each complete operation of tare and cargo weighing.

b) Whenever the weighing operation shall involve a totality of merchandise coming from or going to the same vessel, in direct unloading or loading, without parking or storing in the port, a fee of 10.00 per each weighed tonne of cargo (minimum of 100 tonnes) may be applied upon request.

Article 28

Equipment for unloading and transport of bulk cereals

1. A fee of 204.00 per tonne shall be charged for the use of equipment for unloading and transport of bulk cereals to a silo (claws, hoppers, hold fork lifter and tractor with wagon).

2. A fee of 93.00 per tonne shall be charged for use of claws, hoppers, and hold fork lifter in unloading of bulk cereals.

3. A fee of 111.00 per tonne shall be charged for use of equipment for transporting bulk cereals.

Article 29

Use of equipment for handling containers

1. A fee of 1,785.00 per container shall be charged for each container movement on the quay or in the park by using fork lifters and for unloading from or loading on a vehicle.

2. A fee of 2,300.00 per container shall be charged for each container movement for embarkation and that for reasons beyond ENAPOR, S.A. responsibility have to return back to its storing place.

Article 30

Changes and cancellations

1. ENAPOR, S.A. may authorize cancellation of a requisition or postponing of the set time for the beginning of the operation free of charge for a client as long as at least 4 hours prior notice is given within normal working schedule.

2. Cancellation of hiring equipment after the set time referred to in number 1 above will be charged as two hours 'on demand equipment' use.

3. Change or postponing of set time for the beginning of the operation after the time referred to in number one above will be charged as one hour 'on demand equipment' use.

4. If the equipment is requested but not used or if delay occurs at the beginning of an operation, service shall be considered 'on demand'.

CHAPTER XI Occupation of buildings and grounds

Article 31 Building and grounds occupation tariff

1. The following fees shall be charged for the use of buildings and grounds within the port management area:

Description	Unit	Fee
Occupation of warehouses	m ² /month	280.00
Occupation of grounds		
-for industrial premises	m ² /month	180.00
-for offices and commercial premises	m ² /month	260.00
-for warehouses	m ² /month	130.00
Other	m ² /month	180.00

2. The following fees shall be charged for the use of buildings and grounds outside the port management area:

Description	Unit	Fee
Occupation of warehouses	m ² /month	280.00
Occupation of grounds		
-for industrial premises	m ² /month	80.00
-for offices and premises	m ² /month	120.00
-for warehouses	m ² /month	60.00
Other	m ² /month	100.00

3. The fees for the occupation of buildings for offices and commercial premises shall be awarded directly accordingly to market conditions.

Article 32 Licensing

1. An annual fee of 176,000.00 is due for the concession of licence for use of fuel handling premises. An annual fee of 23,200.00 is due for each fuel outlet.

2. The following fees (per meter and calendar year) are payable for installation of cables, pipes, gutters, and power wires:

- a) external diameter < 25 cm:
 - 350.00/m/year
- b) external diameter ≥ 25 cm
 - 430.00/m/year
 -

4. For each post or support – 220.00/year

5. Repairs of berthed vessels:
 - vessels duly authorized by ENAPOR, S.A. to be repaired shall be charged a fee of 1.00 per cubic meter of occupied area per day, being the volume of the occupied area obtained by the product of ship overall length by breadth by maximum draft.

CHAPTER XII Supplies

Article 33 Supplies tariff

1. The supply tariff is payable for the provision of human resources and consumables, including the service inherent to the nature of each supply to port users.

2. For each type of supply fees shall be charged in accordance with the nature and quantity of the supplies.

Article 34 Staff supply

1. The fees referred to in Annex 2 shall be charged for staff supplies for the services whose tariff do not include such supply, as well as for the use of staff for goods handling or for other services outside normal working hours including their going to the operation site and returning to their post. These are expressed in escudos per person/hour according to his/her professional qualifications.

Article 35 Electric power and water supply

1. A unitary fee consisting of the supplier's sale price plus 20% and subject to a minimum supply of 100 Kwh shall be charged for supplying electric power to temporally berthed vessels including connecting and disconnecting operations and the use of meters.

2. A unitary fee of 115.00 per container and indivisible hour shall be charged for supplying electric power to freezing containers. In case of unloaded containers destined for the internal market, this shall increase in 25% after the first five days.

3. Whenever there are meters available, a unitary fee consisting of the supplier's sale price plus 20% and subject to a minimum supply of 50 Kwh may be applied.

4. A unitary fee consisting of the supplier's sale price plus 20% and subject to a minimum supply of 5m³ shall be charged for supplying water to temporally berthed vessels through quay located outlet devices, including connecting and disconnecting operations and the use of meters.

5. In case of supply outside normal business hours, extraordinary staff expenses charged according to article 32 of the present Tariff Legislation shall be added to the rates outlined above.

CHAPTER XIII Entry in the port premises

Article 36 Tariff for entering the port premises

The entry into the port premises shall be authorized when necessary and subject to a fee established by the Board of Directors.

CHAPTER XIV Miscellanea

Article 37 Other types of service and supply

1. Stripping and stuffing of containers:

- A fee of 460.00/tonne shall be charged for container stripping and stuffing.
- In case of stripping with immediate placing on a vehicle the above referred fee shall be reduced in 15%.
- In case of special goods, the aforementioned fee shall increase in 40%.

2. A fee of 500.00 shall be charged for issuing a certificate.

3. The following fees shall be charged for personal belongings, packages and other goods subject to previous exam:

Miscellaneous cargo 1,560.00/tonne

Drums with cargo 500.00/tonne

Boxes and volumes up to 100 kg..... 400.00/unit

The aforementioned fees include all operations related to inspection, supervision and custom office examination.

4. The following fees are payable for the solid waste collection and transport to the quay:

Up to 3 m ³	8,000.00
From 5 to 10 m ³	12,000.00
More than 15 m ³	18,000.00

5. For the services provided by the Fire Brigade a unitary fee composed of the regular fee plus 20% shall be charged.

6. ENAPOR, S.A. may provide services outside its normal range of activities, as long as they do not collide with the company's statutes, being the respective fees awarded directly.

7. ENAPOR, S.A. may also, at a client request, provide services and supply goods and consumables materials which are not referred to in its regulations. Those will be overcharged in 20%.

Article 38 Infractions and penalties

1. Offenders shall be subject to applications of the following sanctions or fines whenever carrying out unauthorized operations or operations violating the regulations:

- delay in leaving berth (after second hour): 5,000.00/hour
- unauthorized ship's side cleaning: 30,000.
- unauthorized starting or stopping of the machines: 50,000.
- For other infringements of the Port Regulation Legislation and the present Tariff Legislation not mentioned and that are within the competence of the Board of Directors, the fine will be set between 20,000 and 100,000.

2. ENAPOR, S.A. shall proceed with damage assessment whenever these are caused to ENAPOR's or third parties' property and assets. The sums payable by those accountable for such damages shall be added to the overall compensation due for premises and equipment unavailability.

CHAPTER XVI Entry into force

Article 39

The present Tariff Legislation shall come into force on the 1st of January, 2013.

CHAPTER XVI Final and transitional dispositions

Article 40

Entry and mooring tariff for fishing vessels

The deep-sea fishing vessels berthed in port and awaiting orders will benefit from a 50% reduction of entry, mooring and parking fees as long as the situation continues and is authorized.

ANNEX 1

For the purpose of the present Tariff Legislations the following terms shall be understood as:

Shifting: movement of cargoes for matter of convenience, within the ship or from the ship to the quay and the later embarkation on the same ship.

Quay: Facilities and structures for mooring vessels, including the adjacent embankment and road network, fenders, bollards and auxiliary power and fluid systems installed there.

Cargo in transit: All cargo unloaded from a vessel to shore and later loaded onto another vessel, without suffering any alteration whatsoever during the stay in port.

Cargo in transshipment: All cargo unloaded and immediately embarked on another ship, without being brought ashore, being the ships parked offshore or moored.

Consignor: Cargo owner or his representative, who is a part in a transportation contract.

Unitised cargo: designation of cargo units conditioned inside a container, in metal boxes, pallets, or in pre-slung units.

VESSELS:

- **Passenger ships:** vessels classified as for passenger transportation;

- **Roll-on and roll-off ships:** vessels classified as *Ro/Ro* and *car-ferry*.

Coastal ships: vessels that operate in an area whose limits are established by the Ordinance 31/2001, i.e. between parallels 10° N and 30° N and the meridian 25°25' W to the African coast.

Deep-sea ships: vessels that operate without area limit.

TRAFFIC OPERATIONS:

Direct traffic: whenever goods are transferred directly from a ship to another means of transport that will carry them outside the port or vice-versa, without coming into contact with the quay;

Semi-direct traffic: Whenever goods are unloaded from ship onto quay and then loaded onto another means of transport that will carry them outside the port or vice-versa;

Indirect traffic: Whenever goods are unloaded from ship onto quay and then transferred to cover or uncovered storing places to be later put on another means of transport that will carry them outside the port or vice-versa.

Receiver: Cargo owner or consignee, who is a part in a transportation contract;

Solid waste: a set of predominantly solid materials, of a domestic, operational or packaged type, excluding fresh fish or fish parts, produced during regular operations of a vessel, outlined in Annex V of MARPOL 73/78 and classified in accordance with the law.

Active subject: an entity that in a legal and tax relationship receives the fee payment.

Taxable person: an entity that in a legal and tax relationship is obliged to pay the fees.

Tariff: The set of rules that determine the fees and their application.

Fee: the price payable for public services.

Gross tonnage (GT): the sum of the internal volumes of all closed and covered spaces that are located above or below the deck, converted into Moorson tons, i.e. 2.832 m³ or 100 cubic feet, according to the International Convention on Tonnage Measurement of Ships of the 23rd of June 1969.

VEHICLES:

- **Light vehicles:** include all light vehicles and their respective trailers;
- **Other vehicles:** include all heavy vehicles and their respective trailers or semi-trailers;
- **Vehicles with cargo:** shall include all vehicles hereinabove and the cargo transported by them, regardless of their nature and quantity.

Classification of goods according to their presentation:

1. According to their presentation, goods are classified into general cargo or conventional cargo and bulk goods;
2. General cargo or conventional cargo is fractioned or loose whenever it is presented loose, unpacked or not in packages;
3. General or conventional cargo is unitised whenever it is packaged in units with special characteristics and of uniform dimensions such as metallic boxes or containers, on trailers, pallets or pre-slung, aiming at its efficient handling by mechanical means.
4. Bulk goods are those that, having uniform characteristics, cannot be counted up and therefore are not packaged.

Classification of goods according to their nature:

1. With regard to their nature, goods are classified into normal and special goods.

2. Therefore:

- a) Normal goods are those that do not require special precautions to be handled or stored;
- b) Special goods are those that require special precautions during handling and storage, due to their nature and value or potential impact.

1. Special goods are classified into:

- a) Perishable goods - those that may deteriorate easily;
- b) Disturbing goods - those that may cause environmental problems;
- c) Noxious goods - those that may cause physical, material or health damage;
- d) Dangerous goods - those that may cause explosion, fire, corrosion or contamination;
- e) Valuable goods - those that may be object of criminal action, namely theft or robbery.

CONTAINERS

1. A container is a means used for packaging goods for transport and that fulfils the following requirements:

- a) It is a totally or partially closed compartment for carrying goods;
- b) It has a permanent and sufficiently resistant character as to be used multiple times;
- c) It is specially designed to facilitate transport of goods by one or several means of transport, without intermediary loading;
- d) It is built in such a way as to be handled easily, particularly when transhipped from one means of transport to the other;

e) It is easily loaded and emptied;

f) Its interior volume is at least 1m³.

2. The definition of container includes its respective accessories and equipment according to its category, as long as they are transported together, and it does not include either a vehicle, respective accessories or separate parts, or packaging.

3. Cargo platforms shall be treated as containers.

STORAGE

1. Storage shall mean depositing goods either containerised or not, placed or not on vehicles, quays, embankments, warehouses and port sheds as follows:

Covered storage – whenever goods are put in a warehouse or depots or any other kind of covered area where they are protected from adverse atmospheric conditions;

Uncovered storage – whenever goods are stored in other places with different characteristics than those described above.

EQUIPMENT

1. Land equipment

Land equipment are machines, devices and utensils to be used ashore by ships, containers, goods and passengers in their handling in port.

2. Maritime equipment

Maritime equipment are vessels, machines, devices and tools used in manoeuvring and transport by ships, goods and passengers.

ANNEX 2

The following fees shall be charged for supplying staff:

PROFESSIONAL QUALIFICATION	Monday-Friday		Saturdays, Sundays and holidays	
	08.00 to 18.00	00.00 to 08.00 and from 18.00 to 24.00	08.00 to 18.00	00.00 to 08.00 and from 18.00 to 24.00
Operational Head Staff	600.00	810.00	1,094.00	1,367.00
Equipment operators	420.00	567.00	765.00	957.00
Skilled workers and maritime operating staff	410.00	554.00	747.00	934.00
Auxiliary staff	300.00	405.00	547.00	683.00

Maritime and Port Institute Board of Directors, Mindelo, January 18th, 2013 –
José Manuel Neves Fortes, President.