

Port of Esbjerg · Rates & Conditions of Trade 2010





Port of Esbjerg

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Port Control

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“Port of Esbjerg - Rates and Conditions Of Trade 2010” shall precede over any standard conditions of the contracting parties of the Port. Conditions deviating from the present conditions shall apply only subject to prior explicit agreement with the Port of Esbjerg.

“Port of Esbjerg - Rates and Conditions Of Trade 2010” are available in Danish and English. In case of differences between the Danish and the English texts, the Danish text shall apply.

All prices and amounts are quoted exclusive of Danish VAT and other taxes and may be changed at no prior notice.

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1. PARTICULARS AND DOCUMENTATION

Immediately upon departure, the master or the agent of the ship shall submit the ship's manifest to the Port for calculation and collection of dues.

If so requested, the master or the agent of the ship shall also submit to the Port such particulars regarding the ship, its passengers and cargo-including means of transport, containers etc. - as may be required for statistical purposes.

2. SHIP DUES

All ships, vessels and any other floating construction shall be obliged to pay ship dues for using the Port or the fairways leading to the Port.

The obligation to pay ship dues is incumbent on the ship. Ship dues are calculated on the basis of GT according to the tonnage certificate of the ship.

Special rates apply for drilling rigs, cf. Section 2.2 below.

At the option of the ship owner ship dues shall be payable either way:

- a. for each single call, for each period of 7 calendar days. DKK 3.00 per GT
 However, minimum DKK 200.00 per call.
- b. as monthly dues (min. 300 GT) DKK 7.49 per GT

The monthly dues are payable in advance and entitle the ship to an unlimited number of calls within the calendar month concerned.

2.1 Approved Lines

As for approved lines, the following percentages of ship dues calculated per call shall be refunded annually in arrears:

6 - 12 calls:	45%
13 - 24 calls:	55%
25 - 48 calls:	65%
49 - calls:	75%

Ro/Ro lines: 90%

Application for refund must be submitted for one calendar year at a time and not later than on February 1 of the following year.

2.2 Drilling Rigs

For drilling rigs dues shall be payable as follows: DKK 1.70 per GT per day

2.3 Passenger Dues

For passengers embarking or disembarking within the area of the Port passenger dues shall be payable as follows: DKK 1.26 per person

2.4 Exemption From Ship Dues

Exempt from ship dues are:

- a. Vessels registered for fishery calling the Port to unload fresh fish.
- b. The exemption applies for a period of 7 calendar days.
After this period ship dues shall be payable as stipulated above.
- c. Warships and training ships not carrying goods or passengers.
- d. Vessels calling the Port solely to seek medical assistance, land patients, shipwrecked persons, or deceased persons.
- e. Vessels solely carrying goods and materials for the exclusive use of the Port and vessels used solely for construction and maintenance work chargeable to the Port.
- f. Pleasure crafts when used for yachting. However, the Port shall be entitled to charge dues for such vessels according to regulations laid down by the Port.

3. COMMODITY DUES

Commodity dues are charged on all commodities loaded, unloaded, or in any other way transferred at the Port or in the fairways leading to it.

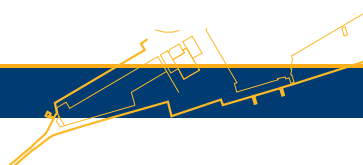
The obligation to pay commodity dues is incumbent on the consignee or the consigner, respectively. However, the rules specified below under "Fish and Shellfish" shall apply to fresh fish, etc.

3.1 Rates

• Other commodities than the ones listed below	13.37 DKK/ton
• Sand/stone/gravel and broken stones	4.06 DKK/ton
• Barites, drilling pipes, coated pipes	5.75 DKK/ton
• Iron sulphate, grain, potatoes, fish meal	8.02 DKK/ton
• Scrap, cement	8.02 DKK/ton
• Coal	11.45 DKK/ton
• Frozen fish, etc. However, minimum DKK 5,500.00	13.37 DKK/ton
• Oil, gas and oil products (mineral)	14.40 DKK/ton

Rates For Unitised Cargo

A1. Containers - length ≤ 45':	DKK 151.00/container
A2. Containers - length > 45':	DKK 301.00/container
B1. Trailers, ship trailers, trucks with trailers, lorries with trailers, vans, lorries, construction and agricultural machinery. Length ≤ 18.75 m	DKK 151.00/unit



B2. Trailers, ship trailers, trucks with trailers, lorries with trailers, vans, lorries, construction and agricultural machinery Length > 18.75 m	DKK 301.00/unit
C. Non-registered vehicles, including cars, caravans and auto trailers	DKK 11.25/unit
D. Empty containers and other empty transport units that are not shipped as commodities	DKK 10.00/unit

Private Vehicle Dues

Registered private vehicles that are loaded or unloaded within the port area	DKK 6.50/unit
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Fish And Shellfish Dues

Dues calculated as 1.92% of the value of the commodity when sold at first hand will be charged on fish and shellfish – manufactured or un-manufactured – that is unloaded from a fishing vessel. The buyer (auctioneer, fish dealer, fish buyer), who is obliged to pay fish dues, etc., must submit a written statement of calculation to the Port.

If so requested, the buyer shall be obliged to present a list specifying the purchases, and the master of the fishing vessel shall be obliged to issue a written statement specifying the value and the weight of the cargo as well as to whom the cargo has been sold.

3.2 Exemption From Commodity Dues

Exempt from commodity dues are:

- Goods for the exclusive use of the vessel.
- Goods and materials for the exclusive use of the Port.

Provided commodity dues were paid for goods imported to the Port by sea, the Port may in certain cases – or by written approval – exempt such goods from commodity dues when the goods are re-exported by sea.

4. INFRASTRUCTURE DUES

4.1 Rail Track Dues

For the use of its rail tracks the Port of Esbjerg charges rail track dues. The dues amount to DKK 200.00 per waggon.

For each month - and no later than on the fifth day of the consecutive month – the operator shall forward to the Port particulars on transports carried out during the period.

4.2 Infrastructure Dues – Rail Waggon

For rail waggons carrying goods to or from the Port the Port of Esbjerg charges infrastructure dues in the amount of DKK 200.00 per waggon.

However, for rail waggons carrying units (containers, trailers, swap bodies, etc.) the dues are charged per unit. The dues amount to DKK 200.00 per unit, however, the maximum dues amount to DKK 400.00 if a waggon carries more than 2 units.

Companies that handle rail waggons and/or units (in this context “handling” shall mean the loading or unloading of goods within the port area) shall each month and no later than on the fifth day of the consecutive month forward information to the Port on transports made during the period. The Port shall collect the dues from the above-mentioned companies, but the dues are chargeable to the consignee/the consignor.

The infrastructure dues apply to rail waggons and units carrying goods to or from the Port of Esbjerg, provided commodity dues have not already been and will not be charged on such goods.

4.3 Infrastructure Dues – Mobile Cranes

For mobile cranes used for the loading and unloading of ships in the Port the Port of Esbjerg charges infrastructure dues in the amount of DKK 1,250.00 per crane per day.

No later than 5 days after completion of the loading/unloading operation the crane company must submit a statement regarding the number of working days to the Port.

5. LEASE

5.1 Lease Agreements

The terms and conditions of lease agreements are agreed upon from case to case.

5.2 Temporary Lease

Please contact the Port Control regarding temporary lease of areas.

5.2.1 Rent

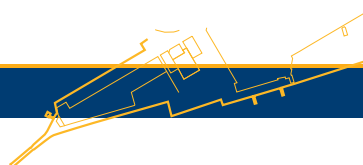
<i>Use of rented area</i>	<i>Rates</i>
Storage of goods	DKK 10.93/m ² /week
Temporary lease	DKK 15.00/m ² /month

The rent will be collected from the person/company to whom the area is designated, and the same shall be liable for its payment.

Subject to the prior approval of the Port Control, goods may be stored at no charge.

5.2.2 General Terms For The Storage Of Goods, Etc.

The storage of goods and the setting up of temporary buildings on the port area as well as the transshipment of goods shall be governed by the provisions of Chapter IV of Executive Order No. 1146 of 25 November 2004 concerning Standard Regulations for the Maintenance of Order in Danish Ports.



5.2.3 Liability For Goods (Including Containers And Material)

The Port of Esbjerg assumes no liability whatsoever for goods (including full or empty containers and material) stored or placed on port area. Neither does the Port of Esbjerg assume any liability whatsoever for damage that caused to third party by stored goods/containers/material.

6. CRANES

Information about the cranes of the Port of Esbjerg is available on the home page of the Port: www.portesbjerg.dk under "Infrastructure"/"Cranes".

6.1 Cranage

Crane dues (DKK/hour):

Crane	Use	Dues
Rail gantry crane	- Operations between ship and quay	DKK 1,820.00
	- Personnel cage	DKK 50.00
Mobile port cranes:		
-Liebherr 32 tonnes		
	- Bulk:	DKK 740.00
	- General cargo – max. lift:	
	- ≤ 10 tonnes	DKK 1,080.00
	- > 10 tonnes	DKK 1,365.00
- Liebherr 80 tonnes		
	- Bulk:	DKK 1,820.00
	- Container work ship/quay	DKK 1,820.00
	- General cargo – max. lift:	
	- ≤ 10 tonnes	DKK 1,365.00
	- > 10 tonnes and ≤ 40 tonnes	DKK 2,270.00
	- > 40 tonnes and ≤ 80 tonnes	DKK 4,200.00
- Liebherr 110 tonnes and 150 tonnes		
	- Bulk:	DKK 1,850.00
	- Container work ship/quay	DKK 1,850.00
	- General cargo – max. lift:	
	- ≤ 10 tonnes	DKK 1,400.00
	- > 10 tonnes and ≤ 40 tonnes	DKK 2,320.00
	- > 40 tonnes and ≤ 80 tonnes	DKK 4,300.00
	- > 80 tonnes and ≤ 110 tonnes	DKK 5,900.00
	- > 110 tonnes and ≤ 150 tonnes (only LHM 500)	DKK 10,000.00

Twin lifts

Subject to prior agreement with the Port of Esbjerg, the Port's Liebherr cranes can be used for twin lifts within certain areas of the Port.

Placing of 2 cranes including yoke
and preparatory work:

DKK 15,000.00 per time

Crane	Use	Dues
- Liebherr 80 tonnes and Liebherr 110 tonnes	Max. lift 184 tonnes	DKK 14,100.00
- Liebherr 80 tonnes and Liebherr 110/1250 tonnes	Max. lift 225 tonnes	DKK 18,200.00
- Liebherr 110 tonnes and Liebherr 150 tonnes	Max. lift 245 tonnes	DKK 24,100.00
Crane operator (DKK/hr):		
- Normal working hours work days 07.00-16.00		Included in crane dues
- Overtime charge, 50%		DKK 140.00
- Overtime charge, 100%		DKK 280.00
- Additional crane operator, normal working hours		DKK 300.00

6.2 Minimum dues

As for the rail gantry crane, dues will be charged for minimum 1 hour.

As for the mobile cranes, dues are payable for each commenced half-hour; however, the minimum dues amount to DKK 2,225.00 for the Liebherr 32 tonnes crane and DKK 5,600.00 for the Liebherr 110/150 tonnes cranes.

If a mobile crane has to be moved from one part of the Port to another (for instance, from Sønderhavn to Trafikhavn or from Sønderhavn to Tauruskaj), the minimum dues shall amount to DKK 5,500.00 for the Liebherr 32 tonnes crane and DKK 11,200.00 for the Liebherr 110/150 tonnes cranes. However, the Liebherr 150 tonnes crane cannot be moved between Trafikhavn and Sønderhavn.

If notice has been given concerning the movement of a crane, waiting time caused by cargo, vehicles and the like on the way of the crane will be subject to a fee corresponding to the relevant minimum dues.

6.3 Booking

For booking/cancellation of cranes please contact the Port of Esbjerg's Crane Division: tel. +45 76 12 41 25.

Booking of cranes:	Before 1200 hrs on the previous work day
Booking of overtime on same day:	Before 1200 hrs
Booking of overtime on Saturdays, Sundays, and during public holidays:	Before 1200 hrs on the previous work day

Dues

Booking of crane operations with
start outside normal working hours: DKK 965.00/man

Late booking:	
- Work days before 1500 hrs:	DKK 540.00
- Other times of day:	DKK 1,075.00

Change of starting time:

- More than 24 hours prior to planned start: DKK 0.00
- From 2 to 24 hours prior to planned start: DKK 435.00/hr/man
- Less than 2 hours prior to planned start: Lowest hourly crane rate

Cancellation:

- Before 1200 hrs on the previous normal work day: DKK 2,270.00/time
- After 1200 hrs on the previous normal work day: DKK 5,680.00/time

6.4 Liability

The crane service offered by the Port consists exclusively in the letting of equipment and operator to the hiring party. Therefore, the hiring party shall be liable for any damage occurring during the lease period to persons or things, including the crane itself. In case of liability, reference is made to Section 9 below concerning limitation of liability.

The Port of Esbjerg does not assume any liability whatsoever to pay indemnity for operating loss, loss of profit, waiting time caused by trucks, dockworkers, etc., loss of market share or for any indirect loss.

7. OTHER SERVICES

7.1 Electricity Supply From Power Points

7.1.1 General Conditions

The general conditions concerning the ordering and the use of electric power points within the port area are stipulated in the "Regulations governing the supply of electricity from power points off the mains at the Port of Esbjerg" that can be obtained from the Port Control.

7.1.2 Dues

Description

Plug-in DKK 171.00 per commenced week

Power consumption DKK 1.47/kWh (excl. dues, if any)

If power supply is required for at least 3 months on a row, a quarterly fee in the amount of DKK 1,090.00 may be agreed upon.

Inquiries regarding the supply of electricity should be submitted to the Port Control.

7.1.3 Liability

The Port of Esbjerg offers plug-in facilities only at the quays and assumes no liability whatsoever for extra protection, if any, that may be required pursuant to the Danish Electricity Supply Regulations ("Stærkstrømsreglementet") or in case of power failure. In case of storm surge warnings the power to the quayside power points will be switched off. The Port of Esbjerg

does not supply power cables from the quayside power points to the user and assumes no liability whatsoever for the user's material. The user shall be liable to pay for repair work, materials, fuses, etc. required in connection with the remedy of damage to or defects in the Port's material caused by the user.

7.2 Ship Waste Reception System

7.2.1 General Conditions

Pursuant to the Danish Ministry of Environment's Executive Order No. 1003 of 10 December 2002 and Executive Order No. 959 of 8 September 2004, the Port of Esbjerg has set up a ship waste reception scheme.

During 2009 the Port will update its ship waste reception scheme in accordance with Executive Order No. 1632 of 13 December 2006.

The Port's ship waste reception scheme covers:

- Oil and chemical waste
- Residues and mixtures of liquids in bulk
- Packed toxic waste
- Oleaginous waste containing emulsifying substances (preventing separation into oil and water)
- Waste water
- Refuse
- Cargo residues

The collection/handling of the above-mentioned waste takes place Monday – Friday from 0700 to 1430, which are the normal working hours of the Maintenance Department of the Port of Esbjerg.

The Port will not charge any fee for the collection of normal ship waste, provided that the quantity of such waste is reasonable compared to the type and the size of the ship, i.e. the quantity that would under normal circumstances be produced after the ship last called a port.

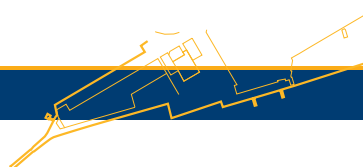
7.2.2 Booking

With the exception of fishing vessels and pleasure crafts, all vessels must report calls to the Port of Esbjerg and book the collection of ship waste prior to arrival.

Bookings should be made well in advance and at least 24 hours before the vessel calls the Port of Esbjerg. In connection with a weekend or prior to a public holiday, bookings should be made before 1300 hrs on the last normal working day prior to the day on which the collection is to take place.

A booking form is available on the home page of the Port of Esbjerg www.portesbjerg.dk ("About the Port of Esbjerg"/"Rules and Schemes"/"Scheme For Operating Waste").

In addition, booking forms can be obtained from the Port Control, Hulvejen 1, DK-6700 Esbjerg, and returned by fax +45 7513 4050 or by email to vagt@portesbjerg.dk



In the yachting harbour, waste collection is handled by Esbjerg Soesport, Isingkej 9, DK-6700 Esbjerg, tel.: +45 7511 7490 or +45 2120 9793 (the chairman).

7.2.3 Dues

The Port of Esbjerg may charge a special fee:

- if the quantity of waste exceeds the quantity of waste that the vessel would under normal circumstances have produced after the vessel last called a port;
- if the vessel wants to deliver waste outside the Port's normal working hours;
- if the vessel does not pay normal ship and commodity dues;
- if the vessel has not 24 hours prior to its call at the Port of Esbjerg submitted a form stating the waste to be collected;
- if waste is deposited in the wrong containers or is placed on the quays without prior notice, or
- if oleaginous waste contains less than 65 per cent oil or contains substances other than oil and water.

The Port's costs in connection with delays (irrespective of the reason for such delays), hereunder appearance in vain or, for example, in case waste water has a lower pumping speed than anticipated, will be charged to the vessel, cf. below.

7.2.4 Charges

In the above cases, where the reception of ship waste does not fall within the "No special fee" scheme, the ship/the agent will be invoiced as follows:

Equipment with driver:

Small platform truck, tractor w/crane/platform truck, tanker, road sweeper, lorry for container lifting DKK 760.00/hour

Worker DKK 310.00/hour

Slop oil DKK 594.00

Waste water DKK 13.00

Other material:

Closed container, 18 m³ DKK 13.00/day

Setting up of closed container, 18 m³ Hourly rate for lorry

Emptying of closed container, excl. dues DKK 600.00/time

800 l container on wheels DKK 80.00/month

Setting up of container on wheels DKK 110.00/hour

Emptying of container on wheels, excl. dues DKK 160.00/hour

Removal of unannounced waste will be charged according to the time spent, however, minimum DKK 2,400.00/hour

Outside normal working hours overtime and standby will be charged as stated below.

Overtime and standby

For work outside normal working hours (work days from 0700 to 1430) an

overtime fee of 140.00 DKK / hour and 280.00 DKK / hour for 50% / 100% hours respectively will be charged.

Starting fee

For work within normal working hours
(work days from 0700 to 1430)

DKK 0.00

For work with start outside normal working hours

DKK 965.00/man

Dues (waste disposal site/receiving facility)

The fees of the municipality for the type of waste in question.

External suppliers/contractors/waste recipients

If the vessel/the agent does not settle accounts directly with these, the Port shall charge an administration fee of 10% in addition to such costs.

7.2.5 Liability

Ship and owner shall be liable for the consequences of incorrect, misleading or missing information on the type, composition and quantity of the waste as well as for leakage due to defective material or incorrect use of own material at delivery.

For further information please see the Port of Esbjerg's waste disposal scheme, which is available on the Port's home page www.portesbjerg.dk ("About the Port of Esbjerg"/"Rules and Schemes"/"Scheme For Operating Waste") or contact Port Control, Hulvejen 1, DK-6700 Esbjerg.

8. TERMS OF PAYMENT

8.1 General Conditions

All dues payable to the Port of Esbjerg must be paid - or in other ways secured – before departure.

Provided it can be substantiated that due to erroneous statements too much has been paid, a refund of dues can be arranged. In case of erroneous statements, a fee of DKK 200.00 will be charged. However, if the Port of Esbjerg has not been notified within 3 months from the date of invoice, no refund will be made.

8.2 Time Of payment

For dues payable to the Port of Esbjerg the following times of payment, etc. shall apply:

Lease agreements on land:

Time of payment is stipulated in the agreement. Interest on overdue payment (1.5% per calendar month commenced) will be charged as from the due date. An administrative fee of DKK 100.00 will be charged per reminder.

Lease agreements on buildings:

Time of payment is stipulated in the agreement. Interest on overdue payment (discount rate + 7% points) will be charged as from the due date. An administrative fee of DKK 100.00 will be charged per reminder.

All other dues and fees:

Due date is 20 days after the date of invoice. Interest on overdue payment (discount rate + 7% points) will be charged as from the due date. An administrative fee of DKK 100.00 will be charged per reminder.

9. LIABILITY

Insofar as the Port of Esbjerg shall be found liable under any of the above conditions or shall otherwise be deemed liable, such liability shall be limited as follows:

The indemnity shall be calculated on the basis to the value of goods of the same kind at the time when the damage was established. The value of the goods shall be determined by their market price, or if this is not possible, according to the value of goods of same nature and quality.

However, the indemnity shall never exceed 666.67 SDR for each package or other unit of goods, or 2 SDR per kilo gross weight of the damaged goods, depending on which amount is the higher.

Indemnity for containers or other similar units of transport and their content shall never exceed 10,000.00 SDR.

The Port assumes no liability whatsoever to indemnify operating loss, loss of profit, waiting time for trucks, workers, etc. at the Port, loss of market share or any other indirect loss.

The SDR is the unit of calculation referred to in Art. 505 of the Danish Maritime Act ("Søloven"). The SDR shall be converted into the Danish currency at the rate applicable on the day on which the damage was established.