

Regulation of terms and conditions and prices for use of the harbours of the IJmuiden Port Authority BV

Article 1

For the application of this Regulation the following words shall have the meanings hereby assigned to them.

a.	vessel	every floating body which is used because of its buoyancy, or is intended for the transport on water of persons, materials, goods or objects, or for carrying out works or other activities, including exploration and operations
b.	sea-going vessel	vessel which is intended or used for offshore service, as defined in Article 1 paragraph 1 of the Ships Act (Bulletin of Acts and Decrees 1909, no. 219)
c.	fishing vessel	sea-going vessel which is used for the catching of fish or other living resources from the sea
d.	inland vessel	vessel which is neither used nor intended for offshore service
e.	tugboat	vessel which appears from its design and construction to be intended for the towing or pushing of other vessels
f.	passenger ship	vessel which is equipped or used for the commercial transport of persons, including vessels equipped for the carriage of sport fishermen
g.	pleasure vessel	vessel which is mainly used for recreation, not including commercial transport
h.	hospital ship	sea-going vessel exclusively used or intended for the provision of medical assistance, including the transport of wounded, sick or handicapped people, or dead bodies
i.	capacity	the gross capacity of a vessel expressed in GT (Gross Tonnage)
j.	cargo capacity	the difference, expressed in m ³ , between water displacement from the vessel with the maximum allowable draught and that of the empty vessel or the maximum quantity of goods expressed in tonnes, which a vessel is allowed to load
k.	period	a time period stated in the price table, during which the use of the harbours takes place without interruption

Article 2

Under the name port fees, a remuneration is demanded for the normal traffic use of the harbours at IJmuiden, as stipulated in the Provisions for the Privatization of IJmuiden Fishing Port Authority Act (Bulletin of Acts and Decrees 1989, 69).

Article 3

The remuneration is due from the master, the captain, the shipping company, the owner, the user or the keeper of a vessel, on the understanding that payment by one of them releases the others from obligation.

Article 4

The basis for the calculation of port fees is:

GROSS TONNE: the unit for the gross capacity of a sea-going ship as defined in the treaty relating to the measurement of ships, London 1969, and which follows from the tonnage certificate, also referred to as: Gross Tonnage (GT).

Article 5

The port fees are due in accordance with the prices, which are included in the table belonging to this regulation in compliance with the instructions stated therein and the provisions of Articles 4 and 6.

Article 6

The prices are subject to the following conditions:

- a. a part of a unit of content and of the bulk shall be calculated as a whole unit;
- b. if the content of a sea-going vessel is dependent upon the squat of the vessel as is apparent from the tonnage certificate or, in the case of two tonnage certificates, from both tonnage certificates, the content of the largest permissible squat shall be used as a basis;
- c. the content determined by the harbour master if no tonnage certificate is provided.

Article 7

1. Port fees will not be charged for the use of the harbours by:
 - a. war vessels;
 - b. hospital ships;
 - c. vessels intended and used for supervision or investigation by the competent authorities;
 - d. tugboats, insofar as these are used for providing assistance with sailing in and out of the harbours;
 - e. sea-going vessels in use for piloting;
 - f. vessels during the first 48 hours following entry into the harbours insofar as they use the harbours exclusively in connection with:
 1. storm;
 2. carrying out repairs as a result of damage;
 3. bringing ashore of shipwrecked persons, sick or wounded persons or dead bodies, but only if the harbour master or his deputy is informed of the intention immediately upon arrival;
 - g. vessels in use for the purposes of construction, repair or maintenance of the harbours, quays and works, or the fitting out of the harbours;
 - h. lifeboats;
 - i. vessels which are only being put in dry-dock or are being made ready for sea for the first time, insofar as the use does not last any longer than what the harbour master or his deputy considers necessary
 - j. rowing boats or other small vessels, belonging to vessels for which port fees are due.
2. For fishing vessels, which use the harbours to sell their catch through the fish auction of the Hollandse Visveiling IJmuiden BV, the port fees are paid by the Hollandse Visveiling IJmuiden BV during an uninterrupted stay of seven 24-hour periods maximum. Fishing vessels which sell their by-catch through the fish auction, on condition that the retribution is equal to or higher than the amount of port fees due.

Article 8

1. The port fees become due immediately upon commencement of the use of the harbours
2. Use of the harbours, after leaving temporarily in connection with a test sailing for not longer than four hours, will be deemed to be without interruption.
3. Every other temporary departure from the harbours shall lead to a new use of the harbours.

Article 9

1. Anyone from whom port fees are due, is obliged, immediately after use has commenced, to report this to the harbour master or his deputy.
2. The port fees which are due must be paid to the harbour master or his deputy and in the manner prescribed by him.
3. In case of continued stay in the harbours, following the end of the period for which port fees are due, a new report must be made and the port fees must be paid as set forth in the previous sub-article.
4. Contrary to the stipulations of the second and third sub-articles, port fees can be paid within thirty days of the day of arrival of the vessel, or after the day upon which the stay in the harbours is

continued, on condition that payment of the port fees is ensured to the satisfaction of the harbour master or his deputy.

5. In case of failure to pay, the port fees due will be increased by the amount of the statutory interest.

Article 10

The regulation shall come into effect on 1 March 1996 and can be quoted as "Regeling Havengeld Havenbedrijf IJmuiden BV 1996" (Regulations Relating to Port Fees IJmuiden Port Authority BV 1996).