

# Port Tariff

for the port managed by  
Niedersachsen Ports GmbH & Co. KG  
in Emden

effective as of 7/1/2024

## **Introduction**

Niedersachsen Ports is adjusting the port tariff in the following points:

### **Adjustment of Appendix 3, Rate Schedule for Other Fees with effect from July 1st, 2024**

In connection with the disposal of ships' wastes according to MARPOL Annex V, addition of additional containers in sizes 7 m<sup>3</sup> and 10 m<sup>3</sup> for the waste fraction plastics and household waste - residual waste / mixed industrial waste.

### **Adjustment § 4, (1) Fees for the Unloading and Disposal of Ships' Wastes with effect from July 1, 2024**

In connection with the disposal of ships' wastes in accordance with MARPOL Annex V, each ship will in future be entitled to an allowance of two tonnes of hazardous waste per calendar year.

### **Adjustment § 4, (5) Fees for the Unloading and Disposal of Ships' Wastes with effect from July 1, 2024**

Reduction of the lumpsum fee for ships' wastes disposal under MARPOL Annex I, IV and V for RoRo freight vessels and car carriers to 25%.

### **Adjustment of Appendix 2, Rate Schedule for Quay Dues – Emden, No. 9 with effect from July 1, 2024**

Increase in the quay dues per unit for motor vehicles (passenger cars) in the Shipping Range Europe to EUR 1.8005.

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## § 1 General Provisions

### I. Scope of Application - Port Fees

This Port Tariff applies to the Ports of Brake, Cuxhaven, Emden, Stade, Wilhelmshaven, Baltrum, Bengersiel, Langeoog, Norddeich, Norderney, Wangerooge, Hooksiel, Fedderwardsiel, and Großensiel. The scope of application extends to the port area(s) defined in the Usage of Port Regulation (UPR) of Niedersachsen Ports GmbH & Co. KG, as amended from time to time.

This Port Tariff specifies the fees for usage of the aforementioned ports. Niedersachsen Ports GmbH & Co. KG levies:

Harbor Dues (ship-related fees) pursuant to	§ 2
Quay Dues (cargo-related fees) pursuant to	§ 3
Fee for the disposal and unloading of ships' wastes as per MARPOL I and V pursuant to	§ 4
Fee for Port Security and Protection pursuant to	§ 5

For the assessment of the amount of harbor and quay dues, we defined shipping ranges. These fees are determined by the port that the ship is unloading cargo from, the so-called port of origin, or by the port that the ship is taking on cargo for, the so-called port of destination. If different port ranges are called/tangent to a voyage, then the harbor dues for the shipping range with the higher fee is applied. For ships not loading or unloading cargo, the range for the harbor dues is determined by the last port of call or the next port of destination. Here too, the deciding factor is the shipping range with the higher fee. If the port is unknown, billing is performed based on the shipping range "Overseas". The quay dues for goods of different ranges are billed separately, based upon each port of origin or port of destination for the goods.

The following shipping ranges are defined:

(1) Overseas:

this includes any ports that are not attributed to the shipping range Europe.

(2) Europe:

this includes any European North Sea, Baltic, White Sea, and Atlantic ports. In addition, Mediterranean and Black Sea ports are attributed to this range, as long as they are ports of the member states of the European Union.

(3) Inland Waterways:

this includes any ports that can be reached without crossing the borders between sea waterways and any inland waterways pursuant to Section §1 (1) of the German Federal Waterway Act.

## II. Definitions/Concepts

### *Call*

Call is the entry of a water craft into the port area.

### *Cargo Handling*

Cargo handling is the loading and unloading of cargo onto and from water craft(s). Cargo handling further encompasses the embarkation and disembarkation of passengers.

### *Cargo Handling Business Operator*

A cargo handling business operator is the individual or legal entity that performs the cargo handling (transshipment) onto or from a vessel, or that commissioned such cargo handling.

Furthermore, a cargo handling business operator is also a person that (in his/her/its capacity as an individual or legal entity) operates a commercial business and utilizes the quay facilities, the jetties, or other port facilities, by receiving goods there that were handled/transshipped by others, or by shipping goods there to be handled/transshipped by others.

The persons in the aforementioned sentences are jointly and severally liable for the quay dues.

### *Charterer*

Charterer is a person that has rented an entire oceangoing vessel or inland waterway ship from a ship owner, or someone, who - due to another agreement with a third party - is entitled to use such vessel or inland waterway ship, and who can determine the ports of call for such vessel or inland waterway ship.

### *Crew Transfer Vessel (CTV)*

A crew transfer vessel (CTV) is a ship used chiefly for shuttling offshore employees and their luggage and tools to and from their work place on various types of offshore facilities. CTVs do not serve as passenger or dwelling ships.

### *Cruise Ships*

Cruise ships are watercrafts that carry out sea voyages for people and usually call at ports for tourist travel purposes.

### *Deadweight (tdw)*

The deadweight, or to be more specific, the deadweight all told, is the load-carrying capacity expressed in weight, up to a specific load line. Aside from the cargo weight, the dead weight all told includes crew, fuel and other consumables, such as provisions, water, grease, ship's stores, dunnage wood, etc.

#### *Gross Tonnage (GT)*

The Gross Tonnage (GT) refers to the volume of a craft or the measuring results, without deductions, according to the International Convention on Tonnage Measurement of Ships (the "London Convention") of 6/23/1969 (Federal Law Gazette BGBl. 1975 II, page 67). The GT is determined pursuant to the "International Tonnage Certificate (1969)" (hereafter referred to as "ITC 69"). Should no "ITC 69" be available, Niedersachsen Ports shall determine the GT at its equitable discretion in some other appropriate manner. If the ITC 69 shows/certifies a reduced GT according to internationally applicable rules, then this reduced number is valid as calculation basis for the billable GT-derived fees.

#### *Harbor tours with Passenger Ships and Water Crafts*

Harbor tours are services with passenger ships and water crafts traversing only the port area and for sightseeing of the port and its immediate surroundings.

#### *Leisure Boats*

Water crafts, whether or not powerdriven, constructed and used exclusively for sporting and recreational purpose or for training in the navigation of leisure craft, and licensed to carry not more than twelve persons plus operator and crew.

#### *Liner Service with Passenger Ships and Water Crafts*

Liner services are direct travel services with passenger ships and water crafts on a defined route (line) between a mainland port and an island port, which are offered by the respective ship owner or operator on at least 350 days a year and according to an annually published schedule, regardless of the actual passenger volume. This also includes special or substitute trips on that same route that are performed in addition to or in place of scheduled services.

In case of interruption of the daily liner service within a calendar year, without proof of force majeure/Act of God or any other inevitable circumstances, the actually performed scheduled trips for that calendar year will be due - in arrears - as if they were occasional services with passenger ships and water crafts.

The ship owner or operator of the liner service must file his schedule with Niedersachsen Ports at least six months before commencing the liner service. Registration of the schedule does not establish a right to a berth.

#### *Measures to Maintain Operability*

Measures to maintain operability is defined as port call of a ship that has only one of the following purposes: Fuel bunkering, (compass) compensation, demagnetization, inspection, repair, or to complement or restock their equipment or provisions.

#### *Occasional Service with Passenger Ships and Water Crafts*

Occasional services are trips performed by ship owners or operators with passenger ships and water crafts on defined routes between mainland port and island port

which are not served by the respective ship owner or operator on at least 350 days a year or which reach the port via a detour via another port.

#### *Offshore Vessels*

Offshore vessels are ships for the erection, maintenance and operation of facilities at sea, e.g. for the generation of energy (wind power plants), or for the extraction of resources.

#### *Other Services with Passenger Ships and Water Crafts*

Others Services are passenger transports with passenger ships and water crafts outside the defined lines

#### *Passenger Ships*

Passenger ships are water crafts of special structural design, equipment and facilities for the carriage of passengers.

#### *Port*

According to our Usage of Port Regulation (UPR) (<https://www.nports.de/en/ports/>), the port encompasses the water areas, the land areas, and the facilities.

#### *Project Cargo*

A project load is defined by the fact that the finished product is composed of various individual parts or components, which will be installed/assembled at destination into one entire object/system.

The parts/components are therefore integral parts of the final product and are invoiced as project load(s). For these purposes, it does not matter, whether or not the individual parts are joined up from one or multiple ports or whether or not the individual parts/components are sourced from one or multiple manufacturers.

Generally, project loads are large and/or heavy transport goods, mostly from:

- Plant engineering and construction, e.g. the construction of facilities or systems in the area of process engineering, supply engineering, production engineering, electrical engineering, mechanical engineering or elements thereof (mechanical facilities/systems, and/or buildings)
- Substitution investments, expansion investments
- Projects in conjunction with underground or above ground/high-rise civil engineering.
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However, in addition, smaller and lighter individual parts or components must be defined as project loads, if they are part of the final product in the spirit of the above-named definitions.

*Round-trip cruise trips with Passenger Ships and Water Crafts*

Round-trip cruise trips are services with passenger ships and water crafts, where the same port of departure and destination is called, regardless, if the voyage is interrupted by calling another port or not. (e.g.: coffee cruises, fishing trips, excursion trips, funerals at sea).

*Ship Owner*

Within the meaning of this port tariff, a ship owner is the owner of a water craft that he operates for commercial use.

*Water Crafts*

Water crafts are oceangoing vessels and inland waterway ships, harbor crafts, floating equipment and other floats, typically made for locomotion. Water crafts are also floating equipment that is typically not made for locomotion, such as docks and pontoons.

*Water crafts for passenger transportation*

Any water craft that does not fall within the definition of a passenger ship as defined in this port tariff and is engaged in commercial passenger transportation.

## § 2 Harbor Dues (Ship-Related Fees)

### I. Definition/General

For any call by water crafts into the port, for the usage of berths or water areas, harbor dues must be paid. Joint and several debtors of the harbor dues are the ship owner, ship operator, or the charterer.

Immediately after entering the port, the ship's commander or another appointed person or institution, must furnish Niedersachsen Ports with the necessary details for the calculation of the harbor dues according to the Usage of Port Regulation (UPR). To warrant a proper and timely billing of the services, Niedersachsen Ports depends on the submission of documents, such as the ship's certificate of measurement (International Tonnage Certificate), Cargo Handling Manifest/Bill of Lading by the customer. Therefore, Niedersachsen Ports will levy a supplementary fee for time and effort in the amount of EUR 150.00, if such documents are not furnished unprompted within five working days after departure or after the services were performed by Niedersachsen Ports. The timeline commences with the start of the calendar day following the departure or with the start of the calendar day, following the day of the performance. If the required supporting documents are not furnished, Niedersachsen Ports will determine the essential calculation bases at debtor's expense.



## II. Harbor Dues for Oceangoing Vessels

- (1) The Harbor Dues for oceangoing vessels is calculated based on the gross tonnage (GT) according to the London Convention (ITC 69), the ship type, and the shipping range.

If there are multiple values for the GT, the harbor dues will be levied based on the higher value.

If no GT measurements are available, Niedersachsen Ports will determine the GT at its equitable discretion in some other appropriate manner.

The harbor dues are calculated for the day of call and for the subsequent 5 days according to the details in the Rate Schedule for Harbor Dues in Segment 1.1.

For each additional day of stay at port, the harbor dues will be 20% of those amounts. For oceangoing vessels that are prohibited from leaving port due to an official order, the full amount will be charged according to the details in the Rate Schedule for Harbor Dues in Segment 1.1. Lay days in the dock and in the shipyard are not levied, if a repair certificate from the shipyard is furnished.

- (2) Ships on Lay-up

For oceangoing vessels on lay-up staying at port with Niedersachsen Ports' consent, harbor dues according to Item 1.1.11 of the Rate Schedule for Harbor Dues will be levied.

- (3) Offshore Vessels

For offshore vessels jacking up with Niedersachsen Ports' consent inside the port area, an additional fee on top of the harbor dues as per Segment II (1) is levied for each commenced 24 hours and for each square meter of occupied water area, calculated by multiplying the broadest breadth times the longest length, pursuant to Item 1.1.14 of the Rate Schedule for Harbor Dues.

Offshore vessels, berthing jacked up in the port with permission of Niedersachsen Ports as ships on lay-up, will be charged a reduced fee in addition to the harbor dues as per Segment II (2). This is calculated based on each commenced 24 hours and by square meters of occupied water area, depending on the duration of the lay-up pursuant to Items 1.1.15 to 1.1.17 of the Rate Schedule for Harbor Dues. The water area is calculated by multiplying the broadest breadth times the longest length.

- (4) Crew Transfer Vessels (CTV)

Notwithstanding Segment II (1), the harbor dues for Crew Transfer Vessels (CTV) is calculated by the length (length over all/LOA) of the craft.

The harbor dues are calculated for every day of calling the port and for the following day together, per each commenced meter according to Item 1.1.18 of the

Rate Schedule for Harbor Dues. For each additional day of stay at port, the amount is calculated according to Item 1.1.18.

**III. Harbor Dues for Special Water Crafts**

For tug and other maneuvering crafts, for floating equipment, such as cranes and non-firmly attached pontoons, and for other crafts not mentioned anywhere else in the schedule, the harbor dues are - notwithstanding §2, Segment II (1) and IV - levied for each commenced day based on the occupied water area in square meters by multiplying the broadest breadth and the longest length, according to Item 1.7 of the Rate Schedule for Harbor Dues.

**IV. Harbor Dues for Inland Waterway Ships**

The harbor dues are levied for the day of call and the following six days according to Item 1.4.1 of the Rate Schedule for Harbor Dues. For each additional 7 days, the harbor dues are calculated based on the details of Item 1.4.2 of the Rate Schedule for each ton of deadweight. The lay time is not interrupted by shifting to another berth.

Inland waterway ships participating in maritime traffic (crossing the borders between sea waterways and any inland waterways pursuant to Section §1 (1) of the German Federal Waterway Act), are treated like oceangoing vessels. If no GT measurements are present, the rule 2 tons of deadweight = 1 GT is applied.

**V. Harbor Dues for Inland Waterway Passenger Ships**

The Harbor Dues for inland waterway passenger ships is calculated according to the details of the Rate Schedule for Harbor Dues, Item 1.5.

Inland waterway ships participating in maritime traffic (crossing the borders between sea waterways and any inland waterways pursuant to Section §1 (1) of the German Federal Waterway Act), are treated like oceangoing vessels. If no GT measurements are present, the rule 2 tons of deadweight = 1 GT is applied.

**VI. Harbor Dues for Passenger Ships**

The harbor dues for passenger ships and other ships licensed to transport passengers must - notwithstanding §2, Segment II (1) - be calculated for the day of call and the subsequent 6 days according to the details in Item 1.3 of the Rate Schedule for Harbor Dues.

**VII. Harbor Dues for Commercial Fishing Vessels**

Notwithstanding §2, Segment II (1), the harbor dues for fishing vessels that are commercially loading or unloading their own catch, consisting exclusively of fish, fish products or marine animals, are calculated for each day of usage of the port according to the Rate Schedule for Harbor Dues, Item 1.2. The minimum fee is EUR 10.00 for each call of the port.

Instead of paying the daily harbor dues, a monthly or annual lumpsum fee may be paid for the usage of any state-owned Niedersachsen seaports according to the Items under 1.2 of the Rate Schedule for Harbor Dues.

Payment of a monthly or annual lumpsum does not constitute the right to any specific berth.

#### **VIII. Harbor Dues for Leisure Boats and Traditional Ships**

(1) Notwithstanding Segment II, the harbor dues for leisure boats and traditional ships are calculated for each commenced 24-hour period of stay at port based on the length (length over all/LOA) of the craft according to Item 1.6 of the Rate Schedule for Harbor Dues.

(2) Daytime users (up to 4 hours) must only pay 50% of the harbor dues, which are calculated according to Paragraph 1 of this segment.

(3) For the time period, for which harbor dues were paid for the port belonging to Niedersachsen Ports, berthing is permitted in any port of Niedersachsen Ports, as long as an open berth is available.

(4) For multi-hull boats, the harbor dues are increased by 50%.

#### **IX. Harbor Dues for water crafts for passenger transportation**

The harbor dues for watercraft that are not passenger ships and are used for commercial passenger transport are to be paid in accordance with § 2, Section VI.

#### **X. Exemption from Harbor Dues**

Exempted from paying harbor dues according to Segment II to Segment VIII are:

(1) Water crafts that are owned by the Federal German Government, by a Federal State, or by a foreign country and are operated or managed by them, provided that such craft was not let to a business operator for commercial maritime gain. This regulation does not apply to military and supply ships loading or unloading military or other goods that are not intended for use on that respective vessel. This regulation does not apply to claiming permanent berths.

(2) Maritime Rescue Vessels

(3) Tug boats calling the port to assist other water crafts, and crafts performing commercial services within the port (supply and disposal services for other vehicles), whose usage of a berth does not exceed twelve hours each before and after the service performance.

(4) Ships participating in maritime events (such as harbor festivals, regattas, or similar events) and leisure boats attending water sport events, for the duration of the

event, with a maximum of 7 days, if a certification from the authority approving the event is furnished or from the competent association, which shows the duration and what kind of event this is.

- (5) The transit of the port of exclusively non-commercially used vehicles is exempt from harbor dues.

## **XI. Reduced Harbor Dues**

The discounts granted by Niedersachsen Ports can be seen in Item 1.8 of the Rate Schedule for Harbor Dues.

Discounts for particularly environmentally friendly ships:

- (1) Environmental Ship Index (ESI) Rebate:

As a member of the "World Ports Climate Initiative (WPCI)", Niedersachsen Ports is offering a discount on the harbor dues to particularly environmentally friendly ships. We can only grant a discount on the harbor dues for ships calling the port, if the ESI Certificate of the WPCI is presented together with the incoming ship registration (at the latest), and the ESI Value (see below) is reached. Applying for the discount afterwards is excluded. The discount is granted upon the harbor dues only after subtraction of other reductions (if any). The "Terms of Use for the ESI Website", as amended from time to time, do apply.

A maximum of 40 ships' calls for each ship owner and for each port during the validity period (calendar year) with an ESI value of  $\geq 30.1$  can receive a discount on the payable harbor dues, according to Items 1.8.10 to 1.8.11 of the Rate Schedule.

- (2) ECO-Fuel Rebate

Ship owners, whose ships are exclusively propelled by LNG, methanol, or ethanol, can receive within a calendar year for a max. number of 40 ships' calls a discount on the payable harbor dues according to Item 1.8.12.1 of the Rate Schedule. Ship owners, whose ships are equipped with Dual Fuel Propulsion (LNG, methanol, or ethanol) can receive, within a calendar year for a max. number of 40 ships' calls each ship owner, a discount on the payable harbor dues according to Item 1.8.12.2 of the Rate Schedule.

Proof must be furnished unprompted by presenting appropriate ship's papers/documents. Applying for the discount afterwards is excluded. The discount is granted upon the harbor dues only after subtraction of other reductions (if any).

The discount on the harbor dues is given with immediate effect. For each call, only one of the discounts pursuant to ESI or ECO-FUEL can be granted. At that time, the higher discount is granted. The percentage of discounts may be changed at any time, or the discounts may be discontinued altogether, without reason. A future discount

may - for whatever reason - not be claimable. Further, the user may not rely on any obtainment rights in good faith and no legitimate expectations are created and/or no customary law or common law based on constant exercise or practice is established. Notwithstanding the right to pursue further legal claims, Niedersachsen Ports reserves the right to verification and the right to a refund for falsely claimed discounts granted based on false statements of ESI values or false documents.

### § 3 Quay Dues (Cargo-Related Fees)

#### I. Definition/General

For the direct or indirect usage of the quay facilities, jetties, or other port facilities by water crafts for the purpose of cargo handling, quay dues must be paid according to the appendix. Indirect usage is the cargo handling from one vessel to another (board-to-board transshipment).

A cargo handling business operator is the individual or legal entity that performs the cargo handling (transshipment) onto or from a vessel, or that commissioned such cargo handling.

Furthermore, a cargo handling business operator is also a person that (in his/her/its capacity as an individual or legal entity) operates a commercial business and utilizes the quay facilities, the jetties, or other port facilities, by receiving goods there that were handled/transshipped by others, or by shipping goods there to be handled/transshipped by others. The cargo handling business operator can also be the ship owner or charterer of the ship.

The persons in the aforementioned sentences are jointly and severally liable for the quay dues.

The cargo handling business operator or an appointee (e.g. a cargo agent) must promptly furnish Niedersachsen Ports with the details necessary for the calculation of the quay dues and must submit the load manifest as proof upon demand.

#### II. Quay Dues for Cargo Handling

(1) Decisive factors for the calculation of the quay dues for cargo handling are:

- a. The Shipping Range According to § 1 Segment I.  
Goods from different shipping ranges are billed separately.
- b. The Type of Cargo.  
The decisive numbers are the details found in the Bill of Lading or in the load manifest.  
Notwithstanding the aforementioned, there is no distinction between commodities for the handling of containers and for RoRo traffic, with the exception of dangerous goods class 1 and 5.2 or 7 of the IMDG Code.
- c. The Cargo Weight.  
The cargo weight is calculated in (metric) tons (t). Notwithstanding the aforementioned, the quay dues for the handling of containers and for RoRo traffic

are calculated based on units according to APPENDIX 2, Part I, with the exception of dangerous goods class 1 and 5.2 or 7 of the IMDG Code.

The amount of the quay dues can be found in APPENDIX 2 (Rate Schedule for Quay Dues).

(2) Quay Dues based on the Freight Charges.

Within the scope of the service to the East Frisian Islands, calculation of quay dues is based on the transport tariffs of the carrier according to Appendix 2, Part IV.

### **III. Quay Dues for the Transport of Passengers**

The quay dues for the transport of passenger can be found in the details of APPENDIX 2, III (Rate Schedule for Quay Dues).

### **IV. Fees for the Board-to-Board Transshipment and the Board to Water Transshipment**

For goods handled from board to board or be transferred from board to the water surface in the port area, a cargo handling fee in the amount of 50% of the quay dues according to § 3, Segment II will be levied. The obligation to pay lies with the debtor for the ship berthed at quay. The transshipment of LNG from a tanker via an FSRU is not considered a board-to-board transshipment.

### **V. Exemptions from Quay Dues**

No quay dues are levied for:

- (1) Ship's equipment or supplies, as long as they serve or have served the needs for the voyage (own consumption) of the ship,
- (2) goods taken ashore for a short period of time for restowing purposes and returned to the same ship,
- (3) the handling of fish, fish products or marine animals (own catch).

## **§ 4 Fees for the Unloading and Disposal of Ships' Wastes**

- (1) The obligation for proper disposal of ship-generated waste and the responsibility for the associated costs is regulated in the currently valid ship waste management plan of the port. As a substantial contribution for covering the costs of unloading and disposal of the ships' wastes pursuant to MARPOL Annexes I, IV and V that do not exceed the usual scope of unloaded and disposed waste quantities as per MARPOL Annexes I, IV and V, a lumpsum fee is levied for each vessel calling the port.



The usual quantities as well as the lumpsum fee are delineated in the details of APPENDIX 3 (Rate Schedule for Other Fees). It must be paid for each commenced 100 GT for MARPOL I and IV and per GT for MARPOL V.

The lumpsum fee for MARPOL Annex V includes the disposal of ship-generated waste according to the waste types and volumes specified in APPENDIX 3 by a disposal company commissioned by Niedersachsen Ports. For ships' wastes of mentioned types of waste, which constitute hazardous waste (operational waste - cleaning rags, lithium batteries, spray cans, packaging with harmful attachments, lamps, small batteries, refrigerators, screens) an allowance of two tons is granted per ship and per calendar year. Requests for disposal exceeding the specified volume will be charged separately in accordance with APPENDIX 3. Incorrect filling of the disposal containers provided will be sanctioned with an additional charge according to the effective waste category in accordance with the port tariff.

- (2) Upon petition and after submission of proof, Niedersachsen Ports will reimburse the debtor of the fee 70% of the fees he paid to third parties for the unloading and disposal of the ship's wastes, to the customary extent in terms of type and quantity for MARPOL I and IV. This proof from the disposal company must be submitted to Niedersachsen Ports, at the latest 4 weeks after invoicing by the disposal company, otherwise the claim for reimbursement expires.  
Should ships' wastes in accordance with MARPOL Annexes I and IV exceed the customary extent in terms of type and quantity, the charges for the excess quantities are not covered by the lumpsum fee.
- (3) Additional fees in conjunction with the unloading or disposal of specialty wastes pursuant to MARPOL Annex V, due to non-compliance with the reporting deadlines, due to incorrect statements in the reporting form or about the ship's transfer facilities, are not covered by the lumpsum fee and will be invoiced separately.
- (4) The ship owner, the operator, and the charterer are debtors of the lumpsum fee and jointly and severally liable for it.
- (5) For RoRo freight vessels and car carriers, the lumpsum fee according to Paragraph 1 is reduced to 25%.
- (6) Exempted from the payment of the lumpsum fee are:
  - Commercial fishing craft,
  - Leisure boats licensed to carry up to twelve persons.
- (7) Oceangoing vessels may be exempted from paying the lumpsum fee by filing a petition with the competent Port Authority.

## § 5 Port Security and Protection Fee, Passenger Safety Fee

### I. Port Security and Protection Fee

For the usage of quay facilities, jetties, or other port facilities certified according to ISPS Code by oceangoing vessels, a Port Security and Protection Fee must be paid. The ship owner, the operator, and the charterer are debtors of the Port Security and Protection Fee and jointly and severally liable for it.

### II. Passenger Safety Fee

For the usage of the port facilities and safety facilities by passengers boarding ships that are bound by the ISPS Code, a Passenger Safety Fee must be paid. The operator of the passenger processing facilities, the ship owner, and their principals are debtors of the Passenger Safety Fee and jointly and severally liable for it.

The amount of such fees is delineated in the details of APPENDIX 3 (Rate Schedule for Other Fees).

## § 6 General Regulations

### I. Tax Provisions

The fees stipulated in this Port Tariff – with the exception of the harbor dues for leisure boats and traditional ships – are net amounts within the meaning of the Value Added Tax Act, to which the statutory VAT may have to be added.

### II. Other Provisions

(1) If not otherwise stipulated in conjunction with the respective fees, the general rule is that the party that ordered the service(s) is responsible for the payment of fees for the utilization of services. Multiple ordering parties will jointly and severally liable.

(2) The fees according to this schedule are payable 14 days after receipt of invoice. Niedersachsen Ports is entitled to demand payment for the harbor dues according to § 2 before the ship's departure.  
The fees for leisure crafts and the monthly and annual lumpsum fees must be paid in advance.

(3) If the payment is late, we will levy default interest. The amount of default interest is determined based on the provisions of the German Civil Code (BGB) of 8/18/1896 (Fed. Law Gazette RGBl. p. 195), as amended, and of the legal notice of 1/2/2002 (Fed. Law Gazette BGBl. I p. 42) as amended from time to time.

(4) Offsetting against our receivables in conjunction with this schedule is permissible only with undisputed or ultimately legally binding and due counterclaims.



- (5) Fractions of calculation units (time, weight, area, and spatial measurements) are billed as whole units.
- (6) If the calculated total invoice amount is less than EUR 10.00 net, a minimum fee of EUR 10.00 net will be charged. Excluded from this are cash payment for leisure crafts and traditional ships according to § 2, Segment VIII.
- (7) As of 1/1/2021, for inland waterway ships calling one of the ports of NPorts, an incoming ship registration pursuant to the Usage of Port Regulations (HBV/UPR) (<https://www.nports.de/en/ports/>) must be digitally tendered via the inland waterway ship app "NPorts Check-in" (available in the Google (Play) Store and Apple App Store) or via the website of the NPortal at [www.portal.nports.de](http://www.portal.nports.de). Analogue applications (e.g. inland waterway ship labels/application forms) are still accepted. In this case a processing fee of EUR 10.00 net will be charged.

### III. Final Provision

This Port Tariff becomes effective on July 1st 2024. At the same time, the Port Tariff for the ports managed by Niedersachsen Ports GmbH Co KG, in effect since January 1st, 2024, will be canceled.

This Tariff is written in the English and the German languages. In the event of a discrepancy or ambiguity, the German language version shall prevail.

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## § 7 Appendices

The following APPENDICES are an integral part of the Port Tariff:

- APPENDIX 1 – Rate Schedule for Harbor Dues of the respective port
- APPENDIX 2 – Rate Schedule for Quay Dues of the respective port
- APPENDIX 3 – Rate Schedule for Other Fees of the respective port

Item		Shipping Range			Billing Unit
		Overseas	Europe	Inland Waterways	
<b>1.</b>	<b>Harbor Dues</b>				
1.1	Harbor Dues for Oceangoing Vessels				
1.1.1	Tank Ships for Vegetable Oils & Greases	0.6098 €	0.5304 €	0.4639 €	GT
1.1.2	Other Tank Ships	0.3448 €	0.3181 €	0.3049 €	GT
1.1.3	RoRo Freight Vessels up to 7,000 GT	0.1193 €	0.0930 €	0.0796 €	GT
1.1.4	RoRo Freight Vessels over 7,000 GT	0.1857 €	0.1590 €	0.1459 €	GT
1.1.6	Car Carriers up to 10,000 GT	0.1193 €	0.0930 €	0.0662 €	GT
1.1.7	Car Carriers over 10,000 GT and up to 35,000 GT	0.1459 €	0.1193 €	0.1061 €	GT
1.1.8	Car Carriers over 35,000 GT	0.1857 €	0.1590 €	0.1459 €	GT
1.1.9	Other Ships, up to 3,900 GT	0.2121 €	0.1857 €	0.1723 €	GT
1.1.10	Other Ships, over 3,900 GT	0.3844 €	0.3579 €	0.3448 €	GT
1.1.11	Ships on Lay-up: 50% of the items mentioned under 1.1.1 to 1.1.10 in the shipping range Europe				GT
1.1.14	additional harbor dues for jacked up offshore vessels		0.9401 €		m <sup>2</sup>
1.1.18	Crew Transfer Vessel (CTV)		1.1554 €		m
1.2	Harbor Dues for Commercial Fishing Vessels				
1.2.1	Commercial Fishing Craft		0.0662 €		GT
1.2.2	Monthly Lumpsum for Commercial Fishing Crafts		1.3240 €		GT
1.2.3	Annual Lumpsum for Commercial Fishing Crafts		7.9440 €		GT
1.3	Harbor Dues for Passenger Ships and Water Crafts in passenger transportation				
1.3.11	Liner Service with Passenger Ships and Water Crafts Emden - Borkum *		0.1580 €		GT
1.3.12	Occasional Service in passenger transportation Emden - Borkum **		0.3314 €		GT
1.3.13	Occasional Service in passenger transportation Emden - Delfzijl - Ditzum		0.2311 €		GT
1.3.14	Round-trip cruise trips with Passenger Ships and Water Crafts (e.g.: coffee cruises, fishing trips, excursion trips, funerals at sea)		0.5834 €		GT
1.4	Harbor Dues for Inland Waterway Ships				
1.4.1	Inland Waterway Ships, first 7 days		65.2936 €		lumpsum
1.4.2	Inland Waterway Ships for an add'l 7 days		0.1459 €		tdw
1.5	Harbor Dues for Inland Waterway Passenger Ships				

Item		Shipping Range			Billing Unit
		Overseas	Europe	Inland Waterways	
1.5.1	Inland Waterway Ships (each 7 days)	65.2936 €			lumpsum
1.6	Harbor Dues for Leisure Boats and Traditional Ships *****				
1.6.1	Leisure Boats & Traditional Ships < 8 m	10.0000 €			lumpsum
1.6.2	Leisure Boats & Traditional Ships ≥ 8 m	15.0000 €			lumpsum
1.6.3	Leisure Boats & Traditional Ships ≥ 12 m	20.0000 €			lumpsum
1.6.4	Leisure Boats & Traditional Ships ≥ 16 m	25.0000 €			lumpsum
1.6.5	Leisure Boats & Traditional Ships ≥ 20 m	30.0000 €			lumpsum
1.7	Harbor Dues for Special Water Crafts				
1.7.1	Special Water Crafts	0.1061 €			m <sup>2</sup>
1.7.2	Monthly Lumpsum for Special Water Crafts	2.1220 €			m <sup>2</sup>
1.7.3	Annual Lumpsum for Special Water Crafts	12.7320 €			m <sup>2</sup>
1.8	Reduced Harbor Dues				
1.8.2	Discount for the 6th to 10th Call *** / *****	20.00%			Rebate
1.8.3	Discount for the 11th to 15th Call *** / *****	40.00%			Rebate
1.8.5	Discount for Each Add'l Call *** / *****	50.00%			Rebate
1.8.6	Discount for Measures to Maintain Operability for the day of call and for the subsequent 5 days **** / ***** For each additional day, the harbor dues will be 20% of the regular harbor dues.*****	50.00%			Rebate
1.8.7	Discount for Minor Cargo Handling <sup>(a)</sup> for the day of call and for the subsequent 5 days *** / *****	60.00%			Rebate
1.8.10	Discount ESI Value 30.1 to 50.00 for the day of call and for the subsequent 5 days	5.00%			Rebate
1.8.11	Discount ESI Value > 50.1 for the day of call and for the subsequent 5 days	10.00%			Rebate
1.8.12	Discount for ECO Fuel Propulsion for the day of call and for the subsequent 5 days				
1.8.12.1	Discount for LNG, Methanol, or Ethanol Fuel Propulsion for the day of call and for the subsequent 5 days	20.00%			Rebate
1.8.12.2	Discount for Dual Fuel Propulsion for the day of call and for the subsequent 5 days	15.00%			Rebate

Item		Shipping Range			Billing Unit
		Overseas	Europe	Inland Waterways	

\* For passenger ships with a car deck with more than 2050 GT, no harbor dues will be levied for any GT portion above 2050 GT.

\*\* This also applies, if one of the ports is not called via direct route.





\*\*\* The discount is applied only upon the harbor dues stipulated in § 2 Segment II Paragraph 1. In order to determine the number of calls, all vessels of a ship owner or charterer will be considered. The determination of the number of calls relates to only one specific calendar year.

\*\*\*\* The discount is applied only upon the harbor dues stipulated in § 2 Segment II Paragraph 1.

\*\*\*\*\* For each call, only one of the reductions for the points 1.8.2, 1.8.3, 1.8.5, 1.8.6 and 1.8.7 will be granted.

\*\*\*\*\* Permanent users may pay a harbor dues lumpsum. It is for the summer time (4/1 to 10/31) 90 times and for the winter time (11/1 to 3/31) 25 times the harbor dues. Payment of a lumpsum does not constitute the right to any specific berth.

<sup>(a)</sup> Minor Cargo Handling is present, if a ship transships less than a quarter of its load carrying capacity

	Handled Cargo	Shipping Range		
		Overseas	Europe	Inland Waterways
<b>Consecutive #</b>	<b>I. Quay Dues by Unit</b>	<b>EUR each Unit</b>		
1	Container 20'	18.2532	18.2532	4.3744
2	Container 40'	25.5568	25.5568	7.3037
3	Container, empty	3.2741	3.2741	1.4589
4	Truck, Units (loaded)  Class C, CE, C1, and C1E vehicles and/or their trailers/semi-trailers, etc.	14.5812	14.5812	5.1301
5	Units (empty) 	3.2874	3.2874	3.2874
6	Semi Tractors, Truck (empty) 	8.0462	8.0462	8.0462
7	Heavy load vehicles (SPMT, civilian-use specialty vehicles) 	23.1087	23.1087	23.1087
8	Load(s) on the heavy load vehicle (SPMT, civilian-use specialty vehicles)	Project load fees according to Appendix 2, II.2.		
9	Motor Vehicles (passenger cars)	2.9297	1.8005	0.8751
10	Urns for Burial at Sea	60	60	60
<b>Consecutive #</b>	<b>II. Quay Dues by Weight</b>	<b>EUR each ton</b>		
1	General Cargo, Except Project Loads	3.4198	1.8691	0.7425
2	Project Cargo	4.6392	4.6392	4.6392
3	Breakbulk (if not listed elsewhere)	2.2668	0.9014	0.1591
4	Goods of the IMDG Code (not listed elsewhere)			
	a) Classes 1, 5.2, LSA-1 Materials of Class 7	16.0526	16.0526	16.0526
	b) Class 7, except LSA-1 Materials of Class 7	27.7174	27.7174	27.7174
	c) Any Other Classes	5.7264	5.7264	5.7264
5	Misc. motor vehicles (such as trucks, buses, agricultural vehicles, camping vehicles, military specialty vehicles (other than passenger cars)), if they represent the cargo	2.9297	0.8751	0.8751
6	Metals	1.0739	0.4507	0.2256
7	Metal Scrap	0.8751	0.4241	0.2256
8	Forestry Products (e.g. paper, cellulose, etc.) Not Including Round Timber	0.8751	0.5834	0.2518

	Handled Cargo	Shipping Range		
		Overseas	Europe	Inland Waterways
9	Round Timber	0.1857	0.1857	0.1857
10	Grain and Animal Feed	0.2518	0.1987	0.0930
11	Fertilizer	0.1857	0.1857	0.1857
12	Sand, Stones, Soils, Building Materials, Slag	0.5435	0.4240	0.1724
13	Cement, Cement Clinker	0.3580	0.1857	0.1591
14	Ores	0.1857	0.1857	0.1591
15	Coal, Coke	0.4375	0.4375	0.2651
16	Mineral Oil/Min. Oil Products	0.3314	0.3314	0.1857
17	Vegetable Oils & Greases	0.7953	0.6630	0.5304
18	Liquid Chalk and Slurry	0.2256	0.2256	0.1857
19	Chlorides	0.2256	0.2256	0.2256
20	Fly Ash, Peet	0.1990	0.1990	0.1591
21	In the service to the East Frisian Islands			
21.1	Bulk Cargoes: packed or packaged	0.4907		
21.2	Bulk: other	0.2121		
<b>III. Quay Dues for Passengers</b>				
<b>Consecutive #</b>	<b>III. Quay Dues for Passengers</b>	<b>EUR each Passenger</b>		
1	Inland Waterway Passenger Ships*	2.0547		
2	Occasional Service in passenger transportation * Emden - Borkum	2.0547		
3	Other Services with Passenger Ships and Water Crafts *	2.0547		
<b>IV. Quay Dues acc. to Freight Charges</b>				
<b>Consecutive #</b>	<b>IV. Quay Dues acc. to Freight Charges</b>	<b>Percentage of the Freight Charges</b>		
1	Vehicles	5.00%		
2	Containers and general cargo, and items brought along by persons, or given to the ship operator for transport			
2.1	in Occasional Service in passenger transportation	5.00%		
2.2	in Liner Service with Passenger Ships and Water Crafts between Emden and Borkum	5.00%		

\*The quay dues are levied for half the number of officially permitted passengers of the ship.

### I. § 4 Fees for the Unloading and Disposal of Ships' Wastes according to MARPOL Annexes I, IV and V

Item	Type of Fee	Price	Billing Unit
1.	MARPOL I and IV together	1.8200 €	each commenced 100 GT
2.	MARPOL V	0.0495 €	per GT

The usual quantities for **MARPOL Annex I** and **MARPOL Annex IV** are:

GT		MARPOL Annex I	Marpol Annex IV
		usual amount	usual amount
from	up to	t	t
0	1000	8	8
1001	15000	16	16
15001	30000	22	22
more than 30000		30	30

Disposal in accordance with **MARPOL Annex V** is based on the size of the ship and includes the following containers and container sizes:

	Waste description	Container Size Liter/Pcs.
Ships up to 3500 GT	Plastic	240
	Food waste	120
	Household waste - paper	120
	Household waste - glass	120
	Household waste - residual waste	240
	Operational waste - cleaning rags	120

	Waste description	Container Size Liter/Pcs.
Ships over 3500 GT	Plastic	3 x 240
	Food waste	240
	Household waste - paper	240
	Household waste - glass	240
	Household waste - residual waste	2 x 240
	Operational waste - cleaning rags	240

The costs for the disposal of the above-mentioned waste types and waste containers according to MARPOL Annex V are covered by the MARPOL fees charged. Should additional waste containers be required for the above-mentioned types of waste, these must be registered with the waste disposal company in good time. The disposal of these additional waste containers will be invoiced separately by Niedersachsen Ports according to the following table:

	Waste description	Container	Price
Fees for the disposal of additional waste containers	Plastic	240 Liter	55.00 €
		7 m <sup>3</sup>	550.00 €
		10 m <sup>3</sup>	690.00 €
	Food waste	120 Liter	65.00 €
	Household waste - paper	120 Liter	50.00 €
	Household waste - glass	120 Liter	55.00 €
	Household waste - residual waste /mixed industrial waste	240 Liter	110.00 €
		7 m <sup>3</sup>	765.00 €
		10 m <sup>3</sup>	990.00 €
	Operational waste - cleaning rags	120 Liter	70.00 €

The container sizes 7 m<sup>3</sup> und 10 m<sup>3</sup> for plastic and mixed industrial waste can only be made available at the following times:

Monday - Thursday: 6:00 a.m. - 4:00 p.m.

Friday: 6:00 a.m. - 2:00 p.m.

For the disposal of the following types of waste, separate waste containers will be provided upon request from the disposal company at the following prices:

		Liter	Price
Containers to be delivered at the request of the ship	Ash from incinerators	240	101.00 €
	Mixed operational waste, non-	1100	103.00 €
	Lithium batteries	30	446.00 €
	Spray cans	30	118.00 €
	Packagung with harmful attachments	800	457.00 €
	Small appliances (Elektro G group 5)	240	61.00 €

The following fees will be charged for the disposal of waste in containers provided by the ship or unpackaged waste:

		Liter/Pcs.	Price
Waste in containers provided by the ship or unpackaged	Small batteries (No lithium batteries)	30	118.00 €
	Medicines (No narcotics)	30	103.00 €
	Edible oils	30	59.00 €
	Load carriers (pallets, unpacked)	Pcs	50.00 €
	Large batteries	Pcs	83.00 €
	Lamps (ElektroG group 3)	30	59.00 €
	Refrigerators (ElektroG group 1)	Pcs	47.00 €
	Screens (ElektroG group 2)	Pcs	50.00 €
	Large electrical appliances (Elektro G group 4)	Pcs	46.00 €



## II. Port Security and Protection Fee

Item	Type of Fee	Price	Billing Unit
3.	Port Security and Protection Fees*		
3.1	Port Security and Protection Fee Outer Port*	0.0272 €	GT
3.2	Port Security and Protection Fee South Quay*	0.0971 €	GT
3.3	Port Security and Protection Fee Oil Harbor Bridge 1*	0.0427 €	GT
3.4	Minimum Charge for the Port Security and Protection Fee*	60.0000 €	lumpsum

\* On the relevant ISPS facilities of the port area in Emden, the Port Security and Protection Fee is levied according to the details provided in the Rate Schedule for Other Fees, for the day of call and 6 additional days. For an additional seven days it will be calculated anew accordingly.