

TARIFF

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Contents

SECTION I GENERAL PROVISIONS.....	3
§ 1 Use of the Schedule of Rates	3
§ 2 Settlement.....	3
§ 3 Ordering of Services	3
§ 4 Responsibility of the Parties	4
§ 5 Miscellaneous Provisions.....	4
 SECTION II SERVICES FOR SEAGOING, HARBOUR AND INDLAND NAVIGATION	
VESSELS.....	5
 § 6 Rates for Vessels Services	5
§7 Towage services – detailed provisions	7
§8 Mooring services – detailed provisions.....	8
§9 Towing and pushing vessels	8
§10 Seagoing Ferries – port charges	8
§11 Clarifications to § 7 – 10.....	9
SECTION III RENTAL OF CRAFT AND AUXILIARY SERVICES FOR VESSELS.....	10
§12 Floating units	10
§13 Auxiliary services	10
§14 Clarifications	11
§15 Bunker adjustment factor (BAF).....	11

SECTION I

GENERAL PROVISIONS

§ 1 Use of the Schedule of Rates

1. This Schedule of Rates is used by the „WUŻ” Port and Maritime Services Ltd Sp. z o.o. in Gdansk acting in port and maritime traffic at the area of the Port of Gdansk, hereinafter referred to as „WUŻ” Gdansk and performing services covered by this Achedule of Rates.
2. Fees included in in this Schedule of Rates shall be binding unless the parties contracting the performance of a service have agreed otherwise.

§ 2 Settlement

1. The Rates in this Schedule of Rates are given in euros.
2. The rates shall be converted to the currency of payment with reference to an average rate in the tabulation of rates of the National Bank of Poland as at the day of completion of service unless the contracting parties agreed otherwise.
3. Payments under this Schedule of Rates shall be governed by current currency and financial regulations of the Republic of Poland.
4. The costs of activities related to the services performed on the basis of an instruction by the state administration authorities shall be covered by the party for whom the service was performed.
5. Any fees given in percentages shall be collected on top of the basic fees.
6. Invoices shall be issued in original to the employer.
7. Moorage and towage shall be based on the total vessel capacity (V) resulting from a product of its total length (L), width (b) and draught with reference to the summer marker (d), expressed in metres and centimetres, contained in the International Tonnage Certificate (1969) or certificate of registry, provided that for the calculation of fees the total vessel capacity (V) shall be rounded off upwards to the nearest 1 m3. In disputable cases the information contained in the Lloyds' Register of Shipping shall be mandatory.

§ 3 Ordering of Services

1. "WUZ" Gdansk performs services on the basis of an order submitted in writing by fax or by e-mail.
2. The employer entering into a service contract under this Schedule of Rates shall abide by all regulation contained herein.
3. The order shall be placed not later than 4 hours before the commencement of the service.

4. A service cancellation notice shall be placed at least 1 hour before the commencement of the service. If a service is cancelled within less than 1 hour from its commencement the costs incurred by "WUZ" Gdansk shall be charged to the employer.
5. Ordering the service constitutes acceptance of this Tariff and Conditions of the towage, mooring and/or crane services.

§ 4 Responsibility of the Parties

1. The responsibility of the service provider following the performance of the services covered by this Schedule of Rates is defined in the provisions of this Schedule of Rates and in current rules, and in any cases not dealt with therein in the regulations of the Maritime Code and Civil Code.
2. "WUZ" Gdansk is responsible for damage occasioned during the performance of the services by fault of "WUZ" Gdansk. The burden of proof is on the party which attributes legal consequences to an occurrence.
3. Any damage shall be advised of by way of a report immediately but not later than within 24 hours from the time when the service was performed. The report shall be signed by the representative of the customer.
4. The responsibility of "WUZ" Gdansk for damage to goods is limited to the value of the goods not greater than 0.6 euro per 1 kg, the maximum being 10,500.00 euros for the entire damage. The responsibility of "WUZ" Gdansk covers claims to which a direct and normal cause-and effect relationship pertains.
5. "WUZ" Gdansk shall not be responsible for:
 1. damage and/or loss caused by natural calamities or other force majeure, or occasioned as an implication of a strike staff and/or contractors,
 2. financial implications of instructions or activity of state administration authorities,
 3. any damage caused by the rendering of assistance which "WUZ" Gdansk was obliged to render in the interest of the safety of a port, within the limits of necessity.
6. The employer shall be responsible for the correctness of the data in the order, in particular for any damage occasioned by errors or insufficient data contained in the documents or submitted otherwise, and for damage occurring due to the fault of his employees or authorised persons.

§ 5 Miscellaneous Provisions

1. Irrespective of the provisions in §2-4, the provisions contained in the "Clarifications" pertaining to the particular chapters of this Schedule of Rates are also binding.

2. As for the loading, unloading, handling, storing and port handling of hazardous goods, separate regulations of the state administration authorities shall be applicable.
3. Submitting a dispute to a court or arbitration shall take place upon exhaustion of the complaint procedure.

SECTION II

SERVICES FOR SEAGOING, HARBOUR AND INDLAND NAVIGATION VESSELS

§ 6 Rates for Vessels Services

1. Fees for towage and mooring services for ships which have been provided commercial and cargo transportation services in Port Gdansk or go to (from) the shipyards shall be charged with the references to the rates expressed in „Table of fees” in § 7 - 11.
2. The rates in columns „A” and „B” cover:
 1. Column „A” – towing or accompanying by 1 tug boat at routes specified in § 7 clause 1;
 2. Column „B” – mooring or unmooring of a vessel.
3. Table of fees (in EUR):

Vessel capacity (V) in m3		A	B
from	to		
1		2	3
0	10 000	634	157
10 001	11 000	700	167
11 001	12 000	765	177
12 001	13 000	812	186
13 001	14 000	857	209
14 001	15 000	895	229
15 001	16 000	943	250
16 001	17 000	988	268
17 001	18 000	1 014	294
18 001	19 000	1 047	315
19 001	20 000	1 079	334
20 001	22 000	1 112	353
22 001	24 000	1 177	373
24 001	26 000	1 231	392
26 001	28 000	1 269	413
28 001	30 000	1 309	432
30 001	32 000	1 354	459
32 001	34 000	1 401	479
34 001	36 000	1 447	497
36 001	38 000	1 492	517
38 001	40 000	1 538	563
40 001	42 000	1 576	602
42 001	44 000	1 662	641
44 001	46 000	1 747	681
46 001	48 000	1 832	721
48 001	50 000	1 924	765
50 001	52 000	2 016	824
52 001	54 000	2 107	871
54 001	56 000	2 199	916
56 001	58 000	2 285	955
58 001	60 000	2 376	994
60 001	62 000	2 460	1 035

Vessel capacity (V) in m3		A	B
from	to		
1		2	3
62 001	64 000	2 552	1 074
64 001	66 000	2 644	1 139
66 001	68 000	2 721	1 205
68 001	70 000	2 814	1 244
70 001	75 000	2 892	1 283
75 001	80 000	2 983	1 321
80 001	85 000	3 076	1 362
85 001	90 000	3 167	1 401
90 001	95 000	3 259	1 452
95 001	100 000	3 350	1 499
100 001	110 000	3 507	1 559
110 001	120 000	3 638	1 609
120 001	130 000	3 769	1 674
130 001	140 000	3 900	1 740
140 001	150 000	4 030	1 805
150 001	160 000	4 161	1 865
160 001	170 000	4 292	1 924
170 001	180 000	4 423	1 989
180 001	190 000	4 554	2 068
190 001	200 000	4 685	2 146
200 001	225 000	4 816	2 225
225 001	250 000	4 925	2 307
250 001	275 000	5 034	2 387
275 001	300 000	5 143	2 468
300 001	325 000	5 251	2 550
325 001	350 000	5 360	2 630
350 001	375 000	5 469	2 712
375 001	400 000	5 578	2 793
400 001	425 000	5 687	2 874
425 001	450 000	5 796	2 955
450 001	Over	5 905	3 036

§ 7 Towage services – detailed provisions

1. The fees listed in column „A” of the „Table of fees” contained in §6 clause 3 shall be charged for towing or accompanying by one tug boat at the following routes:
 - a. Roadstead – Port of Gdansk (or vice versa);
 - b. Basin - basin; berth - berth.
2. Port Gdansk - zone from entrance head to the pontoon bridge in Gdańsk Shipyard.
3. The orders for towing services performed outside of this area (and at the shipyards) will be billed an hourly rate.
4. Assistance of the tug on the route: roadster - the area behind the turntable at Polski Hak (or vice versa) a fee increased by 25% to the fee from column "A".
5. The following reductions on the fees in column „A” are available in the cases covered by detailed provisions:
 - a. tourist vessels (calls to Port of Gdansk).....20%
 - b. towing a vessel alongside the same wharf or in the same port basin, with a50% reduction
 - c. for turning a vessel at the same wharf a fee in the amount of.....50% of the rate shall be charged
6. The fees from column "A" shall be also used in the following cases:
 - a. when the order for a tug boat was cancelled 1 hour before it was sent to manoeuvre, no fee shall be charged; after the above time limit a fee in the amount of.....50% of the rate shall be charged
 - b. for towing or accompanying which was interrupted and discontinued a fee in the amount of.....60% of the rate shall be charged
 - c. for tug boat waiting for over 30 minutes by fault of the vessel a fee in the amount of.....25% of the rate shall be charged for every next hour or part of hour waiting
 - d. for towing or hauling of the vessel not using its own engines a fee increased by.....50% shall be charged

- e. for towing or hauling in the ice period a fee increased by.....20% shall be charged
- f. docking / undocking assist directly from / on a roadsted fee increased by 20% shall be charged
- g. for using its own towrope by the tug boat the amount of.....85 EUR

§ 8 Mooring services – detailed provisions

1. The fees listed in column „B” of the table of fees contained in § 6, clause 3 shall be charged for mooring or unmooring of a vessel.
2. The following reductions on the fees in column „B” are available in the case covered by detailed provisions:
 - a. tourist vessels.....20%
3. For the waiting of ordered wharfmen by fault of the vessel for over 1 hour a fee shall be charged for every next hour in the amount of.....25% of the rate mentioned in column „B”.
4. For the cancellation of the mooring service after the wharfmen have arrived to attend the vessel, a fee in the amount of.....25% of the rate, from column „B” shall be charged.

§ 9 Towing and pushing vessels

The basis for calculation fees for mooring and towing accompanying is the sum of the capacity of each element of towing and pushing vessels.

§ 10 Seagoing Ferries – port charges

1. Towage service:

For the towing of or accompanying a seagoing ferry by 1 tug boat at the route from the roadstead to the Port of Gdansk or vice versa a fee in the amount of.....0,054 EUR per 1 m³ of the ferry capacity „V” shall be charged.

2. Mooring services:

For the mooring or unmooring of a seagoing ferry a fee in the amount of...0,021 EUR per 1 m³ of the ferry capacity „V” shall be charged.

§ 11 Clarifications to § 7 – 10

1. The obligation to use towing and mooring services is defined in the port regulations.
2. Vessels not subject to using the services mentioned in § 7 clause 1, shall only pay in the case of using them.
3. The rates in this Schedule of Rates do not pertain to salvaging e.g. refloating a vessel and rendering assistance in danger even if such a case occurs doing a standard towing manoeuvre. In the case of salvaging, the parties conclude special contract „no cure – no pay”.
4. For the towing or accompanying at the port premises of vessels without defined dimensions or for towing vessels outside the water regions of the commercial port, hourly rates listed in § 12 shall be charged.

5. Additional fees:

- a. for the services covered by this Schedule of Rates performed on Saturdays, Sundays and holidays, solemn holidays the following additional fees shall be added to appropriate rates:

Saturdays.....	70%
Sundays and holidays.....	90%
Solemn holidays.....	100%

- New Year's day
- First day of Easter
- 3rd of May
- Christmas Eve (24 December) after 15.00 hrs
- First day of Christmas (25 December)
- 31st of December after 15.00 hrs.

- b. The additional fee for work on Saturdays, Sundays and holidays, solemn holidays shall be charged when 50% or more the service was performed in those days provided that they begin at 23.00 hrs of the previous day.
- c. WUZ Gdansk reserves the right to use bunker adjustment factor (BAF) in the case of bunker price increase as a additional charge to the standard tariff, contained in § 6 – 10. The amount of the BAF is specified in the Table in § 15.

6. For the works outside the area administrated by the Port of Gdansk, the parties may enter into a separate contract.

SECTION III

RENTAL OF CRAFT AND AUXILIARY SERVICES FOR VESSELS

§ 12 Floating units

Rates per every started hour:

Floating units	bollard pull	Rates (in EUR) for 1 hour (net)
HERKULES	84	2 449
ARES	83	2 449
AKUL	74	2 059
ATLAS	70	2 059
AJAX	62	1 865
MARS	61	1 865
PAX	60	1 865
VIRTUS	58	1 733
TYTAN	48	1 404
TAURUS	42	1 404
VEGA	36	1 020
AGIS	30	890
SŁOŃ, BÓBR	10	438
JĘDREK	3	169
PILOT-25	nd	169
STRAŻAK 6	nd	303

§ 13 Auxiliary services

1. Seaman services.....110 EUR / h /person
2. Deck oficer, engineer oficer..... 154 EUR / h / person
3. Rates per every started hour.
4. The order for seaman services shall be placed 24 hours before the commencement of the service.

§ 14 Clarifications

1. The rates contained in § 12 – 14 shall apply to the rental not exceeding 5 days and nights. A separate contract may be concluded for the rental for a longer period.
2. Hourly rates for the use of craft shall apply to cases not covered by the services reconciled on a lump sum basis with reference to § 6 and 7. Separate contracts may be concluded for open sea voyages and services.
3. As far as hourly rates are concerned the same additional fees shall be charged as in § 11 clause 5 and for towage services in § 7 clause 3.
4. The period of rental is counted from exit of the vessel from its base to the return to the base.
5. In the event of a large scope of works the parties may enter into a separate contract.
6. WUZ Gdansk reserves the right to use bunker adjustment factor (BAF) in the case of bunker price increase as a additional charge to the standard tariff, contained in § 12 – 14. The amount of the BAF is specified in the Table in § 15.

§ 15 Bunker adjustment factor (BAF)

1. BAF is added to the standard tariff contained in Table of fees in § 6 clause 3 and Table with rates per every started hour in § 12.
2. Applicable BAF is determined by purchase price of MGO at the date of the towing and assist services.
3. The amount of the BAF is specified in the Table below:

Bunker price in EUR per 1 m3	Bunker adjustment factor (BAF)
< 500	-
501 - 550	2%
551 - 600	4%
601 - 650	6%
651 - 700	8%
701 - 750	10%
> 751	and so on