

APPROVED BY  
the Order No 3-246  
of the Minister of Transport and  
Communications  
of the Republic of Lithuania dated on the 30th  
of June 2008

## **THE REGULATIONS ON APPLICATION OF KLAIPEDA STATE SEAPORT DUES**

### **SECTION I GENERAL PROVISIONS**

1. The Regulations on application of Klaipeda State Seaport dues (hereinafter referred to as the Regulations) define the procedure for calculation, payment and application of the port dues.

2. The Regulations have been prepared in accordance with the Law on Klaipeda State Seaport of the Republic of Lithuania and the Resolution No 245 of the Government of the Republic of Lithuania “Regarding Approval of the Description of the List of the Types of Klaipeda State Seaport Dues, their Maximum Rates and the Principles of their Application” dated on the 5<sup>th</sup> of March 2008.

3. The Types of Klaipeda State Seaport dues (hereinafter referred to as the Port Dues) shall be as follows:

- 3.1. vessel dues;
- 3.2. navigation dues;
- 3.3. berth dues;
- 3.4. tonnage dues;
- 3.5. sanitary dues;
- 3.6. passenger dues;
- 3.7. port waters dues.

4. Definitions of the terms used in these Regulations:

4.1. **The stevedoring operation** – unloading of cargos from the vessel, loading, approval and clearance of the cargoes documents.

4.2. **Uniform cargo flow** - uniform cargoes regularly carried to/from specified ports, serviced by the same carrier (operator). The flow of uniform cargoes shall be registered by the Order of the State Enterprise Klaipėda State Seaport Authority (hereinafter referred to as the Seaport Authority) by specifying a name of the cargoes flow, the cargoes designation port(-s) whereto or wherefrom such cargoes are destined.

4.3. Other terms used in these Regulations shall be understood as defined in the Convention on Facilitation of International Maritime Traffic (FAL Convention) of 1965, the Inland Waterways Transport Code of the Republic of Lithuania, the Law on Klaipeda State Seaport of the Republic of Lithuania, the Law on Merchant Shipping of the Republic of Lithuania, the Law on Safe Navigation of the Republic of Lithuania, the Law on Essentials of Transport Operations of the Republic of Lithuania, the Law on Fishery of the Republic of Lithuania, the Law on Liquefied Natural Gas Terminal of the Republic of Lithuania, the Law on the Protection of the Marine Environment of the Republic of Lithuania.

### **SECTION II THE PROCEDURE FOR CALCULATION AND PAYMENT OF THE PORT DUES**

5. The rates of port dues as applicable to a particular vessel shall be calculated by the Seaport Authority.

6. The Master of the vessel or other person authorized by the Master of the vessel or by the owner (manager) of the vessel shall via the vessel's agent or directly submit to the Seaport Authority a Ship Declaration or Intermediate Ship Declaration filled out in accordance with the Klaipeda State Seaport Shipping Rules, approved by the Order No. 3-327 of the Minister of Transport and Communications of the Republic of Lithuania "Regarding Approval of Klaipeda State Seaport Shipping Rules" (hereinafter referred to as the Klaipeda State Seaport Shipping Rules) dated on the 10th of September 2008, or a copy of the ticket of inland water vessel (inland waters vehicle).

7. The details required for calculation of the port dues:

7.1. the vessel's maximum length in metres (L);

7.2. the vessel's maximum draught in metres (up to the summer water line - T);

7.3. the vessel's gross tonnage in units (GT);

7.4. the vessel's deadweight (DWT).

7.5. Amount of liquefied natural gas in cubic meters (m<sup>3</sup>).

8. Responsibility for accuracy of the details submitted shall be assumed by the person who has produced the data.

9. Payments of the port dues shall be made to the account of the Seaport Authority on the grounds of the value added tax invoice issued by the Seaport Authority (hereinafter referred to as the VAT invoice). The owner (manager) of the vessel sailing only within the Klaipeda Seaport's waters, the inland waterways of the Republic of Lithuania, the territorial sea of the Republic of Lithuania and the exclusive economic zone of the Republic of Lithuania or a person authorized by the owner (manager) of such vessel or the vessel agent shall be issued with VAT invoices by the Seaport Authority for the payment of the port dues on the monthly basis, while the owner (manager) of the vessel sailing

on international routes or a person authorized by the owner (manager) of such vessel or the vessel agent shall be issued with such invoices for each call/departure.

10. A person providing ship agency services at the port must enter into an agreement on the procedure of payment of port dues with the Seaport Authority pursuant to the draft prepared by the Seaport Authority.

11. An owner (manager) of the vessel sailing only within the Klaipeda State Seaport waters, the inland waterways of the Republic of Lithuania, the territorial sea of the Republic of Lithuania, the exclusive economic zone of the Republic of Lithuania and not using the services of ship agent, must enter into an agreement on the procedure of payment of port dues with the Seaport Authority pursuant to the draft prepared by the Seaport Authority.

12. The owner (manager) of the vessel sailing on international routes and not using the services of ship agent must pay all established port dues prior to the vessel departure from the Port.

13. Port dues, except the passenger dues and the tonnage dues for Ro-Ro cargo vessels designed in such a way that railway and/or motor vehicles with the maximum capacity of 12 passengers can roll on and roll off them (hereinafter referred to as the *ro-ro* vessels), for ro-pax vessels and for the container ships loaded (unloaded) with container crane (hereinafter referred to as container ships), the tonnage dues for liquefied natural gas tankers with the gross tonnage (hereinafter referred to as the GT) that is less than 25 000 units shall be calculated:

13.1. for seagoing vessels: in accordance with the GT specified in the International Ship Tonnage Certificate, calculated following the International Convention of Tonnage Measurement of Ships of 1969; if the vessel does not have the International Ship Tonnage Certificate, the relative due shall be calculated in accordance with the vessel length in linear metres (L), specified in the Ship Declaration or International Ship Declaration. In cases of reduction of the Port dues rates provided in these Regulations, the vessel's maximum draught in metres (up to the summer waterline - T) and the vessel's deadweight (DWT) shall be also used;

13.2. For inland waters vessels registered with the Inland Waters Shipping Register: on the grounds of the vessel's GT indicated in the vessel's ticket. If the vessel's GT is not specified in the vessel's ticket, the port dues shall be based solely on the vessel's length in metres (L) specified in the vessel's ticket. Should the vessel have no vessel's ticket or should be vessel be unregistered

from the Inland Waters Shipping Registers, the relevant dues shall be calculated on the grounds of the vessel's length in linear meters (L);

13.3. For cruise ships: on the grounds of the GT. When calculating the vessel, navigation, berth, sanitary and port waters dues for the cruise vessel with the GT above 50000 units, the maximum applicable GT shall be 50000 units;

13.4. The tonnage dues for liquefied natural gas tankers with the GT that is less than 25 000 units shall be calculated on the grounds of amount of liquefied natural gas filled in cubic meters (m<sup>3</sup>).

13.5. for ships transporting containers – in accordance with the GT of the ship; when calculating the ship, navigational, quay, sanitary, and waters dues, ships transporting containers, the GT of which exceeds 60,000 units, shall be subject to a maximum GT of 60,000 units.

14. In the event of failure of the shipping company to duly pay the port dues and penalties calculated for that particular vessel, the Harbour Master shall be entitled to deny permission for departure of the vessel from the Port until due payment of such port dues and penalties or until a guarantee of performance of the said obligations will be provided in the manner set forth by the laws of the Republic of Lithuania.

15. In event of failure of the vessel owner (manager), agent or other authorised person to duly pay the port dues in the established procedure and on due time on the part, the vessel owner (manager), agent or other authorised person shall be held liable for such failure in accordance with the procedure set forth by the laws of the Republic of Lithuania.

16. Port dues shall be calculated in Euros. Should the vessel owner (manager) or the person duly authorized by the vessel owner (manager) or the vessel agent pay the dues in US dollars, the amount due shall be calculated respectively as per the official exchange rate between Euro and US dollar fixed by the Bank of Lithuania for bookkeeping settlements as on the day of invoice.

17. For the purpose of calculating port dues, a part of a day shall be considered as a full day starting from the first hour of stay at the port (when the vessel stays at the port for 25 hours it is considered that such vessel is staying for 2 days), a part of an hour is considered as a full hour from 31<sup>st</sup> minute (when the vessel stays at the port for 31 minutes it is considered that such vessel is staying for 1 hour). This provision shall not apply to the vessels referred to in clause 31 hereof.

18. Upon substitution of the liner with another vessel due to repairs or due to change of cargo volumes (for the period not longer than one month and subject to prior notice to the Seaport Authority), the calls of the substituted vessel and her substitute during a calendar year shall be summed.

19. If a value of the dues can be reduced according to the procedure stipulated in clauses 23, 26, 30, 33 of the Regulations and according to sub-clauses 35.6, 35.8 of the Regulations as well in clause 36 and sub-clause 39.6 of the same, then a value of the dues shall be calculated in the numerical order of already reduced value of the dues.

20. Calendar year in these Regulations stands for the period, which begins on the 1st of January and ends on the 31st of December.

### **SECTION 3**

#### **THE VESSEL DUES**

21. The following vessel dues rates shall apply as per for each call to the Port (for use of the Port in case of inland waters vessels):

21.1. Cruise ship – 0.12 Euro per GT unit (as per each call to the Port);

21.2. The liner:

21.2.1. A cargo liner – 0.58 Euro per GT unit (as per each call to the Port);

21.2.2. Ro-pax liner – 0.07 euro per GT unit (as per each call to the Port);

21.2.3. Ro-ro liner and container liner – 0.28 Euro per GT unit (as per each call to the

Port);

21.2.4. Ro-pax vessels for passengers or Ro-ro vessels for cargo navigating at line or entering the port no less once (1) per week, – EUR 0.04 per BT unit;

21.3. the cargo vessel designed to carry liquid and bulk cargoes (hereinafter referred to as a tanker) which can carry a segregated ballast in special containers and which is designed and built with installed equipment and used as a segregated ballast tanker, including double hull or alternative design tankers complying with the requirements of the International Convention on Tonnage Measurement of Ships of 1969 and have the International Tonnage Certificate – 0.46 Euro per GT unit (as per each call to the Port);

21.4. Non-linear cargo, non-linear passenger or non-linear cargo-passenger vessel (hereinafter referred to as the tramp vessel) - 0.58 Euro per GT unit (as per each call to the Port);

21.5. The tramp vessel, the vessel specified as a tugboat in the registration documents (regardless of the fact in which register it is registered) and that tows (pushes) other vessels (hereinafter referred to as a tugboat), and the fishing vessel with the GT less than 1000 units - 0.12 Euro per GT unit (as per each call to the Port);

21.6. The vessel sailing solely in the Klaipeda State Seaport water area, within the inland waters of the Republic of Lithuania, in the territorial sea of the Republic of Lithuania or in the exclusive economic zone of the Republic of Lithuania (except for tugboats sailing outside the harbour basin waters):

21.6.1. The seagoing vessel, inland waters passenger vessel carrying freight and passengers according to the public schedule within the harbour waters – 0.93 Euro per GT unit (yearly);

21.6.2. Inland waters barge, floating crane, pontoon – 0.87 Euro per GT unit (yearly);

21.6.3. Other inland waters vessel – 1.94 Euros per GT unit (yearly);

21.6.4. Inland waters vessel a ticket of which does not specify the GT – 5.79 Euro per one linear metre (L) (yearly);

21.7. Inland waters vessel sailing on international routes:

21.7.1. Inland waters barge, floating crane, pontoon – 0.07 Euro per GT unit (as per each call to the Port);

21.7.2. Other inland waters vessel – 0.16 Euro per GT unit (as per each call to the Port);

21.7.3. Inland waters vessel a ticket of which does not specify the GT – 0.49 Euro per one linear metre (L) (as per each call to the Port);

21.8. The vessel the GT of which exceeds 1000 units, arriving at the Port from other port for operations other than stevedoring operations, i.e. for the purpose of replenishment of its stock, replacement of the crew, shelter from a storm, repair - 0.23 Euro per GT unit (as per each call to the Port);

21.9. Tramp ro-ro vessel, tramp ro-pax vessel and tramp container vessel – 0.29 Euro per GT unit;

21.10. A special vessel with several indoor decks, designed to carry cars (hereinafter referred to as the car carrier) having the vessel class certificate – 0,14 Euro per GT unit;

21.11. For the vessel staying in the Port for the purpose of construction, dismantling, having the International Ship Tonnage Certificate - 0.23 Euro per GT unit (as per each call to the Port);

21.12. For the vessel staying in the Port for the purpose of construction, dismantling, which does not have the International Ship Tonnage Certificate – 8.08 Euros per one linear metre (L) (as per each call to the Port).

22. As for the vessel, staying in the Port for more than 1 month, extended port dues shall be charged:

22.1. As for the vessel under repair, – 0.09 Euro per GT unit (as per each following month);

22.2. As for the vessel under construction, dismantling having the International Ship Tonnage Certificate, – 0.09 Euro per GT unit (as per each following month);

22.3. As for the vessel under construction, dismantling which does not have the International Ship Tonnage Certificate - 3.23 Euros per one linear metre (L) (as per each following month);

22.4. As for tramp vessel, a tugboat or the fishing vessel with GT less than 1000 units - 0.12 Euro (as per each following month);

22.5. As for other vessel not provided in sub-clauses 22.1 – 22.4 of the Regulations – 0.23 Euro (as per each following month).

23. The following rebates on the value of the vessel dues shall apply:

23.1. in respect of a cruise ship:

23.1.1. For the second and the third calls in a calendar year – 20 percent;

23.1.2. From the fourth call in a calendar year – 50 percent;

23.2. In respect of liners:

23.2.1. For the ninth to twenty-seventh calls in a calendar year – 25 percent;

23.2.2. From the twenty-eighth call in a calendar year – 50 percent;

23.3. In respect of the vessel that continually carries cargo constituting regular uniform cargo flow and the tramp vessel:

23.3.1. For the fourteenth to twenty-eighth calls in a calendar year – 10 percent;

23.3.2. From the twenty-ninth call in a calendar year – 20 percent;

23.4. In respect of the vessel returning from sea trials and after departure from port during storm – 80 percent;

23.5. The vessel which cannot bring (take out) a full cargo at the Port (from the Port) due to insufficient water depth at the Port shall be granted a rebate on the vessel dues calculated according to the formula  $(T - T_m) / T \times 100 \%$ , where T is the maximum vessel's draught up to the summer waterline in meters, T (m) – the maximum permissible vessel's draught in the Port, in meters;

23.6. In respect of liquefied natural gas driven vessel that enters the Port for the purposes other than stevedoring operations, i.e. to fill the fuel tanks with liquefied natural gas for own use – 70 percent.

24. If a value of the port dues is reduced in accordance with sub-clause 23.2 hereof, the provisions of sub-clause 23.3 of these Regulations shall not apply.

## SECTION IV

### NAVIGATION DUES

25. The following navigation dues shall be paid for use of the Port:

25.1. tramp ro-ro vessel, tramp ro-pax vessel, tramp container vessel, cruise ship, vessel under repair – 0.06 Euro per GT unit (as per each call to the Port);

25.2. The liner vessel:

25.2.1. Cargo liner - 0.12 Euro per GT unit (as per each call to the Port);

25.2.2. Ro-pax liner - 0.02 Euro per GT unit (as per each call to the Port);

25.2.3. Ro-ro liner and container liner – 0.04 Euro per GT unit (as per each call to the Port);

25.2.4. Ro-pax vessels for passengers or Ro-ro vessels for cargo navigating at line or entering the port no less once (1) per week, – EUR 0.01 per BT unit (per each harbouring);

25.3. The tramp vessel – 0.12 Euro per GT unit (as per each call to the Port);

25.4. The tramp vessel, tugboat and the fishing vessel with GT less than 1000 units – 0.06 Euro per GT unit (as per each call to the Port);

25.5. The vessel sailing solely in the Klaipeda State Seaport water area, within the inland waters of the Republic of Lithuania, in the territorial sea of the Republic of Lithuania or in the exclusive economic zone of the Republic of Lithuania (except for tugboats sailing outside the harbour basin waters):

25.5.1. The seagoing vessel, the inland waters passenger vessel carrying freight and passengers according to the public schedule within the harbour waters – 0.16 Euro per GT unit (yearly);

25.5.2. The inland waters vessel – 0.16 Euro per GT unit (yearly);

25.5.3. The inland waters vessel a ticket of which does not specify the GT – 0.49 Euro per one linear metre (L) (yearly);

25.6. The inland waters vessel sailing on international routes:

25.6.1. The inland waters vessel – 0.16 Euro per GT unit (as per each call to the Port);

25.6.2. The inland waters vessel a ticket of which does not specify the GT – 0.49 Euro per one linear metre (L) (as per each call to the Port);

25.7. Car carrier having the vessel class certificate – 0.04 Euro per GT unit (as per each call to the Port);

25.8. The vessel staying at the Port for the purpose of construction, dismantling, having the International Ship Tonnage Certificate - 0.06 Euro per GT unit (as per each call to the Port);

25.9. The vessel staying at the Port for the purpose of construction, dismantling, which does not have International Ship Tonnage Certificate – 2.02 Euros per one linear metre (L) (as per each calling to the Port).

26. The following rebates shall apply for navigation dues:

26.1. in respect of a cruise ship:

26.1.1. For the second and the third calls in a calendar year – 20 percent;

26.1.2. From the fourth call in a calendar year – 50 percent;

26.2. In respect of liners:

26.2.1. For the ninth to twenty-seventh calls in a calendar year – 25 percent;

26.2.2. From the twenty-eighth call in a calendar year – 50 percent;

26.3. In respect of the vessel that continually carries cargo constituting regular uniform cargo flow and the tramp vessel:

26.3.1. For the fourteenth to twenty-eighth calls in a calendar year – 10 percent;

26.3.2. From the twenty-ninth call in a calendar year – 20 percent;

26.4. In respect of the liquefied natural gas driven vessel that enters the Port for the purposes other than stevedoring operations, i.e. to fill the fuel tanks with liquefied natural gas for own use – 70 percent.

24. If a value of the port dues is reduced in accordance with sub-clause 26.2 hereof, the provisions of sub-clause 26.3 of these Regulations shall not apply.

## **SECTION V BERTH DUES**

28. The following berth dues shall be paid for the vessel's berthing:

28.1. For berthing of the vessel carrying out stevedoring operations:

28.1.1. Cargo liner, the tramp vessel and the fishing vessel – 0.12 Euro per GT unit (as per each call to the Port);

28.1.2. Ro-pax liner, ro-ro liner and container liner – 0.07 Euro per GT unit (as per each call to the Port);

28.1.3. Ro-pax vessels for passengers or Ro-ro vessels for cargo navigating at line or entering the port no less once (1) per week, – EUR 0.03 per BT unit (per each harbouring);

28.1.4. the tramp ro-ro vessel, the tramp ro-pax vessel, the tramp container vessel, a cruise ship, the vessel under repair – 0.09 Euro per GT unit (as per each call to the Port);

28.1.6. For berthing of sailing liquefied natural gas storage for more than a month, a prolonged berth due shall be paid – 0.12 Euro per GT unit (as per each following month).

28.2. For berthing of the vessel that does not carry out stevedoring operations (with permission of the Seaport Authority):

28.2.1. Cruise ship – 0.01 Euro per GT unit (as per one day);

- 28.2.2. Cargo liner, ro-pax liner, ro-ro liner and container liner – 0.01 Euro per GT unit (as per one day);
- 28.2.3. The tramp vessel, tugboat and the fishing vessel – 0.01 Euro per GT unit (as per one day);
- 28.2.4. The tramp vessel, tugboat and the fishing vessel with GT less than 1000 units – 0.01 Euro per GT unit (as per one day);
- 28.2.5. The vessel under repair – 0.007 Euro per GT unit (as per day);
- 28.2.6. The vessel staying in the Port for the purpose of construction, dismantling, having the International Ship Tonnage Certificate, - 0.007 Euro per GT unit (as per day);
- 28.2.7. The vessel staying in the Port for the purpose of construction, dismantling, which does not have International Ship Tonnage Certificate – 0.24 Euro per one linear metre, (L) (as per day).
- 28.3. The vessel sailing only within the Klaipeda State Seaport waters, the inland waters of the Republic of Lithuania, the territorial sea of the Republic of Lithuania or the exclusive economic zone of the Republic of Lithuania (except for tugboats sailing outside the harbour basin waters):
- 28.3.1. The seagoing vessel, the inland waters passenger vessel carrying freight and passengers according to the public schedule within the harbour waters – 0.004 Euro per GT unit (as per one day);
- 28.3.2. The inland waters vessel – 0.01 Euro per GT unit (yearly);
- 28.3.3. The inland waters vessel a ticket of which does not specify the GT – 0.01 Euro per one linear metre (L) (as per one day);
29. On completion of stevedoring operations or termination thereof without resumption, the first 4 hours are not charged; if the vessel stays alongside a berth for a period longer than 4 hours after completion of stevedoring operations as result of fault of the vessel manager, then charge shall be levied in accordance with the provisions of sub-clause 28.2 hereof.
30. Rebate on berth dues shall apply as follows:
- 30.1. When the vessel is being berthed:
- 30.1.1. Alongside another vessel as the second in the row or when it is being berthed by stern – 50 percent;
- 30.1.2. When the vessel is being berthed alongside another vessel as the third and further in the row – 65 percent.
- 30.2. In respect of a cruise ship:
- 30.2.1. For the second to third calls in a calendar year – 20 percent;
- 30.2.2. From the fourth call in a calendar year – 50 percent;
- 30.3 In respect of the liquefied natural gas driven vessel that enters the Port for the purposes other than stevedoring operations, i.e. to fill the fuel tanks with liquefied natural gas for own use – 70 percent.
31. In respect of the vessels sailing only within the Klaipeda State Seaport waters, the inland waters of the Republic of Lithuania, the territorial sea of the Republic of Lithuania and the exclusive economic zone of the Republic of Lithuania (except for tugboats sailing outside the harbour basin waters), the berth dues shall be calculated based on the actual time of berthing (on the basis of hours converted to days: the actual number of hours of the vessel's berthing in the current month shall be summed and recalculated into days by dividing the resulting total sum of hours by 24 hours).

## SECTION VI

### TONNAGE DUES

32. If ship arrival is related to cargo handling, the following tonnage dues shall be paid for use of Klaipeda State Seaport:
- 32.1. For a tanker:

32.1.1. For a tanker carrying oil and oil products – 0.43 Euro per GT unit (for loading or unloading);

32.1.2. For a sailing liquefied natural gas storage – 0.64 Euro per GT unit (for loading or unloading);

32.1.3. For a liquefied natural gas tanker with GT less than 25 000 units and that fills a liquefied natural gas from a sailing liquefied natural gas storage, a liquefied natural gas distribution station or other liquefied natural gas tanker with GT less than 25 000 units – 0.73 Euro per one cubic meter of a liquefied natural gas;

32.2. For the cargo vessel with the following GT:

32.2.1. Under 3500 units – 0.43 Euro per GT unit (for loading or unloading);

32.2.2. 3501 and more units – 0.64 Euro per GT unit (for loading or unloading);

32.3. For the vehicle loaded onto / unloaded from the ro-pax / ro-ro vessel:

32.3.1. For a passenger car (not more than 12 seats including the driver's seat) – 3.48 Euros per unit;

32.3.2. For a vehicle (more than 12 seats including the driver's seat) – 5.79 Euros per unit;

32.3.3. For any freight vehicle, trucks with roll trailer and container (with or without cargo) on carrier in ro-ro operations and for railcars with cargo – 5.79 Euros per unit;

32.3.4. For any freight vehicle without cargo – 2.03 Euros per unit (no tonnage dues shall be charged for roll trailer forming a part of the vessel's stevedoring equipment and the vessel's property);

32.4. For a container loaded / unloaded by crane, calculating based on equivalent of a 20 feet container (hereinafter referred to as TEU):

32.4.1. With cargo – 5.79 Euros per TEU;

32.4.2. Without cargo – 2.03 Euros per TEU.

32.5. For use of a sailing liquefied natural gas storage with the purpose of execution of stevedoring operations in the Port for a period longer than one month – 0.64 Euro per GT unit (the extended tonnage dues shall be paid for each following month).

33. Rebate on tonnage dues shall be applied as follows:

33.1. In respect of the vessels referred to in sub-clauses 32.1.1, 32.1.2 and 32.2 hereof:

33.1.1. If the vessel is loaded or unloaded under 80 percent of the vessel's DWT – 20 percent;

33.1.2. If the vessel is loaded or unloaded under 40 percent of the vessel's DWT – 40 percent;

33.2. When loading the cargoes referred to in sub-clause 32.4 hereof:

33.2.1. Containers with cargo amount of which exceeds 800 TEU as per vessel – 50 percent;

33.2.2. Containers without cargo amount of which exceeds 800 TEU as per vessel – 50 percent.

33.3. For a transferred amount of cargo (if less than 75 cargo transport units of the cargoes listed in sub-clause 32.3.3. of the Regulations are loaded (unloaded) to (from) one vessel during stevedoring operation of ro-ro cargoes) – 50 percent.

34. The tonnage dues for the vessels referred to in sub-clauses 32.1.1, 32.1.2 and 32.2 hereof which are loaded and unloaded in Klaipeda State Seaport shall be calculated separately for loading and unloading according to the procedure stipulated in clauses 32 and 33 of the Regulations.

## **SECTION VII SANITARY DUES**

35. Sanitary dues shall be paid for the vessel staying at Klaipeda State Seaport as follows:

35.1. Up to 10 days inclusive – 0.07 Euro per GT unit;

35.2. From the 11<sup>th</sup> day for each following day – 0.007 Euro per GT unit;

35.3. The vessel under repair shall be charged sanitary dues during repair according to the requirements of sub-clauses 35.1 and 35.2 hereof, but no more than 289.62 Euros. All operational pollutants of such vessel shall be passed to ship repair (shipbuilding) or dismantling yards as per their approved rates;

35.4. For the vessel under dismantling:

35.4.1. the vessel under dismantling having the International Ship Tonnage Certificate shall be charged sanitary dues according to clauses 35.1 and 35.2 hereof, but no more than 289.62 Euros. All operational pollutants of such vessel shall be passed to ship repair (shipbuilding) or dismantling yards as per their approved rates;

35.4.2. the vessel under dismantling, which does not have the International Ship Tonnage Certificate, - 2.78 Euros per one linear metre (L) (as per each following month), but no more than 289.62 Euros. All operational pollutants of such vessel shall be passed to ship repair (shipbuilding) or dismantling yards as per their approved rates;

35.5. Ro-pax vessels for passengers / Ro-pax vessels for passengers entering the port no less once (1) per week, – EUR 0.021 per BT unit (per each harbouring);

35.6. The sanitary fee for Ro-pax vessels for passengers / Ro-pax vessels for passengers entering the port no less once (1) per week shall be reduced by:

35.6.1. from the ninth call in a calendar year – by 25 percent;

35.6.2. from the twenty-eighth call in a calendar year – by 35 percent;

35.7. In respect of the vessels sailing only within the Klaipeda State Seaport waters, the inland waters of the Republic of Lithuania, the territorial sea of the Republic of Lithuania and the exclusive economic zone of the Republic of Lithuania:

35.7.1. The seagoing vessel – 0.93 Euro per GT unit (yearly);

35.7.2. The inland waters vessel – 0.93 Euros per GT unit (yearly);

35.7.3. The inland waters vessel a ticket of which does not specify the GT – 2.78 Euros per one linear metre (L) (yearly).

35.8. Rebate on sanitary dues in respect of a cruise ship shall be applied:

35.8.1. For the second to third calls in a calendar year – 20 percent;

35.8.2. From the fourth call in a calendar year – 50 percent.

36. The vessels with installed and operated ship-generated waste processing system recognized by international certificates (“Green Award”) and that also apply other state-of-the-art systems for waste management reducing amount of waste generated and waste is recycled and sorted, shall be granted rebate on sanitary dues of 20 percent.

37. Sanitary dues shall cover delivery of all kinds of operational pollutants (as referred to in the International Convention for the Prevention of Pollution from Ships of 1973 (MARPOL 73/78 Convention) generated during the period of sailing from the last port of call till arrival at Klaipeda State Seaport and during stay in the Port. Other operational and non-operational pollutants shall be passed to companies rendering services of collection of pollutants.

## **SECTION VIII PASSENGER DUES**

38. Passenger dues amounting to 1 Euro shall be charged for each passenger arriving by the vessel to Klaipeda State Seaport and for each passenger departing from Klaipeda State Seaport specified in the passenger list of the vessel, except passengers under 7 years of age and passengers travelling by the vessels only within Klaipeda State Seaport waters, the inland waters of the Republic of Lithuania, the territorial sea of the Republic of Lithuania, the exclusive economic zone of the Republic of Lithuania.

## **SECTION 9 PORT WATERS DUES**

39. The following port waters dues shall apply for use of Klaipeda State Seaport waters:

39.1. For each use of Klaipeda State Seaport waters by the vessel from the reception buoy to the berth or backwards (except the vessels referred to in sub-clause 39.2 hereof) – 0.074 Euro per GT unit;

39.2. For each use of Klaipeda State Seaport waters by a tanker carrying oil or oil products, by a liquefied natural gas tanker with the GT less than 25 000 units from the reception buoy to the berth or backwards – 0.070 Euro per GT unit;

39.3. For each use of Klaipeda State Seaport waters for the purpose of re-mooring of the vessel, except the vessels referred to in sub-clauses 39.4 and 39.5 hereof – 0.053 Euro per GT unit;

39.4. For each use of Klaipeda State Seaport waters for the purpose of re-mooring of the inland waters vessel or a non-propelled floating structure – 0.08 Euro per GT unit;

39.5. For each use of Klaipeda State Seaport waters for re-mooring of the inland waters vessel or a non-propelled floating structure a ticket of which does not specify the GT of the vessel – 0.29 Euro per one linear metre (L) (as per each pilotage/mooring at the Port);

39.6. Rebate on port waters dues in respect of cruise ships shall apply:

39.6.1. For the second to third calls in a calendar year – 20 percent;

39.6.2. From the fourth call in a calendar year – 50 percent.

## **SECTION X EXEMPTIONS TO APPLICATION OF PORT DUES**

40. The following vessels shall be granted exemption from vessel, navigation, berth, tonnage, sanitary and passenger dues:

40.1. the vessels of National Defence and State Border Guard of the Republic of Lithuania, the vessels of the port police and the vessels performing functions of assurance of safe navigation in the Port;

40.2. The rescue vessels and specialized fire-fighting vessels registered in the Republic of Lithuania;

40.3. The hydrographic, training, scientific research and environmental protection vessels registered in the Republic of Lithuania;

40.4. The vessels used for provision of medical aid;

40.5. The sport vessels registered in the Republic of Lithuania;

40.6. The vessels used by the Seaport Authority;

40.7. The vessels operating under commission of the Seaport Authority and performing works relating to the projects carried out by the Seaport Authority, if so is provided in the agreement of works performance;

40.8. The vessels with a length not exceeding 8 metres that are registered in the Republic of Lithuania and having registered a fixed-term departure in the Seaport Authority in accordance with Klaipeda State Seaport Shipping Regulations and sailing only within the harbour waters of Klaipeda State Seaport, the inland waters of the Republic of Lithuania, the territorial sea of the Republic of Lithuania, the exclusive economic zone of the Republic of Lithuania;

40.9. the traditional vessels having a Compliance document of the form referred to in the Annex 1 to the memorandum of the understanding of mutual recognition of the certificates of Save use of the traditional vessels in the European waters and the certificates of competences of the crews of the traditional vessels whereby special requirements of the traditional vessels are established.

41. Foreign naval ships shall be exempted from port dues in accordance with the Regulations for arrival and stay of foreign ships with naval and state-owned status at the Klaipeda State Seaport, the Regulations for submission and approval of applications for berthing of Lithuanian naval vessels and the List of the berths located outside the military zone of Klaipeda State Seaport reserved for berthing and stay of the Lithuanian naval vessels on duty and foreign naval ships by priority right approved by the resolution No 277 of the Government of the Republic of Lithuania “Regarding the approval of the list of the Rules for arrival and stay of foreign ships with naval and state-owned status at the Klaipeda State Seaport, Rules for submission and approval of applications for berthing of Lithuanian naval vessels, and the List of the quays located within the commercial zone (outside military zone) of the Klaipeda State Seaport reserved for berthing and stay of the Lithuanian naval vessels on duty and foreign naval ships by priority right” dated on the 26<sup>th</sup> of March 2006.

42. The port waters dues shall not be paid by the vessels which are not subject to the obligatory pilotage within the port waters and where such pilotage was not carried out in accordance with the requirements of part 1 of the Article 20<sup>1</sup> of the Law on Safe Navigation of the Republic of Lithuania.

43. Exemption from tonnage dues shall apply for the vessels registered in the Republic of Lithuania which carry cargoes only within Klaipeda State Seaport waters, the inland waters of the Republic of Lithuania, the territorial sea of the Republic of Lithuania, the exclusive economic zone of the Republic of Lithuania.

44. The vessels under construction shall be exempted from sanitary dues. All operational pollutants of such vessels shall be passed to vessel construction yards as per their approved rates;

45. Liquefied natural gas tankers with GT less than 25 000 units that fill the liquefied natural gas in Klaipeda State Seaport from a sailing liquefied natural gas storage, a liquefied natural gas distribution station or other liquefied natural gas tanker with GT less than 25 000 units or that have filled the liquefied natural gas in Klaipeda State Seaport from a sailing liquefied natural gas storage, a liquefied natural gas distribution station or other liquefied natural gas tanker with GT less than 25 000 units during their previous entrance to the Seaport shall be exempted from payment of vessel, navigation and berth dues. Liquefied natural gas tankers with GT less than 25 000 units that do not fill the liquefied natural gas in Klaipeda State Seaport shall submit documents proving that they do not take into the Seaport any liquefied natural gas filled anywhere else.

46. Applications for exemption from payment of port dues and the documents approving the ground for exemption shall be submitted in writing (by means of electronic communication) to the Seaport Authority. Upon receipt of an application the Seaport Authority shall examine the application within 10 working days from the date of its receipt and shall notify the vessel owner (manager) or a person who has submitted the application within 2 working days on decision adopted. The following vessels can be exempted from the port dues subject to decision of the Seaport Authority:

46.1. The vessels carrying in only charity / sponsorship items addressed to the recipients specified in the Law on Charity and Sponsorship of the Republic of Lithuania and the vessels carrying out only the state charity / sponsorship items of the Republic of Lithuania - shall be exempted from vessel, navigation, berth, tonnage, sanitary and passenger dues;

46.2. The foreign vessels calling at the Port for non-commercial purpose (visits on the occasion of holidays and festivals, visits for the purpose of cooperation, sightseeing, port development and making new contacts, etc.) - shall be exempted from vessel, navigation, berth, tonnage, sanitary and passenger dues;

46.3. Exemption from sanitary dues, subject to special decision of the Seaport Authority, shall apply to vessels registered in the Republic of Lithuania sailing only within Klaipeda State Seaport waters, the inland waters of the Republic of Lithuania, territorial sea of the Republic of Lithuania, exclusive economic zone of the Republic of Lithuania which shall pass pollutants and garbage to a company providing pollutant and garbage collection services under a respective agreement made with such company (a copy of the agreement shall be produced to the Seaport Authority prior to making such decision);

46.4. Liners providing regular transport services between the designated ports of the Baltic and North seas and operating on an established route according to a regular schedule may be exempted from sanitary dues. In such case, the vessel's owner (manager) must submit to the Seaport Authority documents (service agreements) proving that the vessels' owner (manager) will ensure delivery, handling and disposal of waste at his own expense.

46.5 vessels performing the repatriation and (or) evacuation of passengers with (without) vehicles subject to a separate order of state institutions of the Republic of Lithuania are exempted from all port dues.

47. Should departure of the vessel be postponed by decision of the seaport manager instead by decision of the vessel owner (manager) due to bad weather, the vessel shall be exempted from

berth dues for further staying time of the vessel until the vessel will be permitted departure from the seaport after improvement of weather.

48. Exemption from vessel, navigation, berth and sanitary dues shall be applied to all types of docks used for the purpose of shipbuilding and ship repair works (according to the dock putting into operation certificate with indicated date of the commencement of works submitted to the Seaport Authority by shipbuilding and ship repair companies) and that have become the part of the Seaport infrastructure.

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