



THE MINISTRY OF MARITIME ECONOMY  
AND THE MINISTRY OF FINANCE

**Joint Ordinance no. 8/2019**  
**of the 25<sup>th</sup> of March**

**Preamble**

The national port system, which is made up of nine ports, should promote their effective and efficient interconnection, as well as external links, to boost competitive import and export of goods and movement of passengers. This task entails high investment costs and often restricts the possibility of obtaining benefits and advantages that come with an economy of scale.

This territorial fragmentation, which is an additional difficulty, requires from ENAPOR, S.A. a permanent and careful trade-off between all aspects of management of the port system and, in particular, maintenance of balance between the need for critical mass and the scale. Therefore, the services provided to all islands need to be guided by the principle of cross subsidies, from the standpoint of sustainability, in order to guarantee both socially accepted and competitive prices on each island, supported by the favourable results of the main ports of the country.

Drafting of the Strategic Plan for the period of 2018 through 2030 has enabled the identification of several necessities, mainly, the need to simplify and clarify the current tariff legislation, which dates back to 2013, in order to facilitate pre-calculation of fees for port customers, and to adapt to current port realities, technological advances, and major changes in the overall development of ports which affect infrastructure, security, management, operations, and supplies. In addition, there is a need to reduce prices for the traffic of ships and goods. Thus, guided by the goals below, the revision of the current Tariff Regulations of ENAPOR S.A. is herein proposed, in order to:

- optimize a combined use of human resources infrastructures and port equipment;
- enhance competitiveness by increasing productivity, efficiency, and by containing fixed and variable costs;
- maximize revenues so that they can progressively cover costs and contribute to investment financing;
- strengthen the capacity to guarantee safety and security within the areas of port jurisdiction;
- focus the strategy on customers in order to ensure clients' loyalty;
- promote and boost maritime competitive transport;
- reduce the costs of ports use and adjust the balance between ship and goods tariff;
- stimulate standardization of cargo practices and

promote export by attracting transshipment niche markets, fishing boats and cruise ships; and

- actively influence traffic and demand.

The review is based on the best environmental, logistic, ethical, and transparent business practice. In that regard, and considering the goal of simplifying logistic procedures, a more relevant role is attributed to the ship owner in bearing the port costs and in a subsequent liaison with the shipping agents and freight forwarders, who are related to the final customer, thus avoiding direct charging of numerous small scale customers (consignors) who do not have a relevant business dimension.

This instrument, which will be enacted in 2019 and updated and approved annually, and which is based on best practice, intends to provide a single and simplified tariff framework, with a reduced number of fees and tables, with the purpose of making calculations very easy to understand. Taking into special consideration the ship owners and agents, the bureaucracy will be reduced and shore operations will be made more efficient.

On the other hand, this Tariff Legislation is more attractive to foreign customers in transshipment, fishing, cruise, ship repair and bunkering markets. It will strengthen Cape Verde's connections abroad, and turn the country into a hub for goods traffic, creating added value and jobs.

Likewise, this revision of tariff reflects profound social and environmental concerns. It stimulates and promotes best practice in sea and environment protection while addressing local communities' potential, especially with regard to the coastal traffic. In addition, it minimizes the movement of goods and freight costs without affecting the quality of service. At the same time, it contributes to the reduction of the costs of access to goods in smaller ports, and to the increase in efficiency of islands with smaller population and no economy of scale, in order to ensure their sustainability and, therefore, the conditions for their future development.

Finally, it is projected that the current tariff rates be sufficient to maintain the sustainability of the national port system, nonetheless at competitive levels in relation to direct competitors. This is achieved by applying an external co-financing model that promotes ports' competitiveness, ensures stability, maintenance, and their development. The improvements in ENAPOR S.A. efficiency and in port services provided to private and several other entities should, consequently, be the main key for boosting competitiveness and reducing the costs associated with the port use.

Thus, amongst the most relevant points covered by the current revision of the Tariff Regulations, the following should be highlighted:

1. with regard to prices and based on commercial and operational perspective, the proposal is to continue with previously established goals, such as equity with respect to differences in

vessels' size, a minimal differentiation of tariffs applied to regular business hours and overtime service in order to clearly indicate that the port is an uninterrupted working space, and, finally, incentives to unitize cargo by granting reductions, etc;

2. tariffs for "licensed" coastal ships in regular traffic have been adjusted in order to increase the number of stopovers of these vessels, and augment their circulation and regularity;

3. mooring tariff rates have been updated by broadening the size classes of the ships and by applying higher tariffs to larger vessels;

4. a new tariff bracket for traffic and transport of fuels, with the use of containers larger than 18 m<sup>3</sup>, has been set up in order to respond to the current reality of this cargo sector;

5. the tariff for the use of weigh bridges has been updated to meet the amendment to the IMO's International Convention for the Safety of Life at Sea Convention (SOLAS), which imposes the requirement to weigh each container for export that enters a vessel;

6. the costal ro-ro traffic tariff has been adjusted, and the port use tariff updated, as a result of the reinforcement of the control and safety measures to be introduced, namely, the requirement to weigh vehicles with cargo and machinery, before embarkation; and

7. the introduction of a set of corrections to the Tariff Regulations in force, with the purpose of eliminating some potentially misleading fragments and to facilitate their understating, as well as simplify their application by the users.

Accordingly, and after having consulted the relevant authorities and bodies, in the exercise of the power conferred by the sub-paragraph b) of article no. 205 and the paragraph 3 of article no. 264, both in the Constitution of the Republic, the Government of the Republic of Cape Verde, by the Ministers of Maritime Economy and Finance, decides as follows:

Article 1

(Scope)

The Tariff Legislation of ENAPOR, S.A. (annexed) is approved.

Article 2

(Entry into force)

This Joint Ministerial Ordinance goes into effect 60 (sixty) days after its publication.

The Offices of the Minister of Maritime Economy and the Minister of Finance, February 27<sup>th</sup>, 2019.

Minister of Maritime Economy  
*José da Silva Gonçalves*  
Minister of Finance  
*Olavo Avelino Garcia Correia*

## TARIFF LEGISLATION OF ENAPOR, S.A. CHAPTER I GENERAL PROVISIONS

Article 1

**Scope of Application**

The National Port Administration Company, hereinafter ENAPOR S.A., will charge, within its jurisdiction, the fees set out in this Tariff Legislation, for the use of its facilities and equipment, supply of goods or services involving the economic exploitation of ports.

Value Added Tax (VAT), in accordance with legislation in force, shall apply to the fees provided for in this Legislation.

Article 2

**Competence of the Board of Directors of ENAPOR, S.A.**

Notwithstanding the circumstances foreseen in this Tariff Legislation, or defined by special legislation, the Board of Directors of ENAPOR, S.A., while respecting the competencies of the Regulatory Authority, is responsible for the following:

- a) supply of services by prior agreement;
- b) services performed outside the port area;
- c) services rendered in rescue operations, waste collection and treatment, assistance to ships in distress, fire on board, and other similar operations;
- d) enforceability of advance fee payment or advance payment bonds;
- e) resolution of cases not covered in this Legislation.

Article 3

**Definitions**

Definitions of terms used in this Tariff Legislation are provided in the Annex, for the purpose of their application.

Article 4

**Utilization of personnel**

1. The tariffs apply during regular business hours and always include the labour costs of the personnel required for performing the service.

2. When the personnel is used beyond normal duties described in the previous paragraph, by demand of the service requestor, or when required by the type of operation, a personnel fee will apply according to the provisions of this Legislation.

Article 5

**Units of measurement**

1. The applicable units of measurement are:
  - a) quantity – cargo unit;

- b) mass – metric tonne;
- c) volume – cubic metre;
- d) area – square metre;
- e) length – linear metre;
- f) time – hour, day, month, and day;
- g) capacity – gross registered tonnage (GRT) and dimension of ships or vessels.

2. In cases where the tonne applies, the cubic meter will be used whenever this measure determines a higher fee value, due to the low density of the goods. In all other cases, when more than one unit of measurement applies, ENAPOR S.A. will select the most suitable one.

3. For the application of tariffs, the gross registered tonnage (GRT), the overall length, breadth, and the maximum draft of vessels and ships, as declared in the Gross Tonnage Certificate issued in accordance with the International Convention of Tonnage Measurement of Ships of 1969 will be considered.

4. Unless otherwise stated, the units of measurement provided in this Tariff Legislation for the purpose of its application are indivisible and will be rounded up.

5. Direct measurements performed by ENAPOR, S.A., or any other authority recognized by ENAPOR, S.A., will prevail over those declared.

#### Article 6

##### **Request of service**

1. The provision of services is to be preceded by a request to be made in the manner and under the terms set out in the Regulations of Cape Verde Port Operations. Requesting parties are liable for the payment of the respective tariffs.

2. The norms and deadlines for request, change, or cancellation of services, and any penalties imposed, must comply with the current port regulations.

#### Article 7

##### **Collection of tariff**

1. Fees will be collected immediately after service rendering, unless a different procedure is established by ENAPOR, S.A.

2. ENAPOR, S.A. may demand advance payment, bank guarantee, or bond insurance in order to safeguard the payment of the requested service.

3. In the case of overdue or unpaid invoices, or risk of non-payment of services provided, or to be provided, ENAPOR, S.A. reserves the right to take whatever measures it deems necessary for the protection of its credits/claims, namely as follows.

4. Any ongoing operation carried out by ENAPOR, S.A. may be interrupted and, in the

case of clearance of cargo, goods may be retained if the client has failed to make an advance payment or has not provided the bank guarantee or bond insurance referred to in paragraph 2.

5. The value of the goods retained under the terms of the previous paragraph should not exceed the amount of debt, except in cases of indivisible cargo, as stipulated by legal provisions.

6. In accordance with the law, ENAPOR, S.A. may ask the competent authorities to not authorise the departure of any vessel whose owner or operator is responsible for payments due to ENAPOR, S.A., as long as they are not paid, or secured by a bank guarantee, bond insurance or any other suitable guarantee.

7. The collection of tariffs may be entrusted to other authorities, under conditions to be determined by the Board of Directors of ENAPOR, S.A.

8. The fees may also be paid by third parties on behalf of taxable persons, in accordance with the law.

9. In case of enforced recovery, a minimum fee to be determined by ENAPOR, S.A., will be added to the total invoice amount to cover the enforcement proceedings.

10. The minimum billing amount is 300 CVE, to cover administrative expenses.

#### Article 8

##### **Invoice claiming**

1. Invoice claims must be submitted in writing, within 15 (fifteen) calendar days from the date of the issue, and provide a duly reasoned justification. Since the claims do not have suspensory effect, the full invoice amount should be paid within the due date, including the amount or amounts which are the object of the claim.

2. If the due date of the invoice has expired, the amount will be subject to legal interest rates for late payment.

## **CHAPTER II PORT TARIFF**

#### Article 9

##### **Definition of Port Tariff**

1. The Port Tariff (PT) is charged for the availability and use of the entry, parking and exit systems of ships, the availability of infrastructures for ship and cargo operations, and the safety and conservation of the environment, in accordance with the Regulations of Cape Verde Port Operations in force.

2. The Port Tariff applied to the Ship (PT-S) shall apply to all ships and vessels that enter within the limits of jurisdiction of the ports of Cape Verde, from the time of their entry to the time of their exit, with the exception of the exemptions under this

Legislation.

3. The Port Tariff applied to Cargo (PT-C) shall apply to all cargoes handled in the ports of Cape Verde, with the exception of the exemptions under this Legislation.

4. Ship owners or their legal representatives shall be taxable persons subject to the payment of the tariffs referred to in this chapter.

Article 10

**Port Tariff applied to a Ship (PT-S)**

1. A PT-S to be collected from all ships and vessels is calculated per Gross Registered Tonnage (GRT) unit, indivisible period of 24 hours, and per ship/activity type, as provided in the following table:

Type of Vessel / Activity	
Coastal Ship	1,200 CVE + 2.60 CVE x GRT x number of days
Cruise Ship	8,000 CVE + 1 CVE x GRT x number of days
Deep Sea Container Ship	6 CVE x GRT x number of days
Deep Sea Fishing Vessels	15 CVE x GRT x number of days
Other deep sea vessels	5 CVE x GRT x number of days

2. A PT-S applicable to tankers aimed at carrying crude petroleum and petroleum by products, with segregated ballast tanks, will be estimated according to the reduced gross registered tonnage.

3. In case of vessels arrested under Port State Control legislation, a PT-S for remaining days shall apply, with a surcharge of 200% during detention period. In addition, discounts or exemptions shall not apply.

4. For the purposes of PT-S calculation, the product of overall length x breadth x draft will be applied in the case of floating crafts without certification.

5. Small fishing vessels, recreational crafts and vessels dedicated to maritime tourist activities, when authorized to use the berths, are subject to the payment of a 10 CVE fee per square meter of occupied area – estimated by the product of overall length x maximum breadth – and for indivisible period of 24 hours, considering a maximum of 20 m<sup>2</sup>.

6. The vessels referred to in the previous paragraph, when anchored or berthed in explicitly designated areas, shall be subject to specific rules and tariffs of those areas, if such are stipulated.

Article 11

**Exemptions and reductions of PT-S**

1. The following vessels or ships are exempt from the PT-S:

- a) hospital ships;
- b) Cape Verdean Navy ships;
- c) ships in international, cultural and charity missions, upon request;
- d) tugboats and floating equipment serving the port;
- e) local traffic and coastal fishing boats, whose product of overall length by breadth by draft is equal or less than 45 m<sup>3</sup>;
- f) ships calling exclusively for bunkering, provided that they have legal permission and match the port's equipment for service provision;
- g) ships in emergency response operations, when duly authorized by the Maritime and Port Authority.

2. Cruise ships which carry out more than 6 (six) calls in the ports of Cape Verde will benefit from a 20% cumulative reduction, starting at the sixth call.

3. Ferries, ro-ro ships, and any other ships used exclusively for passenger transport will benefit from a 30% reduction.

4. Vessels entering the port exclusively for the exchange of crew or for food, water, fuel, lubricants and spare parts supply for their own use will benefit from a cumulative 20% reduction.

5. Ships at anchor will benefit from a 40% reduction of port use tariff applicable to ships.

6. Vessels or ships parked in anchorage area for a prolonged period of time awaiting orders, will benefit from a reduction of 70% of the port usage tariff applicable to ships, for the duration of the situation, and as long as authorized by ENAPOR, S.A.

7. Deep sea fishing vessels calling or parking in a port to receive orders will benefit from 50% reduction of a PT-S, for the duration of the situation, and as long as authorized by ENAPOR, S.A.

Article 12

**PT-S for regular service ships**

1. Passenger and cargo coastal ferry-boats running regular service can be subject, upon request, to a flat rate PT-S fee and port mooring and unmooring fee, established as follows:

a) Daily services

Ships (GRT)	Daily Service	Monthly Fee
up to 1,000	1 daily service	130,000 CVE
	2 daily services	170,000 CVE
	+ 2 daily services	205,000 CVE
	1 daily service	150,000 CVE

from 1,000 to 2,000	2 daily services	210,000 CVE
	+ 2 daily services	250,000 CVE
above 2,000	1 daily service	190,000 CVE
	2 daily services	270,000 CVE
	+ 2 daily services	320,000 CVE

b) Weekly services

Ships (GRT)	Daily Service	Monthly Fee
up to 1,000	1 daily service	50,000 CVE
	2 daily services	70,000 CVE
	+ 2 daily services	110,000 CVE
from 1,000 to 2,000	1 daily service	75,000 CVE
	2 daily services	95,000 CVE
	+ 2 daily services	150,000 CVE
above 2,000	1 daily service	130,000 CVE
	2 daily services	180,000 CVE
	+ 2 daily services	200,000 CVE

2. For the purpose of collection of fees for regular service ships specified above, a prior submission of itinerary is requested, including, among others, departure and arrival schedule.

3. The aforementioned monthly fee may be surcharged by the amounts set out in paragraphs 4, 5, 6 and 7 of article 22 of this Tariff Legislation, when applicable.

Article 13

Port Tariff applied to Cargo (PT-C)

1. To cargo coming from or going to foreign ports a PT-C will be applied, established in accordance with the cargo category as described in the following table:

Cargo Category	Unit	Loading	Unloading
Liquid bulk	tonne	110 CVE	88 CVE
Light vehicles	unit	4,000 CVE	3,200 CVE
Other vehicles and containers 20-foot/40-foot loaded	vehicle or container	8,000 CVE	5,600 CVE
Empty container	container	3,000 CVE	2,100 CVE
Other cargo	tonne/m <sup>3</sup>	200 CVE	160 CVE

2. To cargo coming from or going to national ports a PT-C will be applied, established in accordance with the cargo category as described in the following table:

Cargo Category	Unit	Loading/Unloading
Liquid bulk	tonne	77 CVE
Light vehicles	unit	1,200 CVE
Other vehicles	unit	2,800 CVE
Containers 20-foot/40-foot loaded	container	2,800 CVE
<b>Fuel containers</b>		
<=10 m <sup>3</sup> loaded	unit	420 CVE

>10 m <sup>3</sup> and <= 18 m <sup>3</sup> loaded	unit	1, 260 CVE
>18 m <sup>3</sup> loaded	unit	2,800 CVE
<=10 m <sup>3</sup> empty	unit	210 CVE
>10 m <sup>3</sup> and <=18 m <sup>3</sup> empty	unit	630 CVE
>18 m <sup>3</sup> empty	unit	1,400 CVE
Other cargo	tonne/m <sup>3</sup>	70 CVE

3. Tariffs for loading and unloading of vehicles in roll-on/roll-off coastal traffic apply as follows:

Vehicles	Unit	Fee
Light, mixed and utility vehicles <sup>1</sup>	unit	200 CVE
Freight vehicles <sup>2</sup> and busses	unit	1,000 CVE
Heavy vehicles and/or trailers for containers <sup>3</sup>	unit	1,700 CVE
Self-propelled equipment and machinery <sup>3</sup>	unit	1,700 CVE

<sup>1</sup>– Double cab cars, including both pickup trucks and non-pickup box types, *juvitas*, and minibuses up to 30 seats, with a gross weight of up to 2,500 kg.

<sup>2</sup>– Vehicles with a gross weight of up to 7.500 kg.

<sup>3</sup>– Up to 25 tonnes.

§ The figures in the above table cover both loading and unloading and include vehicle weighing, when applicable.

4. For transfer of vehicles (ship /quay/ship) in ro-ro ships, 35% of the fees set out in paragraph 3 above will be charged.

5. Embarkation of vehicles with load exceeding the dimensions, or the area for the transport of cargoes, when duly authorized, is subject to the payment of a fee established in paragraph 3 of this article, increased by the factor 1.5

6. Heavy vehicles, and machines which exceed 25 (twenty-five) gross tonnes, shall be subject to the fee set out in paragraph 3, increased by 150 CVE per each additional tonne.

7. Unless otherwise provided in the following paragraph, ship owners, agents or their representatives shall be taxable persons subject to the payment of the tariffs set out in this chapter.

8. In the event that goods are loaded or unloaded from or to a single consignor or consignee, cargo owners or their legal representatives are subject to this tariff.

Article 14

Exemptions and reductions of PT-C

1. The following cargoes are exempt from PT-C:

- passenger's luggage, including hand luggage, up to 50 kg per passenger;
- full or empty mail bags or other mail containers;

- c) fish and fishing nets and gear belonging to fishing boats;
- d) provisions and spare parts for the ship's own use;
- e) empty standard 20-foot and 40-foot containers, used in regular coastal traffic;
- f) scientific material for ships in scientific missions and materials used by official entities for the installation or conservation of signalling networks under their control;
- g) cargoes addressed to charity organizations and coffins or caskets containing human remains.

representatives, are taxable persons subject to the payment of the fees set out in this chapter.

9. In the event that goods are loaded or unloaded from or to a single consignor or consignee, cargo owners or their legal representatives, are subject to this tariff.

10. Cargoes handled in the ports of Cape Verde are subject to the application of the GSTT, determined in accordance with the cargo classification, for each traffic operation and goods stowage as in the following table.

### CHAPTER III TRAFFIC AND STOWAGE SERVICES

#### Article 15

#### Goods Stowage and Traffic Tariff (GSTT)

1. Stowage and traffic of goods include all services related to goods handling, namely, loading, unloading, transit, transfer or transshipment, within areas of jurisdiction of ENAPOR, S.A.

2. A GSTT is due for all operations of loading and unloading of cargo, regardless of whether they are direct, indirect, or semi-direct traffic operations. The fees for additional operations on the embankment, with the use of ENAPOR's, S.A. equipment and personnel, are collected separately, as set out in this Tariff Regulation for the provision of equipment and personnel.

3. Notwithstanding the provisions of the following paragraph, the tariffs for goods handling include the labour costs of stevedores necessary for an ordinary course of operation, as defined by ENAPOR, S.A.

4. Costs arising from the use of additional or ancillary personnel required by a specificity or exceptionality of an operation, or resulting from service rendered beyond regular business hours, are the responsibility of the ship owner, agent, or service requestor.

5. The costs referred to above are charged in accordance with the terms of personnel provision set out in this Tariff Legislation.

6. The time spent in the cargo handling operation, beyond normal duration of operation, for reasons attributable to cargo or to ship, shall be penalized for 5,000 CVE per hour and work crew used on the ship or according to the conditions of supply of personnel provided in this Tariff Regulation.

7. Taking into account costs inherent to the use of human resources which make part of operational units providing port services, the tariffs set out in this chapter are subject to updates, whenever salary adjustments or revisions occur according to the consumer price index.

8. Unless the following paragraph states otherwise, ship owners, agents, or their

Cargo Classification	Unit	Long-distance traffic	
		Unloading	Loading
Solid bulk	tonne/m <sup>3</sup>	650 CVE	650 CVE
Bagged wheat or cement	tonne	1,100 CVE	1,100 CVE
Other bagged goods	tonne	700 CVE	700 CVE
Iron/Wood	tonne/m <sup>3</sup>	1,100 CVE	1,100 CVE
Other cargoes	tonne/m <sup>3</sup>	1,000 CVE	1,000 CVE
Light vehicles	unit	5,900 CVE	5,900 CVE
Other vehicles	unit	13,000 CVE	13,000 CVE
Machines and heavy equipment	unit	13,000 CVE	13,000 CVE
Drums, small cargo or livestock	unit	150 CVE	150 CVE
Large livestock	unit	1,000 CVE	1,000 CVE
20 containers	unit	21,500 CVE	12,000 CVE
Containers >20'	unit	34,000 CVE	20,400 CVE
Empty containers	unit	9,000 CVE	6,400 CVE

Cargo category	Unit	Coastal traffic	
		Conventional	Ro-Ro
Solid bulk	tonne/m <sup>3</sup>	390 CVE	32 CVE
Bagged wheat or cement	tonne	660 CVE	55 CVE
Other bagged goods	tonne	450 CVE	37 CVE
Iron/Wood	tonne/m <sup>3</sup>	720 CVE	60 CVE
Other cargoes	tonne/m <sup>3</sup>	600 CVE	50 CVE
Light vehicles	unit	3,270 CVE	300 CVE
Other vehicles	unit	7,200 CVE	500 CVE
Machines and heavy equipment	unit	7,200 CVE	1,100 CVE
Drums, small cargo or livestock	unit	90 CVE	7.50 CVE
Large livestock	unit	600 CVE	50 CVE
20 containers	unit	8,800 CVE	1,000 CVE
Containers >20'	unit	14,000 CVE	1,700 CVE
Empty containers	unit	3,700 CVE	450 CVE

Fuel containers in coastal traffic	Unit	Loading/Unloading
<=10 m <sup>3</sup> loaded	unit	1,850 CVE
>10 m <sup>3</sup> and <= 18 m <sup>3</sup> loaded	unit	4,000 CVE
>18 m <sup>3</sup> loaded	unit	14,300 CVE
<=10 m <sup>3</sup> empty	unit	800 CVE
>10 m <sup>3</sup> and <=18 m <sup>3</sup> empty	unit	2,300 CVE

>18 m <sup>3</sup> empty	unit	4,050 CVE
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11. The tariffs applicable in coastal traffic apply in the following operations:

- a) Goods landed – movement of goods from the ship to the side of the ship on the quay (with the ship’s crane);
- b) Goods loaded – movement of goods from the side of the ship on the quay to the ship (with the ship’s crane).

Article 16

**Reductions and surcharges**

1. Transfer, transshipment, transit, and shifting operations of containers and vehicles benefit from a 60% reduction in landing fees.
2. Direct or semi-direct operations of long-distance traffic benefit from a 5% discount.
3. Non-unitized, unsorted, or break bulk general cargo operations shall be surcharged by 20%.
4. In coastal traffic, in case of removal of goods from other locations on the quay to the side of the vessel, for embarkation, or vice versa, the fees will increase in 20%.
5. To operations which take place in work shifts beyond regular business hours, a surcharge of 15% on weekdays, between 22H00 and 08H00, and of 30% on Saturdays, Sundays, and holidays, will apply.

Article 17

**Fish handling tariff**

1. Fish handled in port in direct traffic regime is subject to the payment of the following fees:

	Unit	Loading	Unloading	Transshipment
Bulk fish	tonne	3,074 CVE	3,074 CVE	3,084 CVE
Packaged fish	tonne	1,529 CVE	1,529 CVE	210 CVE

2. Fish unloaded from fishing vessels and immediately containerised for later embarkation shall pay a flat rate fee of 69,512 CVE per 20-foot container and 108,249 CVE per 40-foot container.
3. The tariffs referred to in paragraph 2 above cover the following operations:
  4. Handling of empty container to vessel’s side;
  5. Unloading of fish and its placing into container, including the costs of stevedores and other port workers;
  6. Removing of loaded container to a storage in port;
  7. Embarkation of a loaded container.
8. The tariff referred to in paragraph 2 above is also applicable to unloading of containerized provisions and baits for later embarkation on fishing vessels.

**CHAPTER IV  
PASSENGER TRAFFIC**

Article 18

**Passenger service tariff**

1. A fare of 30 CVE shall be paid for each boarded passenger.
2. Passenger service fare shall be billed directly to the carriers or their representatives; the tariff must not be charged separately from the act of the ticket issuing or ticket payment.
3. The following passengers are exempt from payment of the passenger service fare:
  - a) Passengers in direct transit; and
  - b) Children under 2 years of age.

**CHAPTER V  
TOWAGE AND MOORING SERVICES**

Article 19

**Towage tariff**

1. The towage fees are charged for services provided to vessels and ships operating the following manoeuvres: entering and mooring, or anchoring; let-go or lifting and clearance; tying to and untying from buoys; shifts; tests; anchoring or lifting; moving alongside the quay or other berthing structure.
2. The fees are charged per tugboat according to time and per class of gross registered tonnage (GRT) as follows:

Vessel’s Gross Registered Tonnage (GRT)	Tugboat/Hour
up to 5,000	23,000 CVE
from 5,000 to 9,999	30,000 CVE
from 10,000 to 29,999	38,000 CVE
from 30,000 to 49,999	52,000 CVE
over 50,000	73,000 CVE

3. Unless otherwise specified, all vessels with a gross registered tonnage equal to or over 2,000 shall compulsorily use tugboat assistance when carrying out manoeuvres listed in paragraph 1 above, unless no tugboat is available.
4. The tariffs outlined in paragraph 2 above will increase 30% on workdays, from 00H00 to 08H00 and from 18H00 to 24H00, and 50% on Saturdays, Sundays and holidays.
5. If the service is cancelled or altered without prior notice of at least two hours before the due time, a cancellation or alteration fee equivalent to the 50% of the fee applicable to a manoeuvre and GRT class as requested shall be charged. If a manoeuvre is cancelled after the due time of the operation, the fee shall be charged as if it has been carried out.
6. If the tugboat is present and the service does not get started within sixty minutes after the time it has been requested, a fee equivalent to 50% of the one applicable to a given GRT class shall be charged for each hour of delay, or its fraction.

7. The services that exceed one hour shall be charged for periods of indivisible half hour according to the tariffs established hereinabove in paragraph 2.

8. The tariffs outlined in paragraph 2 will increase 50% whenever the vessel carries out the operation using exclusively the tugboat bollard pull.

9. For the use of tugboats in operations other than the ones mentioned hereinabove, as well as during the periods in which they are awaiting orders, the tariffs established in article 26 of this Tariff Legislation shall be applied.

10. The number of tugboats to be used according to vessel gross registered tonnage and the conditions of use shall be the object of specific regulation.

Article 20

**Time count**

1. For the purpose of application of the tugboat tariff, the time count shall begin from the moment in which the equipment is made available until it is brought back to the starting location.

2. The time count may be interrupted due to breakdown, lack of fuel or due to other causes that ENAPOR S.A. shall deem as hindering for the equipment to work.

Article 21

**Mooring and unmooring tariff**

1. The mooring and unmooring fees are payable for the services provided to the vessel such as: mooring, unmooring, moving alongside the quay, and others that involve substitution of cables as well as providing access to the vessel, to its equipment and the use of barge for launching of cables when scheduled or requested.

2. The mooring and unmooring tariff is established according to the gross register tonnage (GRT) of vessel and per operation carried out within the period/time limit of 2 (two) hours, in line with the following table:

Vessel's GRT Class	Mooring, unmooring and moving alongside the quay/per operation
up to 2,000	1,500 CVE
from 2,000 to 9,999	3,000 CVE
from 10,000 to 19,999	4,000 CVE
over 20,000	5,000 CVE

3. The fees outlined in the paragraph above will increase 50% on workdays from 00H00 to 08H00 and from 18H00 to 24H00 and 100% on Saturdays, Sundays, and holidays.

4. If the mooring, unmooring and moving alongside the quay service is cancelled or altered without a prior notice of at least two hours before the due time, a cancellation or alteration fee equivalent to the 50% of the fee applicable to the manoeuvre and GRT class shall be charged, according to the request.

5. If a manoeuvre is cancelled after the due time of the operation, the fee shall be charged as if it has been carried out.

6. If the staff is present, and the mooring service does not get started within sixty minutes after the time it has been requested, or 30 minutes after the due time in case of unmooring, a fee equivalent to 50% of the one applicable to the given GRT class shall be charged for each hour of delay, or its fraction.

7. If the staff remains carrying out mooring and unmooring service for longer than two hours counted from the beginning of the operation, an additional fee equivalent to 50% of the one applicable to a given GTR class shall be charged for each hour, or its fraction.

8. When the use of barge for launching of cables is scheduled or requested, the fees for the use of equipment set out in this Tariff Legislation shall be surcharged to the applicable fee.



## CHAPTER VI PILOTAGE

### Article 22

#### Pilotage tariff

1. The pilotage fees are payable by ship owners or their legal representatives for the services provided to the vessel by the components of the pilotage system of shipping manoeuvres, at the entry, clearance and in the inner and outer parts of the port, including its availability and use, in accordance to regulations in effect.

2. For estimation purpose, the pilotage fees are charged for services provided to a vessel in manoeuvres such as: entry and mooring, or anchoring, unmooring and anchoring, unmooring and clearance, lifting and mooring, lifting and clearance.

3. Entry and mooring service, or entry and anchoring, is a set of movements and manoeuvres performed by a vessel from the moment that, outside the port area, it starts approaching the entry, until the berthing manoeuvre is finished at the designated site.

4. Unmooring and clearance service, or lifting and clear, is a set of movements and manoeuvres performed by a vessel from the moment it starts the operation until it reaches the outer limit of the port.

5. The pilotage service fees are as follows:

Mooring/unmooring	Foreign vessels	National vessels	Fishing vessels
vessels up to 3,000 GRT	43,178 CVE	22,178 CVE	13,756 CVE
vessels of more than 3,000 GRT	54,828 CVE	25703 CVE	16,028 CVE
entry and clearance (anchored)	19,878 CVE/per operation		

6. Each service referred to in the above paragraphs includes costs of the pilot's transportation from the station to the vessel and return.

7. Whenever the pilotage is carried out without the presence of a pilot on board, that is to say, through remote communication, the fees set out above will be reduced by 50%.

8. Cruise ships of less than 3,000 GRT will benefit from a 25% reduction of the fee set out in paragraph 5.

## CHAPTER VI STORAGE

### Article 23

#### Tariff for storage in covered and open areas

1. The storage fees are payable for the services provided to cargo, namely for the occupation open and covered areas, depots and embankments within the port jurisdiction and management.

2. The following fees are charged, per tonne, for storage of cargoes in open and covered areas, embankments or depots, after the 5th day, counting from the 1st day of storage:

Type of storage	Storage period				
	First 5 days	From the 6 <sup>th</sup> to the 15 <sup>th</sup> day	From the 16 <sup>th</sup> to the 30 <sup>th</sup> day	From the 31 <sup>st</sup> to the 60 <sup>th</sup> day	On the 61 <sup>st</sup> day and following
Open	Free	8 CVE	13 CVE	21 CVE	42 CVE
Covered on embankment (cover or roof)	Free	17 CVE	26 CVE	42 CVE	104 CVE
Covered in depots	Free	21 CVE	36 CVE	73 CVE	170 CVE

## Article 24

**Tariffs for storage of containers**

1. The following fees are charged for storage of containers on embankments, parking areas, and terminals, per unit and after the 5<sup>th</sup> day, counting from the 1<sup>st</sup> day of storage:

## a) Loaded containers

Period of storage	Container ≤ 20 feet loaded	Container >20 feet loaded
first 5 days	free	free
from the 6 <sup>th</sup> to the 15 <sup>th</sup> day	208 CVE	208 CVE
from the 16 <sup>th</sup> to the 30 <sup>th</sup> day	364 CVE	473 CVE
from the 31 <sup>st</sup> to the 60 <sup>th</sup> day	520 CVE	676 CVE
on the 61 <sup>st</sup> day and following	884 CVE	1,149 CVE

## b) Empty containers

Period of storage	Container ≤ 20 feet loaded	Container >20 feet loaded
first 5 days	free	free
from the 6 <sup>th</sup> to the 30 <sup>th</sup> day	45 CVE	76 CVE
on the 31 <sup>st</sup> day and following	52 CVE	88 CVE

## Article 25

**Tariff for storing vehicles and small cargo**

1. The following fees are charged for storage of vehicles on embankments, parking areas and terminals, per unit and indivisible day:

Vehicles	Period of storage				
	First 5 days	From the 6 <sup>th</sup> to the 15 <sup>th</sup> day	From the 16 <sup>th</sup> to the 30 <sup>th</sup> day	From the 31 <sup>st</sup> to the 60 <sup>th</sup> day	On the 61 <sup>st</sup> day and following
Light vehicles	free	110 CVE	190 CVE	240 CVE	328 CVE
Heavy vehicles	free	160 CVE	260 CVE	336 CVE	458 CVE

2. For storage of motorcycles a 50% reduction of the above fees for light vehicles will be applied.

3. For storage of small non-commercial cargoes weighing up to 200 kg, namely, drums boxes, parcels and other packages, the following fees are charged per unit:

Period of storage	
first 5 days	free
from the 6 <sup>th</sup> to the 30 <sup>th</sup> day	200 CVE

a) On the 30<sup>th</sup> day, a 100 CVE fee for every 30 (thirty) days of storage in the port or warehouse shall be charged.

## Article 26

**Application of tariff for storage**

1. For the purpose of this tariff application, time count begins on the day of unloading of goods or on the day of their reception and storing and ends on the day in which they are carried away or shipped. In case of storage transfer, time count is considered to be continuous.

2. Goods in transit will benefit from a 50% reduction.

3. In case of storage in the roll-on/roll-off terminals the fees outlined in the above numbers will be doubled, without the right to exemption, being the first storing period fee applicable to the exemption period.

4. Whenever the delivery of goods (with exception of containers) shall require the use of equipment such as: cranes, floating cranes and heavy fork lifters given the size and the weight of goods, the fees applicable for the use of this equipment shall be charged.

5. Moreover, ENAPOR S.A. reserves the right to move to the second tier parks all containers and import cargoes that remain in the port for the period longer than 30 (thirty) days.

6. In the above case, the additional costs of transportation to the second tier parks as well as the costs of handling and storage in the port and in the second tier parks shall be charged in the moment of cargoes delivery to the consignees or their legal representatives.

7. ENAPOR S.A. may store special goods under conditions to be fixed. The fees shall then be charged per tonne according to the cargo category, the type of storage space and the storage time.

8. The fees to be applied as stipulated in the previous number may vary according to the type of storage and the category and type of cargo, under this Tariff Legislation.

9. For the purpose of storage tariff application, the taxable persons are owners of the cargoes, consignees or their legal representatives, or other requesting entities.

## CHAPTER VII USE OF EQUIPMENT

### Article 27

#### Tariff for use of equipment

1. The tariff for use of equipment shall be charged for services provided to the cargo or vessel, for the use of maritime manoeuvring and transport equipment, land manoeuvring and transport equipment and other equipment used to support traffic of ships, cargoes and passengers in the port.

2. For the purpose of tariff application, the time count for the land equipment begins the moment the equipment is made available to the requesting party, or leaves the base, and ends when it is freed and brought back to its starting point.

3. The time count for the maritime equipment begins the moment the equipment is made available to the requesting party, or leaves the base, and ends when it is freed and returned brought to its starting point.

4. The time count may be interrupted in case of breakdown, power failure or due to other causes that ENAPOR S.A. shall consider as hindering for the equipment to work.

5. On demand equipment' shall be surcharged with a fee corresponding to 50% of the regular fee.

### Article 28

#### Marine manoeuvring and transport equipment

1. The following fees will be charged for the use of marine manoeuvring and transport equipment, as well as for the use of facilities and structures assigned to such equipment, per unit and indivisible time period, according to the equipment type.

Type of equipment	Fee
<b>Tugboats</b>	
up to 1000 h.p.	25,000 CVE/hour
from 1,000 to h.p.	35,000 CVE/hour
over 2,000 h.p.	45,000 CVE /hour
Motor boats	7,500 CVE / hour
Floating cranes	10,500 CVE /hour
Removable fenders	7,000 CVE /24 hours

2. For servicing outside the port area, the fees above shall increase 50%.

3. The fees outlined in the previous paragraphs will increase by 30% on workdays, from 00H00 to 08H00 and from 18H00 to 24H00, and by 50% on Saturdays, Sundays, and holidays.

### Article 29

#### Land manoeuvring and transport equipment

6. The following fees will be charged for the use of land manoeuvring and transport equipment, as well as for the use of facilities and structures related to this equipment, per unit and per indivisible time period, according to the equipment type:

Type of equipment	Fee per unit	Unit
<b>Cranes (lifting force)</b>		
≤15 t	10,000 CVE	/hour
≤25 t	15,000 CVE	/hour
>25 t	20,000 CVE	/hour
<b>Fork lifters (lifting force)</b>		
≤10 t	3,000 CVE	/hour
>10 t	10,544 CVE	/hour
<b>Other land equipment</b>		
Tractor	3,000 CVE	/hour
Trailer	1,200 CVE	/hour
<b>Unloading and loading devices</b>		
Vehicles	426 CVE	/hour
Containers and heavy weights	1,278 CVE	/hour
Other tools	149 CVE	/hour

7. Personnel costs as foreseen under the article 36 of the present Tariff Legislation shall be added to the fees for the land equipment service provided outside regular business hours.

8. Weighbridge:

- a) A flat rate fee of 800 CVE will be charged for each weighing operation.
- b) For each complete weighing operation

carried out in order to obtain the weight of the cargo and the tare weight/vehicle, a fee calculated using the formula  $B1 \times \text{tonne} + B2$  will be charged, in which:

- i.  $B2 = 800.00 \text{ CVE}$
  - ii.  $B1 = 5\% \times B2$ ;
  - iii. Tonne = number of tonnes (tare weight/vehicle + cargo)
- c) Whenever the weighing operation shall involve an entire batch of general cargo goods coming from, or going to the same vessel, a fee of 30 CVE per each weighed tonne of cargo, for a minimum of 100 tonnes, will be charged.
- d) In cases outlined in sub-paragraphs a), b), c) of this article, beyond the regular business hours, the figures listed in previous paragraphs will be multiplied by 2.
9. All loaded containers intended for export are required to be weighed on the weighbridge.
- e) In coastal transport, unless otherwise specified, loaded containers, as well as vehicles with cargo in roll-on / roll-off traffic are required to be weighed on the weighbridge in case they do not submit a certified cargo declaration.

Article 30

**Equipment for unloading and transport of bulk cereals**

1. A fee of 204 CVE per tonne is due for the use of equipment for unloading and transport of bulk cereals to a silo (claws, hoppers, hold forklift and tractor with wagon).
2. A fee of 93 CVE per tonne is due for use of claws, hoppers, and hold forklift in unloading of bulk cereals.
3. A fee of 111 CVE per tonne is due for the use of equipment for transporting bulk cereals.

Article 31

**Use of equipment for handling containers**

1. A fee of 1,785 CVE per container will be charged for each container movement on the quay, or in the parking area, with the use of a forklift truck, and for unloading or loading of a vehicle.
2. A fee of 2,300 CVE per container will be charged for each container movement for embarkation and for those that for reasons beyond ENAPOR, S.A. control, have not been shipped and have to return back

to their storage place.

Article 32

**Changes and cancellations**

1. ENAPOR, S.A. may authorize, free of charge, cancellation of a request or its postponement from the set starting time of an operation, as long as at least 4 hours prior notice has been given within regular business hours.
2. A cancellation of hired equipment service after the set time referred to in paragraph 1 above will be charged as two hours of 'on demand equipment' use.
3. Change or postponement of the set time for the start of an operation after the time limit referred to in paragraph 1 above will be charged as one hour of 'on demand equipment' use.
4. If the equipment is requested but not used, or if a delay occurs at the start of an operation, service will be considered 'on demand'.

**CHAPTER VIII  
OCCUPATION OF BUILDINGS AND  
LAND**

Article 33

**Building and land occupation tariff**

1. The following fees shall be charged for the use or occupation of buildings, warehouses and land within the port management area:

Description	Unit	Fee
Offices	m <sup>2</sup> /month	450 CVE
Warehouses	m <sup>2</sup> /month	400 CVE
Port silos	m <sup>2</sup> /month	500 CVE
Land	Unit	Fee
Industrial, maritime and port premises	m <sup>2</sup> /month	300 CVE
Port silos	m <sup>2</sup> /month	180 CVE

2. The fees for the use or occupation of buildings or land outside the port management area shall be set directly, in accordance to market conditions.

Article 34

**Licensing**

1. An annual fee of 176,000 CVE is due for the concession of licence for use of fuel handling premises. An annual fee of 23,200 CVE is due for each fuel outlet.
2. The following fees (per meter and calendar year) are payable for installation of cables, pipes, gutters, and power wires:

- a) external diameter < 25 cm - 350 CVE/m/year;
- b) external diameter ≥ 25 cm - 430 CVE/m/year

3. For each support port a fee of 220 CVE per year will be charged.

4. Berthed ships in reparation, duly authorized by ENAPOR, S.A., will be charged a fee of 1 CVE per cubic meter of occupied area per day, being the volume of the occupied area obtained by the product of the ship's overall length by breadth by maximum draft.

## CHAPTER IX SUPPLIES

Article 35

### Supply tariff

1. The supply tariff is due for the provision of human resources and consumables, including the service inherent to the nature of each supply provided to port users.

2. For each type of supply fees shall be charged in accordance with the nature and quantity of the supplies.

Article 36

### Provision of personnel

1. The fees listed in the table below will be charged for the provision of personnel and supplementary stevedoring staff, in addition to the regular fee provided for in the GSTT, or the equipment tariff, or the fee for other service provided outside regular business hours, including their going to the operation site and returning to their post. The rates are expressed in Cape Verdean escudos per person/hour according to her/his professional qualification:

Professional Qualification	from Monday to Friday	Saturdays, Sundays and holidays
Operational senior staff	618 CVE	1,127 CVE
Port workers	309 CVE	563 CVE

Article 37

### Electric power and water supply

1. A flat rate fee consisting of the supplier's sale price plus 20% and subject to a minimum supply of 100 kWh will be charged for supplying electric power to temporally berthed vessels including connecting and disconnecting operations and the use of meters.

2. A flat rate fee of 115 CVE per container and indivisible hour will be charged for supplying electric power to refrigerator containers. In case of offloaded containers destined for the internal market, this shall increase in 25% after the first 5 (five) days.

3. Whenever there are meters available, a flat rate

fee consisting of the supplier's sale price plus 20% and subject to a minimum supply of 50 kWh may be applied.

4. A flat rate fee consisting of the supplier's sale price plus 20% and subject to a minimum supply of 5m<sup>3</sup> will be charged for water supply to temporally berthed vessels through outlet devices located on the quay, including connecting and disconnecting operations and the use of meters.

5. In case of supply outside regular business hours, additional staff costs charged according to the present Tariff Legislation dispositions will be added to the fees outlined above.

## CHAPTER X ENTRY IN THE PORT AREAS

Article 38

### Tariff for entering the port areas

1. In order to facilitate the procedure of access and entry into the port areas, an annual license for the fee of 4,000 CVE per vehicle will be issued, at the request of customers and users of the ports, upon prior authorisation by the Port Administration.

## CHAPTER XI MISCELLANEA

Article 39

### Other types of service and supply

1. A fee of 460 CVE per tonne will be charged for container stripping and stuffing.

2. In case of stripping with immediate placing on a vehicle, the fee referred above will be reduced by 15%.

3. In case of special goods, the fee shall increase by 40%.

4. A fee of 500 CVE is due for issuing of a certificate.

5. A fee of 1,500 CVE per unit is due for each examination and inspection of vehicles and machines.

6. The following fees will be charged for personal belongings, packages and other goods subject to prior examination:

- a) miscellaneous cargo - 1,560 CVE/tonne;
- b) drums with cargo – 500 CVE/unit;
- c) boxes and parcels up to 100 kg - 400 CVE/unit;

- d) for boxes and other parcels of over 150 kg, a fee for miscellaneous cargo will apply.

7. The aforementioned fees cover all operations related to inspection, supervision and custom office examination. In the case of non-commercial cargo, namely, small cargo pieces and parcels, personal belongings and similar goods, ship owners, agents, freight forwarders or their representatives are considered taxable persons.

8. The following fees are due for solid waste collection and transport, at the quay:

up to 5m <sup>3</sup>	9,600 CVE
from 5 to 10m <sup>3</sup>	14,400 CVE
from 10 to 15m <sup>3</sup>	21,000 CVE

- a) The service can also be carried out by a service provider to ENAPOR, S.A., in which case, the client will be charged the amount of the respective invoice, and an additional amount of 20%.

9. For services provided by the fire brigade a flat rate fee comprising of the service costs, and an additional 20%, will be charged.

10. The supply of fuel to vessels and bunkering is exempt from the payment of port fees.

11. ENAPOR, S.A. may provide services beyond its normal range of activities, as long as they are appropriate and do not collide with the company's statutes, being the respective fees awarded directly.

12. ENAPOR, S.A. may also, at a client request, provide services and supply goods and consumables materials which are not referred to in its regulations. Those will be billed according to their cost and surcharged by 20%.

Article 40

#### **Infractions and penalties**

1. For carrying out unauthorized operations or operations violating the regulations, offenders will be subject to applications of the following sanctions or fines:

- a) delay in leaving berth (after the second hour) – 5,000 CVE/hour;
- b) unauthorized ship's side cleaning – 30,000 CVE;
- c) unauthorized starting or stopping of the machines – 50,000 CVE;
- d) for other infringements not mentioned in the Port Regulation Legislation and the present Tariff Legislation and that are within the competence of the Board of Directors, the fine will be set between

20,000 CVE and 100,000 CVE.

2. ENAPOR, S.A. shall proceed with damage assessment whenever these are caused to ENAPOR's or third parties' property and assets. The sums due by those accountable for such damages shall be added, if applicable, to the overall compensation due for premises and equipment unavailability.

## **CHAPTER XII FINAL AND TRANSITIONAL PROVISIONS**

Article 41

#### **Application of discount for regional development**

As long as ENAPOR S.A.'s role in consolidation of national connectivity and integration is considered essential, to the PT-S and PT-C tariffs set out and arising from the present Tariff Legislation - Chapter II - a cumulative discount shall be applied, by multiplying the resulting tariff by 1 (discount rate by port type), in order to support the regional development of islands which are smaller in size, population, and traffic scale:

Type II and III ports - ports of Palmeira, Sal-Rei, Porto Novo, Tarrafal, Vale de Cavaleiros, Furna, and Porto Inglês – 5%.

Article 42

#### **Revocation**

The provisions of the Resolution No. 012 / CA / 201 of the Port Maritime Authority (IMP) that approves the Tariff Regulations of ENAPOR S.A., and all legislation that directly or indirectly contravenes the provisions of this Legislation, are revoked.

Article 43

#### **Subsidiary legislation and situations not covered**

In everything that is not specifically regulated by this Legislation, the provisions of the port legislation and other applicable laws will apply, with the necessary adaptations.

Article 44

#### **Entry into force**

This Tariff Legislation goes into effect 60 (sixty) days after its publication.

The Offices of the Minister of Maritime Economy and the Minister of Finance, February 27<sup>th</sup>, 2019.

Minister of Maritime Economy, *José da Silva Gonçalves*

Minister of Finance, *Olavo Avelino Garcia Correia*

ANNEX 1

**Definition of terms for the purpose of this Tariff Legislation**

**Cargo in transit:** all cargo unloaded from a vessel to shore and later loaded onto another vessel, without undergoing any changes or transformations whatsoever during their stay in port.

**Cargo in transshipment:** all cargo unloaded and immediately embarked on another ship, without being brought ashore, being the ships parked offshore or moored.

**Consignor:** Cargo owner or sender, who is a party to the contract of carriage.

**Quay:** facilities and structures for mooring vessels, including the adjacent embankment and road network, fenders, bollards and auxiliary power and fluid systems installed there.

**Transfer:** movement of cargoes for matter of convenience, within the ship or from the ship to the quay and the later embarkation on the same ship.

**Unitised cargo:** designation of cargo units conditioned in a container, in metal boxes, on pallets, or in pre-slung units

SHIPS

**Coastal ships:** vessels that are authorized to operate in high seas areas whose limits are established by the Ordinance 31/2001, i.e. between parallels 10° N and 30° N and the meridian 25° 25' W to the African coast.

**Deep-sea ships:** vessels that operate without area limit.

**Passenger ships:** vessels classified as for passenger transport.

**Roll-on and roll-off ships:** vessels classified as *ro/ro* and ferry boats.

TRAFFIC OPERATIONS

**Active subject:** an entity that in a legal and tax relationship receives the fee payment.

**Consignee:** Cargo owner or receiver, who is a party to the contract of carriage.

**Direct traffic:** whenever goods are transferred directly from a ship to another means of transport that will carry them outside the port or vice-versa, without coming into contact with the quay.

**Indirect traffic:** Whenever goods are unloaded from a ship onto quay and then transferred to covered or open

storage location to be later put on another means of transport that will carry them outside the port or vice-versa.

**Fee:** the price payable for public services.

**Gross registered tonnage (GRT):** the sum of the internal volumes of all closed and covered spaces that are located above or below the deck, converted into Moorson tons, i.e. 2,832 m<sup>3</sup> or 100 cubic feet, according to the International Convention on Tonnage Measurement of Ships of the 23<sup>rd</sup> of June 1969.

**Semi-direct traffic:** Whenever goods are unloaded from ship onto quay and then loaded onto another means of transport that will carry them outside the port or vice-versa.

**Solid waste:** a set of predominantly solid materials, of a domestic, operational or packaged type, excluding fresh fish or fish parts, produced during regular operations of a vessel, outlined in Annex V of MARPOL 73/78, and classified in accordance with the law.

**Tariff:** the set of rules that determine the fees and their application.

**Taxable person:** an entity that in a legal and tax relationship is obliged to pay the fees.

VEHICLES

**Light vehicles:** include mopeds, all light vehicles and their respective trailers.

**Other vehicles:** include all heavy vehicles and their respective trailers or semi-trailers.

**Vehicles with cargo:** include all vehicles herein and the cargo transported by them, regardless of their nature and quantity.

Classification of cargoes according to their presentation:

1. According to their presentation, cargoes are classified into general cargo and bulk goods.

2. General or conventional cargo is fractioned or loose whenever it is presented loose, unpacked or not in packages.

3. General cargo is unitised whenever it is packaged in units with special characteristics and of uniform dimensions, such as metal boxes or containers, on trailers, pallets or pre-slung units, aiming at its efficient handling by mechanical means.

4. Bulk goods are those that, having uniform characteristics, cannot be counted up and, therefore, are not packaged.

Classification of goods according to their nature:

1. With regard to their nature, goods are classified into normal and special goods.

Therefore:

- a) normal goods are those that do not require special precautions to be handled or stored;
  - b) special goods are those that require special precautions during handling and storage, due to their nature and value, or potential impact.
2. special goods are classified into:
- a) perishable goods – those that may deteriorate easily;
  - b) disturbing goods – those that may cause unpleasant environment;
  - c) noxious goods – those that may cause physical, material or health damage;
  - d) dangerous goods – those that may cause explosion, fire, corrosion or contamination;
  - e) valuable goods – those that may be object of criminal action, namely theft or robbery.

**CONTAINERS**

1. A container is a means used for packaging general cargo or bulk goods, solid or liquid and including fuel, for transport, and that fulfils the following requirements:

- a) it is a totally or partially closed compartment for carrying goods;
- b) it has a permanent and sufficiently resistant character as to be used multiple times;
- c) it is specially designed to enable transport of goods by one or several means of transport, without intermediary loading;
- d) it is built in such a way as to be handled easily, particularly when transhipped from one means of transport to the other.
- e) it is easily loaded and emptied;
- f) its interior volume is at least 1m<sup>3</sup>.

2. The definition of container includes its respective accessories and equipment, according to its category, as long as they are transported together, and it does not include either vehicles and their respective accessories or separate parts, or packaging.

3. Cargo platforms shall be treated as containers.

**STORAGE**

Storage shall entail depositing of goods, either containerised or not, placed or not on vehicles, on quays, embankments, warehouses and port sheds as follows:

- a) covered storage – whenever goods are put in a warehouses, or depots, or any other kind of covered area where they are protected from adverse atmospheric conditions;
- b) open storage – whenever goods are stored in other places with different characteristics than those described above in a).

**EQUIPMENT**

1. **Land equipment** – land equipment are machines, devices and utensils to be used ashore by ships, containers, goods and passengers in their handling in port.

2. **Marine equipment** – marine equipment are vessels, machines, devices and tools used in manoeuvring and transport, by ships, goods and passengers.

The Offices of the Minister of Maritime Economy and the Minister of Finance, February 27<sup>th</sup>, 2019.

Minister of Maritime Economy  
*José da Silva Gonçalves*  
Minister of Finance  
*Olavo Avelino Garcia Correia*