



PRINCE RUPERT
PORT AUTHORITY

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PRINCE RUPERT PORT AUTHORITY

Port of Prince Rupert

Proposed 2013 Port Tariff

Effective Date: July 1, 2013

Notice To Public

This notice is authorized pursuant to Section 49 of the *Canada Marine Act*.

Amendments may be made to this Tariff from time to time and changes issued as replacement page(s). Relevant documents authorizing amendments to the Tariff will be on file in the offices of the Prince Rupert Port Authority in Prince Rupert, where they may be examined by interested person(s). The current Tariff will be posted on the Port website at www.rupertport.com.

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1. **SHORT TITLE:** This Tariff may be cited as the Prince Rupert Port Authority 2013 Port Tariff.
2. **INTERPRETATION:** In this Tariff,
 - 2.1 "Authority" means the Prince Rupert Port Authority;
 - 2.2 "Authority Property" means any wharf, pier, jetty, bulkhead, dock, building or similar structure under the administration and jurisdiction of the Prince Rupert Port Authority within the limits of the Harbour;
 - 2.3 "Berthage Fee" means a charge in respect of a Vessel that occupies a berth or is fast to or tied up alongside any other Vessel occupying a berth at Authority Property;
 - 2.4 "CMA" means the *Canada Marine Act, S.C. 1998, C.10*;
 - 2.5 "Container" means a large rectangular box of standard design for transportation of any cargo by ocean Vessel and includes a container that is insulated, refrigerated and variously described as flat rack, vehicle rack, liquid tank, and open top, and unless otherwise specified means a laden or empty box;
 - 2.6 "Cruise Line" means a common commercial carrier of cruise passengers;
 - 2.7 "Dockage Fee" means a fee imposed for the provision or use of Authority Property at Northland Cruise Terminal and Atlin Cruise Terminal;
 - 2.8 "Free Time" means that period of time during which goods may remain on Authority Property during which no charge is levied;
 - 2.9 "Goods" means any cargo, commodity, thing or product, including livestock and animals, within the Harbour, whether in a Container or not, whether under bill of lading or not;
 - 2.10 "Harbour" means the harbour of Prince Rupert;
 - 2.11 "Harbour Dues" means a toll on a vessel that comes into or uses the Harbour;
 - 2.12 "Letters Patent" means Letters Patent issued by the Minister of Transport to the Authority and made effective May 1, 1999 and any Supplementary Letters Patent issued thereto;

- 2.13 “Lighter” means any Vessel that is loading or unloading Goods to or from another Vessel;
- 2.14 "Measurement" means one cubic metre (m³);
- 2.15 “N.O.S.” means “not otherwise specified”;
- 2.16 “Non working period” means a period defined as a non working period in the collective agreement between the British Columbia Maritime Employers Association and International Longshoreman’s and Warehouseman’s Union – Canadian Area;
- 2.17 "Owner" includes, in the case of a Vessel, the agent, charterer by demise, master or person in charge of the Vessel and, in the case of goods, the agent, sender, consignee or bailee of the goods, and the carrier of such goods to, upon, over or from any Authority property or within the harbour;
- 2.18 “Passenger” means all persons travelling aboard a cruise ship except those listed as crew on the crew list of a cruise ship;
- 2.19 "Registered Gross Tonnage" means the gross tonnage of a vessel calculated:
- 2.19.1 on a basis that corresponds with or is equivalent to the method of calculating the gross tonnage of a vessel set out in the *Canada Shipping Act* 2001, S.C. 1996, c.10 or regulations thereto; or
- 2.19.2 in accordance with the regulations set out in Annex 1 to the *International Convention on Tonnage Measurement of Ships, 1969*;
- 2.20 “Services and Facilities Fees” means those fees assessed against an Owner of a cruise ship for the use of Authority Property for the movement of passengers, goods and stores at Northland Cruise Terminal and Atlin Cruise Terminal;
- 2.21 “TEU” means a volume measurement of a “twenty foot equivalent unit” which is the volume equivalent of a standard twenty foot Container. A standard 40' container has a volume of 2 TEU's, a container greater than 20' and less than 40' has a volume of 1 TEU plus the fraction which is the number of feet it is greater than 20' in length divided by 20'. A container greater than 40' has a volume of 2 TEU's plus the fraction which is the number of feet it is greater than 40' divided by 20';

- 2.22 “throughput” means a quantity of Containers or Goods, measured in TEU’s or Tonnes carried over a stipulated time period;
- 2.23 "Tonne" ("t") means with reference to weight, one thousand kilograms;
- 2.24 "Tonnage Measurement Certificate" means a certificate that is issued by a surveyor of ships appointed under the *Canada Shipping Act* and regulations thereto, that sets out the Registered Gross Tonnage of a Vessel or an International Tonnage Certificate issued under the provisions of the *International Convention on Tonnage Measurement of Ships, 1969*;
- 2.25 "Unmetered Fire Line" means a water line connected directly to facilities of the Authority solely for the purpose of fire protection;
- 2.26 "Vessel" means any cargo vessel over 500 Registered Gross Tonnes or a passenger vessel that engages in commercial activity and is equipped to carry more than twelve passengers;
- 2.27 "Wharfage Fee" means a charge imposed in respect of Goods, including goods in Containers, that;
- 2.27.1 pass over, onto or under Authority Property,
- 2.27.2 are loaded on or unloaded from a Vessel that is at anchor or made fast to Authority Property,
- 2.27.3 are transhipped between Vessels in the Harbour,
- 2.27.4 are unloaded overside from Vessel to water or loaded from water to a Vessel within the Harbour, or
- 2.27.5 are loaded on or unloaded from a vehicle (quayage) on Authority Property.
- 2.28 “Water Service” means water supplied by the Authority at the Harbour.
3. **APPLICATION:** This Tariff applies to the Harbour under the jurisdiction and administration of the Authority as described pursuant to Article 3 of the Letters Patent of the Authority.
4. **FEES GENERALLY:** The fees prescribed by this Tariff are authorized pursuant to Article 7 of the Letters Patent of the Authority and Section 49 of the CMA and;
- 4.1 are in addition to fees or charges prescribed by any Statute, Notice or By-law, or that may be owing to the Authority;

- 4.2 are due as soon as they are incurred;
- 4.3 are payable within thirty days from the date due and, where any fee is not paid within that time, an additional charge of one and one-half per cent of any such fee shall be imposed for each additional thirty day period or portion thereof during which it remains unpaid; and
- 4.4 no reduction of fees provided for in this Tariff shall operate to reduce the amount payable below any minimum charge for that item set out in this Tariff.

5. **PAYMENT OF FEES:**

5.1 Harbour Dues

5.1.1 Harbour Dues shall be calculated as set out in Schedule 1.

5.1.2 Subject to Subsections 5.1.4 and 5.1.8, Harbour Dues calculated in accordance with this Tariff are payable in respect of a Vessel that comes into the Harbour.

5.1.3 The Harbour Dues payable in respect of a Vessel:

5.1.3.1 are due as soon as soon as the Vessel enters the Harbour and shall be paid to the Authority at its office in Prince Rupert; and

5.1.3.2 are in addition to any fees, charges, rates or tolls that are imposed by any other by-law or fixed under Section 49 of the CMA or that may be owing to the Authority.

5.1.4 Harbour Dues are not payable in respect of the same Vessel more than five times in any one calendar year.

5.1.5 Where two Registered Gross Tonnages are recorded on a Tonnage Measurement Certificate, the greater of those tonnages shall apply for the purposes of this Tariff.

5.1.6 Subject to Subsection 5.1.7, where the owner of a Vessel is not able to produce to the Authority a Tonnage Measurement Certificate, the Authority may estimate the gross tonnage of that Vessel and the gross tonnage so estimated shall be deemed to be the Registered Gross Tonnage for the purposes of this Tariff.

5.1.7 If, within six months after an estimate of the gross tonnage of a Vessel is made pursuant to Subsection 5.1.6, the Owner produces a Tonnage Measurement Certificate to the Authority, the Harbour Dues payable in respect of that Vessel shall be recalculated on the basis of the gross tonnage shown on the Tonnage Measurement Certificate and any amount previously paid in respect of the Harbour Dues that is in excess of the Harbour Dues as recalculated shall be remitted to the person who paid the Harbour Dues.

5.1.8 Harbour Dues are not payable in respect of a Vessel:

5.1.8.1 that is of a non-commercial type or design and belongs to Her Majesty in right of Canada or a Province or to a foreign government and is not engaged in commercial activity;

5.1.8.2 that is of a non-commercial type or design and is used solely for pleasure;

5.1.8.3 that comes into the Harbour in distress under its own power or under tow; or

5.1.8.4 of Canadian registry that is engaged exclusively in fishing operations that are authorized by a licence issued to that vessel under the *Fisheries Act*, R.S.C. 1985, c.F-21, or pursuant to the North Pacific Halibut Convention, 1969 and the 1992 Convention for the conservation of Andromonous Stocks in the North Pacific Ocean;

5.2 Wharfage Fees

5.2.1 Wharfage fees shall be calculated as set out in Schedule 2.

5.2.2 Wharfage fees imposed in respect of any Goods are calculated on the basis of Tonnes, or, in the case of Goods carried in Containers, TEUs;

5.2.2.1 all fees shall be calculated on the weight or measurement of the Goods, whichever yields the greater revenue, but in no case shall a charge calculated on the basis of measurement exceed four and one-half times the amount that would result if the charge were calculated on the basis of weight.

- 5.2.3 Wharfage fees shall not be imposed more than once in respect of any Goods reshipped from the Harbour except Goods that:
- 5.2.3.1 are removed from and later reshipped over Authority Property; or
 - 5.2.3.2 are reshipped over Authority Property after alteration in form or composition on Authority Property.
- 5.2.4 Wharfage fees shall not be imposed in respect of:
- 5.2.4.1 ship's stores and bunker fuel used solely for a Vessel that is loading or unloading Goods or paying Berthage in respect of Authority Property where the Authority does not issue a receipt for the stores and fuel;
 - 5.2.4.2 repair materials, lining or ballast delivered to and for the sole use of a Vessel loading or unloading Goods or paying Berthage in respect of Authority Property; or
 - 5.2.4.3 empty Containers, unless carried and charged for by a Vessel.
- 5.2.5 Where Goods are transhipped between Vessels, unloaded overside from Vessel to water or loaded from water to Vessel, Wharfage Fees on those Goods shall be charged at half the rate set out in Schedule 2.
- 5.2.6 Wharfage Fees are payable by the Owner of the Goods.

5.3 Berthage Fees

- 5.3.1 Berthage Fees shall be calculated as set out in Schedule 3
- 5.3.2 Subject to Subsection 5.3.3, where the owner of a Vessel is not able to produce to the Authority a Tonnage Measurement Certificate, which includes the length of the Vessel the Authority may estimate the length of that Vessel and the length so estimated shall be deemed to be the length for the purposes of calculating Berthage Fees pursuant of Schedule 3 of this Tariff.
- 5.3.3 If, within six months after an estimate of the length of a Vessel is made pursuant to Subsection 5.3.2, the owner of the Vessel produces a Tonnage Measurement Certificate to the Authority, which includes the length of the Vessel, the Berthage Fees payable in respect of that Vessel shall be

recalculated on the basis of the length shown on the Tonnage Measurement Certificate and any amount previously paid in respect of the Berthage Fees that is in excess of the Berthage Fees as recalculated shall be remitted to the person who paid the Berthage Fees.

5.3.4 Where Berthage Fees are payable in respect of a Vessel, it shall be paid for the period of time commencing when the first line is made fast and terminating when the last line is cast off.

5.3.5 Berthage Fees shall be paid by the Owner of the Vessel.

5.3.6 Berthage Fees are not payable in respect of a Vessel;

5.3.6.1 that is of a non-commercial type or design and belongs to Her Majesty in right of Canada or a Province or to a foreign government and is not engaged in commercial activity;

5.3.6.2 a tug that is docking or undocking another Vessel, or

5.3.6.3 a Lighter that is loading or unloading goods to or from any Vessel that is paying Berthage Fees to the Authority, if that Vessel, tug or lighter is moored at Authority Property with the permission of the Authority.

5.4 Dockage Fees

5.4.1 Dockage Fees shall be calculated as set out in Schedule 4;

5.4.2 Dockage Fees shall be paid by the Owner of the Vessel.

5.5 Services and Facilities Fees

5.5.1 Services and Facilities Fees are calculated set out on Schedule 5.

5.5.2 Services and Facilities Fees set out in Schedule 5 are payable by every cruise ship berthed at Authority Property that arrives and/or departs with passengers.

5.5.3 Services and Facilities Fees are in addition to any other charges owing to the Authority.

5.6 Water Service Fees

5.6.1 Water Service Fees are calculated as set out on Schedule 6;

- 5.6.2 The fees described on Schedule 6 are due on the day the Water Service is provided and are payable to the Authority at its office in Prince Rupert within thirty days of that day, by the person requesting the service.
- 5.6.3 Any Vessel that is not ready to receive water at the time when it was agreed to be delivered shall forfeit its turn and may be charged a delay fee.
- 5.6.4 The person requesting the Water Service shall notify the Authority of the date and time when the Water Service is to be discontinued, and is liable for all charges incurred for the water until the service is discontinued.
- 5.6.5 Water Service shall be provided at such sections or areas of the Harbour as the Authority may from time to time designate and the Authority is not responsible for failure to supply or for any delay or interruption in supplying water or for any deficiency in the quality of water supplied.

6. GENERAL PROVISIONS:

6.1 Compulsory Removal of Goods

- 6.1.1 The Authority may, by written notice to the Owner of any goods that are on Authority Property, require the removal of those goods at the Owner's expense after the expiration of Free Time and the Owner, upon receipt of such notice, shall remove the goods forthwith from Authority Property.
- 6.1.2 Subsection 6.2.1 may not apply to Authority Property, if the Authority Property is under lease to any person or allotted to any person by the Authority.

6.2 Disposition of Goods

- 6.2.1 Subject to subsection 6.1.2 the Authority may, at the risk and expense of the Owner of the goods, remove, store or relocate any goods that are left on Authority Property after the expiration of Free Time.

6.3 Goods Requiring Refrigeration

- 6.3.1 Where refrigerated goods are to be loaded on or unloaded from a Vessel, the Owner of the Vessel shall arrange for the consignee of the goods to take immediate delivery of the goods when they are unloaded, or arrange

for delivery of the goods for outward movement at a proper time in order to permit the handling and loading of them on the Vessel without delay, whichever is appropriate.

6.4 Documentation

- 6.4.1 The cost of supplying clerks, labour, material, and equipment for the checking and sorting of Goods that have not been delivered by the Owner of a Vessel according to bills of lading at the time they were unloaded from the Vessel may be charged to the Owner of the Vessel.
- 6.4.2 Complete documentation in respect of the cargo of a Vessel shall be provided by the Owner of the Vessel to the Authority three full working days before the cargo is unloaded.
- 6.4.3 Where documentation in respect of the cargo of a Vessel is not provided by the Owner to the Authority within the time specified in subsection 6.4.2, as a result of which the Authority incurs additional expenses in the calculation of charges or the preparation of container load plans on behalf of the Owner, such costs shall be paid by the Owner.

6.5 Materials Supplied

- 6.5.1 Charges for any material furnished in connection with any services performed by the Authority shall be based on the actual cost of the material plus a fifteen per cent service fee.

SCHEDULE 1

HARBOUR DUES

ITEM	DESCRIPTION	UNIT	RATE
1000	Harbour Dues are imposed on a Vessel each time it comes into the Harbour;		
1001	Harbour Dues are calculated on each tonne of Registered Gross Tonnage	Registered Gross Tonne	\$0.0827
1002	Harbour Dues for Vessels qualifying for Tier 1 of Environmental Ship Incentive Program calculated on each tonne of Registered Gross Tonnage – 10% Discount	Registered Gross Tonne	\$0.0744
1003	Harbour Dues for Vessels qualifying for Tier 2 of Environmental Ship Incentive Program calculated on each tonne of Registered Gross Tonnage – 20% Discount	Registered Gross Tonne	\$0.0662
1004	Harbour Dues for Vessels qualifying for Tier 3 of Environmental Ship Incentive Program calculated on each tonne of Registered Gross Tonnage – 50% Discount	Registered Gross Tonne	\$0.0414

The basis of this new tiered harbour dues schedule is the Environmental Ship Index (ESI). The ESI has been established through the World Ports Climate Initiative (WPCI) which was created by the International Association of Ports and Harbours (IAPH) Port Environmental Committee.

The ESI is a measure for the environmental performance of air emissions for seagoing ships relative to IMO rules. It also provides a tool that assists ports to promote clean shipping. ESI is composed of credits (0 – 100) for above-baseline environmental performance regarding NO_x, SO_x and CO₂. Ships obtain an ESI score by reporting on verified engine certificates, bunker fuel information and CO₂ reporting. The ESI administration manages the ESI score and ports develop their own incentive program based on ESI points. Since the ESI program is based on validated results, the reduced impact of these air emissions can be measured and tracked.

The proposed ESI score tiers for the vessels for the PRPA:

Tier 1 = ESI score 20 – 30
Tier 2 = ESI score 31 – 50
Tier 3 = ESI score >50

For more information on the ESI program, please follow the link: <http://esi.wpci.nl/Public/Home>

SCHEDULE 2

WHARFAGE FEES

ITEM	DESCRIPTION	UNIT	FEE
2000	CONTAINERS:		
2001	- Import Containers (laden)	20' (1 TEU)	\$47.18
2002	- Import Containers (laden)	40' (2 TEU)	\$69.46
2003	- Export Containers (laden)	20' (1 TEU)	\$33.92
2004	- Export Containers (laden)	40' (2 TEU)	\$49.83
2005	- Import Containers (empty)	20'-40' (1-2 TEU)	\$ 0.00
2006	- Export Containers (empty)	20'-40' (1-2 TEU)	\$ 0.00
2007	- Import Containers (laden)	44'> (2 TEU)	\$77.52
2008	- Export Containers (laden)	44'> (2 TEU)	\$56.10

SCHEDULE 2

WHARFAGE FEES

ITEM	DESCRIPTION	UNIT	FEE
2100	ALL CARGOES N.O.S.:		
2101	- loose	t	\$2.01
2102	- unitized	t	2.01
2200	LOGS:		
2201	- Logs	t	\$0.501881
2300	SLACK WAX:		
2301	- Slack wax	t	\$2.01

SCHEDULE 3

BERTHAGE FEES

ITEM	DESCRIPTION	UNIT	FEE
3000	VESSELS:		
3001	For working periods for each hour or portion thereof	per metre	1.042
3002	For non-working periods for each hour or portion thereof	per metre	0.2605
3003	The minimum charge for Vessels is 4 hours		

SCHEDULE 4

DOCKAGE FEES

ITEM	DESCRIPTION	UNIT	FEE
4000	NORTHLAND CRUISE TERMINAL:		
4001	For vessels per metre per day	per metre	\$ 25.00
4100	ATLIN CRUISE TERMINAL:		
4101	For vessels per metre per day	per metre	\$ 7.50
4102	Tendering per vessel per day	per metre	\$7.50

SCHEDULE 5

SERVICES AND FACILITIES FEES

ITEM	DESCRIPTION	UNIT	FEE
5000 NORTHLAND CRUISE TERMINAL PORT CALL:			
5001	– port call	For each passenger	\$ 2.50
5002	- Security Fee	per hour	\$65.00
5100 ATLIN CRUISE TERMINAL PORT CALL:			
5101	– port call	For each passenger	\$ 2.50
5102	– exchange	For each passenger	\$12.50
5103	– Crane per hour of use (min 1 hour)	per hour	\$65.00
5200 LINE HANDLING FEES NORTHLAND CRUISE TERMINAL:			
5201	Mon-Fri 0800 – 1630	per tie-up	\$1,576.58
5202	Mon-Fri 1630 – 0100	per tie-up	\$1,940.40
5203	Mon-Fri 0100 – 0800	per tie-up	\$2,304.23
5204	Saturday 0800 – 1630	per tie-up	\$2,031.36
5205	Saturday 1630 – 0800	per tie-up	\$2,467.95
5206	Sunday, all shifts	per tie-up	\$2,467.95
5207	Holiday all shifts	per tie-up	\$3,129.00
5208	Mon-Fri 0800 – 1630	per let-go	\$1,049.03
5209	Mon-Fri 1630 – 0100	per let-go	\$1,297.64
5210	Mon-Fri 0100 – 0800	per let-go	\$1,528.07
5211	Saturday 0800 – 1630	per let-go	\$1,315.84
5212	Saturday 1630 – 0800	per let-go	\$1,625.09
5213	Sunday, all shifts	per let-go	\$1,625.09
5214	Holiday, all shifts	per let-go	\$2,211.30

SCHEDULE 6

WATER SERVICE FEES

ITEM	DESCRIPTION	UNIT	RATE
6000	For each Water Service provided from Authority facilities to a Vessel:		
6001	- water charge	per tonne	\$ 1.04
6002	- service charge - cost to the Authority	per service	61.80
6003	- water fee, up to 200' (Atlin Terminal)	Vessel/day	50.00
6004	- water fee, 200' and over (Atlin Terminal)	Vessel/day	100.00
6100	For each Water Service provided to a user other than a Vessel:		
6101	- water charge	cost to the Authority of providing the service plus 15%.	
6102	- service charge	current municipal rate.	
6103	- unmetered Fire Lines	current municipal rate.	
6104	- water Service connection	cost to the Authority plus 15%.	