



TERMS OF BUSINESS PORT OF FREDERIKSHAVN

JANUARY 15, 2024



PORT OF FREDERIKSHAVN

These present regulations comprise the terms and conditions for calling at Port of Frederikshavn, for area lease, warehouse lease etc. and indicative prices.

All prices in the present regulations are quoted exclusive of Danish VAT and other taxes and are subject to change at no prior notice.

These business conditions are published in Danish and English. In the event of any dispute pertaining to the contents, the wording of the Danish version shall be the valid version.

Port of Frederikshavn accepts no liability for any printing errors.

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1. SUBMISSION OF PARTICULARS

The master or the agent of the vessel shall submit to the Port Authority such particulars on the vessel and cargo, etc. as are necessary for the calculation and collection of arrival, quay and commodity dues as well as the vessel's papers, manifests, weight certificates, etc. confirming the particulars submitted.

The master or the agent of the vessel shall further submit to the Port Authority such particulars on the vessel, passengers, cargo - including means of transport, containers, etc. - as are necessary for statistical purposes.

Prior to her departure, the vessel or her local agent shall pay arrival, quay and commodity dues to the Port Authority. However, against a deposit or other security the Port Authority may permit departure before payment is made.

The vessel's agent/broker declares with the report of an arrival to Port of Frederikshavn that the agent/broker vouches for payment of arrival, quay and commodity dues - incl. possible Danish VAT - for the vessels the agent/broker handles.



2. ARRIVAL AND QUAY DUES

ALL VESSELS EXCL. VESSELS IN SCHEDULED SERVICE (AS RECOGNIZED BY THE PORT AUTHORITY)

Arrival dues per call	1.28 DKK/GT
Quay dues - loading/unloading	3.18 DKK/GT
Quay dues other per commenced day after arrival day	0.45 DKK/GT
Quay dues minimum per commenced day after arrival day	69.36 DKK

VESSELS IN SCHEDULED SERVICE (AS RECOGNIZED BY THE PORT AUTHORITY)

Monthly dues per commenced month	7.19 DKK/GT
Single arrival - arrival dues per call	1.28 DKK/GT
Single arrival - quay dues per commenced day after arrival day	1.62 DKK/GT

2.1 GENERAL TERMS

ARRIVAL DUES

All ships, vessels and all floating material shall pay arrival dues for entering the port's area. Payment of arrival dues rests upon the vessel.

Arrival dues will be calculated on the basis of whole Gross Tonnage (GT).

If the vessel has no Gross Tonnage, such will be calculated on the basis of length x width x draught (mean) in nearest complete meter.

The arrival dues cover one call at the port and cover quay dues until midnight on the day of call.

QUAY DUES - LOADING/UNLOADING

The quay dues for cargo handling cover a period of time deemed normal for the specific type of cargo handling. If the Port Authority considers the cargo handling period to be exceeded, the vessel will be charged additional quay dues at the per day rate for the duration of the stay.

For loading/unloading operations from ship to ship the charge will be 50% of the quay dues for the ship on the outside. The ship alongside quay pays ordinary quay dues.

Provided that a vessel loads and unloads during the same call, 1 x arrival dues and commodity dues are paid for both parties of goods.

QUAY DUES - OTHERS

Other quay dues will be charged per commenced day following the day of arrival and will be levied for each day until the departure of the vessel.

Lay-up of vessels or rigs depends on prior entered agreement on laydays, economic liability and payment of daily fines. Lay-up of vessels or rigs in the harbour must, upon the request of the Port Authority be marked with clear lights and/or AIS.

QUAY DUES - MINIMUM

All vessels except small vessels with a fixed agreement shall pay a minimum due of DKK 69.36/day.



VESSELS IN SCHEDULED SERVICE [AS RECOGNIZED BY THE PORT AUTHORITY] - MONTHLY DUES

Vessels in approved route pay either:

- 1) Arrival dues as a monthly due, paid in advance on a monthly basis and will permit an unlimited number of calls within the calendar month in question or
- 2) Arrival and quay dues per call

Arrangments are made in the individual agreement on recognized routes, if dues are paid as monthly dues or as single arrival dues.

If the vessel, due to breakdown, is prevented from calling at the port in the month covered by the dues already paid, such dues will be refunded proportionally.

For the vessels in scheduled service mentioned above, the following shall apply:

- a) If a shipping company inserts a replacement vessel to sail in accordance with the timetable in force for a service, any monthly dues for the ordinary vessel will also cover the replacement vessel.
- b) If two or more vessels take turns serving specific tours in a timetable, monthly dues shall be paid for the largest vessel, whereas other vessels shall be exempt from payment of dues.



2.2 EXEMPTION FROM ARRIVAL DUES

Exempt from arrival dues are:

- a) Vessels exclusively receiving bunkers, supplies, are repairing or changing crew members and are calling at the port for less than 4 hours.
Vessels which call the port for less than 4 hours for receiving bunkers, supplies and repairs, but wish to use the port's slop oil tank pay arrival dues or pay for the amount pumped according to the general rates.
- c) Vessels working for the port.
- d) Vessels re-entering the port after test- and trial-runs after having received service or repair within the port area.
- e) Tugboats stationed at the port.
- f) Training ships and pleasure crafts when these are not commercially employed.

2.3 EXEMPTION FROM QUAY DUES

Exempt from quay dues are:

- a) Vessels working for the port.
- b) Tugboats stationed at the port.
- c) Training ships and pleasure crafts when these are not commercially employed.



3. COMMODITY DUES

COMMODITY DUES	
1. General cargo	19.23 DKK/t
2. Scrap metal, waste, wood, pellets, salt etc.	13.57 DKK/t
3. Stone aggregate, clay, sand, fly ash etc.	6.07 DKK/t
4. Oil (delivered by ship or pipeline)	18.26 DKK/t
5. Gas incl. LNG, LBNG and PNG (delivered by ship or pipeline)	18,26 DKK/t
6. Ferry and container cargo	14,03 DKK/t
7. Ad valorem tax on fish and shellfish (%)	2.40%
8. Passengers	2.51 DKK per person
9. Vehicles (registered)	12.54 DKK per vehicle

Commodity groups (items 1.-5.) are defined according to item tariff numbers of the customs tariff (see the following pages)

3.1 GENERAL TERMS

Calculations of commodity dues shall be based on the rules set out in this present section.

The commodity dues shall be payable on all goods loaded or unloaded or in any other way transferred in the harbour or in the harbour fairways leading to it.

For the dues on fresh fish etc. are concerned, however, the rules under item 7 shall apply.

- a) The master or the agent of the vessel shall notify the Port Authority in writing of the nature, quantity and weight of the commodities (cf. item 7, however). The total weight of the commodities shall be stated as the gross weight in whole hundreds of kilos.
- b) When rates are changed, dues shall be calculated on the basis of the rates in force at the commencement of the loading or unloading, respectively.

1. General commodity dues - general cargo

19.23 DKK/t

cf. item below however.

For the loading or unloading of goods of the below nature, the dues may be calculated according to the following prices, provided that the nature of the goods is stated with reference to the relevant chapters of the customs tariff.

The commodity classifications stated after the number of the customs tariff are solely directional. The text of the customs tariff decides which commodity group shall be referred to the chapter or main position numbers.

2. Scrap metal, waste, wood, pellets, salt etc.

13.57 DKK/t

Goods in this category:

Customs tariff, main position 07.01	Potatoes
Customs tariff, product code 0713.10	Fodder peas
Customs tariff, product code 07.14.90	Tapioca
Customs tariff, chapter 10	Cereals
Customs tariff, main position 11.01-04	Flour and groats of cereals
Customs tariff, chapter 12 except commodities belonging to product code 1212.91-92 and main position 12.14	Oil seeds, other seeds, fruit etc.
Customs tariff, chapter 23	Herring meal, oilseeds cakes, vegetable products etc. for animal fodder
Customs tariff, main position 25.01 og 25.23	Salt Cement
Customs tariff, chapter 31	Fertilizers
Customs tariff, main position 44.01-07 og 44.09	Wood, unprocessed and roughly processed as well as pellets and briquettes
Customs tariff, chapter 68	Goods of stone, cement, asbestos etc.
Customs tariff, main position 69.02	Clinkers, clay pipes and fire bricks
Customs tariff, main position 69.04	Bricks
Customs tariff, main position 72.01-07 72.18 74.01-04 75.01-03 76.01-02 78.01-02 79.01-02 80.01-02 81.04	Metals, base, scrap etc.



3. Stone aggregate, clay, sand, fly ash etc.	6.07 DKK/ton
Customs tariff, chapter 5	Non-edible products of animal origin
Customs tariff, position 1212.91-92 and main position 12.14	Sugar beets etc. Other beets etc.
Customs tariff chapter 25	Soil and stone, lime, plaster and sulphur
Customs tariff chapter 26	Ores, slag and ashes
Customs tariff, product code 28.33, 29.50	Iron sulphate
Customs tariff, main position 38.23	Chemical
Customs tariff, product code 70.01.00.10.0	Broken glass and other glass waste

4. Oil (delivered by ship or pipeline)	18.26 DKK/ton
Customs tariff chapter 27.10	Oil etc.

5. Gas incl. LNG, LBNG and PNG (delivered by ship or pipeline)	18.26 DKK/ton
Customs tariff chapter 27.11	Natural gas etc.

6. Ferry and container cargo	14.03 DKK/ton
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Goods carried as ferry- and container goods.
Dues payable irrespective of the nature of the goods.

7. Ad valorem tax on fish and shellfish (%)	2.40%
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On fish and shellfish unloaded from fishing vessels or smacks, whether prepared or not, 2.40% of the value of first-hand sale shall be payable, albeit maximum DKK 27,000.00 per landing, (by a landing is understood the total load per call by a vessel).

The commodity dues on fish etc. shall be paid by the customer (auctioneer, fishmonger, or purchaser) who shall notify the Port Authority in writing of the basis of the calculation. Subject to approval by the Port Authority, the notification may cover a specified period, not exceeding one month, however. The purchaser shall present a specification of such purchases when requested to do so. Likewise, masters of the vessels mentioned shall state in writing the value and weight of the cargo as well as the name of the purchaser when requested to do so by the Port Authority.

It is the duty of the buyer/captain of the vessel to prove to the Port Authority that the value of a landing exceeds of DKK 1,125,000.00, where he wants to apply the regulation about a maximum fee of DKK 27,000.00.

8. Passengers	2.51 DKK/per person
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A due of 2.46 DKK per person shall be paid for all passengers embarking or disembarking within the port area.

9. Vehicles (registered)	12.54 DKK/per vehicle
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A due of DKK 12.29 per vehicle shall be paid for all registered vehicles, which are loaded or unloaded within the area of the port.

Dues are not levied on other registered vehicles.

3.2 EXEMPTION FROM OR REDUCTION OF COMMODITY DUES

The commodities listed below shall be exempt from commodity dues. As far as cargo is concerned, the exemption presupposes that in his statement, cf. 3.1. of the General Terms, item a., the master or the agent of the vessel has requested that the commodities be loaded or unloaded without payment of commodity dues.

- a) Empty railway carriages, when not dispatched as articles of commerce.
- b) Empty containers, empty packages and loading and unloading gear, when not dispatched as articles of commerce.
- c) Provisions and other necessities for the vessel's own consumption.
- d) Ice, salt, and chemicals for preservation of cargo or expected catch.
- e) Navigation marks when not dispatched as articles of commerce.
- f) Commodities and materials used by the port itself.
- g) Goods which are temporarily unloaded and reloaded to the vessel in the course of one call at the port.
- h) Goods which are re-exported from the port with the same vessel within 14 calendar days from date of unloading, provided that, after the unloading, the goods have not been subjected to any processing or treatment, including packaging and repackaging.

For commodities, without having been landed, transferred from ship to ship, 50% commodity dues shall be paid.

3.3 REFUND OF COMMODITY DUES

Commodity dues may be refunded subject to following circumstances:

Where too high commodity dues have been paid as a consequence of an erroneous statement, a refund of commodity dues may take place providing that this can be proved and providing that a claim is made to the Port Authority no later than 3 months from date of port's issued invoice. A service charge of DKK 300.00 shall be paid per service in connection with refunds.

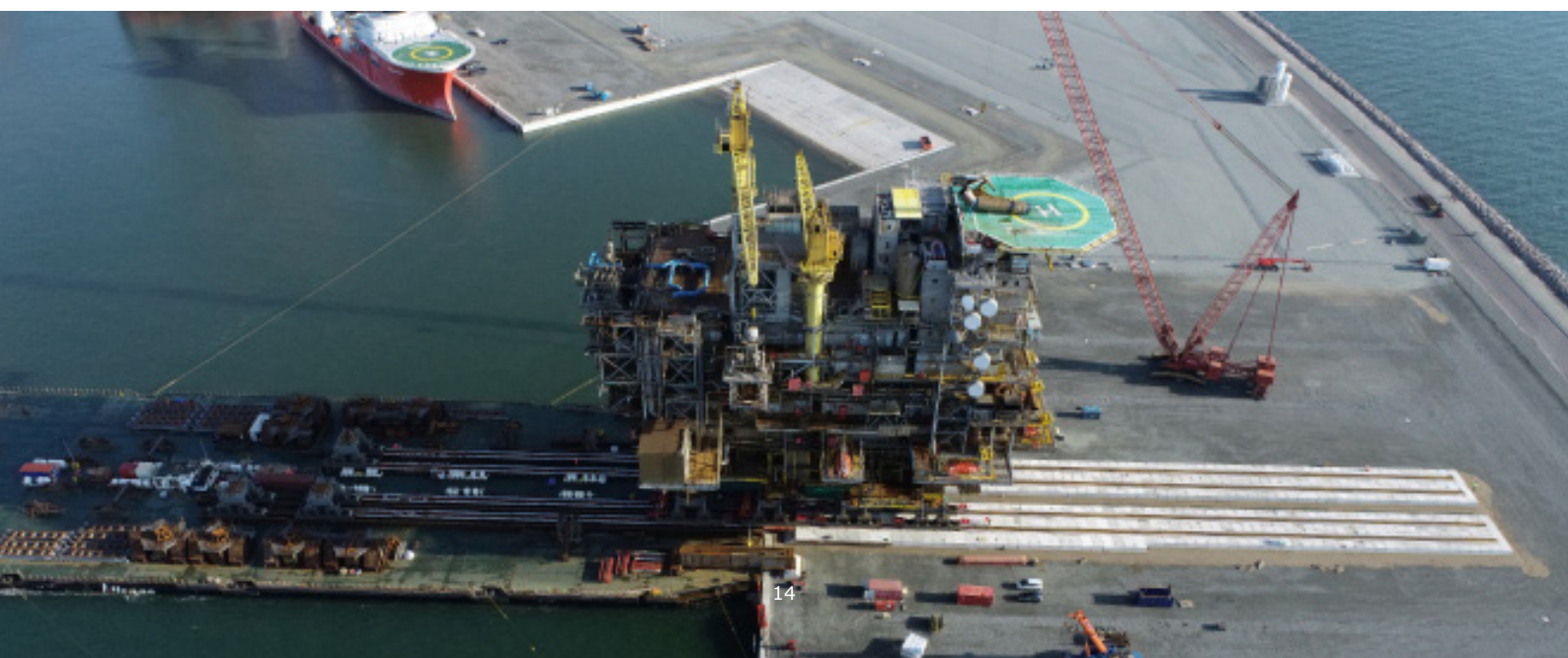
4. AREA LEASE

4.1 GENERAL TERMS OF LEASE

General terms of lease shall be entered according to individual agreement.

The "General provisions for the lease of areas at Frederikshavn Havn (Port of Frederikshavn)" shall be applicable at all times. The terms in force will be attached to the individual agreement.

AREA LEASE	
Contract leasing – Traffic harbour	36.75 DKK/m ²
Contract leasing - Fishing harbour	34.02 DKK/m ²
Contract leasing - New harbour	44,63 DKK/m ²
Non-contractual area lease	0.28 pr. DKK/m ² /day
Non-contractual area lease - paved	0.28 pr. DKK/m ² /day
Non-contractual area lease – quay areas	0.43 pr. DKK/m ² /day



5. WAREHOUSES

5.1 GENERAL TERMS

Cargo and others can be stored in the warehouses intended for cargo storage, to the extent that space is available. Prior to the storage of goods, the approval of the Port Authority must be obtained. Space is usually appointed on a first-come, first-serve basis. Upon application, which may be requested in writing, the nature, quantity and expected period for storage of the goods must be stated. Furthermore, information about the owner of the goods and for whose account the goods will be stored must be submitted.

IMDG-classified goods or other goods which may constitute a risk of damage to other goods cannot be stored without the prior approval from the Port Authority.

Stored goods are not insured by the Port Authority, who furthermore cannot be held responsible for theft, vandalism, or similar damage to the stored goods. In this connection, it is pointed out that tenant has been made aware of the fact that other tenants have independent access to the warehouse. It is the responsibility of the cargo owner to ensure that the warehouse is suitable for storage of the goods in question. Storage will, consequently, in all respects be at the owner's risk and responsibility. The owner of the goods shall be liable for all damage caused to the warehouse and other goods, and shall immediately inform the Port Authority about such.

The Port Authority can at any point of time require the goods removed or transferred to another appointed position. All costs connected with such removal or transfer of goods shall be at the account of the cargo owner. If such instruction is not adhered to, or goods are stored without permission, the Port Authority is entitled to remove the stored goods at the owner's account and risk and, if necessary, to sell off the goods in part or in full in order to cover the costs of the Port Authority.

If an appointed space has not been taken into use no later than on the day following the appointed date, the Port Authority shall be free to dispose of the space. An appointed space cannot be leased to a third party without special permission obtained from the Port Authority. Even if such permission is granted, it is still the responsibility of the tenant to return the key of the warehouse.

When entering into agreement a key is handed over, which the tenant signs for. However, another key will not be handed over when the area lease is expanded. The key is surrendered according to agreed by expiry of the lease. Should the key be lost, the tenant is liable for the costs related to the safety precautions occurred hereby.



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5.2 PRICES, MEASURING AND PAYMENT

Measuring of the leased area is performed by the Port Authority. The lease period commences on the day of the arrival of the goods and continues until all the goods have been removed, and the Port Authority has been informed about this. Termination or reduction of the lease will be recognised upon the request thereof, however no earlier than from the day on which the goods are removed and, with regards to the termination of the lease, from the date on which the key to the warehouse is surrendered.

The rent will be collected by the Port Authority, who can require surety for the payment of the rent, or alternatively, request pre-payment for an agreed period.

WAREHOUSES

Warehouse lease	34.48 DKK/m ² /month
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5.3 HANDLING OVER

The tenant is obliged to return the leased area in same conditions as when received, and completely cleaned. In lieu of this, the Port Authority is entitled to have the premises cleaned and repaired for the tenant's account.

6. OPEN STORAGE AREAS

6.1 GENERAL TERMS

Cargo and goods may be stored in the open-storage areas intended for this use, to the extent that space is available. Prior to the storage of goods, the approval of the Port Authority must be obtained and, likewise, further agreement as to the use of the area must be reached. Upon application, which may be requested in writing, the nature, quantity and possible hazard class of the goods must be stated. Likewise, information about the owner of the goods and on whose account the goods will be stored must be submitted.

Goods intended for loading or goods having been unloaded from vessels may be stored free of charge for a period of 7 calendar days. The period of storage shall be calculated from and including the day on which storage was commenced. The goods will be stored at the risk of the owners. The Port Authority can at all times require the goods removed or transferred to another position allocated within the Port Area. All costs connected with such goods removal or transfer shall be for the account of the cargo owner. If such an instruction is not adhered to, or if goods are stored without permission, the Port Authority is entitled to have the stored goods removed at the account and risk of the owners, and if necessary, to sell off the goods in part or in full in order to cover the costs of the Port Authority. If an appointed area has not been taken into use no later than on the day following the appointed date, the Port Authority is free to dispose of the area.

Goods which are not removed after 7 calendar days, are priced according to the prices on non-contractual area lease, based on the quay stretch in question in its full length.

6.2 PRICES

The area lease prices are as follows:

Unpaved areas	0.28 DKK/m ² /day
Paved areas	0.28 DKK/m ² /day
Quay areas	0.43 DKK/m ² /day

For areas allocated to the storage of fishing tackle, no fee will be charged as long as the area is utilized as specified, and the tackle is stored as specified by the Port Authority. The tackle, to be labelled with the vessel's identification number, must be removed whenever the Port Authority should request so.

When a utilized area is reduced, a measurement of the utilized area will be carried out, when a request for such is made. The lease will, effective from the date of the request, be adjusted in accordance with the size of the area. Although re-evaluation of a cargo will not be carried out more frequently than once a week.

6.3 MEASURING AND PAYMENT

Measuring of the leased area is performed by the Port Authority. The lease period commences on the day of the arrival of the goods and continues until all goods have been removed and the Port Authority is informed about the removal. The minimum lease period is one week. The rent will be collected by the Port Authority, who can require surety for the payment of the rent, or in the alternative, request pre-payment for an agreed period.

6.4 HANDLING OVER AT THE EXPIRY OF THE LEASE

The tenant is obliged to return the leased area in same condition as when received and completely cleaned. In lieu of this, the Port Authority shall be entitled to have the premises cleaned and repaired for the account of the tenant. The right of use to an area is not transferable without the approval of the Port Authority.



7. VESSELS, RIGS ETC LAYING UP

A vessel, rig etc cannot be laid up in the harbour without the prior approval of the Port Authority.

At the laying up, the port can require surety for the payment of quay dues equivalent to three months' rent.

Non-operating or supervised vessels, rigs etc laid up without agreement with the Port Authority, will be demanded removed from the harbour.

Lay-up of vessels, rigs etc in the harbour must, upon the request of the Port Authority be marked with clear lights or AIS.

Valid liability insurance must be taken out when laying up.

Reference is made to "Standard Regulations for maintaining order in Denmark's commercial ports" sections 14 and 16.



8. ELECTRICITY

Electricity can be supplied to vessels from the Port's fixed installations. Inquiries regarding the supply of electricity must be submitted to the Port Control.

The price for electricity is excl. of Danish VAT and other taxes. Prices are subject to change when there are changes in purchasing prices according to general rates.

ELECTRICITY	
Electricity (+ tax, if relevant)	The price is variable and is determined once a month (ex. Jan. 2.76 DKK per kWh)
Electricity tax	0.761 DKK/kwh

Prior to supply, the Port Authority may require surety for the payment. The customer's consumption will be paid for at the Port Authority office, subject to the payment terms specified in the invoice.

Port of Frederikshavn offers plug-in facilities only at the quays and assume no liability whatsoever for additional protection that may be required pursuant to the Danish Electricity Supply Regulations ("Stærkstrømsreglementet") or in case of power failure. The Port Authority does not supply power cables from the quayside power points to the user and assumes no liabilities whatsoever for the user's material.

The user shall be liable to pay for any repair work, materials, fuses, etc. required in connection with remedying any damage to or defects in the port's material caused by the user.

9. FRESH WATER

Inquiries regarding the supply of fresh water must be submitted to the Port Control.

Water can be delivered to vessels from the established port hydrants through the assistance of the Port Authority. The Port Authority supplies water through water-gauges at quayside. The vessel will supply hoses and perform the actual filling of the vessel's freshwater tanks.

The price for fresh water is excl. of Danish VAT and other taxes. Prices are subject to change when there are changes in purchasing prices according to general rates.

FRESH WATER	
Fresh water, delivered (+ tax, if relevant)	28.05 DKK/m ³
Fresh water tax	6.37 DKK/m ³
Connection fee fresh water	224.40 DKK
Fresh water hose 20 m	729.30 DKK/pcs
Fresh water hose 30 m	841.50 DKK/pcs

Prior to supply, the Port Authorities may require surety for the payment. The customer's consumption will be paid for at the Port Authorities' office, subject to the payment terms specified in the invoice.



10. WASTE

Caboose (combustible waste) is received, however max. 5 m³. Exemption is granted during longer stays according to precise agreement.

Slop oil generated from the vessel's last voyage is received, however max. 3 m³. Hereafter, invoiced according to valid general rates.

Contaminated waste is received and is disposed of according to prior agreement and invoiced according to valid general rates.

Rags containing oil, empty oil filters, empty paint buckets, refrigerators, televisions, etc. are received. Scrubber (cleansing water) is received. Invoiced according to amount and valid prices.

Vessels, which call the port for less than 4 hours for receiving bunkers, supplies and repairs, but wish to use the port's slop oil tank, waste containers, etc. pay arrival dues or for the slop oil or waste brought ashore.

WASTE	
Container emptying + dues	Per account rendered
Sewage water	56.10 DKK/m ³
Slop oil	887.40 DKK/m ³

11. BOLLARD PULL TEST

Vessels, which want to use the port's bollard for bollard pull tests, are invoiced according to valid prices. The bollard pull test is carried out on a location appointed by the port.

Bollard pull test 0-20 tons	4,080.00 DKK
Bollard pull test 21-40 tons	8,160.00 DKK
Bollard pull test 41-250 tons	12,240.00 DKK



12. LIABILITY

Insofar as Port of Frederikshavn shall be found liable under any of the above conditions or shall otherwise be deemed liable, such liability shall be limited as follows:

The indemnity shall be calculated on the basis of the value of goods of the same kind at the time when the damage was ascertained. The value of the goods shall be determined by their market price, or if this is not possible, according to the value of goods of same type and quantity.

However, the indemnity shall never exceed 666.67 SDR (Special Drawing Rights) for each package or other unit of goods, or 2 SDR per kilo gross weight of the damaged goods, depending on which amount is the higher.

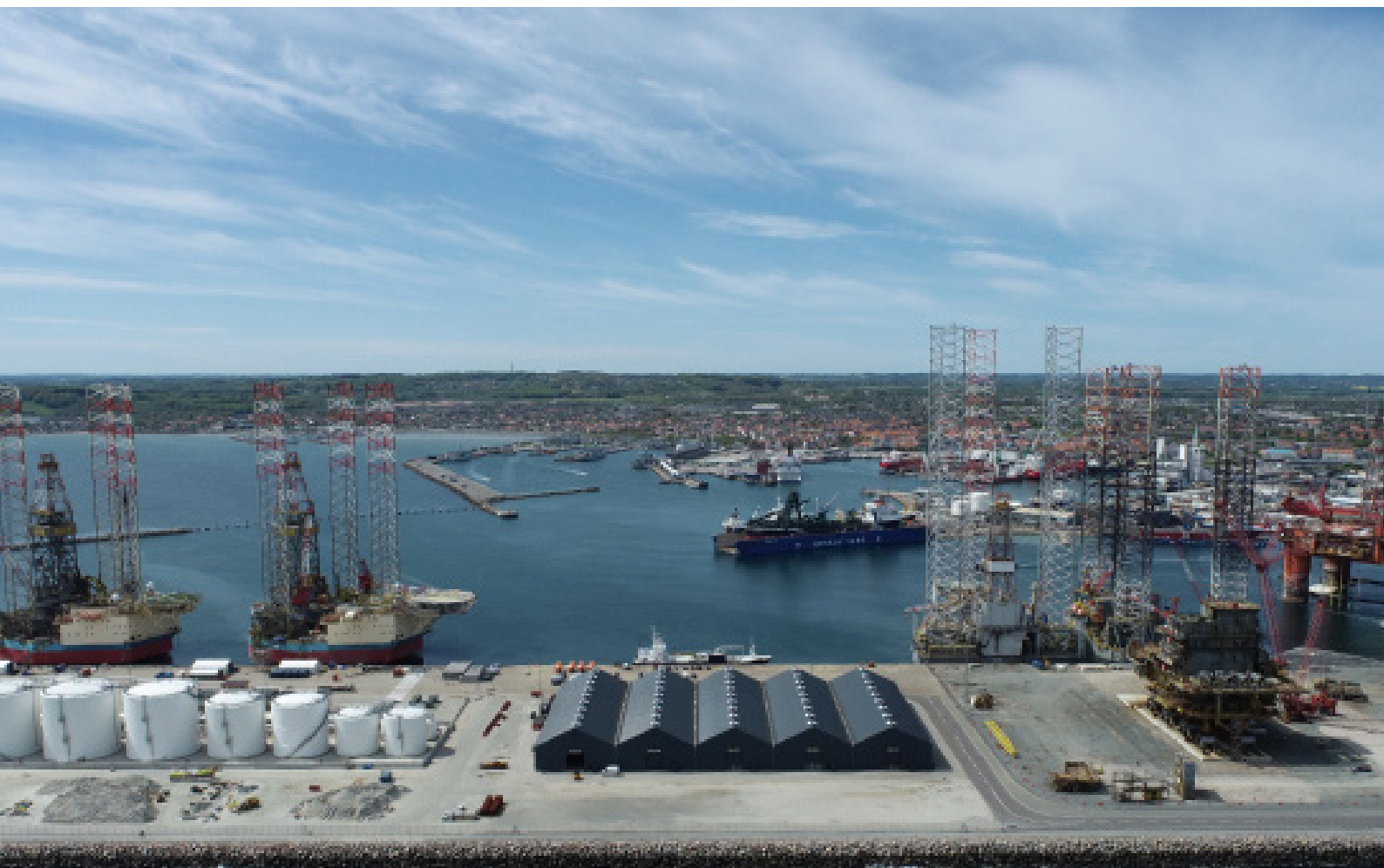
Indemnity for containers, or other similar units of transport and their content, shall never exceed 10,000.00 SDR per unit.

The Port Authority assumes no liability whatsoever to indemnify operating loss, loss of profit, waiting time for trucks, workers, etc. at the port, loss of market share or any other indirect loss.

The SDR is the unit of calculation referred to in s. 152 (2) of the Danish Merchant Shipping Act ("Søloven"). The SDR shall be converted into Danish currency at the rate applicable on the day on which the damage was ascertained.

13. OTHER CONDITIONS



Apart from these General Conditions a number of other conditions are applicable. These can be found on the Port's website under Conditions.





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