

Port Dues Tariffs 2023

PORT OF CHERBOURG



PORT DUES

PORT OF CHERBOURG

Established in accordance with Volume III of the Code of Transport

TARIFF N° 50

Applicable from 1 January 2023

TARIFFS IN EUROS - EXCLUDING TAX

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SECTION I**SHIP DUES****Payable to SPL Cherbourg Port****ARTICLE 1 – Levy conditions for dues**

- 1.1 • Dues in euros per cubic metre shall be levied on every commercial ship that makes a call in zones A, B, C, D and E of the Port of commerce of Cherbourg, based on the geometric volume of the ship as calculated in accordance with Article R.5321-20 of the Code of Transport, by applying the rates indicated below, in **euros**, per cubic meter.

SHIP TYPES AND CATEGORIES	INBOUND	OUTBOUND
1. PASSENGER LINES	0.04420	0.04420
2. FERRIES		
• <i>Monohull</i>	0.0000	0.0000
• <i>Multihull</i>	0.0000	0.0000
3. SHIPS CARRYING LIQUID HYDROCARBONS	0.0000	0.0000
• <i>Bunker barges</i>	0.0000	0.0000
• <i>Other</i>	0.2535	0.2136
3. SHIPS CARRYING LIQUEFIED GASES	0.2535	0.2136
4. SHIPS CARRYING MAINLY BULK LIQUID CARGO OTHER THAN HYDROCARBONS	0,1850	0.1336
6. SHIPS CARRYING BULK SOLID CARGO	0,3290	0.3290
7. REFRIGERATED OR MULTIPURPOSE REFRIGERATED SHIPS	0,2386	0.1521
8. RO-RO SHIPS		
• <i>Ships carrying mainly new or used vehicles, trailers (accompanied or unaccompanied), Mafis, in zone A of the port</i>	0	0
• <i>Ships carrying mainly new or used vehicles, trailers (accompanied or unaccompanied), Mafis, except in zone A of the port</i>	0.0805	0.0805
• <i>Other</i>	0.1625	0.1625
9. CONTAINER SHIPS	0.0922	0.0922
10. BARGE CARRIERS	0.2387	0.2387
11. HOVERCRAFTS AND AIRBOATS	0.0504	0.0504
12. SHIPS OTHER THAN THOSE LISTED ABOVE		
• <i>Offshore installation and cable laying vessels: barges, jack-up barges, etc.</i>	0.3086	0.2387
• <i>Other</i>	0.3086	0.1664

1.2 • The different port zones identified in paragraph 1 of this article are defined as follows:

ZONE A - West Port: quai de France, quai de Normandie, car-ferry stations No 1, 2, 4 and 6
Port dues collected in zone A are payable to "Cherbourg Port".

ZONE B - East Port: quai des Flamands, quai des Mielles, Ro/ro station No 5
Port dues levied in zone B are payable to "Cherbourg Port".

ZONE C – Body of water ("Petite Rade" = Inner roadstead)
Port dues levied on the body of water of the commercial port are payable to "Cherbourg Port".

ZONE D – Quai Amiral Kniskern
Port dues levied in zone D are payable to "Cherbourg Port". This zone is exempt from port dues on cargo.

ZONE E – Body of water ("Grande Rade": civil zone of the port)
Port dues levied on the Grande Rade are payable to "Cherbourg Port".

1.3. If the same vessel disembarks or tranships passengers or cargo successively in different zones of the port, it shall be subject to ship dues only once, in whichever of these zones where the rate is the highest. The vessel type, as well as the modulations and abatements to which it is subject, are determined by considering all the landing or transhipment operations carried out by that ship in the port.

The same provisions apply when the same ship has to board or tranship passengers or cargo successively in different zones of the port.

1.4. When a ship does not land or tranship passengers or cargo, and boards neither passengers nor cargo, ship dues are paid only once.

1.5. Ship dues are paid only once, when the ship departs:

- if the ship does not carry out any commercial operations;
- if the ship only carried out bunkering, refuelling, or unloading operations for ship-generated waste and cargo residues. In this case, the dues are set at **€0.0059 per m³**.

1.6 • In accordance with Article R. 5321-22 of the Code of Transport, ship dues do not apply to the following:

- support ships, notably those assigned to piloting, towage, mooring and rescue operations in the port of Cherbourg
- ships assigned to recover waste and combat pollution in the port of Cherbourg
- vessels assigned to carry out maintenance dredging, maritime signalling, firefighting and administrative services in the port of Cherbourg
- ships making a forced stopover with no commercial operations. A forced stopover occurs when a ship must put into port due to an event linked to the sea voyage, such as collision, technical damage or fire. Where the authorities oblige a ship to enter a port, this is not considered a forced stopover.
- ships, which, while unable to access a port facility are forced to carry out their landing, boarding or transhipment outside the port
- vessels assigned to cultural or humanitarian missions or missions of general interest for maritime heritage.

1.7 • As provided by Article R.5321-51 of the Transport Code:

- the minimum amount of port dues that will be collected is set at **€26.80**
- the threshold for collection of port dues is **€14.40**

ARTICLE 2: Provisions on adjustments according to real load ratio, depending on the ship's capacity in carrying out its primary activity, by ship type and category, in accordance with the provisions of subparagraphs I, II, III of Article R.5321-24 of the Code of Transport.

- 2.1 • Adjustments applicable to all types of passenger ships shall be determined on the basis of the relationship between the number of passengers disembarked, embarked or transhipped and the ship's passenger-carrying capacity under the following conditions:

Ratio less than or equal to:	1/8	Adjustment - 60%
2/3	1/20.....	Adjustment - 70 %
1/2	1/50.....	Adjustment - 80 %
1/4	1/100.....	Adjustment - 95 %
		Adjustment - 10 %
		Adjustment - 30 %
		Adjustment - 50 %

- 2.2 • Adjustments applicable to ships carrying cargo are determined according to the ratio between the tonnage of the landed, loaded or transhipped cargo and the volume (V) of the ship, as calculated in accordance with Article R.5321-20 of the Code of Transport.

Ratio less than or equal to:	1/40.....	Adjustment - 60%
2/15	1/100.....	Adjustment - 70 %
1/10	1/250.....	Adjustment - 80 %
1/20.....		Adjustment - 50 %

- 2.3 • On the basis of Article R.5321-24 of the Code of Transport, ships not carrying out bunkering or refuelling operations, or discharging ship-generated waste and cargo residues, are excluded from the adjustments.

ARTICLE 3: Provisions on adjustments according to call frequency in accordance with Section V of Article R.5321-24 of the Code of Transport.

- 3.1 a For ships with regular routes open to the public according to a predetermined itinerary and schedule, dues for each ship type are subject to the following reductions, calculated on the basis of the number of departures for a route by the same company during the calendar year:

For a regular route making 1 to 5 port calls per year:	No reduction.
For a regular route making 6 to 10 port calls per year:	7.5% reduction on all movements.
For a regular route making 11 to 16 port calls per year:	15% reduction on all movements.
For a regular route making 17 to 140 port calls per year:	22.5% reduction on all movements.
For a regular route making 141 to 200 port calls per year:	40% reduction on all movements.
For a regular route making more than 200 port calls per year:	68% reduction on all movements

For routes meeting the reduction criteria in the previous year, the reductions are automatically renewed at the beginning of the current year.

- 3.1 b For type 1 vessels, dues are subject to the following abatement depending on the number of port calls made during the calendar year by the trading name, as opposed to the parent company, which comprises several trading names or brands:

1st and 2nd call	No reduction
3rd and 4th call	Reduction of 15%
5th and 6th call	Reduction of 25%
7th and 8th call	Reduction of 30%
9th and 10th call	Reduction of 35%
11th and 12th call.....	Reduction of 40%
13th and 14th call.....	Reduction of 45%
15th and 16th call.....	Reduction of 50%
17th and 18th call.....	Reduction of 55%
19th and 20th call.....	Reduction of 60%
21th and 22th call.....	Reduction of 65%
23th and 24th call.....	Reduction of 70%
25th and 26th call.....	Reduction of 75%
27th and 28th call.....	Reduction of 80%
29th and 30th call.....	Reduction of 85%
After the 31st call.....	Reduction of 90%

3.2 • For ships which, although not on regular routes, usually frequent the same port, dues per ship type shall be subject to the following reductions, according to ship type and number of departures during the calendar year.

From the 1st to 9th departure incl.....	No reduction
From the 10th to 15th departure, incl.....	5% reduction
From the 16th to 25th departure, incl.....	15% reduction
From the 26th to 50th departure, incl.....	25% reduction
After the 50th departure.....	30% reduction

3.3 • The reductions as provided for in this article may not be combined with those mentioned in Article 2. Where the liable entity also meets the conditions of Article 2, it shall receive the most favourable treatment.

ARTICLE 4: Provisions on additional reduction as provided for in Article R.5321-25 of the Code of Transport:

Reductions as provided for in Articles 2 and 3 may be accompanied by an additional reduction for new traffic or new intra-Community passenger, cargo on trailers (RORO) or container lines; however, it may not exceed 50% of the base to which it applies, or a duration of two years.

In accordance with these provisions, and based on market analysis, a certificate issued by Ports of Normandie shall set the amount and duration of the reduction within these limits.

ARTICLE 5: Provisions on modulation possibilities as provided for in Article R.5321-27 of the Code of Transport:

Ship dues are adjusted up to 30% of the base rate, depending on the number of calls during the period or periods as set out by the port authority under the following conditions:

(Not applicable)

ARTICLE 6: Provisions on flat rates as provided for in Article R.5321-28 of the Code of Transport:

6.1 - Ships which, under a new relationship, transport passengers, cargo on trailers (RORO) or containers between the Member States of the European Union or of the States Parties to the Agreement on the European Economic Area are subject to the following, for a period not exceeding 3 years:

- Either a flat rate for the ship, which is set for the entirety of their activity, for a specified period, and paid on a pro rata temporis basis by maturities of not more than 3 months
- Or a flat rate for the ship, which is set per unit per passenger, trailer, tonne or multiple tonnes, or container and applicable in accordance with the provisions of Articles R.5321-18 and R.5321-23 of the Code of Transport

6.2 - The conditions of application of this article are as follows:

“Cherbourg port” shall submit a certificate establishing the flat rate to the Customs administration.

A new shipping route is a service that directly services a maritime facade not yet serviced by a regular route.

SECTION II

CARGO DUES

Payable to SPL Cherbourg Port

ARTICLE 7: Levy conditions for cargo dues as provided for in Articles R.5321-30 to R.5321-33 of the Code of Transport.

Dues on cargo unloaded, loaded or transhipped in the commercial port of CHERBOURG are levied either by weight or by unit, in the A, B and C, E zones as determined under article 1.2• of the present Tariffs' schedule as follows:

Dues by gross weight (€ per tonne)

Labelling	Unloading and transhipment(*)	Loading
<u>For packages less than 50 tonnes and bulk cargo</u>		
01.1 Cereals	0.5455	0.5455
01.2 Potatoes	0.4457	0.44457
01.3 Sugar beets	0.4457	0.4457
01.4 Other fresh fruits and vegetables	0.4457	0.4457
01.5 Forestry and logging products	0.5549	0.5549
01.6 Live plants and flowers	0.4457	0.4457
01.71 Materials of vegetable origin - Dried, raw chillies and peppers (Capsicum spp.)	0.4457	0.4457
01.72 Cotton, ginned or not carded nor combed	0.4457	0.4457
01.73 Flax, jute, raw or retted hemp and raw textile plants n.e.c.	0.4457	0.4457
01.74 Raw natural rubber	0.4457	0.4457
01.75 Coffee, cocoa, tea, mate, spices not crushed nor ground	0.4457	0.4457
01.76 Raw tobacco	0.4457	0.4457
01.77 Hops	0.4457	0.4457
01.78 Straw, hay, cereal bales - Forage plants	0.4457	0.4457
01.79 Oleaginous seeds and fruits	0.6374	0.6376
01.7A Other vegetable substances n.e.c.	0.6376	0.6376
01.9 Raw cow's, sheep's and goat's milk	0.4457	0.4457
01.A Other raw materials of animal origin	0.4457	0.4457
01.B Fishery and aquaculture products	0.4457	0.4457
02.1 Coal and lignite	0.3194	0.1109
02.2 Crude oil	0.3194	0.1507
02.3 Natural gas	0.5012	0.2445
03.1 Iron ores	0.3194	0.1507
03.2 Non-ferrous metal ores (excluding uranium and thorium)	0.3194	0.1507
03.31 Non-roasted iron pyrites; raw or unrefined sulphur	0.3194	0.1507
03.32 Crude natural phosphates	0.3194	0.1507
03.33 Sylvinite	0.3194	0.1507
03.34 Other minerals, crude - Chemical industry and natural fertilisers	0.3194	0.1507

03.4 Salt	0.3194	0.1507
03.51 Peat	0.3194	0.1507
03.52 Natural sands - Pumice, stones, gravel, flint and pebbles	0.1665	0.1507
03.53 Clay and clay soil	0.3194	0.1507
03.54 Slag, not for remelting, ash, dross - Other minerals	0.3194	0.1507
03.55 Dolomites, crushed limestone for concreting - Pellets, chipping, stone powder	0.3194	0.1507
03.56 Chalk	0.3194	0.1507
03.57 Soils and stones - Natural bitumen and asphalt - Rough gems and diamonds	0.3194	0.1507
04.1 Meat, hide and meat products	0.6374	0.2731
04.2 Fish and fish products, Fish and fish products, prepared	0.6374	0.2731
04.3 Prepared fruit and vegetable products	0.6374	0.2731
04.4 Oils, oil cake and fats	0.5526	0.2731
04.5 Dairy products and ice cream	0.6374	0.2731
04.6 Flours, processed cereals, starch products and animal feed	0.6374	0.2731
04.7 Beverages	0.6374	0.2731
04.8 Other food products n.e.c. and manufactured tobacco	0.6374	0.2731
04.9 Miscellaneous food products	0.6374	0.2731
05.1 Textile industry products	1.5954	0.7920
05.2 Clothing and furs	1.5954	0.7920
05.3 Leather, travel goods, footwear	1.5954	0.7917
06.1 Woodworking and cork products (excluding furniture)	0.6374	0.2731
06.2 Pulp, paper and paperboard	0.6374	0.2731
06.3 Publishing products, printed or reproduced products	1.5954	0.7917
07.1 Cokes and tars; agglomerates and similar solid fuels	0.4211	0.1507
07.2 Liquid refined petroleum products	0.4211	0.1507
07.3 Gaseous refined petroleum products, Gaseous refined petroleum products, liquefied	0.4211	0.1507
07.4 Refined petroleum products, solids or pastes	0.4211	0.1507
08.1 Basic mineral chemicals	0.4455	0.1507
08.2 Basic organic chemicals	0.4455	0.1507
08.3 Nitrogen compounds and fertilisers (excluding natural fertilisers)	0.4455	0.1507
08.4 Basic plastics and primary synthetic rubber	1.1372	0.5548
08.5 Pharmaceutical and paracheical products, including pesticides	1.1372	0.5548
08.6 Rubber or plastic products	1.1372	0.5548
08.7 Nuclear Fuel	1.5960	1.5960
09.1 Glass, glassware, ceramic products	1.5960	0.7917
09.2 Cements, lime and plaster	0.4211	0.1507
09.3 Other constructions materials, manufactured	0.4211	0.1507
10.1 Iron and steel products and steel processing products (excluding tubes and pipes)	0.3194	0.1507
10.2 Non-ferrous metals and by-products	0.5526	0.3194
10.3 Tubes and pipes	0.5526	0.3194
10.4 Structural metal products	1.8050	1.8050
10.5 Boilers, hardware, weapons and ammunition, and other metal items	1.8050	1.8050
11.1 Agricultural machinery	0.0000	0.0000
11.2 Domestic appliances n.e.c. (white household appliances)	1.8056	1.8050
11.3 Office machinery and computing hardware	1.8050	1.8050
11.4 Electrical machinery and apparatus n.e.c.	1.8050	1.8050

11.5 Electronic components and emission and transmission apparatus	1.8050	1.8050
11.6 Sound and image receiving, recording or reproducing apparatus	1.8050	1.8050
11.7 Medical, precision, optical and horological instruments	1.8050	1.8050
11.8 Other machines, machine tools and parts	1.8050	1.8050
12.1 Automotive industry products	1.8050	1.8050
12.2 Other transport equipment	1.8050	1.8050
13.1 Furniture	1.8050	1.8050
13.2 Other manufactured articles	1.8050	1.8050
14.1 Household waste and road waste	0.3194	0.1507
14.2 Other waste and secondary raw materials	0.3194	0.1507
16.2 Pallets and other packaging in service, empty	0.3194	0.1507
17.1 Removals furniture	1.8050	1.8050
17.4 Scaffolding	1.8050	1.8050
17.5 Other non-market goods, n.e.c.	1.8050	1.8050
19.1 Goods of an indeterminate nature in containers and swap bodies	0.0000	0.0000
19.2 Other goods of an indeterminate nature	1.8050	1.8050
20. Other goods	1.8050	1.8050
<u>For packages greater than or equal to 50 tonnes¹</u>		
NST Code from 01 to 20 – Packages between 50 and 149,999 tonnes	2.1840	2.1840
NST Code from 01 to 20 – Packages between 150 and 299,999 tonnes	2.7300	2.7300
NST Code from 01 to 20 – Packages greater than or equal to 300,000 tonnes	5.4601	5.4601

¹ Any indivisible object weighing 50 tons or more and which can only be handled as a whole, that is, in one go. Cargo dues for a unit package greater than or equal to 50 t is equal to its weight multiplied by the rate (in euros per tonne) of the category to which it belongs. Thus, cargo dues for a package weighing 75 tonnes will be worth $75 * 2.1840 = 163.80$ €.

Dues per unit

N.S.T. Code	DESIGNATION OF CARGO	UNLOADING AND TRANSSHIPMENT (*)	LOADING
	2- DUES PER UNIT (IN EUROS PER UNIT)		
	LIVE ANIMALS		
	- WEIGHT LESS THAN 10 KG	-	-
	- WEIGHT OVER OR EQUAL TO 10 KG AND LESS THAN 100 KG.....	0.3179	0.1384
	- WEIGHT OVER OR EQUAL TO 100 KG	0.5925	0.3589
	VEHICLES NOT SUBJECT TO COMMERCIAL TRANSACTIONS		
	- TWO-WHEELED VEHICLES	0	0
	- PASSENGER CARS	0	0
	- COACHES	0	0
	- LORRIES OF A TOTAL UNLADEN WEIGHT OVER OR EQUAL TO 5 TONNES (1)	0	0
	- LORRIES OF A TOTAL UNLADEN WEIGHT LESS THAN 5 TONNES (1)	0	0
	FULL LORRIES, TRAILERS OR SEM-TRAILERS, CONTAINERS OR SWAP BODIES HANDLED BY RORO ON MAFIS OR ROAD CHASSIS (1)		
	- LENGTH LESS THAN 8 METRES.....	0	0
	- LENGTH OVER OR EQUAL TO 8 METRES AND LESS THAN 13 METRES.....	0	0
	- LENGTH OVER OR EQUAL TO 13 METRES AND LESS THAN 16 METRES.....	0	0
	- LENGTH OVER OR EQUAL TO 16 METERS ²	0	0
	FULL CONTAINERS		
	- LENGTH OVER OR EQUAL TO 3 METRES AND LESS THAN 6 METRES.....	6.49	0
	- LENGTH OVER OR EQUAL TO 6 METRES AND LESS THAN 8 METRES.....	7.5684	7.568
	- LENGTH OVER OR EQUAL TO 8 METRES AND LESS THAN 10 METRES.....	10.812	10.812
	- LENGTH OVER 10 METRES.....	12.9744	12.9744

(*) This rate covers all transshipment operations for unprocessed goods conducted in zones A, B, C and E as defined in Section 1.2 of Article 1, irrespective of whether the goods are landed on the quay or not (ship-to-ship on the open water), or whether the lifting equipment used belongs to the port or not. Goods intended for the Port of Cherbourg's assembly hub will benefit from the "transshipment" rate, irrespective of the degree of processing of said goods. This also applies to vehicles that are disembarked, stored on hardstanding, and then embarked.

(**) The rate for transshipping vessels loading/unloading in zone A is zero.

(1) This flat rate tax replaces the taxation of cargo transported according to the category to which they belong.

² Heavy parcels transported by RORO ships are subject to the pricing for heavy parcels (see page 8).

ARTICLE 8: Conditions for payment of dues in the table of Article 7

8.1 • For each declaration, the dues set out in Table 1 of Article 7 of this tariff shall be levied on the total weight of the cargo belonging to the same category:

a) They are paid:

- By the tonne, when the weight is greater than 900 kg;
- By the quintal, when this weight is equal to or less than 900 kg.

Any fraction of a tonne or quintal is counted as one unit.

The payment of dues by the quintal is equal to one tenth of the payment of dues per tonne

b) Subject to exemptions applicable to frames, containers and pallet boxes, packaging shall, in principle, be charged at the same rate as the merchandise contained therein. However, where a declaration relates to merchandise belonging to more than one category, all packaging is automatically classified in the dominant category by weight.

8.2 • Declarations indicate the total gross weight and taxable weight per category for cargo subject to dues by gross weight, and must indicate a number for goods, vehicles or containers subject to dues by unit.

In support of each declaration for goods belonging to more than one category, the declaring party must attach a summary slip showing the weight or number per declared item and per category. This slip must be dated and signed by the declaring party.

8.3 • If all goods are subject to the same declaration by weight, the declaring party may request that they be subject as a whole to the rate applicable to the highest part. In that case, no summary slip is required; the declaration must simply mention the overall weight of all declared goods.

The absence of a summary slip is tantamount to the declaring party's acceptance of the simplified payment; no subsequent request for revision on the basis of the charge by category will be accepted.

8.4 • In accordance with the provisions of Article R. 5321-51 of the Code of Transport:

- The minimum charge is set at **€5.35** per declaration.
- The threshold charge is set at **€5.35** per declaration.

8.5 • Cargo dues are not payable in the cases listed in Article R.5321-33 of the Code of Transport. This includes products delivered for refuelling, rigging or fitting-out of ships as well as miscellaneous items belonging to the crews.

SECTION III

PASSENGER DUES

Payable to SPL Cherbourg Port

ARTICLE 9: Levy conditions for passenger dues as provided for in Articles R.5321-34 to R.5321-36 of the Code of Transport.

9.1 • In zones A and B of the port of Cherbourg, as defined in Section 1.2• of Article 1 of this tariff:

Disembarked, embarked and transhipped passengers are subject to dues of

per passenger €2.23

9.2 • The following are exempt from passenger dues:

- children under four years of age
- military personnel travelling as a unit
- crew members
- shipowner's agents travelling for operational reasons and provided with a free travel pass
- public officials carrying out on-board duties
- passengers disembarking or embarking cross-Channel ferries

9.3 • Provisions on reductions up to 50% are as follows:

- 50% for passengers disembarking only temporarily during the call
- 50% for transhipped passengers.

SECTION IV

SHIP BERTING DUES

Payable to SPL Cherbourg Port

ARTICLE 10: Levy conditions for berthing dues as provided for in Article R.5321-29 of the Code of Transport.

10.1 • Ships or similar floating craft staying longer than 1 day (the calculation of which excludes commercial operations, or the time necessary for commercial operations in the commercial port of Cherbourg), in zones A, B, C, D and E as defined in Section 1.2 of Article 1 of this tariff, are subject to berthing dues, the rates of which are in euros per m³ per day, set under the following conditions, beyond the grace period:

Volume fraction	Rate in euros
- The first 3,000 cubic metres	0.0177
- Between 3,001 and 15,000 cubic metres	0.0160
- Between 15,001 and 45,000 cubic metres	0.0138
- Above 45,001 cubic metres	0.0100

- Dues apply to ships including those making compulsory entry into port.
- The length of stay is calculated based on calendar days. Each fraction of a day is counted as a whole day.
- Ships benefit from a one-day grace period before or after commercial operations.
- Rate reduced by 50% for berthing in zones D and E of Cherbourg Port

10.2 • Berthing dues shall be borne by the shipowner. The minimum charge is set at **€8.01** per ship, and the threshold charge is set at **€4,005** per ship.

10.3 • The following are exempt from berthing dues, in addition to the ships referred to in Article R.5321-22 of the Code of Transport, except for ships making compulsory entry into port, while not carrying out any commercial operations:

- warships
- ships owned by Companies that operate regular routes departing from Cherbourg
- service vessels and handling or construction vessels, if they are assigned to harbour works within the civilian port of Cherbourg
- sail training vessels and training ships
- inland navigation vessels
- vessels intended for coastal navigation
- ships berthed in dry docks as well as fitting-out stations assigned to naval repair
- vessels assigned to cultural or humanitarian missions or missions of general interest for maritime heritage
- fishing vessels

10.4 • After the grace period, berthing dues are payable on the last day of each calendar month and upon the ship's departure.

SECTION V

SHIP-GENERATED WASTE DUES

Payable to SPL Cherbourg Port

ARTICLE 11:

I. - In the port of Cherbourg, dues are levied on all commercial vessels, fishing vessels and pleasure craft for ship-generated waste as defined in [Article L. 5334-7 of the French Transport Code](#). For pleasure and watersports craft, the ship-generated waste dues stipulated in [Article R. 5321-1 of the Transport Code](#) are only levied when the costs of receiving and disposing of the waste from these ships are not already covered by another charge or fee.

In marinas, waste disposal dues for ships other than those licensed for 12 passengers will be collected directly by the port authority, in accordance with [Article R. 5321-50-1 of the Transport Code](#).

These dues are payable by the shipowner or, in the case of pleasure craft, by its proprietor or skipper. They are calculated either on the volume V of the ship, expressed as indicated in [Article R. 5321-20 of the Transport Code](#), or on a flat-rate basis according to the following terms:

€0.0108 per m³

II. - When ship-generated waste is delivered in accordance with the provisions of the Port of Cherbourg waste collection and processing plan, the service provider(s) performing the waste collection service mentioned in [Article R. 5334-5 of the Transport Code](#) issue a waste delivery receipt to the ship's captain or to the captain's representative. Before the ship leaves the port or as soon as the receipt is received electronically, the captain or the captain's representative transmits the information on the receipt to the authority responsible for port policing. Dues are payable on each port call irrespective of whether the ship delivers its waste or not. These so-called indirect dues cover the indirect administrative costs and all or part of the direct operating costs for at least 30% of the total annual direct costs corresponding to the actual delivery of waste in the previous year; taking into account the costs related to the predicted volume of traffic for the coming year is possible. The dues must be at least equal to the minimum charge stipulated in section VI hereof.

For waste referred to in Annex V of the MARPOL convention (solid waste) and passively fished waste, 100% of the costs of using the port receiving facilities are covered by the indirect dues such that a right to deliver waste is guaranteed without additional charges based on the volume of waste except where the volume of waste exceeds the maximum dedicated storage capacity indicated in the preliminary waste delivery notice. Where the volume of waste exceeds the maximum dedicated storage capacity, the actual costs for the part exceeding the storage capacity will be invoiced. If applicable, an additional charge to cover the proportion of the direct operating costs not included in the dues may also be invoiced. This depends on the types and quantities of waste delivered by the ship. It also concerns the delivery of residues from exhaust gas cleaning systems, the costs for which are covered on the basis of the types and quantities of delivered waste. Where this service is not provided by the port, (an) outside service provider(s) may bill the ship directly for this service. In order to avoid the costs of collecting and disposing of passively fished waste being borne by port users only, the dues may take account of European Union, national or regional funding revenue, as specified in section VIII hereof. The breakdown of direct and indirect costs, as well as the net revenue from the public funding available in relation to waste management and fisheries, are specified in section VIII hereof. Depending on the delivery receipts transmitted, case a or b below applies to the ship. The port authority informs the customs service, as applicable:

a. If the ship has not transmitted a waste delivery receipt: where the shipowner or its representative has not provided a waste delivery receipt, waste dues are levied in accordance with [Article L. 5321-3 of the Transport Code](#).

b. If the ship has transmitted a waste delivery receipt: where the shipowner or its representative has provided a waste delivery receipt, and where the service has been provided by the port, waste dues are payable to the bodies mentioned in [Article R. 5321-16 of the Transport Code](#). These bodies reimburse the collector for the costs covered by the dues relating to the collection and disposal of the waste. Direct operating costs not included in the dues, and which would have been billed directly by the collector to the ship, are not concerned. Where the shipowner or its representative has provided a waste delivery receipt, and where the collection service has been performed by an outside service provider who has billed the ship directly for the service, dues may be paid back to the ship on leaving the port to avoid duplicate billing. In some cases, a sum corresponding to the port's administrative costs may be deducted. These terms may be specified in the waste collection and processing plan of the port concerned, and are determined by the port authority with the consent of the customs service.

III. - Reduced and differentiated dues

Dues are reduced in accordance with [Article R. 5321-39 of the Transport Code](#) depending on:

- the ship's type of activity, especially where short sea shipping is concerned: short sea shipping being that which carries out "the movement of goods and passengers by sea between ports located in geographical Europe or between these ports and ports located in non-European countries with a coastline on an enclosed sea bordering Europe. Short sea shipping covers both national and international shipping activities, including feeder services, along coasts and to and from islands, rivers and lakes. It also includes maritime transport services between the Member States of the Union and Norway, Iceland and the States bordering the Baltic Sea, the Black Sea and the Mediterranean Sea" (extract from the European Commission's Second Biennial Progress Report of June 1999). With regard to waste management, the port may, depending on its geographical location, decide to include the shipping services between European Union ports and the Group of Additional Selected Ports in its waste collection and processing plan for short sea shipping. The Group of Additional Selected Ports includes those ports that are to be considered as EU ports for the purpose of the application of the storage capacity thresholds set out in Table 1 of Commission Implementing Regulation (EU) 2022/89 of 21 January 2022 laying down rules for the application of Directive (EU) 2019/883 of the European Parliament and of the Council as regards the method to be used for the calculation of sufficient dedicated storage capacity. The ports included in this group are all the ports located in Iceland, Norway and United Kingdom (including Isle of Man, Channel Islands and Gibraltar) and the Russian ports located in the Baltic Sea, or

- the ship's design, equipment and operation demonstrating that the ship produces reduced quantities of waste managed in a sustainable and environmentally sound manner according to the criteria laid down in section IX hereof pursuant to Commission Implementing Regulation (EU) 2022/91 of 21 January 2022 defining the criteria for determining that a ship produces reduced quantities of waste and manages its waste in a sustainable and environmentally sound manner.

Dues may be differentiated in accordance with [Article R. 5321-38 of the Transport Code](#) depending on the category, type, size of ship, provision of service to ships outside of the port's normal operating hours or the hazardous nature of the waste.

IV. - Increased dues

The schedule of port charges may provide for a 10% increase in waste dues where ships fail to comply with the waste delivery procedure according to the [provisions of Article L. 5336-1-4 of the Transport Code](#).

V. - The ship-generated waste dues, defined in section I above, do not apply to the following:

- ships engaged in assistance to ships, especially for pilotage, towing, mooring and rescue work;
- ships engaged in waste recovery and pollution control;
- ships engaged in maintenance dredging, maritime signalling, fire-fighting operations and administrative services;
- ships making a forced call not engaging in any commercial operations;
- ships with no access to port facilities, forced to perform their unloading, loading or transshipment operations outside the port;
- warships and ships operated by the State for non-commercial purposes;
- ships undergoing repair

VI. - Pursuant to the [provisions of Article R. 5321-51 of the Transport Code](#):

- the minimum charge is set at EUR 5.00
- the threshold charge is set at EUR 10.00

VII. - Exemption from dues laid down in [Article R. 5321-39 of the Transport Code](#) (optional provision). The beneficiary of port dues shall provide a list of exempt ships to the customs administration.

ARTICLE 12: This fee schedule shall come into force as stipulated in Article R.5321-14 of the Transport Code.