

# **SPECIFIC OPERATING REGULATIONS**

**2022**



**PORT AUTONOME DE KRIBI  
PORT AUTHORITY OF KRIBI**



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# PART I: GENERAL PROVISIONS

## CHAPTER 1: GLOSSARY AND PURPOSE

### ARTICLE 1: Glossary of the Specific Operating Regulations for the Port Authority of Kribi

For the purpose of these Operating Regulations, the terms and acronyms listed below in alphabetical order shall have the following meaning:

- **AFBA:** Application for Berth Allocation;
- **Abandoned vessel:** any vessel in the port domain in a state of buoyancy or seaworthiness, on which neither crew nor a guard service is maintained;
- **Access credential:** document or token issued by the Port Authority which grants access to the port;
- **AIS:** Automatic Identification System;
- **Anchorage area:** any suitable location for anchoring;
- **Aton:** Aid To Navigation;
- **Berth:** any place in the harbour where a vessel can be moored with or without an anchor;
- **Berthing request:** this is the document that enables the shipowner or his representative to submit the request to the Harbour Master's Office for a berth allocation;
- **Boat:** any floating means of transport less than 50 metres in length regularly used for inland navigation/river traffic and therefore subject to the regulations of such navigation;
- **Boat:** all small fishing, merchant or pleasure vessels/commercial or recreational vessels up to 15 metres in length;
- **Break:** any call in a port which was not foreseen in the voyage;
- **Careening:** scraping and brushing of a ship's hull;
- **Channelling:** navigating through a channel or following a channel marked on a nautical chart;
- **Charterer:** person or company that rents, hires, or leases a vessel, in whole or in part, for the transport of a person's goods in exchange for freight charges;
- **Commercial call:** any call by a vessel in port to embark, disembark or tranship goods or passengers;

- **Compulsory Pilotage Area:** area bounded by a line joining the pilot boarding points in the Port Area;
- **Consignee:** any local agent/representative, as the case may be, of the shipowner or the beneficiaries of the goods/persons entitled to the goods transported;
- **Contract:** any document drawn up or agreement not yet written which establishes and governs the relations between PAK and any operator within the framework of PAK's missions, in accordance with the instruments laying down the organisation and functioning of PAK;
- **Courtesy call:** any call by foreign State or school vessels in a port;
- **CP:** Command Post;
- **Dangerous goods:** goods referenced in the International Maritime Dangerous Goods Code (IMDG). This term also applies to any container that has been used as packaging and wrapping for these goods and that has not been cleaned after use;
- **Deballasting:** movement of a vessel along the quay, from one position to another;
- **Decommissioned vessel:** any vessel at dock or anchor in the port domain whose operation has been suspended for more than a month for reasons which are merely technical/ for reasons other than seasonal employment;
- **Degasification:** a common operation consisting in ventilating the tanks of a tanker to eliminate the noxious gases they contain and avoid the risk of explosion;
- **Departure:** the manoeuvre of a vessel from its anchorage, berth or alongside;
- **Docking/Undocking:** any operation related to the docking and undocking of vessels;
- **Exceptional parcel:** a unit load whose weight and/or volume requires exceptional handling and security means and measure;
- **Farmee:** any operator using a public domain and port facility within the Port of Kribi for a temporary occupation period in exchange for a periodic fee;
- **FIFI:** firefighting;
- **First Arrived:** order of preference according to the date and time of arrival in the harbour for operations at the Port of Kribi;
- **First Served:** docking of a vessel, authorised according to the status "First Arrived" and "Ready to Work";
- **Floating devices:** any floating and unregistered devices;
- **FMO:** law enforcement forces;



- **Goods:** any object of whatsoever kind entered in shipping companies manifests and/or bills of lading which can be traded under the laws and regulations in force;
- **Go-ahead:** authorisation granted by competent authorities to the cargo receiver to unload explosive goods, ammunition, weapons and/or military equipment;
- **Heavy parcel:** a unit load whose weight requires special handling and safety measures;
- **HP:** horsepower;
- **IOP:** Internal Operational Planning;
- **ISPS:** International Ship and Port Facility Security;
- **Liner vessel:** a liner vessel is considered as such when it operates according to a fixed and publicly advertised schedule with regular calls. The various dates of arrival and departure must be indicated on a table known to the public and announced at least five days in advance. The vessel's routing must include at least two calls per month at the Kribi Deep-sea Port. Except in cases of exceptional circumstances, the liner vessel must hold to the dates otherwise it is not considered as such and is classified in the ordinary round on arrival;
- **Local Port Authority:** refers to the Port Authority of Kribi;
- **M:** Nautical Mile;
- **Maritime Authority:** the minister in charge of the Merchant Navy and the officials to whom he has delegated all or part of his power;
- **MARPOL:** International Convention for the Prevention of Pollution from Ships, developed by the International Maritime Organisation, IMO;
- **Mooring:** the last phase of a ship's berthing manoeuvre, which consists of holding the ship against a quay or pontoon, using hawsers (or mooring lines), which are secured to the quay on the one hand, and to the ship on the other, at the bow and stern. Mooring is carried out on the quayside by boatmen and on the ship by the sailors on board;
- **Notices to Mariners:** continuous means used to disseminate information required by the Master, Pilot or person in charge of operating a vessel, as well as all interested persons;
- **Notice to masters:** notification of masters of vessels on the prescriptions and safety rules to be respected during the stay of vessels at the Port of Kribi;
- **Notice to Users:** continuous means used to disseminate information required by the users of the port. It is addressed to professionals, whether they are Shipowners, Masters of Ships and Vessels, Agents, Consignees;
- **Notice of Readiness:** notification by the Vessel that it is ready to start the charter service (on delivery) or that it is ready to load or unload the cargo;

- **Notify party:** a person or company whose name appears/named on the bill of lading and that should be notified when the shipment arrives at port of discharge;
- **Operators:** private and public port concession holders and leasing contractors;
- **OPJS:** Judicial Police Officer with Special Competence;
- **Offshore:** area of activity located at sea, off the coast;
- **PAK:** Port Authority of Kribi;
- **Passenger:** this includes shipped or unshipped people on cruise and passenger vessels, excluding the vessel master, crew members and any person working in any capacity on board a vessel;
- **PEP:** Port Emergency Plan;
- **PFSO:** Port facility security officer;
- **Pilotage:** assistance provided to vessel masters in piloting their vessels at the entrance and exit of the port and while moving within the port and offshore. This assistance is provided by seamen assigned by the Local Port Authority and who are fully familiar with the features of the port and its basins;
- **Pollution:** the direct or indirect introduction of substances from humans into the marine environment, coastal areas and related inland waters with harmful effects such as the destruction of resources, human health hazards, water contamination and deterioration of amenity values;
- **Port District:** any geographical area of activities placed under the authority of the Port Authority of Kribi (PAK) by virtue of the laws and regulations, both on the maritime and continental sides. The maritime side integrates the offshore terminals which at the same time have some specific operating features derogatory to these Operating Regulations;
- **Port area:** all or part of the port area;
- **Port Conference:** a consultation under the authority of the Harbour Master's Office which brings together port operators to discuss issues related to berth allocation and the dissemination of ships' movements scheduling;
- **Port facility:** location where the ship/port interface takes place;
- **Port of Kribi:** refers to all the port facilities present in the Port District, including but not limited to the deep-sea port of Kribi located in Mboro; the offshore platforms; the wharves, quays and land present in Campo and at the mouth of the Kienké River;
- **Port Operator:** manager of port facilities who carries out one or more activities according to the categories of regulated activities, namely port activities subject to the concession regime, port activities subject to the authorisation regime and port activities subject to the occupation and management of the public port domain;

- **Port Organisation:** refers to the Port Authority of Kribi;
- **Port regulations:** all the rules and provisions governing the functioning of a port, as stated by the laws and regulations in force;
- **PSO:** Port Security Officer;
- **PPE:** Personal Protective Equipment;
- **Public service obligation:** it is an obligation imposed on the operator to provide a service of general interest for which he is responsible and to ensure its continuity, while respecting the principle of equal treatment of users;
- **RPM:** Radiation Portal Monitor;
- **Ready to Work:** administratively, the customs declaration and SIP formalities completed, including payment of duties and commercial OK (level of declaration to appreciable formalities). Operationally, the vessel forwards its Notice of Readiness (NOR) to the Port Authority via the Harbour Master's Office;
- **Recognised access point:** a recognised access point is a normal regulated access to the port or to one of its restricted area. The port may have several recognised access points;
- **Refit equipment:** any structure and equipment for a ship's hull repair or maintenance;
- **Regular line:** it is a regular service that operates between two geographical areas on pre-determined dates, port of loading and unloading with a sister ship;
- **Restricted area:** highly sensitive area of the port or port facility which requires special security measures to be taken, to which public access is limited and for which enhanced access control is justified;
- **RSO:** Recognised Security Organisation;
- **Service machinery:** any floating machinery serving the port. These include tugboat, pilot boat, dredger, buoy, hydrographic boat etc.;
- **Shifting:** Move of a ship along the dock; from one position to the other;
- **Shipowner:** Any person or company on whose behalf a vessel is rigged, operated or simply used;
- **Ship towing:** hauling or pushing vessels using marine units designed for that purpose;
- **Short Crossing:** Any voyage of a vessel between the port of origin and the Port of Kribi whose duration does not exceed 48 hours;
- **SIP:** Port Information System. Digital platform for the management of operations at the Port of Kribi (digitised management of port calls, ship services, cargo handling, port safety and security, domain and concession/amendment monitoring);
- **SOLAS:** Safety Of Life at Sea Convention;



- **State vessels and certified service vessels:** vessels of public service contributing to the security and a hitch-free operation of the port;
- **Stevedore/handling contractor:** individual or firm carrying out all the operations of loading, stowing and unloading of goods including the physical and legal operations involved in placing and taking over goods in sheds or on land;
- **Suspect Vessel:** any Vessel carrying Goods and/or a passenger presenting risks for the health and safety of persons, the safety of goods and installations and which has not been declared as having this risk characteristic on departure from the port of origin;
- **Suspected Radioactivity:** an alarm indicating the presence of a radioactive source as a commodity passes through the Radiation Portal Monitor (RPM);
- **SW:** Southwest;
- **Tank degassing:** an operation which involves freeing the tanks of an oil tanker of the noxious gases which remain to avoid explosion;
- **Technical call:** any call of vessel in port for repair works, supply requirements technical shutdown or crew relief;
- **Tramping:** refers to on-demand maritime transport involving a merchant vessel that is not assigned to a Regular Route;
- **Transshipment:** it is the practice of unloading and loading cargo from one vessel to another, possibly with temporary storage on the quayside, provided it has been declared as such prior to landing;
- **UCN:** International Union for Conservation of Nature;
- **VBM:** Vessels - Boats – Machines;
- **Vessel:** any floating means of transport, regardless of the tonnage and shape, regularly used for maritime shipping and subject to relevant regulations;
- **Vessel master:** any person who is in charge of a vessel;
- **VTS (Vessel Traffic Service):** Any service responsible for monitoring marine traffic established by a competent authority in order to improve the safety and fluidity of vessel traffic and protect the port environment. The service shall be able to interact with the traffic and respond to traffic situations developing in the vessel traffic service area;
- **Waterway:** A body of water within the port area;
- **Wrecked vessel:** Any ownerless vessel in the port area that is unseaworthy, sunk, grounded or on the verge of becoming so.

## **ARTICLE 2: Purpose of the Specific Operating Regulations of the Port Authority of Kribi**

These Operating Regulations establish the following:

- Priority berthing rules for vessels;
- Category of vessels subject to pilotage obligation;
- Conditions and terms for towing and mooring vessels;
- Provisions for decommissioned, abandoned, seized or wrecked vessels;
- Rules for the use of the various infrastructures of the Port of Kribi;
- Operating conditions for specific facilities;
- Rules for boarding and unboarding passengers;
- Rules for loading, unloading and storing goods;
- Conditions for loading, unloading and storing dangerous goods;
- Standards for handling goods;
- Conditions for maintenance and repair of ships at berth, in particular those relating to cleaning operations, degassing to be defined and testing of machines or propellers;
- Conditions for access, traffic, stopping and parking of vehicles used for loading, unloading and handling goods;
- Conditions for access and movement of individuals;
- Conditions for reception, collection, transport and storage of waste within the port, as well as the conditions for their evacuation outside the Port of Kribi;
- Necessary measures for the implementation of legal and regulatory provisions pertaining to safety, security, health and environmental protection within the port;
- Conditions required for the billing and collection of port fees;
- Conditions required for the execution of activities subjected to concessions, licensing and other leasing activities;
- All other provisions pertaining to port operation.

## **CHAPTER 2: SCOPE**

### **ARTICLE 3: Scope**

The provisions of these Specific Operating Regulations shall apply to the entire Port Area as laid down by the laws and regulations in force.

### **ARTICLE 4: Stakeholders and users concerned by the Specific Operating Regulations of the Port Authority of Kribi**

The following stakeholders and users shall comply with all provisions of these regulations:

- Ship masters, shipping agents and/or ship consignees, shipowners and operators;
- Stevedores/cargo handlers;
- Consignees and/or shippers of goods, freight forwarders and/or their agents;
- Managers and operators of the terminals and storage areas of the Port of Kribi;
- Farmees and holders temporary occupancy permits of the public port domain;
- Importers and exporters;
- Transport companies;
- Any stakeholder licensed by the Port Authority to carry out an activity within the port;
- Any stakeholder licensed by the Directorate of Maritime Affairs and Waterways to carry out an activity on board vessels in the port;
- Administrations and public institutions operating in the Port of Kribi;
- Any individual authorised by the Port Authority of Kribi to have access to the port.

## **CHAPTER 3: GENERAL INFORMATION ON THE PORT**

### **ARTICLE 5: General information on the Port of Kribi**

#### **5.1: General information on the Kribi Deep Sea Port located in Mboro**

The Deep-Sea Port of Mboro (2° 43.6' N - 9° 51.6' E) is located about thirty kilometres from the seaside town of Kribi. With a depth of 15 metres and direct access to the sea, this port can accommodate large vessels. The already built and operational infrastructures consist of a 2,055-metre-long breakwater to the south, a 615-metre-long quay and a RORO ramp.

#### **5.2: Tide**

The tide is semi-diurnal with diurnal unevenness. During high tidal coefficients, the tidal range can reach **1.70 metres**.

#### **5.3: Berthing and nautical accesses**

The radar-conducted landing is made at 12 M from the coast. Gertrude Headland to the south of the Kribi Deep-sea Port is easily identifiable as well as the port's breakwater and Banoko Headland to the north. There is no notable daymark when getting near the port. The northern part of the quay has a 5-metre-high red spar topped by a light also visible at 5 M from the coast. Access to the port is via a 200-metre wide and 1,200-metre-long channel with an orientation of 125°/305°. The channel is marked by lighted buoys and dredged to -15 metres (2021).

#### **5.4: Pilotage**

Liaison with the control tower of the Port of Kribi is via VHF channels 16 and 10 at least 2 hours prior to the arrival at the pilot's boarding position. The call sign is "Kribi Port Control". Pilotage is compulsory for any vessel exceeding one hundred (100) metres in length and one hundred (100) tons gross tonnage entering and leaving the Port of Kribi. The pilot is boarded at 1,1 M off the channel and the boarding position is 2° 45,1' N - 9° 49,8' E. This position is signalled by a sound water buoy (FIY10S8Nm) equipped with an Aid to Navigation Automatic Identification System and a radar reflector. The pilot is dropped off by a pilot boat. If the pilot boat is not available, a tugboat or any other suitable craft for pilot transfer shall be used.

## **5.5: Holding anchorage**

There is a **1.5 M** radius circular holding anchorage area centred on the position **2° 43.0' N - 9° 45.5' E**, in more than **30 metres** of water, with a suitable depth for a proper anchorage.

## **5.6: The inner harbour area**

This consists of a 600-metre-diameter turning area centred on the **2° 43.7' N - 9° 51.5' E. position**. This turning area is protected from the SW swell by the southern breakwater. Two lighted side buoys were set up to mark out the northern and the SW part of this area.

## **5.7: Port facilities**

### **5.7.1 Onshore Terminals**

#### **a. The Multipurpose Terminal:**

It consists of a berthing facility, dedicated to Vessels managed by the Operator, with a two hundred and sixty-five -metre long quay (265 m) , with a depth of at least sixteen metres (16 m) in relation to the chart datum at the bottom of the Terminal's quay, equipped with crane tracks, reachable by an access channel and a swinging basin dredged to a depth of at least fifteen metres (15 m) in relation to the chart datum and that can accommodate Vessels of seventy thousand deadweight (70,000 DWT), and the sixty-one metres (61 m) mooring and berthing structure for Ro-Ro Vessels perpendicular to the Quay; as well as the neighbouring quay (excluding the edge of the quay).

It consists of the following structures and equipment:

- A hundred and one thousand one hundred and seventeen square metres estate (101,117 m<sup>2</sup>) next to the Quay, consisting of a quayside working area, storage areas, inner traffic lanes and the access road including the entrance/exit door to the Terminal;
- All roads and various networks (electricity, lighting, optical fibre and communication, drinking water, firefighting and sanitation) located within the perimeter of the Terminal with their underground and surface components. They include fire hydrants located at the Terminal, as well as lighting masts and poles with all their hanged equipment, except for Port Authority's surveillance network cameras whose images are available to the Operator;
- The Terminal fence;
- A 4,032 - m<sup>2</sup> (96 m x 42 m) special warehouse
- One (1) rail mounted quay crane with a 40-tonne hauling capacity and a 40-metre front span;
- One (1) rail mounted quay crane with a 25 tonne-hauling capacity and a 35-



metre front span;

- Two (2) 10-tonne forklifts and eight (8) 3-tonne forklifts;
- One (1) 100-tonne weighbridge at the Terminal's entrance/exit gate;
- Any other works and/or equipment to be provided by the Port Authority.

All additional and/or specific works and/or equipment provided by the Operator shall be specified in the Specific Operating Rules of the Multipurpose Terminal appended to this document.

**b. Container terminal**

It comprises a berthing facility, dedicated to Vessels managed by the Operator, with a three hundred and fifty-metre long quay (350 m), with a depth of at least sixteen metres (16 m) in relation to the chart datum at the bottom of the Terminal's quay, equipped with crane tracks, reachable by an access channel and a swinging basin dredged to a depth of at least fifteen metres (15 m) in relation to the chart datum and that can accommodate Vessels of seventy thousand deadweight (70,000 DWT), as well as the neighbouring quay (excluding the edge of the quay).

It consists of the following structures and equipment:

- A hundred and forty-six thousand five hundred and sixty-nine -square metres (146,569 m<sup>2</sup>) next to the Quay, consisting of a quayside working area, storage areas, inner traffic lanes and the access road including the entrance/exit door to the Terminal;
- All roads and various networks (electricity, lighting, optical fibre and communication, drinking water, firefighting and sanitation) located within the perimeter of the Terminal with their underground and surface components. They include the fire hydrants located at the Terminal, as well as the lighting masts and poles with all their hanged equipment except for Port Authority's surveillance network cameras whose images are available to the Operator;
- The Terminal fence;
- Two (2) rail mounted gantry cranes (STSG) with a hauling capacity of 61 tonnes and a 50-metre front span;
- Two (2) gantry cranes rails;
- Five (5) rubber -tyred park gantries (RTG) with a 41 tonne-hauling capacity and a 23.50-metre hauling front span and 5+1 stowage capacity;
- One (1) 45-tonne reach-stacker hauling capacity;
- One (1) 7-level stowage capacity empty container lift truck;
- Ten (10) tractors and twelve (12) trailers with a loading capacity of two (2) 20-foot containers or one (1) 40-foot to 45-foot container;
- Four (4) weighbridges with a 100-tonne capacity located at the terminal's entrance/exit gate;
- One (1) maintenance truck;
- Any other works and/or equipment to be provided by the Port Authority.

All additional and/or specific works and/or equipment provided by the Operator shall be specified in the Specific Operating Rules of the Container Terminal appended to this document.

### **5.7.1: Offshore Terminals**

#### **a. Kome Kribi 1 Marine Terminal:**

It is an oil terminal located 6.5 M west from the KIENKE port (2° 55.3' N - 9° 48.1' E). It consists of a 320,000-tonne deadweight storage tanker (FSO) permanently hooked up by the stern to an SPM device and connected to the coast by a submarine pipe. The terminal is operated by Cameroon Oil Transportation Company (Cotco), Douala.

#### **b. Ebome Marine Terminal:**

It is an oil terminal located 8.5m SSW of Kribi (2° 48.34' N - 9° 49.05' E). The oilfield facilities include a production platform and corresponding oil well structures, located throughout the field. Terminal facilities include a floating storage unit attached to the platform and a loading buoy. 19 The storage vessel "LA LOBÉ" permanently anchored at 2° 48.869' N - 9° 49.830' E is a 68,820- tonne deadweight and 229-metre tanker. The loading buoy is a yellow CALM SPM buoy anchored at 2° 48.31' N - 9° 48.99' E in 30-metre depth. It carries a light as well as an Automatic Identification system. The terminal is operated by Perenco Cameroon, P.O.Box: 1225/BP 2214, Douala.

#### **c. Sanaga Marine Terminal:**

Located approximately 5M NW away from the Port of KIENKE, this gas terminal includes Sanaga 1 & 2 production platforms (3° 00.90' N - 9° 51.20' E) and the Hilli Episayo FPSO (3° 00.88' N - 9° 50.19' E). It is operated by Perenco Cameroon, P.O.Box: 1225, Douala, Cameroon. The anchorage area for LNG tankers awaiting loading is centred on the 3° 02.73' N - 9° 49.49' E position. The depth in this 1 Mile-radius-circular anchorage area is 19 m.

### **5.8: Towing**

The port has two 4,200 HP azimuth-drive tugs. These two tugs are 30 metres long, 10 metres wide and have a draught of 4.1 metres that meets FIFI standards.

### **5.9: Clearance zone**

An excavation zone is located to the east of the Holding anchorage Area. This zone is indicated by two special marker buoys (FIY10S8Nm) each equipped with an Automatic Identification System Aid to Navigation and a radar reflector placed respectively at - 02°44.17'N/009°48.05'E and 02°43.25'N/009°47.95'E positions. This area is delimited by the following points - 2° 44.1' N - 9° 48.1' E; - 2° 44.0' N - 9° 48.9' E; - 2° 43.2' N - 9° 48.7' E; - 2° 43.3' N - 9° 48.0' E.

### **5.10: Access roads**

The Port of Kribi is connected to the national road network on the one hand by the Kribi-Lolabé highway; by National Road 7 (N7), linking it to a hinterland consisting of West African countries (Nigeria, Niger) and Chad via the junction road to the N3; and on the other hand by National Road 17 (N17), which connects it to a hinterland consisting of Central African countries consisting of northern Congo, northern Gabon, and the north-east of Equatorial Guinea.



## **CHAPTER 4: PORT OFFICERS AND BEACH MASTERS**

### **ARTICLE 6: General information on Port Officers and Beach Masters**

Port Officers and Beach Masters are Port Authority police agents in charge of enforcing this set of regulations. They are recruited from among the officers of the Merchant Navy and/or National Navy. They are sworn officers according to the legislation in force.

### **ARTICLE 7: General information on the Harbour Master's Office**

Port Pilots, Port Officers and Beach Masters work under the Harbour Master in the Harbour Master's Office. In case the Harbour Master is not available, files are processed by the acting Harbour Master appointed by the Port Authority.

### **ARTICLE 8: Execution of the provisions of the Specific Operating Regulations of the Port Authority of Kiribati**

Port Officers shall ensure the execution of all the General and Specific Regulations related to law enforcement and port operation, as well as the requirements to which the operation of public and private port equipment, concessions and leased activities of the port public domain are subjected.

### **ARTICLE 9: Missions of Port Officers et Dock Masters**

Port Officers and Dock Masters represent the Harbour Master's Office in the field. They work under the authority of The Harbour Master and are responsible for regulating the entry, exit and shifting order of vessels in the port, as well as ensuring the availability of quays. In this respect, they liaise between the Harbour Master's Office and vessel Masters and are responsible for enforcing port regulations, ensuring compliance of safety and security rules and ensuring the protection of public equipment and facilities.

### **ARTICLE 10: Assistance to Port Officers**

Beach Masters assist Port Officers in performing their duties. They work under their direct authority.



## PART II: PORT OPERATION

### CHAPTER 1: RULES OF PRIORITY FOR VESSEL ACCESS TO THE PORT

#### ARTICLE 11: Allocation of berths

As regards the allocation of berths, and without prejudice to the respect of the provisions of article 23 below pertaining to the announcement of the vessel's arrival, priority is given according to the **"FIRST ARRIVED, READY TO WORK, FIRST SERVED"** rule and considering the terminal, except for the vessels listed below in the following order:

- National warships;
- Foreign warships;
- Liners;
- Car ferries.

However, the Harbour Master's Office and stevedores, assisted by their shipping agents shall set special berthing rules of priority by mutual consent.

#### ARTICLE 12: Priority for berth allocation

Priority is given to eligible Vessels to use the quayside space of dedicated terminals. Vessels with a berthing window have priority for berthing.

If several vessels with the same priority and without a berthing window arrive at the same time, the first to berth is the one which will stay less time at the quay. In case these vessels have the same length of stay in port, priority shall be given to the vessel whose berthing is not dependent on the movements of other vessels in the quay.

In the event of failure to comply with the indicated period of stay mutually agreed during the port conference by the Operator and the ship's agent, the Harbour Master's Office shall give notice to the operator to complete operations. If this notice remains ineffective within a period which cannot exceed 24 hours, the vessel shall be evacuated by the Harbour Master's Office and lose its turn. The time of departure from the quay is then considered as its new arrival time. The Vessel that has been evacuated shall not in any case claim any prejudice and consequently any damages or compensation from the Port Authority.

## **CHAPTER 2: VESSEL ACCESS AND MOVEMENTS IN THE PORT**

**ARTICLE 13: Obligation to comply with the provisions of the international regulations on vessel access and movements in the port.**

Vessel Masters shall comply with the International Regulations for Preventing Collisions at Sea, access routes and port basins.

**ARTICLE 14: Transmission of information prior to entering the anchorage area**

Any vessel arriving on the roadstead shall contact the control tower by VHF radio channel 16 and 10 and communicate its name, position, course, draught and speed as well as a request for berthing forecasts.

In response, the control tower instructs the vessel to either stay at anchor or move towards the port. In the latter case, the Harbour Master's Office informs the vessel of the scheduled time and conditions for the pilot's boarding.

**ARTICLE 15: Authorisation to access the port**

No vessel shall enter the access channel of the port without the authorisation of the Harbour Master's Office, which is given by VHF radio, via the control tower on channels 10 and 16.

**ARTICLE 16: Priority for manoeuvring and access to the channel**

Outgoing vessels shall have priority for crossing the channel. It is strictly forbidden for any vessel to enter the channel without permission from the control tower.

**ARTICLE 17: Allocation of navigation priority in the port access channel**

For emergency, safety or security reasons, the Harbour Master's Office shall grant certain vessels priority for navigation in the channel. As soon as this priority is granted, the vessel concerned shall enter the channel and comply with the instructions of the Harbour Master's Office.

**ARTICLE 18: Anchorage prohibition in the channel and the port basin.**

It is strictly forbidden for any vessel to anchor in the channel and basin of the Port Authority of Kiribati.

## **CHAPTER 3: PORT CALL PLANNING**

### **ARTICLE 19: Vessel arrival forecasts in the Port.**

The Shipowner or his representative shall provide a monthly schedule of Vessel Calls to carry out commercial operations in the port facilities of Kiri. This schedule shall be registered in the Port Information System (SIP) at the latest seven (7) days before the first day of the following month (m+1).

In order to be included in the list of arrival forecasts, the Vessel scheduled to stop at the Port of Kiri shall be announced by its Owner or its shipping agent and/or Consignee, to the services in charge of scheduling Calls at the Harbour Master's Office, and to the Operator at least 72 hours prior to its arrival.

This notice shall specify the following:

- **The name of the vessel;**
- **Its overall length;**
- **Its draught;**
- **The type of vessel;**
- **Its IMO number;**
- **Its expected date and time of arrival;**
- **The voyage number;**
- **the vessel's tonnage and nature of its cargo;**
- **Its last call(s);**
- **The loading and/or unloading terminal. (the selected operator) ;**
- **The total number of people on board;**
- **Any damage to the vessel, its equipment or cargo;**
- **Information on operational waste and cargo residues;**
- **The list of the last 10 calls;**
- **The safety level;**
- **The amount of liquid waste on board (oil residues and polluted washing water);**
- **The vessel's flag and call sign;**

### **ARTICLE 20: Information to be provided before the call.**

The Shipowner or his shipping agent and/or the Vessel's Consignee shall provide the Harbour Master's Office and to the Operator with the following information through the SIP, at least 48 hours before the arrival of the Vessel:

- The IMO General Declaration;
- The AFBA (Application For Berth Allocation);
- The cargo declaration;
- The ship's stores declaration;
- Crew's effects and goods declaration;
- Crew list;
- Passenger list;
- Universal Postal Convention Prescribed Bill of Lading for the post;
- Maritime declaration of health;
- Dangerous Goods Declaration;
- The declaration of special goods requiring the authorisation of competent authorities;
- Declaration of heavy and/or exceptional parcels to be unloaded or shipped;
- The vessel's loading plan.

In addition, these documents, shall be duly signed, stamped by the shipping agent and/or consignee, and forwarded to the Harbour Master's Office, latest at the conference on the call at issue. They shall comply with the standardised FAL format. For vessels making short crossings of less than 200 nautical miles, the above 48-hour time limit shall be reduced to 12 hours.

#### **ARTICLE 21: Application for berth allocation.**

The application for berth allocation (AFBA) by the shipping agent and/or consignee of the vessel shall be submitted to the Harbour Master's Office, in writing or by electronic messaging, according to the model of application in force in the port.

This application shall be submitted at least forty-eight hours ahead of time. It shall include the following information, necessary for the organisation of the call:

- The position requested;
- The estimated date and time of arrival at berth;
- The nature, quantity and location of dangerous goods to be loaded and unloaded or in transit;
- The tonnage to be loaded and unloaded;
- The date of departure.

In a duly justified case of inability to meet this deadline, the application shall be sent as soon as possible and at least seventy-two hours (72 h) ahead of time if the vessel is undergoing an expanded inspection.

Forty-eight hours (48 h) ahead of time, the consignee shall by any means of transmission:

- **Provide loading and unloading plans for goods.**

Twenty-four hours (24 h) ahead of time, the consignee shall by any means of transmission:

- **Confirm the arrival by requiring a pilot;**
- **Indicate the berth;**
- **Determine the quayside if necessary.**

The Harbour Master's Office shall be immediately notified, should one of the information provided in the application be modified.

Should a vessel remain at anchor at the request of the consignee, it shall file a written justification with the Harbour Master's Office.

After consulting the Harbour Master's Office during the port conference, a berth shall be allocated to each vessel according to: its length, its draught, the nature of its cargo, operational requirements, special rules and regulations.

## **ARTICLE 22: Conditions to confirm the estimated time of arrival.**

Any vessel on the forecast list shall confirm its ETA (Estimated Time of Arrival) to the Harbour Master's Office.

- **12 hours before arrival, for vessels coming from WAC (West African coast) ports**
- **24 hours before arrival, for vessels coming from other ports.**

Should the ETA be modified, the vessel master shall directly confirm his new ETA to the Harbour Master's Office through the means of communication available on board and if not via a coastal radio station, four (4) hours prior to arrival in the port.

The Harbour Master's Office shall inform the operator of the validation of the new ETA through the shipping agent and/or consignee and by any traceable means.



**ARTICLE 23: Modification of the estimated time of arrival.**

Any change in the communicated estimated date and time of arrival (ETA) shall be immediately notified to the Harbour Master's office in order to update the forecast programme.

Any vessel expected and included in the forecast list shall be assigned to the berth where it is scheduled, taking into account the draught and the terminal's size.

**ARTICLE 24: Transmission of information for short sea shipping vessels**

For Short Sea Ship vessels, the 48-hour time limit above shall be reduced to 24 hours.

**ARTICLE 25: loading and unloading conditions of heavy/exceptional cargo**

Vessels having to load or unload heavy and/or exceptional parcels/cargo shall provide the Harbour Master's Office with proof of approval of the loading plan by the competent Maritime Authority or Port Authority as appropriate. They shall take all necessary safety measures before handling those cargo. Other documents necessary for the special handling of this cargo may be required by the services in charge.

The loading and unloading of Heavy cargo shall be carried out only over the day between 06:00 and 18:00 upon the issuance of a work permit by the Harbour Master's Office.

**ARTICLE 26: Specific provisions concerning passenger vessels**

The scheduling of calls for passenger vessels (liners and others) shall be drawn up by the Harbour Master's Office at least two months beforehand.

Shipping agents and/or consignees shall provide their rotation programmes for passenger vessels to the Harbour Master's Office three months beforehand.

The allocation of berths to passenger vessels shall be established by the Harbour Master's Office taking into account the following criteria:

- **First come, first served;**
- **Compliance of the passenger vessel's features with those of the berth;**

- **Rational use of berths in order to avoid prolonging their stay in port.**

The dates and durations of passenger vessels' calls shall be respected, and any modification or cancellation shall be notified to the Harbour Master's Office one month before the date of the ETA of the vessel concerned.

## **CHAPTER 4: PORT CONFERENCE**

### **ARTICLE 27: Drafting and consolidation of the general forecast schedule for vessel movements**

The Harbour Master's Office shall ensure the drafting and consolidation of the General forecast schedule for vessel movements based on the documents and information provided by the various parties through the SIP.

To this end, the shipping agent and/or Consignee of the Vessel and the selected Operator shall, each insofar as he is concerned, respect the following provisions:

- 1- Proceed beforehand to send information and documents, subject of articles 19 to 21 (assignment of the Port of Call number and the selected Operator's handling number);
- 2- Forward the vessel's berthing application to the selected operator via the port's computerised data exchange platform (or via any other channel set up by the Port Authority), prior to the conference and after consultation and preparation of the call;
- 3- Send the following documents to the Harbour Master's Office via the port's computerised data exchange platform (or any other channel set up by the Port Authority), after preparing the Call of each Vessel with the parties concerned referred to in article 23:
  - All vessels traffic forecast plan (berths, departures, changes of berths, shifting, etc.)
  - Duly filled vessels' berthing applications by the shipping agent and/or Consignee and the Operator.

The Harbour Master's Office shall study these documents as soon as they are received, validate the partial vessels traffic forecast plans and also return them to the relevant Operator via the SIP.

The consolidation as well as the final validation of the General vessels traffic forecast plan shall be carried out by the Harbour Master's Office which shall be in charge of disseminating it among relating services and administrations via the SIP.

The terms and conditions for setting up the General Ship Traffic Plan, subject of the port conference, shall be subject to a procedure defined by the Port Authority in the SIP.

The Harbour Master's Office may, whenever necessary, hold meetings which stand in for port conferences at its headquarters. The meetings shall be presided over by the Harbour Master or his representative, together with relevant Operators and shipping agents and/or Consignees (only one representative per shipping agent and/or Consignee).

#### **ARTICLE 28: Objectives of the conference**

During the CONFERENCE:

- Vessels with commercial calls shall be confirmed at berths according to the forecast plans prepared and validated by the Harbour Master's Office.
- Berths shall be allocated according to the time of arrival in the Port's Anchorage Zone, subject to the provisions of Article 6 above;
- Amendments due to safety and security requirements or public interest, for the handling of cargo or any other specific issue, shall be made to the general berthing plan during the port conference.

Any post-port conference resolutions amendment solicited by the shipping agent and/or Consignee, shall be subject to an upfront written request filed to the Harbour Master's Office.

In case of approval of this special amendment by the Harbour Master's Office, the requesting shipping agent and/or Consignee shall inform the relevant Operator.

Such requests for amendment shall definitely be made in time to avoid any prejudice to the interests of the parties involved.

#### **ARTICLE 29: Berth allocation priorities amendment conditions**

Vessels having the same order of priority shall berth as soon as they arrive according to the "first come, ready to work, first served" rule, if weather conditions are favourable and if the time of operations does not delay the berthing of an expected vessel with berthing window.

These rules may be modified, without prior notice, by the Harbour Master's Office, especially for the following reasons:

- Vessels requiring special assistance such as emergency medical evacuation, etc.;
- In the event of unfavourable weather or water conditions;
- In the event of the activation of a port emergency plan or an incident on land or on a Vessel, which may have consequences on commercial operations;
- In any other case of force majeure.



## **CHAPTER 5: ADMISSION OF VESSELS TO PORT**

### **ARTICLE 30: Nature of vessel calls in the port**

Usual calls at the Port of Kiribati are commercial, technical, layover and courtesy calls. The documents to be provided by the shipowner or his representative for each type of call are appended to these regulations.

### **ARTICLE 31: Communication and working language in the port**

The communication and working languages shall be English and French.

The maritime navigation standardised vocabulary of the IMO shall be used to this end.

### **ARTICLE 32: General conditions of admission of vessels to the port and window regime.**

The window regime shall enable liner vessels to be given priority in terms of berths and handling means allocated by shift.

The shipowner or his shipping agent and/or consignee may resort to window regime at the Port of Kiribati, without affecting competition and public service regulations.

The shipowner or his shipping agent and/or consignee shall file a berthing window request to the operator. If the latter agrees with it, the shipowner shall submit a draft berthing window agreement for approval.

Operational agreements shall be communicated by the operator to the Local Port Authority.

The berthing window agreement between the operator and the shipowner shall include the terms and conditions for its periodic amendment at the request of the Local Port Authority.

However, the Local Port Authority shall limit the number of berthing window agreements over the same period in order to ensure that not all equipment and berths are used at the same time by vessels granted priority and having a berthing window exclusively.

**ARTICLE 33: Conditions for taking samples during phytosanitary checks on suspect vessels**

In case of arrival of a "suspect vessel" identified as such by the competent administration in collaboration with the Port Authority, nautical means shall be deployed at the shipowner's expense to transport port phytosanitary staff.

To this end, samples for phytosanitary control shall be taken in the harbour.

In the case where the vessels docks in port for sampling with the authorization of the Port Authority and the Operator, it shall immediately depart as soon as the aforementioned sampling is completed.

The Vessel shall remain in port awaiting the final results of the analyses.

**ARTICLE 34: Entry of passenger vessels into port**

The entry of passenger vessels into port shall be carried out by a port pilot.

Passenger vessels shall call the Harbour Master's Office twice: the first time 60 minutes before arrival, and the second time 15 minutes before arrival.

## CHAPTER 6: PILOTAGE OF VESSELS

### ARTICLE 35: Obligation and exception of pilotage in port

Pilotage shall be compulsory for any vessel entering, leaving or moving within the port of Kribi. This applies to vessels exceeding 100 meters and 100 gross tonnes, except for port service vessels as well as foreign vessels used in the port work sites. The pilotage service shall ensure a **24/7** service. However, minimum service can be arranged during public holidays and special events

## **CHAPTER 7: TOWING OF VESSELS**

### **ARTICLE 36: Obligation to use Towing service in the port**

"Towing" at the Port of Kribi is under concession.

The use of port towing service shall be compulsory for any vessel over 100 metres in length. Any vessel master in collaboration with his Shipping Agent/Consignee shall request for this service through the SIP.

Port Towing operations shall be carried out in the mandatory Pilotage Area of the port.

For the safety of the port, the towing service shall be provided on a round-the-clock basis, public holidays inclusive.

## **CHAPTER 8: MOORING OF VESSELS**

### **ARTICLE 37: Liability regime and procedures for implementing anchorage**

Mooring services at the port of Kribi are under concession.

In accordance with maritime practices, ships shall moore under the responsibility of their master and in compliance specific regulations that may be issued by the Harbour Master's Office.

Only adequate mooring devices shall be used for the mooring of vessels.

Mooring shall be carried out in a way that:

- Ensures the security of moored vessels during their stay in port at all times;
- Makes sure that any pipeline connected to the shore is traction-free;
- Ensures a hitch-free casting off of moorings from neighbouring vessels anchored at the same bollard.

Mooring equipment and fittings (ship's hawsers and bollards) must be in good condition and match the special features of the vessel.

Every vessel master shall strengthen the moorings if need be and take all the precautions prescribed by the Harbour Master's Office.

They shall ensure that the berthing of all vessels in port is adequate for the nature of the cargo, the location of the berth and the weather conditions.

If a berth falls short of mooring equipment, the Harbour Master's Office shall temporarily suspend mooring operations at that particular berth until more equipment are supplied

For the safety of the port, the mooring service shall be provided on a round-the-clock basis, public holidays inclusive.

## **CHAPTER 9: END OF CALL**

### **ARTICLE 38: Administrative procedures for the departure of vessels from the port**

The vessel master and his shipping agent and/or consignee shall take all the necessary measures, especially the completion of all administrative procedures and bunkering services, foodstuffs, fresh water and other miscellaneous materials, so as to avoid any delay in the departure of the vessel when its commercial operations are over.

The operator shall therefore immediately inform the Harbour Master's Office by all possible means, of the exact time of completion of commercial operations.

No vessel is allowed to stay docked beyond two hours after the end of its commercial operations and after the authorisation from the Harbour Master's Office to leave the port.

### **ARTICLE 39: Vessels exit clearance**

Prior to departure, the vessel master, with the help of their shipping agent and/or consignee, shall send a written and electronic application for exit clearance to the Harbour Master's Office twenty-four hours beforehand through the SIP. The application shall include:

- Authorisation from the Customs Administration;
- Authorisation from the Maritime Authority;
- The desired departure date and time
- The draught on departure;
- Cargo manifest;
- Crew list;
- The list of passengers;
- tonnage unloaded and shipped;
- Port of destination and date;
- The number of tugs on exit.

These information shall be confirmed before the vessel departs.

### **ARTICLE 40: Filing of final import and export manifests**

The shipping agent and/or Consignee shall send a copy of the vessel's final manifests (import and export) to the Port Authority and the Operator via the SIP, not later than 48 hours after the Vessel has left the port.





**ARTICLE 41: Obligation to report any discrepancy between the Goods actually unloaded and those declared by the shipping agent and/or Consignee**

In accordance with the template appended to these regulations, the Operator shall inform the Port Authority via the SIP, of any discrepancy between the Goods actually unloaded and those declared by the shipping agent and/or Consignee, within 48 hours after the vessel has departed from the port.

## **CHAPTER 10: PROVISIONS ON THE BERTHING OF LAID-UP, ABANDONED, SEIZED OR WRECKED VESSELS**

### **ARTICLE 42: Authorisation for non-commercial calls**

Authorisation to stop at the Port of Kiribati for reasons other than commercial shall be granted only in case of absolute necessity (reception of vessels in distress) and for a specific period during which the vessel shall have sufficient custodial service to carry out the movements ordered by the Harbour Master's Office.

### **ARTICLE 43: Specific obligations for vessels berthed in the port**

Any Vessel berthed in the Port of Kiribati shall be maintained in a good state of buoyancy. Such a vessel shall neither disturb port operations, damage port works or other vessels, harm the maritime and port environment, nor endanger the safety of people.

### **ARTICLE 44: Conditions of berthing beyond the time limits fixed by the Harbour Master's Office**

No occupation of a berth shall be allowed after the deadline granted by the Harbour Master's Office to a laid-up, standing-by or decommissioned vessel. However, a vessel may keep berthing for the following reasons:

- Special authorization issued by PAK;
- Written statement of Detention by the Maritime Authority to the Harbour Master;
- Prohibition to sail ordered by PAK or the Maritime Authority;
- Decommissioning authorised by the Port Authority for a specified period during which the shipowner shall comply with the requirements of the Harbour Master's Office;
- Seizure by a national court by virtue of a judicial order.

In any case, the vessel shall comply with the instructions of the port Officers/Beach Masters ordering her to leave the Port Authority of Kiribati at any time.

Any Vessel which does not comply with the provisions of **article 43** above and stays berthed beyond the time limit granted by the Harbour Master's Office may be considered as abandoned, decommissioned or wrecked and shall be treated in accordance with the laws and regulations in force.

## **CHAPTER 11: PROVISIONS ON THE USE OF INFRASTRUCTURES AND EQUIPMENT OF THE PORT AUTHORITY OF KRIBI**

This part applies to the infrastructures of the Port Authority of Kribi (quays, open storage space, sheds, offices, business/operation facilities, flood dike, access channel, navigation aids, etc.). However, when these infrastructures are provided to the operator within the framework of terminal agreements or any other contract stipulating the conditions of temporary occupation of the port domain or any other contract stipulating the conditions of occupation, then the conditions of occupation set up these agreements or contracts, which may differ from the conditions of these regulations shall be binding on the operator.

### **ARTICLE 45: USE OF INFRASTRUCTURE AND RESPECT FOR INTEGRITY**

#### **1- USE OF INFRASTRUCTURES**

##### **a) Quays**

Quays shall be reserved exclusively for the berthing of vessels.

##### **b) Open storage space and Sheds**

open storage space and sheds shall be exclusively reserved for the storage of goods transiting through the port, unless the Port Authority grants an exemption,

If storage conditions are propitious, sheds and open storage space can help for the storage of public or private operating equipment likely to be used for handling and port works.

Users of sheds and open storage space shall, in some cases, be permitted to protect or isolate stored goods using movable barriers or other equipment which do not interfere with general operations. The positioning of these barriers or other equipment shall be decided and validated by the Port Authority. Likewise, users of sheds shall, in some cases where required by the Port, ensure the protection of internal facilities (for example: Armed Fire Fittings (AFF), fire extinguishers, non-load bearing walls, etc.) using mobile barriers or other equipment authorised and approved by the Local Port Authority.

## **2- RESPECT FOR THE INTEGRITY OF INFRASTRUCTURES**

No one shall damage nor make the Port Authority's infrastructures dirty.

It is especially forbidden to:

a) damage Port's infrastructures and the public port domain:

- By driving or parking vehicles on the quaysides and on the crane gutters and, more generally, on all infrastructures not intended for this use;
- By throwing any goods from deck of a vessel onto the ground;
- By loading or unloading non-protected goods which are likely to damage infrastructures.

b) damage infrastructure and basins depths:

- By releasing chemicals, residues or other substance which may damage the infrastructures;
- By dumping or allowing to fall any ground, rubble, wastes or other materials into the waters of the port and its outbuildings;
- By loading, unloading or transshipping powdery or friable materials, without placing a well-packed and solidly attached receptacle between the ship and the quay, or in case of transfer, between two vessels unless the local port authority grants exception.

Any spillage, release, fall and generally any contribution of materials or dirt, whatever its origin, must be immediately declared to the Harbour Master's Office. The person responsible for these release or spillage offences, and especially the master of the vessel or floating craft or the Operator, must restore the public domain, in particular by cleaning the water surface and the structures soiled by these discharges, and if necessary, restoring the depths of the basins.

## **3- CLEANING OF INFRASTRUCTURES**

**a) Cleaning of quays**

The operator (stevedore) shall ensure the cleaning of the quay, the collection and treatment of solid cargo residues that fall to the ground during stevedoring operations.

**b) Cleaning of sheds and open storage space**

The space occupied by goods and its surroundings on the open storage spaces, in and around the sheds, shall be completely cleaned immediately after the removal of goods by the handling company.

Failure to abide by this requirement shall cause the port Authority to carry out the cleaning at the expense of the handling company.

Wastes from the sweepings shall be removed periodically, or upon request of the Local Port Authority, at the expense of the handling company. In no way shall the wastes from sweepings be poured in the sea.

Failure to abide by this requirement shall cause the Port Authority to order for the removal of these wastes and charge back the handling company with the costs regardless of the relevant fines.

#### **ARTICLE 46: Compliance with the load-bearing capacity of infrastructures and equipment**

The operator shall respect the following load-bearing capacity for port infrastructures and equipment:

- 4 tonnes / m<sup>2</sup> for quays and open storage areas;
- 35 and 40 tonnes for the cranes on the multipurpose quay;
- 61 tonnes for the container quay gantries.

#### **ARTICLE 47: Changes and damages to infrastructures**

The operator shall immediately inform the Local Port Authority of any damage caused to the infrastructures.

An inventory of fixtures shall be made, formalised and signed between the Local Port Authority and the operator at the beginning and end of the contract.

No change shall be made to the infrastructures put at the disposal of the operator without prior authorisation from the Port Authority.

Unless otherwise stipulated, the occupants must return the premises to their original state after using them.

All damages or deteriorations caused to infrastructures whatever the origin shall, after counter inspection, be repaired either directly or by subcontracting by the operator responsible for the such damages, under the control of the Port Authority either directly or indirectly by subcontract work performed by the Port Authority at the expense and risk of the operator and without necessarily waiting for the end of the tenure. The Port Authority leaves upon the operator to take action if necessary, against responsible third parties.

Operators are not allowed to put up posters nor write on all or part of the infrastructures without a written authorization from the Port Authority.

**ARTICLE 48: Operator's liability regime for conservation or traffic and wharf policing**

Concessions as well as authorisations to carry out activities within the limits of the port area give no right to their Operators to interfere with the exercise of the Conservation Police or with that of the traffic and use of quays.

They shall immediately inform the Harbour Master's Office of any incident noticed in their concession or activity site. The Officers of the Judicial Police with Special Competence shall proceed with the on-site inspection and report in accordance with the regulations in force.

In the event of damage caused to a third party or by a third party to the operator, the latter, if he so wishes, may proceed to an amicable settlement, however, summoned to proceed to the drawing up of the various reports and thus mention the agreement between the parties.

**ARTICLE 49: Prior authorization of the Port Authority before executing works and structures**

The execution of works and structures of any nature on the public or conceded quays and open storage space shall be subject to a prior authorization from the Port Authority.

**ARTICLE 50: Special safety rules for the manoeuvres of Vessels at the various berths**

The practical requirements of vessel movements at the various berths of the Port of Kribi shall be subject to a resolution by the Port Authority setting up in particular special safety rules for the manoeuvres of Vessels



## **CHAPTER 12: LOADING, UNLOADING, TRANSIT, TEMPORARY ADMISSION AND STORAGE OF GOODS**

### **ARTICLE 51: General requirements for loading and unloading goods in the port**

The operator shall manage stevedoring operations. However, in case of necessity, the vessel can use its own stevedoring equipment following a prior agreement with the Port Authority upon reasoned opinion from the operator. In such a case, the operator shall submit a request along with registration certificates which shall be valid for at least three months.

In some cases, the Port Authority can require from the vessel owner to use its own handling equipment. The use of handling equipment other than those of the handling operator and the vessel owner's shall be subject to the prior agreement of the port authority upon reasoned opinion from the operator

### **ARTICLE 52: Obligation to score loading and unloading operations in the port**

Scoring loading and unloading operations of all the goods shall be mandatory. This is done through duly signed and stamped tally slips by the Handling Operator and the Vessel or his agent.

The tally slips duly signed and stamped by the handling operator and the vessel owner or his agent shall be forwarded to the Port Authority at least 48 hours after loading and unloading operations.

Tally sheets can be digitised.

The Handling Operator shall manage Goods in the condition in which they are delivered to him.

### **ARTICLE 53: Storage conditions for goods to be loaded or unloaded from vessels**

Deposit of goods shall only be done in areas delimited for this purpose by the Port Authority, whether they are under concession or not. Goods to or from a vessel shall be stored on the docks only for the time necessary for their business transactions. The Handling Operator concerned with the operations shall be tasked with their removal from the docks.

**ARTICLE 54: Recovery of goods fallen overboard**

Goods that have fallen into water must be urgently and immediately fished out by the Handling Operator or by the Port Authority at the Handling Operator's expense

**ARTICLE 55: Condition for stacking**

Stacking shall be carried out in accordance with best practices. Stacking shall be authorised within the limits of the loading capacity at ground level. The Operator shall take under his sole responsibility, all the necessary safety measures considering the circumstances and the weather, especially wind effects and the nature of goods, particularly for Dangerous Goods.

## **CHAPTER 13: SPECIAL PROVISIONS FOR CONTAINER PORT PASSAGE**

### **ARTICLE 56: Naming obligation of the receiver in the manifest**

For any commercial call at the Port of Kiribati, the import goods manifests must specify the name of the receiver of goods, and the Notify as an alternative.

Shipping agents and/or consignees of vessels shall imperatively mention on each manifest the full contact details (telephone, fax, e-mail) of the shipping agent and/or consignee, the receiver or the notify.

### **ARTICLE 57: Liability for undeclared goods on import**

Imported goods declared in the manifests, and which do not comply with the provisions of the aforementioned article 51, shall be unloaded from the vessel only if the ship's agent and/or consignee undertakes to assume total responsibility for them throughout the port transit process, from the unloading of the goods until their removal from the port.

In the case of a pooled loading, the requirements of paragraph 1 of this article shall apply to the ship's agent and/or main consignee, who is the lead agent.

### **ARTICLE 58: Obligation to present a receipt for the admission of full containers for export**

The admission of full containers for export in the operator's terminals shall depend, in addition to the required safety and security conditions, on the presentation of a final shipping order (BAE) issued by the Customs, an original letterhead receipt form established by the shipping agent's and/or consignee's which specifically indicates the brand, number, size, weight, destination as well as the name and voyage number of the vessel on which the container will be loaded.

Full export containers are allowed to the port within a timeframe of 10 days prior to the closing date of the vessel's booking.

### **ARTICLE 59: Transmission of provisional statements of the sequence of containers**

Shipping agents and/or Consignees shall communicate the following information to the relevant Operator via the SIP:

- The list of full or empty containers to be loaded on such Vessel, at least 48 hours before the Vessel docks;

- The list of containers to be unloaded and the unloading plan, at least 48 hours before the Vessel docks;
- The list of containers to be loaded and the loading plan for export, no later than 2 hours after the Vessel has docked.

However, exemptions may be granted by the operator for reefer containers and for Exceptional Goods requiring direct loading. In that vein, the Port Authority shall receive a written notification of any exemptions granted. This notification shall specify the containers in transshipment.

**ARTICLE 60: Transmission of the list of containers actually unloaded.**

The list of containers actually unloaded from a Vessel shall be sent by the Operator to the shipping agent and/or consignee not later than 24 hours (24 hours) after the end of unloading operations.

The list of containers actually unloaded, and containers actually loaded by type (20'; 40', full; empty) and by port of destination or port of origin shall be communicated by the Operator to the Port Authority via the SIP no later than 24 hours after the vessel has sailed. This list shall specify the containers in transshipment.

## **CHAPTER 14: CARGO HANDLING STANDARDS**

### **ARTICLE 61: Specifications of cargo handling standards**

The cargo handling standards to be met by Port Operators shall be those set out in the Concession contracts and their annexes prior approved by the Port Authority. However, Operators may set up specific handling contracts in order to meet the specific needs of their customers. In this case, the handling standards set up shall be higher than or equal to those set in the concession contracts and their annexes and shall be forwarded to the Port Authority for approval prior to the signature of the handling contract.

## **CHAPTER 15: TRANSHIPMENT OF GOODS**

### **ARTICLE 62: Transhipment of goods**

The transhipment of goods authorised by the Port Authority between two vessels in the port shall be carried out according to procedures established by the Operator and approved by the Port Authority.



## **CHAPTER 16: SPECIFIC PROVISIONS FOR GOODS ABANDONED AT THE PORT**

### **ARTICLE 63: Goods abandoned at the port**

Notwithstanding the legislative and regulatory provisions on customs matters, the following shall be considered as abandoned at the port of Kribi:

- Goods that are overdue according to the CEMAC Customs Code;
- Outdated or non-conforming food products which have remained in the port for more than 30 days;
- Non-food goods that do not comply with related Cameroonian standards and that have been in port for more than 30 days.

Empty containers outside the dedicated storage areas that have been in port for 30 days from the date of:

- Entry into the port by land for empty containers intended for export;
- Unloading for empty containers that entered the port by sea;
- Unloading for full containers that entered the port by land or sea and have been unloaded at the port.

### **ARTICLE 64: Measures taken by the authorities concerning abandoned goods**

Goods abandoned in the Port shall be subject to one of the following measures, regardless of actions for payment for any damage the Port Authority may suffer as a result of such abandonment, or for costs collection incurred by the Port Authority in carrying out the measures:

- Sale;
- Destruction;
- Other appropriate measures.

## PART III: MAINTENANCE AND REPAIR OF VESSELS AT BERTH

### CHAPTER 1: DOCKSIDE TESTS

#### **ARTICLE 65: Prohibition to carry out dockside performance tests**

Vessels must not carry out performance tests on their engines or propellers without prior authorisation from the Harbour Master's Office of the Port Authority of Kribi.

#### **ARTICLE 66: Prohibition to carry out dockside tests which are a source of nuisance and damage to port structures**

Engine testing on the Vessels at the quayside which may cause nuisance in the vicinity, scouring or damage to port structures is prohibited. The sweeping of smoke or gas pipes and the emission of dense or nauseating fumes is also strictly prohibited in the port and its accesses.

## CHAPTER 2: REPAIR OF VESSELS AT BERTH

### **ARTICLE 67: Authorisation to carry out repairs to vessels at berth**

An exceptional authorisation for a limited period of time may be granted to a Vessel by the Harbour Master's Office in consultation with the Operator, at the written request of the Master, in order to carry out repair operations at berth.

## **CHAPTER 3: HOT WORK REPAIRS WITHIN THE PORT AND ON VESSELS IN THE PORT**

### **ARTICLE 68: Authorisation for hot work repairs**

All hot work in the Port Area shall be subject to an express request for prior authorisation addressed to the Harbour Master's Office through the SIP.

Hot work permits shall be issued by the Harbour Master's Office. This permit, attached to the Job Safety Analysis (JSA) of the operation, shall be returned to the Harbour Master's Office for analysis and validation. A mission from PAK marine fire brigade may visit the site to assess the risk and reinforce safety measures put in place, if necessary.

The work permit is signed jointly by the Harbour Master's Office, the applicant for the service and/or the beneficiary of the service. The benefitting party or the applicant, as the case may be, shall be responsible for the safety of the operation.

a list of all fire-fighting equipment and tools in the port concessions shall be sent to the Port Authority within the framework of the company's IOP.

### **ARTICLE 69: Arrangements to be made by the vessel master in the event of work on board**

When heating of liquid cargo bunkers, onboard hot works or painting of the hull are to be carried out on board a vessel, the Master of that Vessel shall give prior written notice to the Harbour Master's Office, so that the latter can determine the place and time of the operations to be carried out as well as the appropriate safety measures.

These operations shall only be undertaken under the supervision of a watchman appointed by Harbour Master's Office, at the Vessel's expense and by taking all necessary measures and precautions.

## PART IV: SECURITY, SAFETY AND PROTECTION OF ENVIRONMENT

### CHAPTER 1: PORT SECURITY

#### SECTION 1: Disaster prevention and control

##### ARTICLE 70: Responsibilities for disaster prevention and control within the port

Regardless of the legal and regulatory provisions relating to Civil Protection competences, the prevention and organisation of the fight against disasters within the Port or likely to spread from the land or the sea, as well as the coordination of rescue teams, shall be under the responsibility of the Port Authority.

Rescue teams shall serve under their respective hierarchical superiors. Depending on the circumstances, they shall include:

- Ship security teams;
- Security teams of companies privately operating parts of the Port Domain: concession holders, companies with temporary operating or work permits;
- One or more Civil Protection detachments (National Fire Brigade);
- One or more security teams acting on behalf of the Port Authority.

The Harbour Master, the Vessel Master and each person in charge of rescue teams shall be replaced, in their absence, by their most senior staff member present at the site of the incident.

A duty service shall be set up for all the entities mentioned above, in order to monitor and ensure maximum security in the port.

##### ARTICLE 71: Role of the Operator in risk prevention

The Operator shall comply with the obligations imposed by the legislation on risk prevention. He shall ensure the implementation of:

- Safety measures stipulated in the legislation and regulation in force;
- Safety measures stipulated in the concession specifications;
- Safety measures that he considers necessary;

- Safety measures whose drafting has been prescribed by the Port Authority and is part of the emergency measures and plans triggered by competent authorities.

To this end, the Operator shall appoint his qualified safety agent (s) to ensure good coordination with all the parties involved in safety management.

The Harbour Master's Office may request the change of an operator's agent if such agent is deemed not qualified enough.

#### **ARTICLE 72: Situations covered by the Port Emergency Plan**

A Port Emergency Plan (PEP) established by the Port Authority shall cover the following situations:

- Fires on land and on board vessels;
- Water rescue, within the port;
- Nautical accidents, within the port;
- Assistance to the sick or injured;
- unintended air pollution;
- Accidental pollution of the port's marine environment;
- Other emergencies.

It shall also set out the composition of the port's safety teams and the equipment they shall use, their management and organisation and the scope of their response. This PEP can be part of a response and emergency plan approved by the national or local Administration.

Operators shall communicate the name and contact details (e-mail; telephone number) of their safety managers to the Harbour Master's Office.

The execution of the PEP shall be carried out under the responsibility of the Harbour Master.

#### **ARTICLE 73 : Internal Organisation Plan (IOP)**

PAK has a port security plan that is sent to all companies operating in the Port District. This plan summarises PAK's security procedures and arrangements.

Based on the Port Security Plan, each company holding a concession or license to operate in the port, shall have a Risk Prevention and Disaster Control Plan, referred to in these regulations as the IOP (Internal Organisation Plan), which shall be implemented within the limits of the port domain delineated for its activity.



In addition to the provisions of the PUP, this plan shall also determine the composition of the security teams and the equipment they shall use. It shall not be contradictory to the PUP and shall be validated by the Port Authority.

All the IOPs shall be an integral part of the PUP of the Port Authority of Kribi.

**ARTICLE 74: Obligation for operators and farmees to have an IOP**

Regardless of the national regulations on warehouses and facilities ranked according to the level of dangerousness, Operators and farmees whose warehouses, facilities and storage areas for dangerous goods are located in the public port domain by virtue of their contracts, shall have an IOP specifying the nature of the materials stored, tonnage limits, safety measures, operating instructions, human and material resources of response and accident scenarios.

This IOP shall be sent to the Harbour Master's Office for approval.

**ARTICLE 75: Giving safety instructions on berthing to the Vessel Master**

The Harbour Master's Office shall give safety instructions to the vessel master as soon as a vessel berths.

**ARTICLE 76: Free access of Port Officers (OPJS) on board vessels and on the sites of port operators in the framework of their regalian missions**

Port Officers and any other PAK Judicial Police Officer with Special Competence on duty shall have free access on board vessels and on the sites of port operators to check the implementation of safety, security and health requirements laid down by the regulations in force.

Within the framework of their mission, they may ask to hear any person on the site of operations. The PAK OPJS shall record the offence, fine the offender and carry out investigations in accordance with the regulations in force. They can call on the PAK FMO if necessary.

**ARTICLE 77: Disaster alert on board a vessel**

In the event of a disaster on board a vessel or in its vicinity, any person having discovered such disaster shall immediately raise the alarm by notifying the Harbour Master's Office.

If there is a risk of the disaster spreading to other vessels, Vessel Masters shall muster their crews and be ready to take any measures prescribed by the person in charge of conducting civil protection rescue operations.

Before the arrival of the person in charge of rescue operations, Port Officers shall, under the authority of the Harbour Master, take all appropriate measures to handle the situation. They shall particularly order the first movements of vessels necessary to limit the expansion of the disaster.

The Emergency Operations Commander shall consult with the Harbour Master upon arrival at the scene of the incident regarding the conduct of emergency operations, including the intervention on board the vessels and their possible relocation.

#### **ARTICLE 78: Fire ban on the quays**

The lighting of fire is strictly prohibited on quays, pontoons, open storage space and other harbour works, except with the special permission of the Harbour Master's Office.

#### **ARTICLE 79: Compliance with the precautions prescribed by the Harbour Master's Office in the event of fire in the port**

When fire occurs within or beyond the port premises, all Vessels shall comply with preventive measures as the Harbour Master's Office may prescribe.

When fire occurs on board or near a Vessel in the port, the vessel master, the crew, the ship's keeper and/or the Operator's services must immediately take necessary preventive measures and notify the control tower via VHF radio communication (channel 16 or 10). The control tower shall in turn immediately call in the PAK marine fire brigade.

The Harbour Master shall be tasked with coordinating rescue operations. He may conscript any equipment and enlist the help of any person in the port premises and must forthwith notify competent authorities.

#### **ARTICLE 80: Obligation of free access to fire equipment**

Fire hydrants, alarms, the ship's fire plan and other means of intervention must always remain freely accessible on board, on the quayside and on open storage space. Port operators shall provide a traffic plan for the emergency unit's equipment. This traffic plan shall be clearly detailed in the IOP of these operators.

**ARTICLE 81: Fire alarm signal on board a ship in the port**

The Vessel on which fire occurs shall blow five prolonged blasts of whistle or siren as an alarm signal. This signal may be repeated as necessary to raise the alarm and draw attention. Each blast shall last four to six seconds. This signal may be repeated if necessary and should not be used in other circumstances.

**ARTICLE 82: Formal ban on smoking in ship holds and while handling hazardous material**

Smoking is strictly forbidden at all times in ship holds, storage facilities/areas and while handling hazardous material.

**SECTION 2: Loading, unloading and storage of Dangerous Goods****ARTICLE 83: Handling, storage and transit of Dangerous Goods**

The handling, storage and transit of dangerous goods, especially the IMDG code, are subject to the provisions of this chapter and to the regulations in force.

**ARTICLE 84: Special declaration of dangerous goods**

For any Vessel carrying Dangerous Goods, the shipping agent and/or Consignee shall send a declaration of dangerous goods to the Harbour Master's Office and to the Operator via the SIP and at least 48 Hours prior to the arrival of the Vessel at the Port.

This declaration shall include the following elements (In accordance with the FAL Form 7 on the declaration of dangerous goods):

- The name of the Vessel;
- The name or company name of the shipper and the shipping agent and/or consignee;
- The consignee and its contact details;
- The exact technical name, Classification
- UN number and packing group;
- Number and weight of packages;
- Bill of lading number;
- Loading plan;
- The number of the container (container or semi-trailer) and all relevant information.

**ARTICLE 85: Conditions for lodging the declaration and loading of Dangerous Goods**

Dangerous goods intended for export must be declared to the Harbour Master's Office and the operator by the shipper or his agent, by presenting a certified copy of the export declaration at least 48 hours before their entry into the port.

This declaration shall specify the mode of delivery, the mode of removal and the destination of the materials, as well as whether they will be deposited on the quay before loading.

The loading of Dangerous Goods cannot take place without the production of the loading plan approved by the Harbour Master's Office.

Dangerous Goods of class 2.1, 5.1, 6.2 intended to stay in the port before loading shall be subject to a special request for authorisation to stay in the port filed to the General Manager of PAK. This request shall include the number of the container, the owner and the sub-class.

**ARTICLE 86: Transmission of information on the class and condition of loaded dangerous goods**

The Master of any Vessel carrying dangerous goods bound for the port must confirm the classes of dangerous goods on board as well as any defects or anomalies affecting the Vessel or its cargo, from the first contact with the Harbour Master's Office.

This declaration shall not exempt the Vessel Master from the obligation to fill the compulsory entry declaration.

**ARTICLE 87: Designation of berths for vessels carrying dangerous goods and determination of allowed quantities**

The berths of Vessels transporting Dangerous Goods, the quays, as well as the quantities of these goods admitted to the port shall be determined by the Harbour Master's Office, in accordance with the regulations in force.

**ARTICLE 88: Obligation of prior agreement from the Harbour Master's Office for access, handling, storage and transit of Dangerous Goods in the port**

The access, handling, storage and transit of Dangerous Goods in the port shall be subject to the prior agreement of the Harbour Master's Office.

**ARTICLE 89: Compliance with the IMDG code in terms of packaging, marking, labelling and stowage of Dangerous Goods handled in the port**

The packaging, marking, labelling and stowage of Dangerous Goods to be handled in the port shall comply with the standards set by the IMDG Code.

The Operator's staff handling Dangerous Goods shall be able to read and interpret the safety data sheet accompanying each unit load and apply its instructions.

The staff shall have appropriate PPE in accordance with the safety data sheets.

**ARTICLE 90: Preparation of safety data sheets**

The Operator concerned by the handling of Dangerous Goods shall draw up safety cards in collaboration with the Harbour Master's Office.

These sheets shall contain the following information:

**1- Information on the product:**

- The name of the product;
- The classification;
- Flammability;
- Toxicity;
- Corrosivity;
- Fire- extinguishing agent;
- Emergency equipment (gloves, overalls, boots, breathing unit).

**2- Emergency instructions and measures:**

- In case of spillage;
- In case of fire;
- In case of medical attention;
- In case of skin contact;
- In case of spray on eyes;
- In case of ingestion;
- In case of inhalation.

**ARTICLE 91: Transmission of all dangerous goods declarations**

The Operator must provide the declarations of all dangerous goods daily to the Harbour Master's Office via the SIP for the purpose of making appropriate decisions for such Goods.

The special safety instructions prescribed by the Harbour Master's Office, shall be returned by the medium to the Operator and to the Shipping Agent/Consignee for execution.

**ARTICLE 92: Obligation to report any incident or damage to the Vessel or its dangerous cargo**

The Vessel Master and the Operator must immediately report any incident and/or damage to either the vessel or dangerous goods to the Harbour Master's Office.

**ARTICLE 93: Recommendations for handling Dangerous Goods**

Loading, unloading or handling operations of Dangerous Goods shall be carried out with maximum speed, care and precautions, as stipulated in article 78.

The Harbour Master's Office may, if it deems it necessary for the safety of the port, impose continuous working, with a view to reducing the Vessel's stay in the port.

The handling and transfer of Dangerous Goods shall be carried out by the Operator through the safest means and with the utmost care to avoid shocks and packaging damages and any incidents as well as contamination of other goods and pollution of the environment.

The Operator shall visually examine the outer surfaces of all means of transport and check their physical condition and detect any signs of leakage of the contents. If any of these checks reveal a defect which may affect the safety of handling, storage or transport, the Operator shall subject them to a full inspection to determine whether they are suitable for further handling, storage or transport.

The Operator shall check consistency between the declaration, labelling and marking and inform the relevant competent authorities if necessary.

The operator must train and inform, in advance, people involved in the handling and carriage of Dangerous Goods, of the dangerous characteristics and properties of the Goods and of any safety precautions to be taken.

The Vessel Master and his crew shall provide all necessary on-the-spot assistance to the operator

**ARTICLE 94: Specific requirements issued by the Harbour Master's Office on the handling of Dangerous Goods in the port**

The Harbour Master's Office may make the loading, unloading and handling of dangerous goods at night subject to specific requirements depending on their nature, quantity or packaging.

For the purpose of this article, the night period shall be considered as starting one hour after sunset and ending one hour before sunrise.

**ARTICLE 95: Specific restriction conditions and order for immediate departure of Vessels from port**

The Harbour Master's Office may impose specific port access restrictions or conditions on a vessel carrying Dangerous Goods, depending on the nature of the goods loaded on board and weather conditions.

The Harbour Master's Office may order the immediate departure of Vessels in the following cases:

- Discrepancy between the statements made by the vessel and the nature of the goods actually transported;
- In all cases where the vessel endangers people, other vessels or port facilities.

**ARTICLE 96: Special marking of Vessels carrying Dangerous Goods**

Any Vessel transporting or handling Dangerous Goods shall imperatively display a red flag (letter B) by day and a red light visible from all points by night.

**ARTICLE 97: Special reception area for Dangerous Goods**

The operator shall identify a specific area in his terminal capable of receiving batches of dangerous goods, where they can be stored while awaiting evacuation from the port.



## **ARTICLE 98: Cleaning and recovery of spilled Dangerous Goods**

In the event of a leak or spillage from a container, the operator shall:

- Have a 20' and 40' watertight containment platform capable of holding and transporting the leaked products from the container and keep it away from other cargo or heat sources. All safety measures shall be taken by the space manager of the site where the incident occurred, so as to protect the environment and limit fire risk.
- Immediately move the platform to a high security area;
- Have appropriate safety equipment and products (special clothing, gas mask, absorbents, powdered lime, etc., as listed in its IOP);
- Notify the competent authorities and inform the client to proceed with the immediate removal.

The Harbour Master may request increased security around this container by instructing a security watch.

All charges relating to safety and environmental protection measures caused by the leakage or spillage shall be borne by the party responsible for the leakage (owner of the Goods, sea carrier, handler, etc.).

## **ARTICLE 99: Creation and mission of the Commission in charge of security measures control inside port facilities**

The Port Authority can, if necessary, create a Commission that shall carry out controls to ensure that the operator has implemented security measures inside port facilities.

This commission could be empowered to:

- Make observations to the operator;
- Issue additional safety instructions;
- Draw up an inventory report;
- Make recommendations as necessary to rectify abnormal situations.

## **ARTICLE 100: Conditions for parking Dangerous Goods in the port**

Authorisations for parking dangerous goods granted by the Harbour Master's Office shall be communicated to the operator by the Harbour Master's Office before unloading the goods.

The Operator must give a formal notice to any customer whose goods are considered dangerous and have exceeded the regulatory parking time limits.

A copy of the aforementioned formal notice shall be sent to the Harbour Master's Office in order to draw up a statement of offence against the offender.

The Harbour Master's Office shall instruct the operator on the measures to be taken for the handling of such goods.

**ARTICLE 101: Prescription of the obligation of the presence of a fire warden service**

Depending on the nature of the Goods, the presence of a fire warden service and/or a team of the Port Fire Brigade shall be prescribed by the Harbour Master at the expense of the Vessel.

**ARTICLE 102: Precautions to be taken by the operator before starting dangerous goods handling operations**

Before starting handling operations, the Operator shall make sure that the packaging and the container of the dangerous goods are damage-free and report any damage and/or degradation of these containers to the Harbour Master's Office.

In case of leakage of this type of goods during handling operations, the Operator shall also take necessary urgent measures as stipulated in article 96.

**ARTICLE 103: Safety conditions and measures for Vessels carrying Dangerous Goods of several classes**

In the case of a Vessel transporting dangerous goods of several classes, the conditions and safety measures for its access and stay in the port are those of the most dangerous and most dimensional class.

**ARTICLE 104: Requirements in the event of a fire occurring near a Vessel carrying Dangerous Goods**

When fire occurs on board or near Vessels containing dangerous goods, they shall be ready to be taken in tow

**ARTICLE 105: Obligation for vessels carrying certain categories of dangerous goods to keep their means of propulsion, winches and gear in working order and ready to operate**

Unless otherwise stipulated by the Harbour Master's Office, Vessels carrying certain dangerous goods shall keep their means of propulsion, winches and gear ready to operate at all times.

**ARTICLE 106: Ban on side-by-side mooring in port of vessels carrying or destined to carry Dangerous Goods**

Side-by-side mooring in the port shall be prohibited for vessels carrying or intended to carry dangerous goods.

**ARTICLE 107: Standing operating procedures for Dangerous Goods storage and handling**

Regardless of international and national maritime regulations on the transport, storage and handling of dangerous goods, appropriate rules to these classes of goods shall be the subject of permanent and/or short-term instructions issued by the Harbour Master's Office.

**ARTICLE 108: Obligation for Operators to have a management plan for Dangerous Goods per category**

Each company operating in the port with a concession or a license contract, and which is likely to transport, store or handle Dangerous Goods, shall have a management plan for these goods per category. This management plan shall comply with the provisions of these regulations and the instructions issued and approved by the Port Authority.

**ARTICLE 109: Conditions of prolonged stay of Dangerous Goods in the port**

Dangerous Goods shall not be left in the terminals. They shall be removed as soon as possible, especially classes 1; 7 and their sub-classes which shall be removed directly.

However, upon request of the client or his representative, the Port Authority may allow Dangerous Goods of sub classes 2.1, 5.1 and 6.2 to stay exceptionally in the port, for a period not exceeding six (6) calendar days. During the stay of these Goods, a security watch shall be deployed at the expense of the owner of the Goods or his representative. After this period of six (6) days, a penalty shall be applied in addition to the costs of the security guard, as stipulated in the laws and regulations in force.

The request for storage is made via the PAK SIP.

The storage of these Goods may only take place within the concession/authorised areas in facilities and areas specifically dedicated to this type of Goods, in accordance with the regulations in force.

Therefore, the shipping agent and/or Consignee shall make all necessary arrangements with the parties involved in order to ensure the exit of the aforementioned Goods within the time limits prescribed by the Port Authority.

The Space Operator shall apply the segregation principle prescribed by the IMDG Code. He shall send a daily report of the situation of Dangerous Goods on the yard to the Port Authority.

#### **ARTICLE 110: Specific measures for radioactive materials on import**

In addition to the specific regulations governing radioactive materials or materials suspected of being radioactive, their transit through the port shall be regulated by the following articles

#### **ARTICLE 111: Conditions for authorisation of access and handling of radioactive materials for import**

For any request for authorisation to access and handle radioactive materials for import, the shipping agent and/or Consignee shall inform the Harbour Master's Office at least twenty-one (21) days before the arrival of the Vessel, by forwarding the following documents to the Harbour Master's Office via the SIP:

- A request for transit or handling;
- A certificate from the exporting country indicating the nature of the radioactive source and its activity and certifying that the packaging and stowage comply with IMO regulatory requirements;
- An import authorisation issued by competent authorities (Ministry in charge of Scientific Research or National Radiation Protection Agency);
- A special declaration relating to the transit of radioactive materials through the port;
- An MSDS (Material Safety Data Sheet).

The shipping agent and/or consignee shall also send a written notification to the Administrative Authority, the Port Authority, the relevant FMO of PAK.

#### **ARTICLE 112: Transmission of the special declaration for the transit of radioactive materials by the shipping agent to the various administrations**

The shipping agent and/or Consignee shall file the special declaration, subject of article 117, within twenty-one (21) days before the Port of Call, to the following entities:

- The Harbour Master's Office;
- The health control services at the borders;
- The Customs Administration;
- The relevant Terminal Operator.

**ARTICLE 113: Deadlines for processing and approval of berthing and handling of radioactive materials by the Harbour Master's Office**

The Harbour Master's Office shall authorise the handling of these materials within a period of 48 hours following the submission and approval of the documents referred to in the above article.

The Harbour Master's Office may impose other safety measures to be followed before and after the vessel has docked.

An ad hoc commission comprising all those involved, shall monitor the unloading and departure of this goods from the port.

**ARTICLE 114: Scheduling of the berthing movement of Vessels carrying radioactive material**

The Harbour Master's Office shall proceed with the programming of the Vessel's berthing movement in the light of the declaration, subject of article 117 below, and of the other regulatory documents, whilst respecting the safety distances concerning this type of Goods.

**ARTICLE 115: Responsibility for supervising operations relating to radioactive materials on board the Vessel**

The supervision of operations relating to radioactive materials on board the vessel shall be compulsory until its direct departure from the berth. It shall be carried out by the competent control authorities, at the expense of the shipowner at the expense of the shipowner for on-board operations and of the shipper for on-shore operations.

For Class 7 Goods in transit at the Port of Kribi, the Vessel Master shall have to send to the Port Authority via his shipping agent or Consignee, a letter of firm commitment not to handle the container(s) concerned.

**ARTICLE 116: Measures to be taken in the event of damaged packaging containing radioactive material**

In the event of damaged packaging, the package may only be unloaded following the order of competent control authorities and after they have carried out an inspection, prescribing to the importer additional measures to be implemented.

**ARTICLE 117: Conditions of unloading of radioactive materials by the Terminal Operator**

The Terminal Operator shall unload the goods directly from the vessel onto the means of transport provided by the client prior to the authorisation from the Harbour Master's Office.

**ARTICLE 118: Radioactivity control**

The control of radioactivity shall be carried out by competent control authorities, especially the National Radiation Protection Agency. The certificate of control shall be submitted by the shipping agent/Consignee at the Harbour Master's Office.

**ARTICLE 119: Conditions for the exit of Goods containing radioactive materials**

The customer shall proceed with the exit of the goods from the port as soon as the formalities in force have been completed

**ARTICLE 120: Cases of non-conformity of Goods containing radioactive material**

In the event of non-conformity of the Goods, they shall be returned immediately on board the Vessel at the expense and under the entire responsibility of the importer, until the competent control authorities, in coordination with the Port Authority, decide what to do with the Goods.

If the vessel has left the port before the detection of the non-conformity of the imported material, all the costs incurred by the port in managing the contaminated goods shall be entirely borne by the importer concerned.

**ARTICLE 121: Measures specific to Radioactive materials for export**

For any request for authorisation to load radioactive materials for export, the client or his agent shall inform the Harbour Master's Office at least seven (7) days before the arrival of the Vessel, by sending the following documents via SIP to the latter:

- An application for handling of the Goods from the place of loading to the Vessel;



- A certificate stating the nature of the radioactive source and its activity, testifying that the packaging and stowage comply with IMO regulatory requirements (in the case of a previous export of the item);
- A declaration on the transit of radioactive materials through the port;
- A Material Safety Data Sheet (MSDS).

The customer or his agent shall also send a written notification to the following services:

- The city's administrative authority;
- The Harbour Master's Office;
- The border health control services;
- The Customs Administration;
- The Operator of the terminal concerned;
- The FMO.

**ARTICLE 122: Transmission of information on the date and time of landing of the Vessel carrying Class 7 Goods**

The Terminal Operator shall inform the Harbour Master's Office of the estimated date and time of landing of the Class 7 Goods.

The Harbour Master's Office shall in turn inform the parties concerned and convene the ad hoc committee in charge of monitoring Class 1 and 7 Dangerous Goods at PAK.

In the particular case of a Vessel confirming that it is carrying a radioactive source or radioactively contaminated Goods of which it was not originally aware, the Shipping Agent and/or Consignee shall inform the Harbour Master's Office and the competent administrations of this situation.

**ARTICLE 123: Authorisation to transport Goods containing radioactive materials to the port**

The client shall be authorised to bring his Goods to the port, after home inspection by the competent control authorities, especially the National Radiation Protection Agency and after taking all the required safety measures, up to the port control equipment or directly alongside the quay for direct loading.

**ARTICLE 124: Authorisation to bring Goods containing radioactive materials to the port, for cases requiring control by the port control equipment**

For cases requiring control by the port control equipment and in the event of compliance between the consignment and the contents of the above-mentioned documents, the client shall be authorised by the competent control authorities to forward his consignment to the loading station in compliance with the required security measures,



The Terminal Operator shall proceed to load the Goods directly on board the Vessel in accordance with the Vessel's loading plan.

In the event of a discrepancy between the inspection and the Goods file, the competent control authorities shall order the immediate return of the Goods to their customer while complying with the required security measures and notifying the authorities and bodies referred to in Article 129.

#### **ARTICLE 125: Handling of cases of Vessels arriving incidentally with radioactive material on board**

The shipping agent and/or Consignee shall inform the Harbour Master's Office and the importer of the date and time of arrival of the Vessel in the harbour.

After reporting the case the importer concerned shall immediately start the procedure, mentioned above (case of import), if he can have the necessary documents before the arrival of the Vessel.

The preliminary inspection of the Goods in harbour, before the entry of the Vessel into port, shall be carried out by the competent inspection authorities.

All costs incurred in this case shall obviously to be borne by the importer of the Goods concerned.

#### **ARTICLE 126: Final decision on whether or not to admit vessels carrying incidental radioactive material**

Following the control carried out by the competent control authorities, they shall take the following decision:

Access prohibition of the vessel to the port;  
Access permission for the Vessel to enter the port with a ban on onboard handling or unloading the Goods concerned during the Call.

In any case, the competent control authorities shall clearly specify the appropriate measures to be taken in each case.

#### **ARTICLE 127: Arrangements for in case of Suspected Radioactivity**

Goods suspected of containing a radioactive source or traces of radioactivity are those for which a scan prior to export has revealed characteristics justifying their Suspicion of radioactivity.

Goods suspected of containing a radioactive source in the port area shall be sent to a quarantine area for control by the National Radio Protection Agency (RPA) at the client's expense.

**ARTICLE 128: Case of transit of a nuclear-powered vessel**

Vessels with a radioactive source on board in transit: These Vessels are subject to the same conditions of access to the port and guarding as those having to load or unload packages containing radioactive materials, subject of section 3 above.

**ARTICLE 129: Application for access to port by nuclear-powered vessels**

Nuclear-powered vessels shall submit to the Harbour Master's Office, to the Maritime Authority, the request for access to the port together with the documents and certificates relating to this mode of propulsion at least one week before their arrival for examination and follow-up.

**ARTICLE 130: General provisions for the handling of radioactive materials**

The Operators concerned with the handling of radioactive materials shall be able to set up a specific area within their concession perimeter for any control or action by competent administrations and bodies.

The administrations, Operators, shipping agents and/or Consignees and companies concerned by this type of Goods shall have to comply with the requirements described in the above articles.

The storage of radioactive materials shall be prohibited on the terminals of the Kirib Deep-sea Port.

**ARTICLE 131: Special provisions concerning Special Goods**

Explosive substances, weapons, ammunition and all other similar goods of class 1 or 7 for civil or military use and other similar equipment (armoured vehicles, military clothing, etc.) shall be subject to direct exit from the port under the escort of the Military Security (SMIL) or the Gendarmerie after obtaining the go ahead from the competent authorities.

**ARTICLE 132: Obligation to respect the provisions of the Operational Regulations on Special Goods**

Administrations, Operators, shipping agents and/or Consignees and companies concerned by this type of goods shall have to comply with the provisions stipulated in the articles below.

**ARTICLE 133: Declaration of Special Goods**

The declaration of Special Goods shall be conditional on a notification twenty-one (21) days before the arrival of the Vessel.

This notification addressed to the concerned officials shall include the following elements:

- The nature of the Goods and the quantities;
- The identity of the owner;
- The final destination of the Goods.

Seventy-two (72) hours prior to the Call, the shipping agent and/or Consignee shall send a declaration of the Special Goods through the SIP.

The shipping agent and/or Consignee shall also file, against acknowledgement of receipt, a letter of information with the authorities concerned with the Goods.

These two documents, duly sealed by the relevant shipping agent and/or Consignee, shall contain the following information:

- Bill of Lading Number;
- Container number (TC and/or Rem TIR, tray etc.);
- Description of the goods (in French);
- IMDG Classification (Class and UN number): Weight (in Kg of NEC);
- Number of packages;
- Number of units.

For Class 1 Goods for civilian use such as weapons and hunting ammunition, the client or his agent shall provide the decision of the Ministry in charge of territorial administration authorising him to import the Goods, in addition to the escort documents,

For Class 1 Goods for civil use in quarries or on building sites, the client or his agent shall provide the import authorisation signed by the Minister in charge of mines, in addition to the escort documents.

For Class 7 Goods for civil use, the client or his agent shall provide, the decision of the Minister in charge of Scientific Research or the National Radio Protection Agency authorising him to import the Goods, in addition to the escort documents.

For class 1 or 7 goods for military use or any other military equipment, the client or his agent shall provide the authorisation for the transit of this cargo through PAK signed by the Chief of Staff of the Presidency of the Republic, in addition to the escort documents.

**ARTICLE 134: Condition of transmission of information on Special Goods**

The shipping agent and/or Consignee shall provide all other information concerning the aforementioned Goods to the Harbour Master's Office and to the Operator via the SIP, forty-eight (48) hours before the arrival of the Vessel.

This information shall also be sent within the same timeframe by the shipping agent and/or Consignee to the other Administrations concerned.

However, for Short Sea Sailings, the above time limit may be reduced to 24 hours.

**ARTICLE 135: Condition for unloading Special Goods**

The unloading of Special Goods shall be conditional on the completion of all the formalities required by the receiver or his agent.

The shipping agent/consignee must send the declarations of all Special Goods to the Harbour Master's Office via the SIP for the purpose of taking the appropriate decision for this type of Goods.

A copy of these declarations bearing the safety instructions prescribed by the Harbour Master's Office, shall be returned by the same medium, to the Operator and to the shipping agent and/or Consignee for execution.

**ARTICLE 136: Obligation for the vessel's agent/consignee to provide all declarations for Special Goods**

The vessel agent/Consignee must provide the Harbour Master's Office via the SIP with the declarations of all Special Goods for the purpose of making the appropriate decision for such Goods.

A copy of these declarations bearing the safety instructions prescribed by the Harbour Master's Office, shall be returned by the same means, to the Operator and to the shipping agent and/or Consignee for execution.

**ARTICLE 137: Limitation of the quantity of ammonium nitrate in the whole port**

The cargo of ammonium nitrate (class 5.1 according to the classification of the IMDG code) for agricultural use shall be authorised in the port area for a maximum period of six (6) days.

The client or his agent shall send a written declaration to the Port Authority at least forty-eight (48) hours before the Call.

This declaration shall include:

- The identity of the owner;
- The UN code of the goods;
- The origin of the cargo and its chemical formula or nature;
- The final destination of the Goods.

**However, a cargo of ammonium nitrate coded UN 0222 (NH<sub>4</sub>NO<sub>3</sub> with added combustible materials) shall not be allowed to stay in the port area. This cargo is treated as Class 1 Dangerous Goods for civil use.**

## **CHAPTER 2: PORT SAFETY**

### **SECTION 1: Safety management**

#### **ARTICLE 138: General information on port safety**

**This chapter is based on the International Code for the Safety of Ships and Port Facilities (ISPS).**

Port security refers to all measures taken to prevent human-induced incidents in the port. its purpose is to protect Vessels, crews, cargo and port facilities.

#### **ARTICLE 139: Port safety management Responsibilities**

The Port Authority shall ensure the safety of the port and its facilities and the coordination of related safety measures.

The Operator of a Port Facility shall be accountable for the implementation of the security plan applicable to their facility and for the maintenance of the infrastructure and equipment put in place under that plan.

When a port facility is shared between several operators, they shall reach an agreement and agree on the sharing of security obligations, resources and costs.

In the absence of agreement between the Operators, each Operator shall have to carry out a security assessment and draw up a security plan and procedures which shall be validated by the National Port Authority (NPA) after approval by the Port Authority (Commission in charge of approving security assessments and plans for the concession terminals).

#### **ARTICLE 140: Responsibilities of the Port Authority of Kribi in security management**

The Port Authority shall appoint a Port Security Officer and his deputy for the implementation and monitoring of the ISPS Code at the Port Authority of Kribi.

The security master plan shall be rigorously implemented in accordance with the provisions of the ISPS Code.

**ARTICLE 141: Responsibilities of the Operator of a Port Facility in security management**

The Operator of a Port Facility shall:

- Formally designate a Port Facility Security Officer (PFSO) and his deputies trained in the ISPS Code among his staff.
- Ensure the execution of all Port Facility security-related tasks for which he is responsible;
- Mark the Port Facility with a perimeter fence meeting the specifications established by the Port Authority and maintaining this fence;
- Prevent access of unauthorised persons to the Port Facility and its restricted areas;
- Have a security assessment of the Port Facility carried out by an RSO, validated by the National Port Authority (NPA) after approval by the Port Authority;
- Monitor the fences and restricted areas and ensure that only authorised persons have access to such areas;
- Monitor the activities of the Port Facility;
- Supervise all commercial operations and the handling of cargo and ship's stores;
- Train and raise the awareness of their personnel on security;
- Conduct regular drills and exercises for its personnel;
- Maintain the effectiveness of security over time, including ensuring the maintenance of security devices;
- Immediately report on incidents related to the security of the Port;
- Participate in exercises as requested by the PSO or his deputy;
- Establish a sound collaboration between the PSO or his deputy and the QHSE managers of his terminal.



**ARTICLE 142: Responsibilities of the Master of the Vessel on Port Call with regard to safety management**

Vessels are only allowed to enter the port after approval from the Harbour Master's Office.

Before their arrival in the port, Vessels shall send a **PRE-ARRIVAL form** to the **PFSO** of the relevant Port Facility and to the Harbour Master's Office, directly, or through their shipping agent and/or Consignee,

This form shall specify all the necessary security information in accordance with **SOLAS chapter XI-2 regulation 9** and the recommendations set out in the **ISPS Code (B/37 to B/40)**.

Every Master of a Vessel calling at port shall:

- Ensure the execution of all tasks related to the safety and security of his Vessel;
- Control access to their Vessel;
- Control the boarding of persons and their effects;
- Supervise the deck areas and areas in the vicinity of the Vessel;
- Supervise the handling of cargo and stores;
- Ensure that the security communication system is always available.

As access to the Vessel is a common mission for the Vessel (access on board) and the Operator (access to the Vessel from the quay), the Master of the Vessel shall supervise the control activities with the Port Facility, and if necessary, draw up a tripartite (PAK/TERMINAL/VESSEL) declaration of security (**DOS**) under the conditions set out in **chapter 5 of the ISPS code**.

**ARTICLE 143: Vessel related activities**

The bunkering and supply operations of Vessels shall be authorised subject to compliance with the respect of access conditions to the terminals and the safety and security instructions set by the Port Authority.

The supervision of the bunkering operation shall be carried out under the responsibility of the Vessel Master in together with the Operator.

**ARTICLE 144: Access authorisations for individuals and vehicles to the port and port facilities**

The perimeter of the Port of Kribi shall be a Zone whose access is subject to authorisation by the Port Authority.

The terminals are restricted areas whose access shall be subject to authorisation by the Operator.

Any processing of access request to the Port of Kribi shall be done through the SIP.

The aforementioned access shall be reserved for persons holding an access pass issued by the Port Authority and whose presence in the port is justified by a specific activity.

The visitor or user badge shall be worn visibly at all times. Vehicles shall be subject to the same rules.

The annual vehicle pass shall be affixed to the windscreen in accordance with the instructions given at the time of issue.

The special derogatory provisions, decided by the Port Authority, shall concern the forces of law and order, emergency services in action and other categories of personnel that may have to enter in emergency.

Unless special arrangements are agreed by the Port Authority, the management of traffic permits within the port and port facilities is organised at the level of the port security service, which is under the authority of the Port Authority.

The Port safety service shall:

- Examine traffic permit application files;
- Prepare traffic permits;
- Issue traffic permits;
- Follow up traffic permits (validity, recovery, cancellation, theft and loss);
- Monitoring electronic badge use records.

The traffic permits shall visually be differentiated and distinguished through colours, inscriptions, duration of access authorisation and accessible areas.

Applications for traffic permits shall be made by the employers of the companies having access to the Port Authority.

For access authorisations in a Port Facility, applications shall be made to the Operator who grants rights to the applicants (areas and duration) and sends the pre-validated application to the Port Authority for further processing of the access authorisation file.

#### **ARTICLE 145: Special case of access**

##### **145.1 In the event of a security incident**

In the event of a security incident, the port security officials shall inform the Port Authority, which shall put in place reception and escort measures at the access point foreseen for the arrival of FMOs or rescue workers.

The FMOs or rescue workers shall be picked up at the access point and accompanied to the place of the incident.

#### **ARTICLE 146: Recognised access points**

Each entry into an area to which access is subject to authorisation shall be made at a Recognised Access Point.

A Recognised Access Point is a normal, regulated access to the port or to one of its restricted areas.

The port may have several Recognised Access Points. The nature and status of authorised persons and vehicles shall be specified.

Each access point should consist of:

- A screening station;
- Vehicle and staff search areas;
- A locking device.

The screening station shall allow to:

- Channel the various categories of users (pedestrians, two-wheelers, light vehicles or heavy vehicles);

Check access authorisations and their validity;

- Check the identity of permit holders;
- Ensure minimum protection for filtering agents.

Search areas shall allow to:

- Visually inspect the various parts of a vehicle or its load before entry;
- Search an individual and their personal belongings or luggage.

The locking device shall permit to:

- Have an emergency anti-crossing device (vehicles);
- Close the access without creating a security breach in the continuity of the fence.

The main access point shall have an access gatehouse located before the port boundary:

- Staffed by the Port Authority;
- In connection with the access pass management service;
- In connection with the safety PC

The operation of the entrance gates shall not interfere with screening operations and the fluidity of passage at the access.

Access points to port facilities and restricted areas shall be established under the responsibilities of the operator, according to the model described above.

Access points for rail convoys shall be organised to allow screening in accordance with the measures stated in the port security plan.

#### **ARTICLE 147: Special provisions for Restricted Access Areas**

Restricted areas (RA) shall be created, except in case of proven technical impossibility, in any port facility dedicated to the reception of Vessel.

The RAA must help to prohibit unauthorised access to Vessels at berth, through the creation of infrastructures and equipment and the implementation of appropriate safety measures. The Operator who deems that he is in a case of proven technical

impossibility shall submit a justifying file to the Port Authority, which shall get the opinion of the Local Port Safety Committee before taking a decision.

#### **147.1: Conditions of access to the RAAs**

The Port Authority shall establish, for each RAA, specific conditions of access and circulation of persons and parking of vehicles, as well as the corresponding signalling modalities.

The signs shall specify that unauthorised access is considered a criminal offence.

The movement of persons and vehicles in an RAA shall be subject to the visible wearing of one of the approved movement permits.

Access to any RAA is only allowed to users whose professional activity is related to that of the restricted area concerned.

The Port Facility Operator shall erect and maintain a fence around each RAA, in accordance with the technical specifications established by the Port Authority and shall take surveillance measures for this area consistent with the security level in force.

He shall install signs in accordance with the specifications set by the Port Authority.

#### **147.2: Persons authorised to enter an RAA**

**The Operator of a Port Facility shall only allow the following persons in their facility:**

- Port Authority personnel with an authorised traffic permit;
- The personnel of the Operator of the Port Facility, as well as the personnel intervening in the RAA for their professional activity, with a traffic permit issued by the Port Authority;
- Civil servants and agents in charge of carrying out police, security and rescue missions in the port, with a traffic permit issued by the Port Authority;
- The sailing personnel of the Vessels hosted by the Port Facility and the persons on board these Vessels to carry out professional tasks related to the operation of the Vessel, with a traffic permit issued for this purpose;
- Persons admitted for a short period of time to the RAA, with a traffic permit issued for this purpose;
- Passengers of Vessels received by the Port Facility, with the appropriate transport title.

**147.3: RAA traffic permit**

The traffic documents defined in Article 143 may give access to the RAAs of the port or Port Facilities. They shall then clearly mention such areas.

The traffic permit shall be issued by the Port Authority, after agreement of the Operator of the Port Facility where the RAA is located.

The permit shall be issued to the persons concerned, for the time strictly necessary to carry out their activity in the RAA, without exceeding one year. The traffic permit is strictly personal.

It shall specify, the sectors of the RAA to which its holder is authorised to access, where need be.

The Operator of the Port Facility shall inform the persons mentioned in article 147.2 of the general security principles and the specific security rules to be respected inside the RAA.

The traffic permit shall be withdrawn by the Port Facility Operator when one of the conditions for its issuance is no longer fulfilled.

He must immediately inform the Port Authority.

**147.4: Access and parking of vehicles**

Access and parking of vehicles in the RAA shall be limited to the justified needs of the Port Facility operation, the Vessel and the performance of public duties.

**147.5: Bringing objects into Restricted Areas**

Apart from the requirements for so-called Special Goods, the following items are prohibited from being introduced in the RAAs:

- Firearms;
- Bladed weapons;
- Explosives;

Incendiary devices;



- Articles whose possession, carrying and transport are prohibited by the legislation in force or by virtue of an international agreement in force ratified by the Republic of Cameroon.

These provisions also apply all the port sites.

#### **147.6: Control of prohibited items in restricted areas**

The Port Facility Security Officer shall, for access to the RAAs under their respective responsibilities and in accordance with the regulations force, carry out security checks on persons and vehicles entering the RAA, as well as on packages, baggage and Goods carried by them.

The Master of the Vessel shall, in accordance with the regulations in force, arrange for the security screening of persons and vehicles entering the vessel, as well as packages, baggage and Goods carried thereon.

The Port Authority may specify the division of tasks between the Port Facility Operator and the Shipowners for security visits and conditions under which this division may be cancelled.

In the absence of an instruction from the Port Authority, the Operator and the Vessel Master shall agree on appropriate measures to both parties in order to coordinate their implementation.

#### **147.7: Refusal of control**

The Port Facility Operator shall deny access to the RAA to any person who refuses to undergo the security checks required at the RAA accesses.

He shall immediately inform the PFSO of the facility who shall in turn inform the territorially competent police or gendarmerie services.

The Master of the vessel shall deny access to the vessel to any person who refuses to undergo the security checks provided for at the vessel's access point. He shall immediately inform the PFSO of the receiving facility who shall in turn inform the relevant territorial police or gendarmerie authorities.

#### **147.9: Security equipment and systems in RAAs**

The Port Authority shall validate the list of equipment and systems relevant to port safety or that of Port Facilities, Vessels, Cargo, personnel or Passengers that may only be implemented in RAAs if they comply with the technical specifications required in the port security plan.



## **CHAPTER 3: PROTECTION OF THE ENVIRONMENT**

### **ARTICLE 148: Environmental and Social Management Plan**

Contract holders operating in the port public domain shall have an Environmental and Social Management Plan (ESMP) specifying measures laid down to avoid, reduce and compensate external costs attached to their activities and facilities. Operators shall ensure that the measures proposed in their ESMP are in line with the Port Authority's environmental and social policy.

#### **148.1: Implementation of the ESMP**

Regardless of the regulations on the implementation of ESMPs, the Operator shall produce an annual report to the Port Authority on the compliance with the environmental and social specifications.

#### **148.2: Environmental studies and audits**

The Operator shall inform the Port Authority at least fourteen (14) days before the start of any environmental study, work or audit. In case of an inspection or audit initiated by a competent administration, he shall inform the Port Authority forty-eight (48) hours at the latest upon receipt of the letter from the administration concerned.

### **ARTICLE 149: Obligation to provide information on ship-generated waste, emissions and discharges into the environment**

#### **149.1: Information on ship-generated waste and cargo residues**

Every Master of a Vessel bound for the port must provide the Harbour Master's Office, directly or via their Shipping Agent and/or Consignee through the SIP, at least twenty-four (24) hours prior to the arrival of the Vessel and at the latest on departure from the last affected port if less than twenty-four (24) hours away, with all the information relating to their Vessel's operational waste and cargo residues.

#### **149.2: Waste Disposal Certificate**

Any Master of a Vessel calling at the port, or their Shipping Agent and/or Consignee, must, before the Vessel leaves the port, provide the Harbour Master's Office, through the SIP, with the certificate of deposit issued by the service providers who have carried out the collection of the Vessel's operational waste and cargo residues.

### **149.3: Information on the collection and treatment of waste removed from the Vessels**

The waste removal contractor shall submit a copy of the waste removal manifest issued by the Ministry's representative no later than forty-eight (48) hours after the operations, and a copy of the certificate of destruction or recovery of the removed waste before its next operation in the Port.

The service provider shall keep a semi-annual report in which the following information shall be mentioned:

- Types of waste removed from the Port of Kribi;
- Assessment of the need for waste reception facilities within the limits of the Port of Kribi;
- Description of the mobile reception facilities used for operations;
- Procedures for waste reception and collection;
- Pricing system;
- Management of non-conformities and continuous improvement actions;
- Consultation and communication bodies;
- Statistics;
- Description of waste treatment facilities and sites.

### **149.4: Ballast Water Information**

Every Master of a Vessel shall provide the Port Authority with all relevant information in accordance with the Ballast Water Convention. The Vessel shall have, inter alia, a

ballast water management plan, an international ballast water management certificate and a ballast water register.

**149.5: Information on waste, fumes and discharges from operators and concession holders:**

The Operators installed in the Port District must inform the Port Authority before any discharge into the environment generated by the activities. The information will concern the nature (physico-chemical), the quantity and the duration of the substances discharged. They will have to provide evidence that the discharges are below the tolerance thresholds accepted by the Port Authority.

**ARTICLE 150: Vessel waste management****150.1: Conditions for unloading, stacking and removing waste and effluents from Vessels**

Waste and used products from the Vessel, after being segregated by nature, shall be placed in appropriate containers by the vessel's crew. These containers shall be stored in an area chosen and clearly identified by the operator for this purpose before being disposed of at the Vessel's expense.

The Port Authority may prohibit the exit of the Vessel, which would not have deposited its operational waste and cargo residues in the fixed or mobile installations provided for this purpose, if the quantities of waste exceed the holding capacities on board.

If the Vessel acknowledges that it has reached 80% or more of one of its utmost storage capacities, or that the Port State Control makes such a statement, and if the next Port of Call is more than 48 hours away, the Vessel shall have to drop its waste with a collection company approved by the Port Authority and have storage capacity available to reach the next Port of Call or at least 50% of its storage capacities on departure from the Port.

In this case, the Port Authority shall fine vessels that have not asked for a ship-generated waste disposal nor provided proof of control of such waste disposal

**150.2: Nature of services on ship waste**

Services to ships such as the collection, transport and disposal of waste generated as a result of operations (ship-generated waste) and cargo residues in the Port of Kribi, shall be side activities carried out by private companies licensed by the Port Authority.

**ARTICLE 151: Pollution and pest management****151.1: Cases of pollution reports**

Pollutions and pests in the Port District shall be established by the competent administration and the Port Authority. In case of proven Pollutions, the compensation of any damage and the deployment of the means gathered to stop Pollution shall be at the expense of the polluter, according to the polluter- pays principle.

The following are considered as Pollution, regardless of the provisions laid down by law:

- Any discharge (solid, liquid, gaseous) accidental or generated by the activities, in the nature beyond the thresholds admissible by the regulations and the standards in force;
- Any unintended or activity-generated discharge of solid, liquid and gaseous material into the nature beyond the limit recognised by the regulations and the standards in force;
- Any unfitting deposit of materials or substances in water or on land;
- Any noise, odour or visual nuisance that disturbs the environment and the activities taking place there;
- Any dirt generated by the Operator beyond its scope of activities.

The Port Authority shall eradicate pests and Pollutions found at the expense of the Operator.

Any noticed case of Pollution, whatever its nature, extent and origin, shall immediately be reported to the Harbour Master's Office.

**151.2: Formal ban on dumping items of any kind into the harbour waters**

It is forbidden to throw into the waters of the port and their outbuildings stones, rubble, rubbish, unsanitary materials of any kind and in particular solid, friable materials, food waste, liquid fuel waste and residues from machinery holds and waste water.

**The Vessel Master must inform the Harbour Master's Office about any noticed form of Pollution (oil slick), or any witnessed discharge or spillage at sea.**

**151.3: Loss of mooring equipment in harbour waters**

Any loss of mooring equipment in all port waters must be reported immediately to the Harbour Master's Office by the Master of the vessel, stating the exact position and description of the lost equipment and putting in place appropriate marking of the area concerned.

The recovery of the equipment shall be carried out without delay by the owner of the Vessel concerned, or by the Port Authority at the expense of the Vessel Owner.

**ARTICLE 152: Environmental protection measures to be taken by the Operator during loading and unloading operations**

**152.1: Environmental protection measures to be taken by the Operator prior to the handling or storage of Dangerous Goods**

During loading, unloading or decanting operations of polluting Goods, the Operator must use suitable means in sufficient quantity and quality, such as booms, recovery and storage equipment for spilled products, dispersants and spreading equipment, to combat any accidental Pollution of the Water Body.

The Port Authority shall determine the means for pollution control methods as well as the modalities of their implementation.

**152.2: Environmental protection measures to be taken by the Operator prior to the handling or storage of Dangerous Goods**

The operator shall take relevant precautions to avoid any risk of Pollution or contamination of sheds, quays, roads, embankments/platforms or waterway during the handling or storage of Dangerous Goods. In the event of Pollution or contamination of the above-mentioned places, ad hoc measures shall be immediately taken by the Operator together with the Port Authority to restore a normal situation.

The platforms that have been used for the handling of Dangerous Goods shall not be used for the handling or storage of other material until appropriately cleaned by the Operator.

**152.3: Protective measures for the preservation of biodiversity**

Deballasting shall comply with the requirements of the IMO Ballast Water Management Convention to avoid the penetration of invasive species. Fishing activities of any kind are prohibited while the vessel is still at berth, in the channel or Anchorage Area.

The Vessel shall comply with seaworthiness conditions in category 6 protected areas as specified in the IUCN taxonomy (Campo Ma'an Marine Park).

**152.4: Recovery and removal of any accidentally spilled polluting product**

Any accidentally spilled polluting product shall be immediately recovered and carried off by the Operator.

**ARTICLE 153: Conditions for carrying out fumigation, pest and rodent control operations**

Fumigation, pest and rodent control operations shall be undertaken only after the direct authorization of the competent administrations. The latter must coordinate the terms and conditions of these operations with the Harbour Master's Office, the Operator concerned and/or the Vessel Master.

The Port Authority shall choose the place and date of operations.

# PART V: BILLING AND COLLECTION OF PORT FEES

## CHAPTER 1: BILLING OF PORT SERVICES

### ARTICLE 154: Port fees

Services in the Port Authority of Kiribi shall be rated based on their nature. Fees for these services shall be as follows:

- **Fees for the use of Port Facilities and miscellaneous services;**
- **Concession fees;**
- **Port domain fees;**
- **Cargo fees;**
- **Vessel fees.**

The fees of the Port Authority of Kiribi generate the following elements:

- **Vessel Fees:**
  - Entry fee;
  - Pilotage fee;
  - stay fee;
  - Fee on operations;
  - ISPS fee;
  - Environmental fee;
  - Consignment fee;
  - Pilot detention charges;
  - Passenger fee;
  - The fee for other services provided to Vessels.
- **Cargo fees:**
  - Loading fee;
  - Off-loading fee;
  - IT fee;
  - ISPS fee.
- **Port domain fee**
  - File opening/examination fee;
  - Port occupancy fee.



- **Fees for the use of Port Facilities and miscellaneous services:**
  - Water, electricity and telecommunications fees;
  - Port access fees;
  - Security Watch and Dangerous Goods Convoy fees;
  - Fees for port regulation infringements;
  - Licensing fees.
- **Concession fees**
  - Entry Fee;
  - Fixed fees;
  - Variable fees;
  - Parking penalty fees.
  - Special fees

**ARTICLE 155: Documents required for port fees invoicing**

The invoicing of fees to the Port Authority of Kiribati may be subject to the production of the following documents:

- **Vessel fees**
  - Fal forms;
  - Certificate of vessel registration;
  - Pilotage sheet;
  - Cargo manifest;
  - Time Sheet;
  - Loading/unloading status;
  - Delivery slip signed by the parties involved;
  - Booking.
- **Cargo fees:**
  - Updated cargo manifest;
  - Bill of Lading;
  - Customs declaration;
  - Packing list;
  - Electronic Cargo Tracking Document (ECTD).
- **Port domain fees:**
  - Contractual occupancy documents issued by the Port Authority;
  - Lease contracts for port facilities;

- Topographic survey forms of the area occupied;
  - Report on land occupation.
- **Fees for the use of Port Facilities and miscellaneous services:**
- Consumption record (water, electricity, telecommunications, etc.);
  - Surveillance record;
  - Reports on Port Regulation infringements;
  - Application for a license;
  - Copy of the Purchase order issued by the vessel;
  - Copy of the operator's commercial invoice;
  - Request for access;
  - Loading plan.

**Concession fees:**

- Signed concession agreement between the Port Authority and the various concession holders;
- Report on parking fines or any other element useful for invoicing.

**ARTICLE 156: Obligation to forward documents used for the invoicing of fees**

Documents used for the invoicing of fees must be presented at the request of the Port Authority.

**ARTICLE 157: Port Authority representatives for the invoicing of port fees**

As regards the procedure of port fees invoicing, the main representatives of the Port Authority are specified in the Contracts, texts, laws and regulations in force.

## **CHAPTER 2: COLLECTION OF PORT FEES, DISPUTES AND FINES FOR OFFENCES**

### **ARTICLE 158: Invoicing by the Port Authority**

Invoices are issued by the Port Authority and sent to the clients. Unless otherwise agreed, all Invoices issued by the Port Authority shall be subject to the general terms of sales appended to these operating regulations.

### **ARTICLE 159: Settlement of port fee invoices issued by the Port Authority**

Invoices issued by the Port Authority shall be paid according to the general sales conditions of the Port Authority of Kribi and the payment methods legally recognised in the Republic of Cameroon.

### **ARTICLE 160: Case of tramp vessels**

Tramp Vessels shall pay 80% of the Deposit Invoice before they berth.

### **ARTICLE 161: Cases of insufficient information on the nature of goods**

When the nature of goods is not specified enough and does not allow for a proper codification, the Port Authority shall automatically proceed with a beneficial invoicing of its current tariff.

### **ARTICLE 162: Cases of invoice dispute**

Unless otherwise agreed, the customer shall upon receipt of the Invoice, have five (5) working days to submit a written complaint to the Port Authority, specifying the number and the amount of the disputed Invoice as well as the elements justifying the dispute.

The undisputed amount of the Invoice must be paid immediately before the dispute is processed. Five (5) days after receipt of the Invoice, the Invoice may no longer be contested and must be paid in full.

### **ARTICLE 163: Case of port fees invoice dispute**

After receiving the disputed invoice, the customer shall proceed to the payment of the undisputed amount before the Port Authority studies the dispute. Once the proof of payment of the undisputed amount of the Invoice has been received, the Port Authority

shall proceed to study the dispute. If the customer's dispute is unfounded the formerly disputed amount of the Invoice shall be immediately paid. In the event that the customer's claim is well-founded, the Port Authority will issue a credit note in his favour. A penalty fee shall be applied for each day of delay in payment of the Invoice undisputed part, in accordance with the general sales conditions,

#### **ARTICLE 164: Sanctions**

In the event of non-payment or late payment, any sum due or to be due by a PAK client shall result in the payment of default interest. In accordance with PAK's tariff schedule, the penalties shall be calculated by applying a 3% monthly rate, capped at 30%, to the amount of the Invoice, payable from the first day of delay in payment. During this period, the usual procedure shall be followed (reminders and formal notice). As soon as the cap is reached, the customer shall be automatically prosecuted.

#### **ARTICLE 165: Additional collection costs**

In all cases where collection requires the initiation of extra-judicial or judicial proceedings, all related costs shall be borne without protest by the customer. These include the costs of the bailiff, the bailiff's collection fees, the costs of legal proceedings and the lawyers' fees borne by PAK.

#### **ARTICLE 166: Fines for infringements**

Fines for infringements are those provided for in the CEMAC Merchant Shipping Code, the Penal Code, Law No.83/016 of 21 July 1983 regulating the police within the port areas and Decree No.85/1278 of 26 September 1985 to lay down regulations on policing and operations in port areas.

They are collected by the state treasury or by the Port Authority and distributed in accordance with the above-mentioned instruments.

## PART VI: TRANSFERRED ACTIVITIES

### CHAPTER 1: ACTIVITIES SUBJECT TO PORT CONCESSIONS

#### **ARTICLE 167: Specific Operating Regulations for concessions**

Each port concession holder shall draw up specific operating regulations in compliance with the Specific Operating Regulations of the Port Authority of Kribi, the terms of the concession contractual documents and all the laws and regulations in force in Cameroon.

#### **ARTICLE 168: Conditions for entry into force of the special concession regulations**

The specific operating regulations of the concession shall be subject to the prior approval of the Port Authority. Unless otherwise stipulated in the Concession Agreement the concession holder shall submit its draft specific operating regulations to the Port Authority within three (3) months from the signing of the Concession Agreement, or within one (1) month before the concession is put into operation.

The Port Authority shall have three (3) months to approve the specific operating regulations of the concession or provide possible remarks. If no written feedback is received within this period, the specific operating regulations of the concession shall be considered approved.

The possible observations of the Port Authority must be duly justified and the parties will take, in good faith, all the necessary measures to take into account such observations. After the written approval of the Port Authority or the end of the approval period, the concession holder will have to inform the users and stakeholders concerned of the specific operating regulations of the concession before they are implemented.

#### **ARTICLE 169: Derogation from the Specific Operating Regulations**

On grounds of general interest, safety and security, Competent Authorities may resolve or instruct measures aiming at derogating from the terms of the specific operating regulations. The Port Authority shall inform the concession holder of the measures or decisions they shall comply with by any means.

However, the concession holder shall be heard beforehand in order to find ways and means to limit as much as possible, or even avoid the inconvenience on the operation of the concession.

#### **ARTICLE 170: Amendment of the Specific Operating Regulations**

During the term of the concession, the concession holder may propose amendments to the specific operating regulations of the concession. Any amendment shall be subject to a prior written agreement of the Port Authority. Users and stakeholders concerned shall be informed of the amendment under the same conditions as the initial regulations

#### **ARTICLE 171: Operating terms and conditions of port concessions**

The concession holder shall be responsible for the technical and commercial operation of the concession, in compliance with the Laws and Regulations, the provisions of the concession agreement and the Specific Operating Regulations of the Port Authority of Kribi.

In this regard, they shall:

- Mobilise all human and material resources necessary to ensure greater quality of concession Services;
- Make all the necessary improvements to the concession;
- Handle and maintain all the Works and equipment of the concession in good operating condition;
- Remove all types of waste and refuse resulting from the operation of the concession;
- Proceed with the appropriate handling of all products and goods;
- Assume all the responsibilities of the concession holder towards third parties and with regard to all the Laws and Regulations.

## **CHAPTER 2: ACTIVITIES SUBJECT TO AUTHORISATION**

### **ARTICLE 172: Types of activities subject to licensing**

Activities subject to authorisation shall be those pertaining to the service of the Vessel or the transit of Goods in the port, apart from the concession. These activities shall be subject to an authorisation issued by the Port Authority.

### **ARTICLE 173: Obligation to comply with the Specific Operating Regulations of the Port Authority of Kiribi**

Any individual or company with an authorisation to carry out an activity in the Port of Kiribi shall comply with its Specific Operating Regulations. Similarly, they shall comply with the specific regulation of a perimeter when carrying out activities within that perimeter.

### **ARTICLE 174: Specifications of authorisations**

Each authorised activity shall go along with specifications which lay down the specific commitments of the holder of the authorisation which the latter must comply with. The specifications shall complement the Specific Operating Regulations of the Port Authority of Kiribi.

### **ARTICLE 175: Exceptions**

On grounds of general interest, safety and security, competent authorities may resolve or instruct measures aiming at derogating from the authorisation contractual documents. The Port Authority shall notify the authorisation holder by any means deemed appropriate and agreed upon by the parties. Solutions shall be found for the activity to continue, except in cases of force majeure.



## **CHAPTER 3: ACTIVITIES SUBJECT TO THE LAND TENURE OF THE PORT PUBLIC DOMAIN**

### **ARTICLE 176: Types of activities subject to the port public domain occupancy regime**

Any activity carried out in the port and located within the Port District shall be subject to the port public domain occupancy regime.

### **ARTICLE 177: Port public domain occupancy**

The occupation of the port public domain shall be regulated by specific terms and conditions. Depending on the nature of the activity or its scope, the occupation can be done through an occupancy agreement or authorisation to occupy or operate the port public domain.

In any case, the occupation shall be subject to specifications setting forth operating rules within the occupied perimeter.

### **ARTICLE 178: Obligation to comply with the Specific Operating Regulations for the Port Authority of Kribi**

Anyone occupying the Kribi port public domain shall comply with the Specific Operating Regulations, regardless of the terms of the occupancy contractual documents.

### **ARTICLE 179: Obligation to comply with the instructions of Competent Authorities**

On grounds of general interest, safety and security, competent authorities may have to resolve or instruct measures aiming at derogating from the terms of the occupancy contractual documents. The Port Authority shall notify the occupier by any means deemed appropriate.

Parties shall consult each other in order to find solutions to limit as much as possible the inconvenience that the derogatory measures could have on the concession and the consequences on the activities that are carried out inside the occupied space.

## PART VII: FINAL PROVISIONS

### CHAPTER 1: RECORDING AND PUNISHMENT OF OFFENCES

#### **ARTICLE 180: Obligation to comply with security, safety, safeguarding and pollution control provisions and measures**

Stakeholders or their agents and representatives as well as any other user of the port shall undertake, simply because they use the services and facilities of the port, to comply with the provisions of these regulations and with the safety, security, safeguarding of human life and pollution control measures which the competent authorities of the port may be called upon to take.

#### **ARTICLE 181: Recording of offences**

Without prejudice to the overall competence vested on judicial Police Officers, Port Officers as well as sworn Port Inspectors shall have the competence to record violations to these specific operating regulations.

Any person questioned by a Port Officer or a sworn Port Inspector in respect of proven offence shall identify themselves. If the person concerned refuses to do so, they may be taken to a police or gendarmerie unit.

#### **ARTICLE 182: Punishment of offences**

Notwithstanding the sanctions laid down by the national legislation in force, failure to comply with the provisions outlined in these Operating Regulations may result in the temporary or permanent banning of the offender from the port and its facilities

The final banning shall be pronounced by the Port Authority after hearing the offender.

## **CHAPTER 2: FINAL PROVISIONS**

### **ARTICLE 183: Amendments to the provisions of the Specific Operating Regulations**

The Port Authority is empowered, as appropriate, to take decisions to clarify or amend some provisions of these Specific Operating Regulations.

### **ARTICLE 184: Composition of the Specific Operating Regulations**

The documents appended shall form an integral part of these Specific Operating Regulations

### **ARTICLE 185: Hierarchy of instruments**

The laws and regulations in force in the Republic of Cameroon shall prevail in case of conflict with the provisions of these Specific Operating Regulations.

**Done in Kribi, on**

**THE GENERAL MANAGER**

## **ANNEXES**

- The General Tariff Schedule for services provided at the Port of Kiribati;
- The PAK General Sales Conditions;
- The PAK Dangerous Management Plan;
- The plan for the reception and treatment of vessel operational waste and cargo residues at the Port of Kiribati;
- The PAK port contingency plan.

## **REFERENCES**

- Specifications regulating Consignee/Shipping Agent activity in the Port of Kiribati;
- Specifications regulating Freight Forwarding and Related Occupations in the Port of Kiribati;
- Specifications regulating Maritime Expertise and Damage Control in the Port Authority of Kiribati;
- Specifications regulating the supply of handling staff to various companies operating in the area of the Port Authority of Kiribati;
- Specifications regulating phytosanitary and public hygiene in the Port of Kiribati;
- Specifications regulating Road Transport in the Port Authority of Kiribati;
- Specifications regulating vessel waste recovery and removal in the Port of Kiribati;
- Specifications regulating Standby Jobs on board vessels in the Port of Kiribati;
- Specifications regulating the stamping and marking of local and/or imported manufactured products in the Port of Kiribati;
- Specifications regulating shipchandling activity in the Port of Kiribati;
- Specifications regulating bunkering to vessels on call in the Port of Kiribati;
- Specifications regulating activities under the PAK temporary operating permit regime;
- PAK zoning regulations;
- SIP User Manual.