



Port Regulations

OF PORT OF HAMINAKOTKA

Valid from 1 April 2015



Port Regulations of Port of HaminaKotka

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These Port Regulations of the Port of HaminaKotka will enter into force on 1 April 2015.

CHAPTER I

General regulations

1 §

In the port areas of the Port of HaminaKotka, the stipulations of these Port Regulations and stipulations issued by the Port based on the Port Regulations as well as permit conditions and valid agreements shall be complied with in addition to laws and decrees in force and any regulations based on these.

2 §

The Port Regulations apply to all port areas. For the boundaries of the port area, please refer to the maps attached to these Port Regulations.

3 §

Port administration is managed and conformance with these Port Regulations is supervised by a company by the name of Port of HaminaKotka Ltd, which operates the port (hereinafter referred to as Port). The Managing Director of Port of HaminaKotka Ltd is responsible for the implementation of the Port Regulations.

4 §

The master or agent of the vessel as well as other transport operator shall submit any information required for the promotion of the safety and security of the port and transport and for the charging of port dues by the port company.

CHAPTER II

Notifications to the Port

5 §

The operator, agent or master of a vessel arriving at the port shall submit to the Port an advance notification of the arriving vessel no later than 24 hours before the vessel reaches the port; or at the latest when the vessel leaves its previous port of call in the case of a crossing that is less than 24 hours in duration; or if the next port of call is not known or has changed during the crossing, as soon as this information becomes available.

The notification shall contain all information required by the Port, including the security level of the vessel.

Any changes to these notifications shall be submitted immediately to the Port. No advance notification is required of a vessel in scheduled traffic unless the Port demands such notification separately.

If the vessel needs to carry out maintenance or renovation work on the vessel while at the port, this shall be notified to Port of HaminaKotka Ltd well before the beginning of the work.

6 §

A notification of the arrival and departure of the vessel shall be submitted to the Port immediately after the arrival and departure of the vessel unless otherwise agreed. This notification shall contain any information required by the Port, the Finnish Transport Agency, the Finnish Transport Safety Agency and the Customs concerning goods unloaded and loaded, their consignees or senders as well as the numbers of passengers arriving and departing.

The master or agent of the vessel shall similarly submit any other information required for the charging of port dues by the Port and for the promotion of the safety and security of the port and vessel traffic. These notifications shall also contain the ISPS security level declaration and any other information required by the ISPS Code.

7 §

Notification of passenger vessel schedules and changes therein shall be given in good time. Operation can only start after the Port has approved the schedule.

8 §

Notification of any tug, water-bus, fishing trawler or other similar vessel engaged in a commercial activity and operating in or from the port shall be given to the Port before the initiation of such activity.

No vessel shall be brought into the security area of the port without specific consent of the Port.

9 §

This notification need not be submitted concerning a vessel owned by the Government of Finland, City of Kotka or Town of Hamina, unless such a vessel is used for mercantile shipping. However, such vessels shall acquire a permit of the Port concerning the mooring location.

This exemption also applies to any boats used for recreational purposes. Such boats are also exempt from the advance notification requirement, but they may not be moored or anchored without permit.

10 §

Of goods classified as dangerous, an advance notification shall be given to the Port 24 hours before such a consignment is brought into the port area, unless otherwise agreed. Goods classified as dangerous refer to substances specified in the International Maritime Dangerous Goods (IMDG) Code, the European Agreement on the International Carriage of Dangerous Goods by Road (ADR) and the Regulations concerning the International Carriage of Dangerous Goods by Rail (RID).

In addition, while transporting particularly dangerous goods or large quantities of dangerous goods, it shall be ensured in advance that the consignment may be brought into the port area, and under what conditions. This shall take place by means of an advance enquiry.

11 §

All notifications shall be submitted in the PortNet maritime information system or using another method as specifically agreed.

12 §

If the vessel is arriving from a location contaminated by a generally dangerous contagious disease or if a person on board the vessel has fallen ill during the crossing with a disease that is generally dangerous, suspected to be contagious or is unknown, notification of this shall be given in good time to the Port, and advice by the Port shall be awaited before entering the port.

In the case of the death of or occurrence of a serious illness in an animal on board during the crossing, notification of this shall be given to the relevant authority and to the Port. In this case, no animals may be unloaded from the vessel without the permission of the municipal veterinary officer or other competent veterinary health authority.

If vermin or organisms/animals categorised as vermin are found in the cargo on board, unloading must be interrupted immediately. The master of the vessel must immediately notify the Port of vermin, and the Port must notify the health protection authorities.

CHAPTER III

Arrival at port and berthing of vessel

13 §

The operator, agent or master of a vessel arriving at the port shall submit the advance notifications required by the Finnish Vessel Traffic Service Act. The notifications shall be made in the PortNet information system.

14 §

The speed of the vessel in the water areas of the port shall be adjusted specifically in each case so that it does not cause damage, inconvenience or danger to the other users of the port, to the port, its equipment, or vessels. The Port may indicate the maximum permitted speed in the port area by using signs.

15 §

The vessel shall be moored or anchored in the location indicated by the Port, and it may not be moved to another location without the permission of the Port.

The berths are mainly allocated in the order of arrival of vessels at the port area. Exceptions may, however, be made to this rule by decision of the Port or by specific agreement.

The master of the vessel shall keep himself informed of the current water depth at the berth.

16 §

While mooring, casting off or moving the vessel as well as while the vessel is in the berth, necessary care shall be taken to avoid damaging the quay and any cranes or other equipment located on it.

Towing assistance shall be used as necessary while mooring and casting off the vessel. The Port may also order the vessel to use towing assistance. Towing assistance always takes place at the expense of the vessel.

The departure of a vessel shall be reported to the Port no later than two hours before departure. The Port can also authorise another authority or a representative of the Port to receive this report.

The regulations laid down in the valid Pilotage Act and Decree as well as specific instructions provided by the Port shall be followed within the port area.

Using the anchor on the quayside is prohibited. When moored, the vessel shall be adequately fendered off.

Gangways and accommodation ladders shall be fitted with handrails and protective netting and illuminated during the hours of darkness.

Davits, derricks, cranes, gangways and other equipment reaching beyond the vessel's sides shall be positioned so that they do not prevent the movements of cranes on the quay nor vessel traffic on the seaward side.

Before and while the vessel is moored, its drains and other outlets shall be covered to prevent water or sewage from being discharged onto the quay.

It is forbidden to remove snow or ice from the vessel onto the quay.

The propeller of a berthed vessel may only be run at a slow speed for testing while standing by for departure except when otherwise agreed with the Port.

17 §

The vessel shall be removed to another berth in case the Port so orders. This removal shall take place at the vessel's expense. Any vessel in the port area, unless laid up, shall be adequately manned to enable the vessel to be moved if necessary.

18 §

Placing a laid-up vessel or other floating structure at the port shall be at the discretion of the Port. The vessel shall be moored in the place and manner accepted by the Port.

The owner or the party in possession of the vessel shall ensure the good quality and condition of the moorings at all times. The owner or the agent of a laid-up vessel shall entrust the maintenance of the vessel to a reliable person whose name and address shall be made known to the Port, which can issue separate instructions related to the matter.

CHAPTER IV

Port safety and security

19 §

Access to the land area of the port is only permitted through an access permit granted by the Port.

Trespassing in the port area indicated as being closed for unauthorised access by means of fencing or signs is not permitted (in a port facility referred to in the ISPS Code). Any persons wishing to gain access to such a port area shall on request present an official identification card or access permit or otherwise prove their identity.

The Port reports all suspected crimes to the police.

Enterprises and other operators shall designate a contact person for safety and security matters.

Any unauthorised persons found inside the port area may be removed by customs, police and border guard authorities, and the Port may order such persons to be removed. The Port may deny access to the port area.

The Port has the right to cancel an individual access permit or a group access permit for a specific period or finally if the uninterrupted continuation of operations within the port area or the safety or security of the port area so require. The Port decides when such a situation is at hand.

Bringing of animals into the port area for purposes other than official duties requires a written permission by the Port.

20 §

It is the responsibility of everyone to submit to the Port any information that may be significant in terms of port security as well as port facility security and shipping security as specified in the ISPS Code.

21 §

While the vessel is at the port, it shall notify the Port of any inbound and outbound traffic of persons and goods for the purposes of access control.

22 §

Marked routes shall be used for traffic within the port area. When working and moving in the cargo handling and traffic areas within the port area, high-visibility clothing with CE marking and safety equipment specified by the Port shall be used.

23 §

When moving by a vehicle in the Container Terminals, an amber flashing light shall be used on the roof of the vehicle or in some other visible location.

24 §

The speed limits indicated shall be followed in the port areas where an access permit granted by the Port is required.

If someone violates the speed limit grossly or repeatedly, the Port may cancel the access permit of the person in question irrevocably or for a specific period.

25 §

The guidelines drawn up and maintained by the Port shall be followed in the port area of the Port of HaminaKotka.

CHAPTER V

Unloading, loading and storage of goods

26 §

While unloading and loading goods, care shall be taken not to damage structural parts of the quay or port equipment used in the loading or unloading operations. When placing heavy cranes or vehicles on the quay, the owner or the party in possession of the crane or vehicle shall check the bearing capacity of the quay with the Port and obtain the approval of the Port for the location of the crane or vehicle.

27 §

During loading or unloading operations, goods or cargo units may not be placed in the way of port cranes, on the quay, streets, rails, alleyways, in front of warehouse doors, on top of fire hydrants, in front of life-saving appliances or anywhere where they may obstruct traffic except in special cases by specific permission issued by the Port for each individual case.

28 §

Any stevedore's gear and machinery that is privately owned and used in the port area shall be equipped with a warning light, the name or logo of their owner, and in the case of machinery also with an ID number.

A stevedore's gear and work machinery may not be left on the quay area, traffic area or rails after the work has been completed. Such gear and machinery shall only be stored in an area specified by the Port.

29 §

In addition, while transporting particularly dangerous goods or large quantities of dangerous goods, it shall be ensured in advance that the consignment may be brought into the port area, and at what conditions (advance inquiry).

Dangerous goods can be unloaded and loaded on condition that they, with the exception of bulk goods, are provided with appropriate labels as specified for instance in the IMDG Code or that they are packaged following a method which conforms to this Code or is otherwise appropriate.

The Port shall be provided with written advance notification of dangerous goods. Moreover, the Port may,

in view of port safety, demand other accounts and, if necessary, provide safety regulations.

In case such dangerous goods are not labelled or packaged as described above, the Port may forbid their unloading from the vessel or their transport by land to the port area for loading, or resort to any other safety measures at the expense of the party in possession of the goods.

30 §

While unloading and loading dangerous or hazardous goods, bulk goods or liquids, the master of the vessel, the party in possession of the goods or other operator shall, at the request of the Port and at their own cost, arrange sufficiently efficient supervision and take other safety measures by means of barriers.

The access of unauthorised persons to the unloading and loading area shall be prohibited by means of warning signs and prevented by means of appropriate barriers. While unloading and loading liquid fuels at the Liquid Terminal, the international recommendations (ISGOTT), standard SFS 3355 and the Port's own safety guidelines shall also be adhered to.

Hazardous materials and waste shall only be kept in designated warehouses, field areas or containers which have a permit for this purpose.

31 §

While storing goods in the port area, the regulations and instructions issued by the Port shall be adhered to. Goods may not be stored in such a way that they block road access or obstruct the use of life-saving or fire-fighting equipment. While storing goods in the port area, the reach of the free area required by rail traffic (250 cm from the centre line of the track) shall be left clear.

Goods that cause inconvenience or damage because of a leak, odour or any other reason shall be immediately removed from the port area by the party in possession of the goods. If the party handling the goods does not remove goods that cause inconvenience, the Port has the right to remove such goods at the expense of the party in possession of the goods.

32 §

Explosives, radioactive substances and liquid fuels may only be kept and stored in the port area if permitted by law or decree or if permission to do so has been granted by an appropriate authority based on law or decree or otherwise, and if the Port has accepted their keeping and storage.

The keeping or storage of such goods also requires that the party keeping or storing the goods arranges appropriate supervision immediately once the keeping or storage commences. Supervision can finish once the goods have been transported away from the port area.

CHAPTER VI

Environmental regulations

33 §

The master of the vessel shall make sure that no substances or waste contaminating the environment are discharged from the vessel. The master shall also ensure that the vessel or operations carried out in the vessel do not cause unreasonable inconvenience to the other users of the port.

34 §

It is the duty of the master of the vessel, the party in possession of the goods or other operator to immediately notify the Port in case goods have fallen overboard into water or if oil, chemicals or any other pollutant has leaked in the water or elsewhere in the port area, and to take immediate measures for their removal.

35 §

While handling goods in the port area, the party handling the goods shall take care not to unnecessarily foul the port area and ensure that no unnecessary noise is caused. The party handling the goods shall ensure that rubbish, waste, pallets and covers are taken to the appropriate locations and that any areas fouled are cleaned up. Areas that have not been cleaned despite a request are cleaned at the expense of the party in possession of the goods or the party which has handled the goods.

If the handling of goods causes dust, dirt or noise that is harmful to the environment or if it causes unreasonable disturbance to the port area or users of the port area, the Port may interrupt the handling of such goods.

36 §

The water area of the port must not be made shallower. If the water area of the port becomes

shallower as a result of accident or other reason, the Port and maritime authorities must be notified accordingly without delay.

37 §

The master of the vessel shall make sure that the guidelines of the waste management plan of the Port are complied with in the handling and sorting of waste.

38 §

Enterprises and other operators operating at the port shall take into account the valid environmental permits and adapt their operations to the relevant regulations. Enterprises and other operators shall designate a contact person for environmental matters.

39 §

Enterprises shall allow the Port to carry out inspections required by environmental permits granted for port operations in facilities, machines and equipment located in an area where the environmental permit is valid.

40 §

Enterprises and other operators shall deliver to the Port, free of charge, any information required so that the Port can adhere to its permit conditions, and enterprises and other operators shall participate in examinations required by the permit conditions in so far as the examinations concern the operations of the enterprise or operator in question in the port area. Enterprises and other operators shall deliver to the Port, free of charge, their own environmental and other permits and any information required so that they can adhere to their permit conditions, and enterprises and other operators shall participate in

environmental examinations required by the permit conditions in so far as the examinations concern the operations of the enterprise or operator in question in the port area.

41 §

Enterprises operating at the port shall follow any separate regulations issued on the basis of the terms and conditions of valid environmental permits.

CHAPTER VII

Prevention of fire

42 §

In case the cargo of a vessel includes flammable goods, the making of open fire, repair work producing sparks and smoking are prohibited on open decks of the vessel as well as in the vicinity of the vessel both on the quay and seaward side. A tanker shall be earthed immediately after mooring by means of an earthing cable, or an insulating structure shall be used in the (un)loading pipeline. This earthing or insulation may only be disconnected as the vessel leaves the port.

The ventilation of such tanks on board the vessel where flammable substances have been carried is prohibited without the permission of the Port. At port and storage areas for flammable liquids, the making of open fire and smoking outdoors are prohibited. This prohibition also applies to the water area within a 30 metre radius from storage areas, quays and vessels.

Carrying out work which involves the risk of fire within the port area is only permitted by permission of the Port.

43 §

Any marked fire roads in the warehouses and storage areas in the port area as well as routes to fire hydrants, fire wells and fire extinguishing pipes shall be kept clear for traffic at all times. The fire-fighting and life-saving equipment, automatic fire detection and life-saving appliances as well as automatic fire detection and extinguishing devices shall be kept in good order at all times, and portable fire extinguishers shall be easily accessible.

44 §

To the best of their ability, the crews of vessels at the port shall take part in the rescue operations and in the removing of vessels from locations under risk according to the instructions of authorities.

CHAPTER VIII

Road and rail traffic

45 §

Trains, passenger passageways or cranes moving on rails and any other stock on rails shall have the right of way over any other vehicles. No vehicles may be parked or stopped on the rails of a gantry crane or train. All vehicles must comply with the safety instructions of the Port.

46 §

Work to be carried out in the vicinity of rails within the reach of the free area shall always be notified in writing to VR-Yhtymä (Finnish Railways) or other

party operating the rail and, if necessary, the rail in question must be closed from traffic for the duration of the work.

47 §

The highest permissible speed of vehicles, parking areas and any other traffic arrangements are indicated by traffic signs or traffic control equipment.

48 §

There are separate regulations for driving a motor vehicle on ice-covered water area.

CHAPTER IX

Measures in the event of damage and violations

49 §

In case a vessel or a boat has ran aground, submerged or sunk in the port area, its owner or the party in possession of it shall notify the Port and maritime authorities accordingly without delay and remove it immediately. In case the sunken vessel or other object in the water causes danger or obstruction to traffic, its owner or the party in possession of it shall mark it with warning signs. In case they neglect to do so, the Port will take care of its marking at the expense of the owner or the possessor.

50 §

If the quay or other piece of port equipment is damaged by a user of the port, this damage shall be reported to the Port immediately. The Port assesses the magnitude of the damage immediately. The party causing the damage has a right to participate in the assessment of the damage. The party causing the damage must inform the Port immediately and

in any case no later than within two (2) hours from the accident if the party wishes to participate in the assessment of the damage. The party causing the damage can be represented by an agent in the assessment. If the party causing the damage does not participate in the assessment of the damage, this means that the party causing the damage accepts the assessment made by the Port concerning the magnitude of the damage.

51 §

In case a vessel, boat, work machine or any goods are placed in the port area without permission or in a manner that is otherwise in violation of the Port Regulations or obstructs traffic, and the master, haulier, owner or possessor neglects to have them removed, they can be removed by the Port at the cost of the relevant party, if necessary by using executive assistance.

CHAPTER X

Miscellaneous regulations

52 §

Rowing, sailing, motor and other competitions may only be arranged in the port area by permission of the Port.

Boats used for recreational purposes shall avoid moving in the port area unnecessarily and always give the right of way to commercial vessels. Such boats shall not be moored to the port structures, navigation marks or elsewhere in the port area without the permission of the Port.

53 §

Photography and video filming in the port area are only permitted by permission of the Port.

No objects obstructing traffic may be placed in the port area without the permission of the Port.

Fishing in a fairway, from a bridge, in the harbour basin, on the quay or other similar location is prohibited.

Swimming in the harbour basin and in the fairways is prohibited.

Opening a fairway outside the public navigation fairway is only allowed by permission of the Port.

54 §

A violation of law and decree is punishable as prescribed by legislation.

Anyone violating these Port Regulations is liable to compensate any damage or loss inflicted, in the manner specifically laid down by law.

There are Finnish and English versions of these Port Regulations. In the event of interpretation disputes, the Finnish version of the Port Regulations shall prevail.

CHAPTER XI

Claims, limitation of liability

55 §

The Port is not liable for damage inflicted on vehicles or work machinery.

Any complaints or claims made to the Port shall be made without undue delay. If the complaint or claim concerns a vessel, the complaint or claim shall be made no later than before the vessel's departure from the port so that the Port can assess the damage to the vessel.

If the complaint or claim is made later than 30 days after the event or from the date on which the party suffering the damage discovered the event, the party suffering the damage loses his right of claim in cases where the party suffering the damage is an entrepreneur.

Action against the Port must be brought within one year from the date of the damage or from the date on which the party suffering the damage became aware of the damage. The action is handled at the Kymenlaakso District Court unless otherwise agreed.

The laws of Finland shall be applied to the legal proceedings.

CHAPTER XII

Supplementary instructions and appendices of Port Regulations

56 §

The following guidelines supplement the Port Regulations:

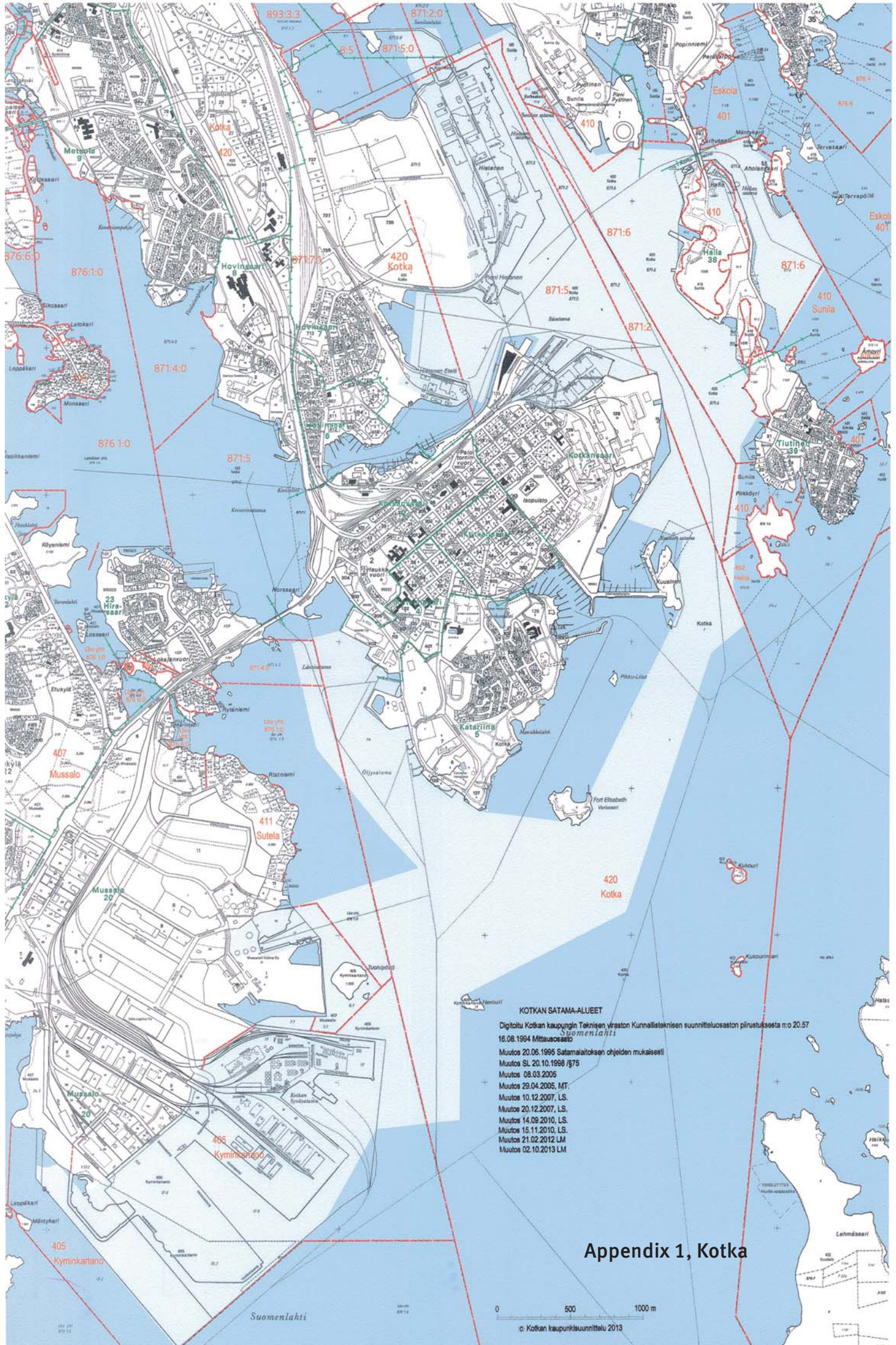
- General guidelines of Port of HaminaKotka Ltd
- General guidelines for liquid terminals of Port of HaminaKotka Ltd
- First aid instructions and guidelines for emergencies, Port of HaminaKotka Ltd
- Ship and Port Facility Security Act

These Port Regulations are appended with the following maps:

Appendix 1, Kotka, page 12

Appendix 2, Hamina, page 13

The undersigned company/operator/person has received and studied these Port Regulations, and the undersigned agrees to comply with the Port Regulations and undertakes to contribute to the customers operating in an area covered by the Port Regulations also obtaining sufficient information on the contents of the Port Regulations and on the importance of the Port Regulations in their operations.



KOTKAN SATAMA-ALUEET

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 16.08.1994 Mittausosaasto
 Muutos 20.06.1995 Salama-aitoksen ohjeden mukaisesti
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 Muutos 14.09.2010, LS.
 Muutos 15.11.2010, LS.
 Muutos 21.02.2012 LM
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Appendix 1, Kotka

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- HaminaKotka Satama Oy:lle vuokrattava maa-alue
- HaminaKotka Satama Oy:lle vuokrattava vesialue
- Yksityinen / valtion omistus
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