

MINISTRY OF NATIONAL DEFENCE

Decree no. 385/2002 of 11 April

Decree-Law no. 273/2000, of 9 November, which approved the Mainland Ports Tariff System Regulations, obliged the port authorities to draw up the respective tariff regulations and other authorities to adopt specific regimes with regard to port activities in their respective scope of action.

The framework approved by the Decree is part of the overall reform in port activities and is particularly important given the inappropriate and incoherent legal regulations in force for today's ports and port activities.

With regard especially to the maritime authority tariffs, article 47 of that decree establishes the regime of fees due for services rendered by entities belonging to the Maritime Authority System (currently, National Maritime Authority) in the ports to crews, cargo and vessels. Article 48 also stipulates that the member of the Government, that oversees the aforementioned entities, establishes the respective values through decree.

In accordance with the planned legal procedures and in line with the new concept of the maritime authority system, approved by Decree-Law no. 43/2002, of 2 March, a table of fees for services rendered by the National Maritime Authority entities is hereby approved.

Furthermore, rules are also approved with regard to how the revenue deriving from the fees is distributed. For this purpose, the price/hour of a senior head technician of the Public Administration general regime is used as a reference.

As such, in accordance with that stipulated in article 48 of Decree-Law no. 273/2000, of 9 November:

The Government, through the Ministry of National Defence, orders the following:

1. Approval of the Fees for Services Rendered by the Entities and Services of the National Maritime Authority (AMN) in the Ports, as well as the pricelist for use of AMN material and equipment, namely those used as part of the Clean Sea Plan, approved by the Council of Ministers Decision, no. 25/93, of 15 April, which constitutes annex I of this decree, and is an integral part of the decree.
2. The distribution of the amounts to be paid to staff will be fixed through dispatch from the Ministry of National Defence, upon proposal from the National Maritime Authority.
3. The Regulations approved by this decree shall be reviewed within a maximum deadline of one year, counting from the date it comes into force.
4. This decree comes into force 30 days after its publication.

The Minister of National Defence, *Rui Eduardo Ferreira Rodrigues Pena*, on 21 March 2002.

APPENDIX

FEEES FOR SERVICES RENDERED BY ENTITIES BELONGING TO THE NATIONAL MARITIME AUTHORITY IN PORTS.

CHAPTER I

General Stipulations

Article 1 **Object**

- 1 — These regulations define the rules governing the charging of fees and the distribution of the amounts accrued for the services rendered in the ports by the entities integrated into the National Maritime Authority (AMN) – the enclosed table I, which is an integral part of these Regulations.
- 2 — The prices to be charged for the use of material and equipment belonging to the AMN entities are also defined, namely as part of the Clean Sea Plan, approved by the Council of Ministers Decision no. 25/93, of 15 April – the enclosed table II, which is an integral part of these Regulations.

Article 2 **Definitions**

For the purpose of the stipulations outlined in this set of regulations, the following definitions are established:

- a) «Supplementary inspection» as decided by the maritime authority specifically to check the correction of failings detected in a previous inspection;
- b) «Tonnage or division» the reference unit used to calculate the sums charged, which are in accordance with the Gross Tonnage (GRT);
- c) «Gross tonnage or division unit» - in order to calculate the value of the amounts to be charged according to the overall size of the vessel, the new rules governing the gross tonnage (GT) should be followed. When only the weight in Moorsom tonnes is known (GRT), this value shall be automatically considered as the value in GT while the ship-owner or proprietor has not requested or made the calculation in accordance with the new rules;
- d) «TSP» the hourly earnings of a senior head technician in public administration on scale 1;
- e) «Urgent service» service that is requested during working hours and has to be completed within a maximum deadline of two working days;
- f) «Working hours» time during which the services are open to the public, which does not coincide with the night-time period;
- g) «Night-time period» 8.00pm – 7.00 am;
- h) «Weekly and complementary rest days» Sunday and Saturday, respectively.

CHAPTER II

Fees charged for services rendered and distribution of amounts accrued

Article 3 **Surcharges**

- 1 — The services rendered in sections I and II of table I are subject only to the following percentage surcharges:
 - a) Urgent service — 100%;
 - b) Service undertaken outside working hours — 150%;
 - c) Service carried out during the night-time period, on weekly or complementary rest days or on public holidays — 200%.
- 2 — When the service is necessarily proved to be undertaken outside the designated maritime office and/or outside working hours, travel, accommodation and food expenses shall be charged, depending on the case, and under the terms of the legislation in force.

Article 4 **Allocation of revenue**

- 1 — Notwithstanding that outlined in the following point, the product of the revenue gained from the fees outlined in table I shall be allocated as follows:
 - a) 20% to the State;
 - b) 80% to the Maritime Authority Management Board (DGAM).
- 2 — Exceptions to the previous point:
 - a) Extra revenue coming from the surcharges levied under the terms of article 3, which will be channelled in their entirety to the DGAM;
 - b) Sums resulting from the policing services requested under the terms of section III and the fees outlined in sections IV and V, all of table I, which will also be channelled in their entirety to the DGAM.

Article 5 **Distribution**

- 1 — The revenue attributed to the DGAM under the terms of article 4 is to be used to cover the costs of running its entities and services, making investments and paying its staff, and shall be broken down as follows:
 - a) Exclusively for functioning and investment expenses, the sums outlined in section I of table I;
 - b) 65% on staff wages and 35% on functioning and investment expenses with regard to the amounts resulting from the application of fees outlined in sections II and III of table I;
 - c) Exclusively for staff wages for the amounts mentioned in lines a) and b) of no. 2 of the previous article.
- 2 — The stipulations of these Regulations do not affect the application of fees that constitute revenue for the Lifeboat Service Institute, under the legal terms established.

Article 6

Payment

The fees outlined in these Regulations that result from services rendered to ships and cargo, port operators and other users, which is dependent only on visiting the maritime office, shall be charged directly by the DGAM services.

Article 7

Office opening

Whenever the service rendered requires the maritime office to be opened outside working hours, an opening fee shall also be paid under the terms of section IV of table I.

Article 8

Revision of TSP Criteria

The TSP criteria applicable to table I shall be reviewed through dispatch from the Ministry of National Defence, upon proposal from the AMN.

CHAPTER III

Fees for use of material and equipment allocated to the AMN entities and services

Article 9

Fees for using the material and equipment

Fees charged for yielding of equipment and material to fight pollution, namely the actions carried out as part of the Clean Sea Plan, are outlined in table II of these Regulations.

Article 10

Attribution of amounts

The fees outlined in table II are geared exclusively to cover functioning and investment expenses of DGAM.

Article 11

Updates

The sums in table I are automatically updated in January each year, based on the inflation rate of the previous calendar year.

TABLE I

Calculation of fees due for services rendered by National Maritime Authority entities

Heading number	Services Rendered	Table to calculate fees		
		Coefficient without/TSP (a)	Function AB (b)	Limits (inclusive)

Section I – Administrative acts				
	1 – Addendums			
1.1	On any change or concession	1/2		
	2 – Ship and vessel departure dispatch			
2.1	Non-national passenger vessels	5		
2.2	Other non-national trading vessels	4		
2.3	National passenger vessels	3		
2.4	National trading vessels	3		
2.5	Non-national fishing vessels	4		
2.6	National fishing vessels	3		
	3 – Documents			
	Various, charged in the captaincies upon request:			
3.1	Certificates (per page)	1/2		
3.2	Contracts (per page)	1/2		
3.3	Declarations (per page)	1/2		
3.4	Personal or trading and fishing vessel documents lost or rendered unusable	1/2		
3.5	Private sale deeds of rowing boats for fishing and local traffic	1/2		
3.6	Private sale deeds of motorboats for fishing and local traffic (per gross tonnage)	1	1/2AB1/3	1<H (c) <2
3.7	Descriptive memorandums	1		
3.8	Simple reports	1/2		
3.9	Circumstantial reports	1		
3.10	Confirmation of sea reports or declarations	1		
3.11	Official opening and closing of books (for each book)	1		
3.12	Various documents, upon request (per page)	1/2		
3.13	Other visas in trading and fishing vessels documents	1/2		
3.14	Visas in dairies of national vessels	1/2		
3.15	Written information	1		
3.16	Written information in relation to a vessel	1 1/2		
3.17	Uncertified photocopy, per page	1/3		
Heading number	Services Rendered	Table to calculate fees	Heading number	Services Rendered
	4 – Licences			
	Embarkation licences:			
4.1	In EU vessels	1/2		
4.2	For non-crew individuals from non-EU countries	1/2		
4.3	Licence for non-maritime registered individuals to carry out activities on board vessels or any other boat	1/2		

	Licences that involve vessel activity:		
4.4	Stranding licence (per tonne or division)	1	1/2AB1/3 1<H<10
4.5	Building licence (per tonne or division)	1	1/2AB1/3 1<H<20
4.6	Licence for fishing or local traffic vessel to go to another port to register there (per tonne or division)	1	1/3AB1/3 1<H<6
	Licences for local traffic and local auxiliaries to navigate from port to port:		
4.7	Inside the maritime department area (per return journey and per tonne or division)	1	1/2AB1/3 1<H<4
4.8	Outside the maritime department area (per return journey and per tonne or division)	1	AB1/3 1<H<6
4.9	Miscellaneous licences for vessels and any other floating material (per tonne or division)	1	AB1/3 1<H<10
4.10	To enable moored vessels to sell goods or provide entertainment on board (per tonne or division)	1	AB1/3 3<H<20
4.11	Licences to sweep harbour for iron, anchors or cables	2	
4.12	Licence for mooring with buoys, poles or blocks for one year (per tonne or division)	1	AB1/3 2<H<20
4.13	Licence for mooring in the water or on the beach for air transport	4	
	5 — Crew list		
5.1	Confirmation of the crew list drawn up under the terms of Decree-Law no. 280/2001, of 23 October (per gross tonnage)	1	1/3AB1/3 1<H<3
5.2	Confirmation of changes to the crew list (per gross tonnage)	1	1/3AB1/3 1<H<3
5.3	Crew list drawn up with the aid of the captaincy's services (per gross tonnage)	1	1/3AB1/3 1<H<3
	6 — Maritime permits		
6.1	Register, for recording in new categories	1	
6.2	Checking of the annual permit and maritime registration	1/2	
6.3	Issue of maritime registration permits	1 1/2	
6.4	Issue of duplicates and new copies of maritime registration permits	1	
	7 — Registrations and respective deeds		
7.1	Change of ownership registration of local fishing and local traffic vessels (per tonne or division)	1	1/2AB1/3 1<H<6
7.2	Change of ownership registration of other maritime-tourist trading vessels and high-sea fishing vessels (per tonne or division)	1	AB1/3 1<H<20
7.3	Change of registration of ownership of recreational vessels (per tonne or division)	1	AB1/3 1<H<10

	First registration of ownership of vessels with issue of deed:			
7.4	Of local and coastal fishing and local traffic vessels (per tonne or division)	1	AB1/3	1<H<6
7.5	Of trading and high-sea fishing vessels (per tonne or division)	1	AB1/3	1<H<20
7.6	Of recreational vessels (per gross tonnage)	1	AB1/3	1<H<10
	Section II – Technical Acts			
Heading number	Services Rendered	Table to calculate fees	Heading number	Services Rendered
	8 – Inspections and examinations of trading and fishing facilities			
8.1	Inspections of vessels and any other floating material aimed at checking the safety of navigation (per tonne or division)	1	1/2AB1/3	1<H<20
8.2	Inspections to assess the onboard safety of vessels transporting hazardous cargo (per tonne or division)	1	AB1/3	1<H<30
8.3	Inspection of safety conditions of facilities for transfer of liquefied gases and inflammable, explosive, poisonous or corrosive liquids that is not carried out in specialised terminals (per tonne or division)	1	AB1/3	1<H<30
8.4	Inspections for new registrations in the vessels (per tonne or division)	1	1/2AB1/3	2<H<20
8.5	Inspection outside the harbour for assessment of the safety of vessels, for the purposes of entering and staying in the port with or without breakdowns (per tonne or division)	1	AB1/3	2<H<30
8.6	Inspections of local traffic vessels used in coastal navigation, under the terms of article 26 of Decree-Law no. 265/72, of 31 July (per tonne or division)	1	1/2AB1/3	2<H<3
8.7	Inspections of tugging systems (per tonne or division of the tugboat and tugged boat or boats)	1	1/2AB1/3	2<H<20
8.8	Inspection of trading and fishing vessels, as well as any other floating material, for issue or renewal of the navigability certificate for a journey between national ports (per tonne or division)	1	AB1/3	1<H<10
8.9	Inspections for demolition, under the terms of article 92 of the RGC (per tonne or division)	1	AB1/3	1<H<10
8.10	Supplementary inspections ordered by the maritime authority (per tonne or division)	1	1/2AB1/3	2<H<20

8.11	Inspections ordered for non-national flag fishing vessels that operate in inland waters or in national seas, checked through an initial inspection visit, under the terms of the decree that regulates the control of certificates and inspections and the applicable rules of the Torremolinos Protocol (per tonne or division)	1 1/2 AB1/3		2 < H < 20
8.12	Inspections carried out for non-national merchant ships as part of ship control in accordance with the decree that regulates control of ships by the State of the port, attributed to the maritime authority (per tonne or division)	1	AB1/3	2 < H < 20
8.13	Inspections carried out by the maritime authority for trading, fishing and recreational vessels and other national floating material as part of the collaboration protocols with other public entities (per tonne or division)	1	1/2 AB1/3	2 < H < 20
8.14	Inspections for registration of recreational vessels (per tonne or division)	1	1/2 "H" 20 2 AB1/3	
8.15	Inspections for maintenance of recreational vessels (per tonne or division)	1	1/3 AB1/3	1 < H < 20
Section III				
A) Police services				
Services requested, to be satisfied in accordance with their nature and the staff available (per four-hour period or division):				
9.1	Working days, from 8am to 8pm	3		
9.2	Working days from 8pm to 8am, Saturdays, Sundays and public holidays	4 1/2		
Services ordered by the port captain to check safety conditions (per four-hour period or division):				
9.3	Working days, from 8am to 8pm	2 1/2		
9.4	Working days from 8pm to 8am, Saturdays, Sundays and public holidays	3 1/2		
Heading number	Services Rendered	Table to calculate fees	Heading number	Services Rendered
9.5	Visit to national and foreign international long-course coastal vessels, tugboats and national high-sea fishing vessels, when coming from foreign ports: Working days, from 8am to 8pm	1		
9.6	Working days from 8pm to 8am, Saturdays, Sundays and public holidays B) Examinations, examination terms and cards	2		

	Trading and fishing marinas:			
10.1	Registration of the examination terms and issuing of examination cards	1		
10.2	Examination for driving motorboats up to 150 kW	2		
	Section IV – Office opening			
11.1	Opening of maritime office	3		
	Section V – Auxiliary services			
	Provision of various auxiliary and technical services as part of the Clean Sea Plan, with regard to (per hour or division):			
12.1	Coordination	2		
12.2	Technical support	1		
12.3	Operation	1/2		

(a) TSP – hourly rate paid of main senior technician, 1st scale.

(b) AB – gross tonnage.

(c) H – fee to be paid and its limits.

TABLE II
Fees to be charged for using material and equipment belonging to entities of the National Maritime Authority

Heading number	Material/equipments	Usage Period	Value	
			Escudos	Euros
	1 – Contention barriers			
	Small barriers (per metre):			
1.1	Oel Nolte –ITEECRAM	Day	1 202	6
	Medium-sized barriers (per metre):			
1.2	<i>Troilboom GP – 900</i>	Day	1 404	7
1.3	<i>TMB HI – Seaguard</i>	Day	1 404	7
1.4	<i>Seapack 80</i>			
	Large barriers (per metre):			
1.5	<i>TMB INFO 400</i>	Day	1 604	8
1.6	<i>TMB INFO 700</i>	Day	1 604	8
1.7	<i>RO – Boom Ocean 2000</i>	Day	1 604	8
1.8	<i>NOFI</i>	Day	2 004	10
	Beach barriers (per metre):			
1.9	<i>Hoyle marine shore guardian</i>	Day	1 704	8,50
	2 – Complete wetsuit with autonomous breathing gear			
2.1	<i>Drager Wetsuit</i>	Hour	5 614	28

3 – Miscellaneous equipment				
3.1	<i>Chemspray</i>	Hour	1 202	6
3.2	<i>Clearspray CS 1200</i>	Hour	8 620	43
3.3	<i>Seaspray 2</i>	Hour	8 620	43
Head ing numb er	Material/equipments	Usage Period	Value	
			Escudos	Euros
3.4	<i>Airspreading</i>	Hour	8 620	43
4 – Skimmers				
4.1	<i>Desmi DS-210 Horizontal skimmer (Weir)</i>	Hour	12 630	63
4.2	<i>Desmi DS-250 Vertical skimmer (Weir)</i>	Hour	12 630	63
4.3	<i>Komara 20 K skimmer (discs)</i>	Hour	12 630	63
4.4	<i>Komara 12 Mark2 skimmer (discs)</i>	Hour	12 630	63
4.5	<i>Lori LBC skimmer (brushes)</i>	Hour	13 632	68
4.6	<i>Morris MI-30 skimmer (discs)</i>	Hour	10 024	50
4.7	<i>Oel-Nolte Mopmatic-Wringler skimmer (rope)</i>	Hour	5 814	29
4.8	<i>Ro-Clean OM 240 D skimmer (rope)</i>	Hour	6 416	32
4.9	<i>Skim-Pack 2200 skimmer (Weir)</i>	Hour	2 206	11
4.10	<i>Slurp skimmer (Weir)</i>	Hour	2 206	11
4.11	<i>Vikovac skimmer (vacuum)</i>	Hour	8 620	43
4.12	<i>Kebab 600 MK 2 skimmer (discs)</i>	Hour	2 206	11
4.13	<i>Transrec 250 skimmer</i>	Hour	220 530	1 100
5 – Tanks				
5.1	<i>Fastank 2000 10 m³ tank (open)</i>	Day	4 210	21
5.2	<i>Hoyle 20 m³ tank (open)</i>	Day	5 212	26
5.3	<i>Pronal 5 m³ tank (self-sustainable)</i>	Day	4 210	21
5.4	<i>Pronal Volutex 10 m³ tank (self-sustainable)</i>	Day	5 212	26
5.5	<i>Almofada 3/5 m³ tank (flexible)</i>	Day	4 210	21
5.6	<i>Solas 20 m³ tank (floating)</i>	Day	42 102	210
5.7	<i>Unibag Oil Bag 15 m³ tank (floating)</i>	Day	42 102	210
5.8	<i>Unibag Oil Bag 25 m³ tank (floating)</i>	Day	52 126	260
5.9	<i>Unibag Oil Bag 50 m³ tank (floating)</i>	Day	84 202	420
6 – Transfer pumps				
6.1	<i>Campeon FP– 190 (27 m³/h)</i>	Hour	5 212	26
6.2	<i>Desmi Dop – 250 (100 m³/h)</i>	Hour	15 638	78
6.3	<i>Framo TK – 150 (300 m³/h)</i>	Hour	42 102	210
6.4	<i>Guinard (40 m³/h)</i>	Hour	5 212	26
6.5	<i>Hydrovide (60 m³/h)</i>	Hour	12 430	62
6.6	<i>Wilden M-4 (17 m³/h)</i>	Hour	12 430	62
6.7	<i>Ingersoll-Rand (30 m³/h)</i>	Hour	11 026	55
6.8	<i>Rosenbauer E-RK40 (30 m³/h)</i>	Hour	11 026	55
6.9	<i>Selwood Spate 75C (30 m³/h)</i>	Hour	11 026	55
6.10	<i>Simplite 50E (11,5 m³/h)</i>	Hour	5 212	26
7 – High-pressure washing machines (a)				

7.1	<i>Karcher HDS 1290 (ER 916)</i>	Hour	15 638	78
7.2	<i>Karcher HDS 200 (BR 132)</i>	Hour	12 430	62
7.3	<i>Karcher HDS 610 (ER 111)</i>	Hour	11 026	55
7.4	<i>Karcher HDS 790C</i>	Hour	8 620	43
8 – Auxiliary machines (a)				
8.1	<i>Ingersoll-Rand P250 SD air-compressor</i>	Hour	20 450	102
8.2	<i>Poseidon PFU-250 air-compressor</i>	Hour	15 638	78
8.3	<i>Suzuki SV1400 P electrogenic group</i>	Hour	2 206	11
8.4	<i>Turbomar TUB-10-A electrogenic group</i>	Hour	15 638	78
9 – Machines (a)				
9.1	Automatic hoist (up to 25 t)	Hour	20 450	102
9.2	Digger	Hour	6 014	30
9.3	Agricultural tractor	Hour	5 212	26
9.4	Fork-lift truck (up to 2 t)	Hour	2 806	14
9.5	Fork-lift truck (up to 7.5 t)	Hour	5 212	26
10 – Vessels (b)				
10.1	<i>Zebro pneumatic boat</i>	Hour	5 212	26
Head ing numb er	Material/equipments	Usage Period	Value	
			Escudos	Euros
10.2	Semi-rigid boat	Hour	11 026	55
10.3	UAM flood tide	Hour	52 126	260
10.4	UAM ebb tide	Hour	31 476	157
10.5	<i>T40 Pontoon</i>	Hour	20 450	102
10.6	<i>Comenda tugboat</i>	Hour	220 530	1 100

(a) Does not include transport and staff to operate equipment, or cleaning-up after the operation.

(b) The fees for vessels include the respective crews.