



# Petroleum Ports Authority Port Regulations

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### Review History

DATE	REV. NO.	DESCRIPTION	REFERENCE SECTION

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## 1 INTRODUCTION

These Regulations are issued in accordance with the Petroleum Ports Law No. 12 of 1973 and the amending Laws No. 1, 3, 34 and 45 issued at Abu Dhabi on 27th February 1980, 28th April 1981, 5th May 1985, and 4th November 2003 respectively. These Regulations shall apply to the Petroleum Ports of Jebel Dhanna Ruwais, Das Zirku, and Mubarraz Port and any other Petroleum Port that comes under the Petroleum Ports Authority.

The Regulations also include amendments to reflect law 24 of 1999 and those made for safety under article 53 to date.

These Regulations are designed to acquaint Owners, Charterers, Masters of vessels, their Agents and others with the general conditions, rules, regulations, facilities and available services at the Petroleum Ports referred to in paragraph 1.1 below. Every vessel which arrives at any of the Petroleum Ports must have a copy of these regulations board obtainable through the vessel's agent and/or on Petroleum Ports Authority website.

Every Master wishing to berth at any of the below Ports must contract to comply with all the rules and regulations contained herein. These Regulations do not replace or modify official publications covering the waters, areas, hazards or other subjects to which they pertain, nor are they intended for such purposes. The information contained herein is believed to be accurate at the time of going to press but neither ADNOC nor the Petroleum Ports Authority make any warranties and assume no responsibilities regarding these Regulations or any other information which may appear in supplemental publications, additions or corrections supplied by them.

### 1.1 Scope



- i. These Regulations shall apply to the Petroleum Ports of Jebel Dhanna Ruwais, Das Zirku, and Mubarraz Port and any other Petroleum Port/s that comes under the jurisdiction of Petroleum Ports Authority and also to the waterways and fairways leading to / from these ports.
- ii. Nothing in these Regulations shall be construed as over-riding :
  - UAE Federal laws
  - Law No. 8 of 1978 and No. 12 of 1973
  - SOLAS 1974, Protocol 1978 and its' subsequent amendments.
  - MARPOL 1973 / 1978
  - Any other applicable IMO conventions or any other international conventions as ratified by the UAE.
- iii. Nothing contained herein shall be construed as relieving the Master of any vessel from his responsibility for safety of the vessel under his command.
- iv. Port Regulations can be downloaded from the Petroleum Ports Authority website: <https://ppa.adnoc.ae>

## 2 GLOSSARY

In these Regulations the following words and expressions have the following meanings (except where the subject or the context requires otherwise) without regard to whether the words are capitalized:

Term	Definition
<b>ADNOC</b>	Abu Dhabi National Oil Company – Defined as “Company” in Article 1.5 of Law 12 of 1973.
<b>ADNOC Group</b>	ADNOC and each PERSON directly or indirectly CONTROLLED by ADNOC.
<b>ADNOC Group Companies</b>	An Operating company wholly or partially owned by ADNOC.
<b>ADNOC Group Ship Vetting Policy</b>	Shall mean the ship vetting policy issued by ADNOC as amended from time to time.
<b>Agent</b>	Shall mean any person designated by a vessel / shipping company to act on its behalf at the Petroleum port.
<b>Approved System</b>	Shall mean a system of a type that has been tested and approved by a competent Petroleum Ports Authority such as a government agency representative or a classification society.
<b>Boat</b>	Shall mean any lighter, tugboat, motorboat, rowboat including fishing boats, barge, vessel equipped with lifting gear, wooden Boat, sailboat or any other vessel, other than tankers, which does not exceed one hundred net registered tons.
<b>Additional Services</b>	<p>Additional services shall include but not be limited to :</p> <ul style="list-style-type: none"> <li>• Diving services</li> <li>• Vessel to Vessel transfer services</li> <li>• Garbage collection, removal and disposal</li> <li>• Emergency services including but not limited to: <ul style="list-style-type: none"> <li>• Fire fighting</li> <li>• Oil spill response services</li> <li>• Salvage to protect ADNOC assets</li> <li>• Search and rescue services</li> <li>• Repairs to AtN</li> <li>• Wreck removal</li> <li>• Towage assistance other than towage for berthing/un berthing</li> <li>• Procurement services</li> <li>• Safety inspections Transfer or personnel/equipment.</li> </ul> </li> </ul>



<b>Bare or Naked Lights</b>	Shall mean anything which may cause ignition of inflammable gases. This shall include but not be limited to flame, fire, open lights, mobile telephones, other electrical equipment not classed as either Intrinsically Safe or explosion proof. Manual and mechanical equipment which may produce sparks shall be treated as bare lights.
<b>Bunkers</b>	Means inflammable liquids intended for the propulsion and the auxiliary operation of a sea-going vessels, as well as liquids used for the lubrication of vessels machinery / equipment.
<b>Cargo</b>	All kinds of goods or products loaded into or unloaded from a vessel.
<b>Cleaning</b>	Every act directed to or in connection with gas freeing, cleaning or drying on board any part of a vessel.
<b>Company</b>	Abu Dhabi National Oil Company (ADNOC).
<b>Combustible Liquids</b>	Any liquid with a flash point below or equal to 60deg C.
<b>Conditions of Use</b>	<p>Mean the extracts of the Port Regulations which every Master is obliged to sign before his Vessel enters any Petroleum Port. The Conditions of Use are incorporated herein and are available on the following hyperlink.</p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">   <small>CONDITIONS OF USE FOR VESSEL(S),</small> </div> <div style="text-align: center;">   <small>VESSEL DECLARATION BY M/</small> </div> </div>
<b>Craft</b>	Any vessel/boat, that may operate within the limits of a port and includes but is not limited to fishing vessels, tugs, mooring boats, pilot boats, rowing and pleasure boats.
<b>Danger Area</b>	An area of defined dimensions of a port so declared by the Petroleum Ports Authority which is considered dangerous for navigation.
<b>Dangerous Cargo</b>	Shall include all cargo considered to be dangerous by decision of the Ministry of Petroleum and Mineral Resources as well as those cargoes defined as dangerous by the IMO.
<b>Dangerous Goods</b>	Any substance that may cause danger of explosion, fire, corrosion, poisoning, intoxication or radiation, as mentioned in the International Maritime Dangerous Goods Code, the (International) Code for the Construction and Equipment of vessels carrying Dangerous Chemicals in Bulk, the (International) Code for the Construction and Equipment of vessels carrying Liquefied Gases in Bulk of the International Maritime Organization and, also, any other substance designated and published as a dangerous substance by Petroleum Ports Authority; The Petroleum Ports Authority shall be the sole Petroleum Ports Authority to determine goods as dangerous whenever a dispute arises.
<b>Exempted Vessel</b>	Shall mean vessels exempted from pilotage whose master has been granted a Pilotage Exemption Certificate by the Harbour Master.
<b>Excepted Vessel</b>	<p>Shall mean Vessels excepted from paying Port Charges. Excepted vessels shall include the following Vessels:</p> <ul style="list-style-type: none"> <li>• Vessels of the U. A. E. Defence Forces.</li> <li>• Vessels belonging to UAE Customs, Medical and Police Services.</li> <li>• Dredgers, survey Vessels and special ancillary non-cargo Boat on contract to the Petroleum Ports Authority or Company.</li> <li>• Vessels and vessels excepted from such charges by order of H.H. The Ruler.</li> </ul>

<b>Facilities</b>	Shall mean anything that facilitates navigation such as lights, buoys, signs, moorings and ancillary facilities.
<b>Flash Point</b>	The flash point of a volatile material is the lowest temperature at which vapors of the material will ignite, given an ignition source. The flash point of a liquid as determined by the Pensky-Martens instrument using a closed cup calculation.
<b>Forbidden Area</b>	Shall include such area as may be determined as forbidden by decision of the Ministry of Petroleum and Mineral Resources or CICPA.
<b>Goods</b>	Mean containers, items within the containers and cargo carried on deck.
<b>Government Vessels</b>	Vessels owned by UAE Naval forces, CICPA.
<b>Harbour</b>	Shall mean the area determined by decision of the Minister of Petroleum & Industry for each petroleum port, as defined herein.
<b>Harbour Master</b>	The person thus appointed by the Company (As defined in article 1.5 of law 12/1973) to represent the Petroleum Ports Authority [see earlier comment]. The Harbour Master is defined in Article 1.17 of Law No 12 of 1973. shall mean the person appointed by the Petroleum Ports Authority [see earlier comment] to execute, on its behalf, the duties of the Harbour Master and shall include his assistants or subordinates who are, or may be, duly authorized to act on his behalf. For the purposes of the law the title Harbour Master and Port Officer are interchangeable.
<b>Hazardous Area</b>	An area which for the purposes of the installation and use of electrical equipment is regarded as dangerous. Such hazardous areas are graded into hazardous zone depending upon the probability of the presence of a flammable gas mixture.
<b>Hot Work</b>	Shall mean any work involving the use of naked lights, in particular, electric welding arcs, welding and cutting torches, blow lamps and other electrical or mechanical instruments liable to cause sparks or flame.
<b>Installations</b>	Shall include, for instance, any pier, dock, building, structure, tank or storage place, any adjoining land, berth or pipeline, and any equipment and machines used in connection therewith.
<b>Intrinsically Safe</b>	An electric circuit or part of a circuit is intrinsically safe if any spark produced normally or accidentally is incapable, under prescribed test conditions, of igniting a prescribed gas mixture.
<b>IRSHAD</b>	Shall mean Abu Dhabi Petroleum Ports Operating Company, the service company contracted by the Petroleum Ports Authority, to provide all the services required for Port operations at any of the Petroleum ports under the administrative control of the Petroleum Ports Authority/ Harbour Master.
<b>ISGOTT</b>	International Oil Tanker and Terminal Safety Guide.
<b>Legal Person</b>	Means any individual, corporation, joint stock company, limited liability company, partnership, joint venture, association, trust, unincorporated organisation, governmental authority, or other entity.
<b>License</b>	“License” means any License to provide pilotage, towing, mooring and unmooring services (Linesmen) or other services granted under the these Regulations.
	Shall mean the person designated by the Terminal to remain on board a vessel whilst she is at a terminal berth/SPM to execute the instructions issued to him by the Terminal to ensure the safety and security of the

<b>Loading Master</b>	vessel and terminal. The loading Master is a duly authorized marine representative of the Terminal. His duties include supervision of loading arm / hoses connection/disconnection and cargo operations.
<b>Marine Assets</b>	Any port equipment or craft used for the purpose of embarking, disembarking, transporting, or loading and unloading goods into or from vessels or vehicles and includes but is not limited to tugs, mooring boats and pilot boats.
<b>Marine Services</b>	Marine services include Pilotage, Towage and Line handling.
<b>Maritime Declaration of Health</b>	International form (World Health Organization) declaring the health condition of the crew members (including the Master) and of the passengers, to be rendered by the Master of Vessels arriving from foreign ports.
<b>Navigation License</b>	Shall mean a license issued to National or International Vessels to operate in UAE territorial waters by the National Transport Petroleum Ports Authority.
<b>Noxious Substances</b>	<p>Noxious liquid substance means any substance indicated in the Pollution Category column of chapter 17 or 18 of the International Bulk Chemical Code or provisionally assessed under the provisions of regulation 6.3 as falling into category X, Y or Z.</p> <ol style="list-style-type: none"> <li>1. Category X: Noxious liquid substances which, if discharged into the sea from tank cleaning or deballasting operations, are deemed to present a major hazard to either marine resources or human health and, therefore, justify the prohibition of the discharge into the marine environment;</li> <li>2. Category Y: Noxious liquid substances which, if discharged into the sea from tank cleaning or deballasting operations, are deemed to present a hazard to either marine resources or human health or cause harm to amenities or other legitimate uses of the sea and therefore justify a limitation on the quality and quantity of the discharge into the marine environment;</li> <li>3. Category Z: Noxious liquid substances which, if discharged into the sea from tank cleaning or deballasting operations, are deemed to present a minor hazard to either marine resources or human health and therefore justify less stringent restrictions on the quality and quantity of the discharge into the marine environment;</li> <li>4. Other substances: Substances indicated as OS (Other substances) in the pollution category column of chapter 18 of the International Bulk Chemical Code which have been evaluated and found to fall outside category X, Y or Z as defined in regulation 6.1 of this Annex because they are, at present, considered to present no harm to marine resources, human health, amenities or other legitimate uses of the sea when discharged into the sea from tank cleaning or de ballasting operations. The discharge of bilge or ballast water or other residues or mixtures containing only substances referred to as "Other Substances" shall not be subject to any requirements of the Annex.</li> </ol>
<b>OCIMF</b>	Oil Companies International Marine Forum
<b>OPCO</b>	Operating Company within the Port Area e.g. ADCO / GASCO.
<b>Other Boats/Small Vessels</b>	Means all other Craft and Boats not already defined.
<b>Packaged Goods</b>	Goods in bales, bags, drums, tins, containers, cartons, bundles, pallets or other receptacles of a similar nature.

<b>Permit</b>	A document issued by the Petroleum Ports Authority officially sanctioning an activity. These include but are not limited to Craft Entry Permits, Hot Work Permits, Diving Permits, Marine Project Commissioning Permits.
<b>Permission</b>	A verbal or written authorization issued by the Harbour Master on his designate sanctioning an activity. Verbal authorizations are to be accompanied by written entries in official records such as Port operation log books.
<b>Petroleum Ports Authority</b>	The entity assigned as such by the Company bestowed with the tasks specified in Article 1 of the ADNOC administrative order no. 47/86.
<b>Pilot</b>	A qualified person licensed by the Petroleum Ports Authority to assist the Master of a vessel when approaching or leaving a port or manoeuvring within the Petroleum port.
<b>Pollution</b>	Pollution is the introduction of contaminants into the natural environment that cause adverse change it is also defined as any alteration of the environment caused by discharging waste, chemicals, hazardous substance or other pollutants in a manner which creates a hazard or potential hazard to human beings, biodiversity, or the socio-economic conditions.
<b>Port</b>	A port as referred to in Article 1.15 of Law no 12 of 1973 shall mean the area determined by decision of the Minister of petroleum & Industry and shall include all installations & facilities which are or may be erected therein. ( As described in Article 3.1.2 hereof).
<b>Port Health Officer</b>	Shall mean the responsible physician or any person empowered to act for him, who is appointed to watch over health matters at the port and execute the laws in force regarding public health, including quarantine laws affecting persons and animals, etc.
<b>Port Dues</b>	Shall mean the charges levied on vessels by the Government of Abu Dhabi in accordance with Law No. (2) of 1972, as it's amended by Law No. (2) of 1984.
<b>Port Charges</b>	Shall mean the charges levied on all Vessels for Port Services as decided by the Petroleum Ports Authority.
<b>Port Control</b>	Shall mean the office responsible for all vessel traffic movements within the port limits and the implementation of the Harbour Master's instructions pertaining to the management of the Port.
<b>Port Officer</b>	Shall mean the person appointed by the Petroleum Ports Authority to execute, on its behalf, the duties of the Port Officer and shall include his assistants or subordinates who are, or may be, duly authorized to act on his behalf. For the purposes of the law the title Harbour Master and Port Officer are interchangeable.
<b>Port Services</b>	Port Services means the Marine services and additional services as defined above.
<b>Prohibited Area</b>	Means an area defined by the Petroleum Ports Authority within which the navigation of a vessel or any other activity is prohibited.
<b>Restricted Area</b>	Means an area defined by the Petroleum Ports Authority within which the navigation of a vessel or any other activity is restricted in accordance with certain specified conditions.
<b>Seaworthiness</b>	A seaworthy vessel is tight, staunch, and strong, properly manned, provided with all necessary stores, and in all respects fit for the intended voyage.

<b>Service Harbour</b>	Shall mean an area sheltered by the adjacent land, breakwater and surroundings with limited depth of water that provides loading and unloading facilities, shelter and refuge for smaller size vessels. A Service Harbour may be man-made, natural or a combination of both. It may consist of jetties, slipways or ramp, buildings or warehouses and a transport system.
<b>Vessel's Master or Master</b>	Shall mean the Captain or his duly authorized deputy or any person who for the time being is in charge of that vessel.
<b>Tanker</b>	Shall mean a vessel designed to carry any hydrocarbon products or its liquid/gas derivatives.
<b>Terminal Berth</b>	Shall mean any berth constructed for the loading/ discharging of petroleum and petroleum derivatives, and shall include anything connected therewith, including pipelines and any ancillary equipment or facilities.
<b>Terminal Safety Officers/ Terminal Superintendent</b>	Shall mean person(s) appointed by a Terminal to be responsible for the safety of cargo operations at the various berths within the Port.
<b>The Company</b>	Shall mean ADNOC - Petroleum Ports Authority, a part of Abu Dhabi National Oil Company (ADNOC).
<b>Tow</b>	Shall mean push, pull or propel in whatever manner in the custom of the trade.
<b>Tug</b>	Shall mean any vessel so designed as to be able to tow any other vessel as well as any vessel engaged in towing any other vessel whether so designed or not.
<b>Vessel</b>	Shall mean the general term for all vessels, crafts and boats visiting the port.
<b>VTIS</b>	Shall mean Vessel Traffic Information services.

### 3 GENERAL PROVISIONS

#### 3.1 Administrative Provisions

##### 3.1.1 Title

These Regulations may be cited as “ADNOC-Petroleum Ports Authority Port Regulations 2017”.

##### 3.1.2 Port Limits

For the purposes of these regulations the Ports mentioned in paragraph 1 shall mean all waters and installations within the limits described hereafter:

###### i. Jebel Dhanna / Ruwais Petroleum Port - Port Limits

To mean all waters inside the below listed coordinates to the coast up to the Spring High Water Mark, and shall include all jetties wharves, structures, sea-berths, reefs, rocks and sand-bars and islands, excluding Sir Bani Yas Island, within the said area.

Description	Latitude	Longitude	Note
From (a)	24° 07.7' N	052° 48.20' E	
To (b)	24° 11.00' N	052° 48.20' E	
To (c)	24° 11.00' N	052° 46.60' E	
To (d)	24° 26.80' N	052° 46.60' E	
To (e)	24° 26.80' N	052° 33.60' E	
To (f)	24° 20.80' N	052° 33.60' E	
To (g)	24° 17.00' N	052° 38.00' E	
To (h)	24° 11.80' N	052° 36.50' E	

###### ii. Das Zirku Island Petroleum Port-Port Limits

To mean all waters encompassed by a line joining the following positions, including all jetties, wharves, structures, sea berths, reefs, and-bars, and islands within the said area:

Description	Latitude	Longitude	Note
From (a)	25° 14.10' N	052° 48.10' E	Then Due E
To (b)	25° 14.10' N	052° 57.10' E	Then due S
To (c)	25° 09.00' N	052° 57.10' E	Then due SE
To (d)	24° 56.90' N	053° 11.10' E	Then due S
To (e)	24° 49.00' N	053° 11.10' E	Then due W
To (f)	24° 49.00' N	053° 04.90' E	Then due NW
To (g)	25° 00.10' N	052° 53.40' E	Then due NW
To (h)	25° 04.60' N	052° 48.10' E	To point (a)

###### iii. Mubarraz Island Terminal – Port Limits

To mean all waters encompassed by a line joining the following positions:

Description	Latitude	Longitude
From (a)	24° 30.0 N	053° 36.0 E
To (b)	24° 24.0 N	053° 36.0 E
To (c)	24° 24.0 N	053° 27.0 E
To (d)	24° 26.7 N	053° 21.7 E
To (e)	24° 30.0 N	053° 21.7 E



### **3.1.3 General Provisions pertaining to all licences, permissions and permits**

- i. The Petroleum Ports Authority may grant Licenses under certain restrictions and on the basis of compliance with certain rules. The restrictions and rules may only serve to protect the interest of the Company.
- ii. The Petroleum Ports Authority may issue a provisional or partial License for a limited duration and under specific conditions in order to allow a License holder time to build up its organization, resources, materials and equipment to meet up with the required standards as set out by Petroleum Ports Authority.
- iii. The Petroleum Ports Authority may attach a period of validity as it deems fit to any License or Permit.
- iv. Verbal permission may be granted for a once-only conduct or act.
- v. The oral issuance of a Permit shall be entered in writing in a log by the issuing individual and communicated to the management.
- vi. Granting a License or Permit is normally done in writing.
- vii. A License or Permit may not be issued if it is in conflict with one or more interests protected under these Regulations, in particular for reasons of order or safety in the Port.
- viii. The issuance of a License or Permit may be withdrawn if payment due for that Permit or Licence has not been received
- ix. The issuance of a License or Permit to replace an expiring License or Permit may be refused, if it is proved that during the last period of validity, no use or only limited use of the Licence or Permit concerned was made.
- x. A Permit / License may be suspended partially or in whole or may be withdrawn partially or in whole for the remaining part of the validity if the requirements specified by the Petroleum Ports Authority are not met.

### **3.1.4 No transfer of licenses and permits**

- i. No License or Permit may be transferred or assigned or otherwise used by any person other than the named license or permit holder.
- ii. The merger, transfer of shares of the holder of the License or Permit or any other method that in fact constitutes the sale, transfer or merger of a company to or with another owner shall be considered as transfer of that License or Permit to another person.
- iii. In such cases the Petroleum Ports Authority may choose to withdraw and reissue the License or Permit.

### **3.1.5 Obligations of holders of licenses or permits**

- i. The holder of a License or Permit shall show the Licence or Permit or an authentic.
- ii. The holder of a License or Permit shall, when providing services as enlisted within the License or Permit, observe the restrictions and rules attached thereto.

## **3.2 Tariffs**

### **3.2.1 Port tariffs**

- i. The Petroleum Ports Authority may establish tariffs for any services (Marine &/or additional) rendered in a Port.

The tariff publication shall state:

- the tariff;
  - the natural or legal person(s) liable to pay the tariffs
  - the possible exemptions;
  - the subject of the tariff;
  - the event for which the tariff will be due;
  - the standard for the tariff;
  - the method of levying;
  - the starting time of the tariff;
  - the time of ending the tariff;
  - the terms of payment;
  - the person or organization charged with the collection of the tariff;
  - the increase in the amount due and any fines that may be imposed in case of not declaring, non-payment, late payment and other violations of the tariff arrangement;
  - the documents to be presented;
  - all other provisions of importance for the establishment of the amounts due and for the collection thereof.
- ii. The tariffs may be levied by way of advance payment or any other method acceptable to the Petroleum Ports Authority.

### **3.2.2 Tariffs of service providers in port**

The Petroleum Ports Authority shall from time to time establish and publish tariffs for services in a Port, such as tug services, pilot services, line handling, cargo handling supervision, taking into account a reasonable ratio/balance between the amount of services rendered, the effort and investments needed to be able to render those services and the tariff.

### **3.2.3 Payment of Port Charges**

The Owner, Master and Agent of every Vessel using a Petroleum Port are jointly and severally liable to pay the Petroleum Ports Authority, prior to entry into such Port, all applicable Port Charges and Port Dues in respect of that Vessel as prescribed in the schedule of Port Charges.



If one of the persons mentioned in this Article has complied with this obligation, no further obligation shall rest on the other persons.

### **3.2.4 Port clearance**

The Owner, Master or Agent of every Vessel wishing to leave the Port shall obtain port clearance from the Petroleum Ports Authority and/or Harbour Master. Port clearance may be withheld from any Vessel by the Harbour Master for non-payment of Port Charges, for any violations of the provisions of the Laws and Regulations, or for any legal cause or restraint which has been duly ordered by the Court in Abu Dhabi.

### **3.2.5 Schedule of Tariffs**

#### **i. General**

The Owner, charterer or Agent of any Vessel, other than Excepted Vessels who requires such Vessel to enter the Port, regardless of the purpose, must pay in advance, Port Charges to the Petroleum Ports Authority in accordance with the scale of charges set forth in this Article. The single port charge per Vessel, per visit, is levied for the following Port Services, supplied relative to a Vessel's size and its business in the Port.

- Pilots and pilot launches
- Maintenance of navigable channels and anchorages
- Navigation aids for the approaches to the port from Outer Fairway inwards to the port and its limits.
- Navigation aids for the port channels anchorage areas and berths
- Port tugs for one berthing and one un-berthing
- Mooring launches and gangs for one berthing and one un-berthing
- Port Control office and services
- Tidal, meteorological and navigational data
- Port emergencies and Safety
- Port security

#### **ii. Port Charges**

- Vessels of  $\geq 4,500$  NRT  
The charges for any Vessel of 4,500 NRT and above which enters and berths at a terminal will be calculated by multiplying the Gross Registered Tonnage (GRT) of that Vessel by an amount in UAE Dirhams as determined from time to time by the Petroleum Ports Authority.
- Vessels of  $< 4,500$  NRT  
The charge for any Vessel of less than 4,500 NRT which enters and berths at a terminal or cargo wharf will be a "minimum fixed charge" as determined from time to time by the Petroleum Ports Authority.

#### **iii. Shifting Charges**

Shifting charges for Vessels will be levied for each shifting i.e. from berth to anchorage or vice versa or berth to berth as determined from time to time by the Petroleum Ports Authority.

**iv. Charges for Delays**

Charges for delays to Pilot/Marine Services, etc. Whenever a Pilot is delayed after the stated time of berthing/un-berthing due to a Vessel being not ready to proceed for whatsoever reason through any fault of the Vessel, Vessel's Agent or terminal a charge for such delays will be levied against the Vessel or terminal per hour or part thereof at a rate equivalent to the hourly Pilot or Tug rate or both or part thereof.

**v. Country Boats**

Country Boats i.e. vessels less than 100 NRT will be charged a nominal standard port levy as prescribed in the scale of charges hereof.

**vi. Charges for Vessels not carrying out cargo operations**

The charge for any Vessel over 600 NRT which enters the Port to anchor in the designated areas only and does not load or discharge cargo will be the "minimum fixed charges" as determined from time to time by the Petroleum Ports Authority.

**vii. Special Marine Services - Ruwais Port only**

IRSHAD's hire rates for special marine services, e.g. diving and outside port limits chartering are available on request from the Port Control, Various standard hire rates are indicated below for information.

**viii. Fire- fighting Tug Surcharge - Ruwais port only**

A surcharge for a standby fire-fighting tug is to be applied to all vessels using terminals facilities at Ruwais Port as determined from time to time by the Port Petroleum Ports Authority.

### 3.2.6 Current Port Charges

The following charges will be levied upon Vessels entering the Ports as from 04th September 2016, in accordance with the Port Regulations. All charges are in UAE Dirhams and are subject to change and/or amendment in which case an up-dated Port Charges schedule will be issued

S. No.	DESCRIPTION	AED
1	All vessels over 4,500 NRT loading / discharging cargo pay a single charge in advance per GRT.	1.40
2	All vessels 100 to 4,500 NRT loading / discharging cargo pay a minimum fixed charge in advance per visit.	6000
3	Passenger Vessels (Fixed charges)	25,300
	<b>Detention of pilot / services (per hour or part thereof):</b>	
4	a. For vessels requiring tug for berthing / Un berthing	2500
	b. For other vessels	500
5	Extra charge for shifting vessels per single shift, within a maximum of two hours. Additional time for shifting to be pro-rated	8500
6	Slop discharges as per MARPOL 73/78 Requirements	11.00 /MT
7	Engine Room Bilges disposal / 2 hours alongside	4400
	For each hour or part thereof over and above 2 hours	1100
8	Garbage discharge as per MARPOL 73/78 Requirements or subsequent revision per skip	500
9	Surcharge for Vessels berthing on the fixed jetty structure per visit (Stand by Fire-Fighting Tug)	4050
10	A single port entry charge levied for each boat, craft or barge over 100 NRT, per visit.	1500
11	A single port entry charge levied for each boat, craft or barge under 100 NRT, per visit.	350
12	A single port entry charge levied for a tug and tow per visit	1500
	<b>Pilotage Exempted Vessels</b>	
13	a. Masters Pilot Exemption Certificate for one year	3000
	b. Renewal	3000
	<b>Additional Charges For Extra Services (Charge Per Hour)</b>	
14	a. Pilot Service	500
	b. Pilot Boat	2000
	c. Mooring Launch	2000
	d. Tug	3000

	The above charges are doubled on Fridays and UAE Public Holidays	
15	<b>Berthage service charges in service harbour at Ruwais – (charge per day)</b>	
	a. Berthage – Vessel / Barge less than 100 GRT	500
	b. Berthage – Vessel / Barge from 100 to 500 GRT	1500
	c. Berthage – Vessel / Barge more than 500 GRT	2500
16	<b>Berthage service charges in service harbour at Das Zirku – (charge per day)</b>	
	Berthage Charge in Service Harbour	500
17	<b>Bunkering charges at Ruwais, Das Zirku - Additional charges applies if bunkering required after working hours</b>	
	a. Diesel	ADNOC FOD Price +25 %
	b. Water	0.15 per Imp. Gallon
18	<b>Transit Storage Charges At Ruwais, Das And Zirku – (Charge Per Day)</b>	
	Storage Charge – Transit holding area	Min 500 AED + 5 AED per metric Ton of Cargo or AED 5 per one (1) M3 whichever is higher
19	<b>Special services at Ruwais, Das Zirku.</b>	
	a. Diving Services	On Quotation
	b. Labor Hire	On Quotation
	c. Equipment Hire	On Quotation
	d. Maintenance / Repair	On Quotation
20	<b>Miscellaneous Charges At Jebel Dhanna Ruwais &amp; Das Zirku</b>	
	a. Port Clearance Certificate	300
	b. Vessel's Inspection by Petroleum Ports Authority	1000
	c. Port Security Officer's Inspection to furnish Declaration Of Security	4000
	d. Marine Project Commissioning Permit	1500
	e. Craft Entry Permit	700
	f. Diving Permit	500
	g. Hot work Permit	500
<b>Items b &amp; c are doubled on Fridays and UAE Public Holidays</b>		

### 3.2.7 Port Dues (Oil Tax)

Law No. (2) of 1972 as amended by Law No. (2) of 1984.

Port Dues (Oil Tax) will be levied in the amount of AED 1.00 per ton of gross registered tonnage of each Tanker that is loaded with hydrocarbon substances or any other substances at the Ports or petroleum loading centres in Abu Dhabi Emirate.

The Port Dues (Oil Tax) in relation to any Tanker that loads at Ports or petroleum loading centres in Abu Dhabi a load of hydrocarbon substances which is less than the full summer deadweight tonnage of the tanker, will be determined by calculating the amount of Cargo actually loaded as a percentage of the deadweight tonnage of the Tanker and by applying the above rate with reference to the following table:

Percentage of summer deadweight tonnage loaded vs percentage of dutiable gross tonnage				
Percentage of Summer Deadweight Loaded				Percentage of GRT to be applied For Port Dues
From	0	To	40	40% of the GRT
More than	40	To	50	50% of the GRT
More than	50	To	60	60% of the GRT
More than	60	To	70	70% of the GRT
More than	70	To	80	80% of the GRT
More than	80	To	90	90% of the GRT
More than	90			100% of the GRT

However, in the event that the Tanker is loaded with a part Cargo of hydrocarbon materials from two or more Ports, or from two or more loading centres in Abu Dhabi during the same voyage, the Vessel is not committed to pay Port Dues (Oil Tax) whose total exceeds the percentage due on the total quantity loaded.

Tankers which use any Port facility for the express purpose of purchasing any kind of fuel for use in such Tankers shall be exempted from payment of such Port Dues (Oil Tax). This exemption will apply for one year with effect from the date of promulgation of the law and is automatically renewable for additional periods of one year each unless exemption is amended or cancelled. Throughout the period of exemption, the Tanker shall remain liable to pay all other dues, rates and all other items for which it was liable prior to promulgation of this law.

### 3.3 Reporting, Notification

#### 3.3.1 Reporting and Procedural Requirements

- i. The Master, owner, charterer and/or Agent of any Vessel calling at the Port are jointly and severally required to ensure that the Petroleum Ports Authority is notified of:
  - The expected time of arrival of the Vessel at the Port, at least 72 hours prior to arrival along with the Pre Arrival Questionnaire for the relevant Terminal (as available on the Petroleum Ports Authority website), updated 48 hours 24 and 12 hours prior to arrival).
  - The presence of Dangerous Goods or Noxious Substances on board, at least 72 hrs prior to arrival and subsequently forty-eight hours before arrival – see Article 3.3.3
  - The presence of any fumigating gas in the Cargo at least 24 hours before arrival.
  - A planned change of berth of the vessel, at least three hours before commencement of such a change,
  - Expected departure 4 hours prior completion of cargo operations.
  - Any defects in or damage to the Vessel, equipment or items, or any other circumstance on board which may impact the safe navigation of the Vessel or may endanger the safety or wellbeing of person(s), property or environment in or outside the Port, immediately after these circumstances have become apparent to him.
  - Any incidents /accidents and/or damages caused to the Port, to his own or other Vessels or to property during navigation towards, or from the Port, berthing, un berthing or other activities whilst within the Port, immediately after these circumstances have become apparent – see also Article 3.3.5
  - the existence or the suspicion of the existence of infectious or epidemic disease on board at least 72 hours prior to arrival or if the suspicion arises later, immediately upon discovery
  - the arrival of the Vessel from areas suspected of infectious or epidemic disease, at least 72 hours before arrival, other data required by the Harbour Master in connection with the Vessels presence in the Port.
- ii. In order to expedite Pilot attendance, Masters shall confirm their final E.T.A. to Port Control on V.H.F. radio, four hours prior to arrival at the pilot station.
- iii. The Master of a Vessel requesting medical aid or emergency assistance must give notice immediately prior arrival, if necessary by VHF.
- iv. The reports referred to in para (i) shall be in writing and in conformity to the model(s) issued by the Petroleum Ports Authority as modified from time to time.

- v. If any one of the persons mentioned in paragraph i has complied with the obligation in paragraph i, no further obligation shall rest on the other persons.

### **3.3.2 Specific Reporting - Dangerous Goods and Noxious Substances**

The Master of a Vessel or the Vessel's/Owner's/Charterer's agent shall 72 hrs before arriving at the Port, and subsequently forty-eight hours before arrival, submit the following documents to the Harbour Master.

- i. Manifest: Dangerous good manifest confirming that loading and stowage of such Dangerous Goods was completed in a proper and safe manner, which they were packed as stipulated under: "International Maritime Dangerous Goods Code – IMDG Code" and that special markings were affixed to it.
- ii. Dangerous Goods notes in an IMO approved format (includes the quantity, load, type and source of loading and the port of discharge.)
- iii. Stowage plan

The Petroleum Ports Authority may refuse entry if all the required documents have not been submitted / presented to the Harbour Master in the required format.

### **3.3.3 Specific Reporting - Radioactive Substances**

The Master of a Vessel that is carrying or intends to carry a radioactive substance shall ensure that when notifying the expected time of arrival in a Port, the following data are also notified to the Petroleum Ports Authority:

- i. the name of the radioactive nuclide(s) (chemical symbol and mass number);
- ii. the activity of the radioactive substance in the appropriate units;
- iii. the category of the package (namely Category I WHITE, Category II YELLOW, Category III YELLOW);
- iv. the transport index (only for packages with YELLOW labels);
- v. the gross quantity in kilograms, the type of packing and the number of packages.
- vi. The Petroleum Ports Authority/Harbour Master has the right to refuse entry to a Vessel if it is not satisfied with the information provided or considers that the radioactive substances pose a threat or potential threat to the Port.

### **3.3.4 Reporting of Incidents and Failures on Board**

- i. When handling a Cargo on board, the Master shall ensure that any operating failure on board connected with the cargo handling and potentially affecting safety, the environment or otherwise influencing the order and safety in port, is notified to the Harbour Master immediately.
- ii. Vessel's Master shall immediately inform the Harbour Master and if present the Loading Master or representative of the installation/terminal of:
  - any damage caused by their Vessels to any port installations or facilities,
  - any loss, discharge, spill, release or escape of the Vessel's contents or equipment within the Port.
- iii. All cases of Injury affecting the operational capacities of the Vessel or causing death.

### **3.3.5 Obligation for Vessel Owner and Representative to Report**

The obligations, as mentioned in the Articles 3.3.1, to and including 3.3.6, also apply to the owner, Agent and the charterer of a Vessel and their representative, jointly and severally.

### **3.3.6 Notification**

- i. The above notifications to the Petroleum Ports Authority, shall be addressed to the respective Harbour Master of the Port and shall be in the format prescribed by the Petroleum Ports Authority.
- ii. All notifications shall be made in writing, electronically by e-mail.

## **4 ORDER IN PORT, MARITIME ORDER, AND GENERAL MARITIME SAFETY**

### **4.1 General Obligations, entry into the port, objects in port**

#### **4.1.1 Duty to have an agent in port**

The Master, Vessel owner and/or Charterer of a Vessel intending to enter a Port shall have a duly authorized Agent at the Port. Such Agent shall represent the Vessel, the vessel-owner, Master and charterer.

#### **4.1.2 Traffic rules**

- i. The International Collision Regulations (COLREGS) apply to all Vessels using the Port. The Petroleum Ports Authority may, for the purpose of order and safety in the harbour, issue traffic rules for the Port and amend these traffic rules as and when it deems fit. These rules will supplement but not be in contravention of COLREGS.
- ii. It is prohibited, to act in violation of a rule and the corresponding instructions, referred to in paragraph (i), unless permission has been granted in writing by the Harbour Master.

#### **4.1.3 Port Approaches - Marks and Lights**

Approaches to the Petroleum Ports shall be indicated by such lights, buoys and marks as the Petroleum Ports Authority may consider appropriate.

#### **4.1.4 Placement of objects / construction of facilities**

- i. It is prohibited, to have, to construct or place any facility or object in, under or above water, unless it concerns:
  - Ropes, cables, chains or other similar appliances for the purpose of mooring, anchoring, towing or assisting a vessel and which are in use as such
  - Gangways and other similar appliances, not of permanent nature
  - Gantries, runways, cranes, suspended or floating platforms or other similar appliances, when in service or marked to the effect that no hazard, damage or hindrance will occur.
- ii. The prohibition of paragraph (i) does not apply to any act in accordance with a permit issued by the Harbourmaster.

#### **4.1.5 Removal of projections**

The Master of a Vessel shall ensure that any projections that may cause damage to a quay wall, pier, jetty, or equipment, or may interfere with the loading or unloading of other vessels, are removed prior



to entry into a Port, failing which the Owners and/or Charterers of the Vessel shall be liable for all damage occurring and the cost of repairs and, upon the grant of an order from the Abu Dhabi Courts or other competent authority, will be not be permitted to sail without first putting in place a bank guarantee acceptable to the Petroleum Ports Authority or, in their sole discretion, an acceptable P&I Club letter of undertaking. Irrespective of a Court or other order detaining the Vessel, the Owners and/or Charterers and/or Agent will nevertheless be required to put in place a bank guarantee acceptable to the Petroleum Ports Authority or, in their sole discretion, an acceptable Protection & Indemnity (P&I) Club letter of undertaking by way of security.

#### **4.1.6 Permission to enter a port**

- i. The Master of a Vessel shall not enter a Port without the prior permission of the Harbour Master of the relevant Port.
- ii. The Harbour Master may refuse entry into a Port to any Vessel that in his opinion does not comply with the Petroleum Ports Authority's admission requirements.

#### **4.1.7 A/C System**

As the local weather is extremely hot and humid in summer, all Vessels must have an efficient A/C system to maintain the temperature inside the accommodation not exceeding 25° C.

#### **4.1.8 Tank Atmosphere**

- i. All tankers arriving at any Petroleum Ports must ensure that all cargo tanks are in inert condition with oxygen contents of less than 8%, unless they are carrying specific cargoes that do not require an inert atmosphere, in which case they must obtain Harbour Masters approval prior to entry. This must be brought to the Harbour Masters attention during the Pre arrival formalities.
- ii. In case the tanker is carrying multiple grades, the most stringent requirement shall apply to all cargo tanks.
- iii. All Vessels shall operate under closed loading conditions.

#### **4.1.9 Hydrogen Sulphide**

- i. Vessels arriving as first loading port shall have all tanks purged to ensure a residual tank atmosphere with as less Hydrogen Sulphide (H<sub>2</sub>S) as possible, but in no case more than 5ppm H<sub>2</sub>S upon arrival.
- ii. Where Vessels arrive partly loaded with crude oil(s), they shall take all reasonable measures to avoid contaminating the atmosphere of any unloaded tanks with H<sub>2</sub>S. They shall purge the atmosphere in all empty tanks nominated for loading to ensure a residual tank atmosphere with as less H<sub>2</sub>S as possible, but in no case more than 5ppm H<sub>2</sub>S upon arrival.
- iii. The maximum allowed H<sub>2</sub>S concentration on the open deck at any time is 5 ppm by volume.
- iv. The Vessel should at all times follow the guidelines of ISGOTT Edition 5 and must consult with the Loading Master in regards to safety and venting arrangements.

#### **4.1.10 Permit for Marine projects within Port Areas**

- i. No projects within the Port shall be mobilized without first obtaining the written permission of the Harbour Master.
- ii. The Harbour Master may order the removal of any Vessel from the Port if such Vessel is not undertaking or engaged in a marine project on behalf of a company with the Group of Companies operating within the Port, or if the Vessel violates any of the provisions hereof.

#### **4.1.11 Compliance with ADNOC Group Ship Vetting Policy**

All Tankers must have received a positive vetting result within the ADNOC Ship Vetting system before entering the Port. Other Boats / Crafts must have received a positive vetting result within the ADNOC Group Ship Vetting system and in addition must also have been granted permission to enter the Port by the Harbour Master before entering the port limits. They should be in compliance with the concerned OPCO's Acceptance Standard for Marine Vessels as available with the respective Group Company.

#### **4.1.12 ETA and Pre Arrival Questionnaire**

The Vessel's Master shall notify the Petroleum Ports Authority as per requirements in [Article 3.3.1](#).

#### **4.1.13 Animals**

No animals shall be allowed on any Vessel using the Port or any installation.

#### **4.1.14 Transiting boats**

With due observance of the terms of the following Article, the Port shall be used only by Boats operating under the Petroleum Ports Authority's/Harbour Master's directions and such Other Boats/Small Vessels as are or may be authorized to do so after obtaining a Craft entry permit issued by the Harbour Master.

#### **4.1.15 Removal of Boats & small vessels**

Boats and Small Vessels to which the terms of the preceding Article apply shall leave the Port when required to do so by the Harbour Master. Where they are not in a condition which enables them to sail, or where their Masters or owners fail to commence or complete the necessary repairs within a reasonable period, the Petroleum Ports Authority may declare that such small vessels and boats have come to constitute an obstruction in the sense intended hereof. In the event of an obstruction, the Small Vessel/Boat may be removed by the Petroleum Ports Authority and the cost recovered from the owner.

#### **4.1.16 Prohibition and assignment of berthing**

- i. The Master shall not attempt to berth a Vessel or lay at a berth, unless
  - The Vessel has been nominated by a ADNOC Group Company.
  - A Pilot who is approved and licenced by the Petroleum Ports Authority is on board the Vessel.
  - The Petroleum Ports Authority has granted permission for berthing.
- ii. The Harbour Master may, in deviation of the first paragraph and in his sole discretion prohibit berthing, staying at a berth or un berthing.
- iii. No Vessel shall have the right to any particular berth or mooring, unless planning of operations, nautical or technical requirements demand a particular berth. Formalities for export cargoes  
The Agent of Vessel planned to carry export Cargo shall, before commencement of loading, complete all necessary customs and other obligatory legal formalities for such shipment.

#### **4.1.17 Immobilization of engine, readiness**

The main engines of all Vessels shall always be kept ready for immediate use when a Vessel is within the Port except with the express permission of the Harbour Master. In case of steam vessels, steam pressure shall be maintained above the minimum necessary to maneuver such Vessels in case of need. Testing of the engines alongside shall be subject to the express permission of the Harbour Master.

#### **4.1.18 Boilers**

The flame of the boilers shall be maintained under control, and the pipes leading up to the funnels as well as the boiler tubes shall not be drained except with the Harbour Master's permission.

#### **4.1.19 Soot Blowing within Port Limits**

In line with article 4.1.18 & article 5.2.10, No vessel shall carry out soot blowing with in port limits.

#### **4.1.20 Crew**

Vessel's Masters shall at all times maintain on board a sufficient number of Ships crew to operate the Vessel. Note that this may be more than that shown on the minimum manning certificate.

#### **4.1.21 Shifting vessels**

- i. The Harbour Master may prohibit the shifting for reasons of safety and order.
- ii. The Master of a Vessel shall not attempt to shift or change the berth without the prior permission from the Harbour Master of the relevant Port.
- iii. The Master of a Vessel is obliged to shift his Vessel to another berth when ordered to do so by the Harbour Master for reasons of safety, order and any operational requirements, however if any shifting is requested for same reasons by the Master of the vessel, the Harbour Master shall assess such request and if agreed shall confirm the order in writing.
- iv. Where paragraphs (ii) or (iii) are not being complied with, the Harbour Master shall seek the assistance of the Critical Infrastructure Coastal Protection Authority ("CICPA") in order to facilitate the removal of such Vessel to such point and in such manner as the CICPA may deem proper. The Owner of the Vessel and/or Master and or charterer shall be jointly and severally liable for, in addition to charges for detention specified in 3.2.5(iv) above, all expenses incurred in the shifting or removal of the Vessel.

#### **4.1.22 Obstruction**

If any Vessel, or seaplane or helicopter or other object sinks or grounds or otherwise becomes or is likely to become in the opinion of the Harbour Master an obstruction or danger to navigation, the Harbour Master will serve written notice on the owner/Master/Agent of the obstruction requiring him to remove it within a specified number of days. If its owner, Master or his Agent fails to remove the obstruction or danger so caused within the period specified in the written notice served by the Harbour Master, then the owner, Master or Agent shall have committed a punishable criminal offence under Articles 75,76 and 77 of Law 12/1973 and shall be liable to criminal sanctions as appended in Law 12/1973, Article 75,76 and 77 This shall not prejudice the Harbour Master's right, for the sake of safe guarding the interest of the Port, to take action to remove the obstacle. All expenses incurred arising out of or in connection with such removal shall be recoverable from the Master or owners of the Vessel or seaplane or helicopter who shall jointly be liable thereof.

#### **4.1.23 Wreck Removal**

If, in the opinion of the Harbour Master, any Vessel or seaplane or helicopter sinks or grounds or otherwise becomes an obstruction which constitutes an immediate danger to other Vessels and/or surface navigation, he may take the necessary immediate measures to remove the obstruction without the need for any notice and shall be entitled to recover from the persons mentioned in the previous Article, any and all expenses, costs and fees howsoever incurred in the process of its removal and may require the Owner, Master or charterer of any Vessel or owner of any seaplane or helicopter to put in place a bank guarantee acceptable to the Petroleum Ports Authority or, at their sole discretion, an acceptable Protection & Indemnity (P&I) Club letter of undertaking by way of security.

#### **4.1.24 Cargo and equipment on wrecks or in the water**

The Harbour Master may act in the manner described in the two preceding articles in respect of any Cargo, ropes, or equipment contained on any Vessel or seaplane or helicopter that has sunk, grounded or otherwise. The Harbour Master may apply the same provisions to any Cargo, ropes or equipment which have fallen in any manner from any Vessel or seaplane or helicopter into the waters of the Port.

#### **4.1.25 Claims**

The Petroleum Ports Authority shall not be liable for any claims howsoever arising out of or in connection with the exercise of the powers conferred upon it by these Regulations, whether the exercise of those powers was negligent or otherwise.

#### **4.1.26 Salvage**

- i. Any unclaimed goods salvaged or discovered at any place within the Port shall be reported and delivered to the Harbour Master, who shall take such goods into custody.
- ii. No person shall salvage anything that has sunk in the Port unless expressly authorized to do so by the Harbour Master.
- iii. The person who has salvaged anything that has sunk in the Port shall have no recourse against the Petroleum Ports Authority to obtain compensation for his labour unless the Petroleum Ports Authority has agreed to his performance of the salvage operation.
- iv. The owner of the salvaged goods may claim the same within a period not exceeding six months from the date of delivery thereof to the Harbour Master, and he shall pay salvage costs and storage expenses/costs as determined by the Harbour Master. Neither the Port Petroleum Ports Authority nor the Harbour Master nor the Port accept any responsibility and shall not be liable for any damage to the salvaged goods during any period of storage. The salvaged goods are stored at the sole risk of the owner of those goods.
- v. If the owner fails to claim his goods within the aforementioned period, the Port Petroleum Ports Authority may sell the goods and keep the sale proceeds.
- vi. Where the Harbour Master finds that the salvaged goods are perishable or that their value is less than storage costs, he may order the sale thereof immediately in a manner that he deems suitable.

#### **4.1.27 Exceptional powers**

The Harbour Master may forego the application of some of the previous provisions where public interest so requires.

#### **4.1.28 Additional measures**

The Harbour Master may impose safety measures or additional restrictions for the protection and safety of navigation, Vessels, crews, installations and personnel as he may deem necessary. He shall communicate such measures in writing to Vessels' Masters and other responsible persons who shall be required to comply therewith immediately.

#### **4.1.29 Port Officials Right to Board Vessel's in Port**

Vessel's Master shall at all times permit the Harbour Master and others delegated by the Petroleum Ports Authority to board their Vessels without restriction in order to verify compliance with these Regulations or carry out other duties as specified from time to time.

## **4.2 Navigation, Use of the ports**

### **4.2.1 Approaching and entering a port**

- i. Every Vessel within the Port between sunrise and sunset, shall fly her national flag and the national flag of the UAE.
- ii. Vessels shall, at all times, comply with the International Code of Signals and display flags, shapes and lights as required by the International Regulations for Preventing Collision at Sea.
- iii. The Master of a Vessel entering or leaving a Port or manoeuvring in a Port shall not exceed a speed suited to the characteristics of the relevant waterways or as determined by the Harbour Master of the relevant Port. The speed restrictions for various channels is appended in the Port Management procedures.

### **4.2.2 Free pratique / Health formalities**

- i. Prior to arrival from a foreign port, each Vessel must complete and submit a Maritime Declaration of Health.
- ii. Upon arrival at the outer anchorage, every Vessel shall exhibit the international signal requesting free pratique.
- iii. Provided that the Maritime Declaration of Health has been completed correctly and to the satisfaction of the Pilot, free pratique will be granted by the Pilot upon his boarding.
- iv. No Craft other than those carrying the Pilot or Port Health Officer may approach any Vessel entering the Port and no other person may board any such Vessel until quarantine formalities have been completed.
- v. The terms of the preceding paragraphs shall not apply to Vessels that are suspected of infection or are infected and/or under any orders or laws in force. Such Vessels shall be subject to the rules governing quarantine for persons and animals and/or to the provision of such orders or laws.
- vi. A Vessel suspected of carrying an infectious disease or epidemic on board or arriving from an area suspected of the same shall wait at the outer anchorage area of the Port until a hygiene and health quarantine officer has embarked on the Vessel, assessed the situation and provided his recommendations to the Harbour Master and/or PPA.
- vii. Such Vessels shall be subject to the rules governing quarantine for persons and animals and to the provision of such orders or law

### **4.2.3 Potential danger, damage or hindrance from vessels**

- i. The Harbour Master may refuse to permit a Vessel to enter the Port with his Vessel to berth or remaining at a berth if he is of the opinion that the Vessel brings or may bring serious danger, cause damage or hindrance to others and/or to the safety of the Port and navigation within it.
- ii. The prohibition shall be communicated in writing to the Master and/or his representative.
- iii. The Master on whom the prohibition mentioned in the previous paragraphs has been imposed, shall act in conformity with the same.

### **4.2.4 Priority of entering or leaving the port**

When two Vessels are ready to enter and leave the Port simultaneously, the outgoing Vessel shall have priority over the incoming Vessel provided that, by so doing, the safety of navigation or the International Regulations for the Prevention of Collision at Sea are complied with.

#### 4.2.5 Safe Speed

Every Vessel within the Port shall navigate with safe speed as set out in the relevant Port management procedures which Vessels should make themselves aware of and in a manner which shall not endanger the safety of Port, its installations or other Vessels. In particular, special care and caution must be observed in the vicinity of Vessels that are:

- Sailing, towing, being towed, mooring, unmooring, anchoring, weighing anchor, moving towards or away from an Single Point Mooring (SPM) Terminal.
- Engaged in: Diving, dredging, clearing, pile driving, overhauling, surveying or obstacle removing operations and laying navigational marks etc.-and all other activities which are sensitive to passing Vessels.

#### 4.2.6 Under Keel clearance

##### i. Subsea Pipelines

When sailing or crossing over any subsea pipelines, all Vessels, Crafts or rigs must ensure that they maintain a minimum dynamic under keel clearance of 3 (three) meters. If under exceptional circumstances, Vessels, Crafts or rigs are required to cross such pipelines with an under keel clearance of less than 3 (three) meters, a detailed procedure for such operation is to be submitted to the Harbour Master in advance and the crossing may proceed only after written permission is obtained. In any event, under no circumstances may dynamic under keel clearance be reduced to less than 1 (one) meter.

##### ii. Navigating within port limits and in channels

Vessels may enter or leave a Port at any time during the day or night subject to limitations on the minimum dynamic under keel clearance, i.e. taking into account the effect of extreme adverse weather conditions, the effect of squat at the prevailing speed, bank effect, ship size and load condition, list and trim.

To ensure safe channel passage, the following minimum dynamic under keel clearance shall be maintained for all Vessels and Craft entering or leaving a Port:

A	Up to 100,000 SDWT	0.92 meters / 3 Feet
B	Up to 250,000 SDWT	1.22 meters / 4 Feet
C	Up to 350,000 SDWT	1.52 meters / 5 Feet
D	Over 350,000 SDWT	1.83 meters / 6 Feet

#### 4.2.7 Anchors and Anchoring

- i. Vessels shall have both anchors ready for immediate use whenever required by the Pilot.
- ii. SPM bound Tankers must secure and lash their anchors prior to making the final approach, for the duration of stay at the SPM and until finally clear.
- iii. All Vessels must have anchors secured when crossing pipeline areas.
- iv. Vessels shall not anchor near any submarine pipeline within the Port as described unless engaged on work which, in the opinion of the Harbour Master, necessitates their doing so.



#### **4.2.8 Manoeuvring**

No Vessel is allowed to drop or slip anchor, leave or alter its place of anchorage, fasten or unfasten its moorings within the areas defined in these Regulations, without the express written permission of the Harbour Master.

#### **4.2.9 Vessels Moored in Port**

- i. All Vessels shall use the mooring patterns specific to the Terminal Berth. Information on minimum mooring requirements is available in the port information booklet of the relevant Ports which is available on [www.ppa.adnoc.ae](http://www.ppa.adnoc.ae).
- ii. The Master of a berthed or anchored Vessel or Craft shall ensure that the Vessel or Craft shall at all times be properly moored or anchored and display the relevant lights and/or signals.
- iii. The Master of a Vessel or Craft, once moored, shall not change its mooring(s) to other bollards/hooks without permission from the Harbour Master.
- iv. The Harbour Master may physically examine moorings or check their certification, maintenance records whenever he deems it is necessary.

#### **4.2.10 Use of bow, stern thrusters and side thrusters**

- i. It is prohibited to use the bow/stern thrusters and/or side thrusters:
  - When the Vessel is aground;
  - When the Vessel is moored alongside a quay, jetty or anchored near a buoy, unless immediately at arrival or on departure.
- ii. The prohibition of paragraph (i) does not apply if permission has been granted by the Harbour Master.

#### **4.2.11 Lowering of boats**

Life boat/rescue boat drills in a Port which involve lowering of boats/survival crafts into the water from Vessels within a Port is strictly prohibited. However, the Harbour Master may allow lowering of the lifeboats, tender boats and other survival craft into the water at his discretion basis a detailed risk assessment being submitted by the Master of the Vessel.

#### **4.2.12 Diving Operations**

A Vessel within a Port shall not carry out any diving operations without prior permission from the Harbour Master.

#### **4.2.13 Floating materials or under-water cables**

The Master of a Vessel entangled by floating materials such as fishing nets or under-water cables in a Port shall immediately stop her engines and report the occurrence to the Harbour Master, and may not move without prior permission from the Petroleum Ports Authority/Harbour Master.

#### **4.2.14 Pleasure craft and sailing vessels in port**

Pleasure craft and sailing vessels must comply with the Petroleum Ports Authority's admission requirements and obtain permission from the Harbour Master prior entry.

#### **4.2.15 Fire-fighting Equipment**

Boats permitted to enter the Port shall be provided with adequate fire-fighting equipment, and shall not be left unmanned.

#### **4.2.16 Entry into Port and Visitors**

- i. No person shall enter the Port unless he is authorised to do so by the Petroleum Ports Authority.
- ii. No visitors shall be allowed to go on board and no crew members shall be allowed embark or disembark unless authorised by the Harbour Master.

#### **4.2.17 Approach to vessels**

No boat shall approach Vessels in Port within a distance of less than 500 meters except with the Harbour Master's permission. The terms of this Article shall not apply to Government Vessels [or Vessels authorized to do so by the Harbour Master.

#### **4.2.18 Alcohol**

All alcoholic beverages on Vessels within the Port shall be secured in bonded lockers on board. It is forbidden to transfer alcoholic beverages between Vessels and to/from shore.

#### **4.2.19 Swimming and fishing**

No swimming or fishing is permitted within the Port.

#### **4.2.20 AIS (Automatic Identification Systems)**

All Vessels entering Ports of all gross tonnages and types will be required to have fitted and in operation an Automatic Identification System in compliance with SOLAS whether or not they would normally have to comply with SOLAS. The unit may not be switched off without specific instruction from either the CICPA Commander or the Harbour Master.

### **5 SAFETY & SECURITY OF VESSELS OPERATIONS IN PORT**

#### **5.1 General Security & Safety Requirements**

##### **5.1.1 Port Safety Requirements**

- i. The Master whilst within a Port must ensure that Port Security, Fire and Safety Requirements are complied with.
- ii. Vessels carrying out operations must complete, sign and comply with an appropriate ship/shore safety or ship to ship transfer checklists.
- iii. Naked fires, steel hammering, welding and other activities that may cause incendiary sparks shall be prohibited, unless authorized by the Harbour Master;
- iv. Goods that may react upon exposure to dampness, rain or sunlight shall be fully protected;
- v. Any damaged packaging shall be suitably repaired or where this is impossible, the necessary precautionary measure shall be taken;
- vi. All necessary precautions shall be observed to avoid the falling or rolling off of packaged Dangerous Goods into the waters of the port;



- vii. Dangerous Goods shall be properly handled using appropriate equipment and shall in no case, be dragged or rolled.
- viii. Bare or Naked Lights on board any Vessels are prohibited anywhere in the Hazardous Area.

### **5.1.2 Operation of Transmitting equipment**

- i. It is not permitted to operate the main transmitting equipment of the Vessel.
- ii. The antennae of the same must be isolated / earthed during cargo operations.
- iii. No repair or test of any electrical equipment including mobile telephones, radio and radar sets and home electrical appliances is permitted in the Hazardous Area, unless permission therefore is expressly obtained from the Harbour Master.
- iv. The use of Intrinsically Safe VHF and UHF communication sets with a radiated power of 1 watt or less is allowed.

### **5.1.3 Use of Electrical equipment**

Electrical equipment including mobile telephones not classed as Intrinsically Safe must not be used in the Hazardous Area. Whilst transiting Hazardous Areas, any such equipment must be switched off (Use of any "safe modes" is not permitted).

### **5.1.4 Explosives**

All explosives or inflammable stores shall be kept on board in a safe place which shall be tightly closed.

### **5.1.5 Fire Fighting Equipment**

Fire-fighting equipment, instruments and tools, including main fire pumps and emergency pumps, shall be ready for immediate use. The Vessel's Master shall be responsible for ensuring that all on board the Vessel are aware of the shore fire-fighting arrangements.

### **5.1.6 Fire breakout**

If a fire breaks out on board any Vessel, the Master shall immediately send out signals by prolonged sounding of the Vessel's whistle and continuous ringing of the Vessel's alarm bell. He shall immediately report the fire breakout to the Harbour Master/Terminal Safety Officer and the Port control by all means available.

### **5.1.7 Pollution, Stench or Health Hazard**

- i. Pollution of the environment within Port Limits is strictly prohibited.
- ii. Any discharge into the sea of oil or oily mixtures is strictly prohibited.
- iii. No discharge into the sea shall contain chemicals or other substances which are hazardous to the marine environment. This specifically includes oil dispersants and allied chemicals.
- iv. No domestic or other garbage shall be dumped into the sea. Vessel's engineering department will ensure that 'No Hot Ash' or other incensive materials are emitted from any source at any time while within a Port.
- v. Particular consideration should be given to the storage of garbage that is designated as 'special waste', such as batteries, sensors and fluorescent tubes, to ensure that only compatible materials are stowed together.
- vi. Smoke from the funnels or exhaust gas lines of Vessels is prohibited.

- vii. As per Federal law No 24/1999 "Discharge of sewage effluent into the marine environment is forbidden except in the following conditions:
  - The vessel is discharging treated sewage effluent using equipment recognized by the concerned authorities at four miles from the nearest land.
  - The vessel is discharging untreated sewage effluent at more than 12 miles from the nearest land.
- viii. It is prohibited on a Vessel to wash decks or carry out any other work that may cause pollution.
- ix. Vessels shall take all precautions to prevent, soot, garbage incineration, vapours, fumes, dust or steam escaping from a Vessel.
- x. Petroleum Ports Authority may prohibit the handling of certain substances, which in its opinion might cause a stench or health hazard during handling. The prohibition may refer to one or more specific Ports or to parts thereof, in which case the Petroleum Ports Authority shall publish a list of the substances and areas so designated.

#### **5.1.8 Noxious Substances**

- i. No Noxious Substances or materials or goods from any Vessel shall be landed or disposed off within a Port.
- ii. The Harbour Master may order any Vessel carrying Noxious Substances or other goods which are considered by him to be deleterious to health to leave the Port immediately.
- iii. The Harbour Master may order the removal, confiscation or destruction of any other materials or goods which are or have become noxious or which he may deem to be harmful or potentially harmful to health, without any compensation.
- iv. The cost of removal, confiscation or destruction of the materials or goods, and the cleaning, disinfection and sterilization of the affected area shall be at the expense of the Vessel owners concerned.

#### **5.1.9 Repairs / Maintenance whilst in Port**

- i. Repair or maintenance activities on board a Vessel are prohibited if: -
  - The activity involves Hot Work of any kind including but not limited to the use of naked lights or open fire. Refer to Hot Work definition provided in article 1.1.2.
  - The activities cause the Vessel to be immobilized or
  - The activities cause or may cause danger, damage or health hazards to the Vessel or other Vessels around it or to the Port.
- ii. Operations for cleaning of the boiler or grinding, chipping, scraping and rubbing of steel that may cause sparks on board a Vessel are not permitted in the Hazardous Area.
- iii. Opening or closing of portholes or outlets, connection or disconnection of pipes, or any other operation that requires metal tools on board a Vessel shall be carried out in a manner that shall avoid the emission of sparks.
- iv. In the event of exigencies for repair operations to enable the Vessel to set out to sea, written permission shall be obtained from the Harbour Master prior to carrying out any such work.
- v. No maintenance activity including painting is allowed whilst a Tanker is alongside any berth.
- vi. The restrictions referred to in paragraph (i) above does not apply if permission has been granted by the Harbour Master for these activities.

#### **5.1.10 Substances or objects fallen into the water**

- i. If any object or substance is dropped or spilled over-board within a port, including any anchor or associated material, the Vessel's Master shall immediately report it to the Harbour Master and, after receiving permission, recover it and/or clean the Port, harbour and/or properties polluted at its expense.
- ii. If the Vessel is unable or unwilling to recover the object or substance, the Harbour Master may recover it or have the Port, works, polluted objects and surroundings cleaned as deemed appropriate at the expense of the Vessel's Master/Vessel owner.
- iii. This Article is supplemented by the provisions of Article 5.3 below.

#### **5.1.11 Vessels in danger**

- i. Where a Vessel within a Port is in danger due to fire, explosion or another cause, or is in distress, the Master shall immediately report to the Harbour Master using all available means including but not limited to sirens or whistles, she shall also display the appropriate light signals or flags as per International code of signals.
- ii. The Harbour Master may order such a Vessel to move to another place and may if it is operationally possible also order Tugs to take necessary action to move the Vessel. The Vessel's Master/Vessel owner shall be responsible for all costs so arising.
- iii. All persons near a Vessel displaying danger signals shall stay well clear and shall observe the instructions issued by the Harbour Master.
- iv. Notwithstanding the above, the Master may take action, including manoeuvring his Vessel, to avert immediate danger posed to his own Vessel by a neighbouring Vessel to which paragraph (i) applies. In such case the Vessel is deemed to be in a similar position.

#### **5.1.12 Save All / Rat Guards / Gangways**

A Vessel within a Port shall have:

- i. Suitable save-alls to prevent operational spills
- ii. Rat guards fitted to all mooring ropes and wires; and
- iii. Properly rigged gangways for personnel transfer.

#### **5.1.13 Decks and gangways**

- i. The decks and gangways of a Vessel shall be free of slippery or oily materials.
- ii. The gangway shall also be provided with guardrails on both sides and a properly rigged safety net beneath, be properly secured and clearly lit at night.

#### **5.1.14 Fencing of openings on deck**

The coaming of any open manhole, opening or open hatch less than 50 centimetres in height above the deck shall be fenced around to a height of one meter and closed when not in use.

### **5.1.15 Safety of loading and unloading**

The Harbour Master may prohibit loading and unloading of Cargo for reasons of safety and order, if it is deemed dangerous and/or a threat to life, property or environment. He may alternately order loading or unloading to be stopped immediately if he deems it necessary for operational reasons.

### **5.1.16 Bunkering**

- i. In this Article, bunkering means the transfer of Bunkers from a bunker vessel or from a bunkering truck or berth manifold to a Vessel.
- ii. The Masters of Vessels and operators of trucks / terminals involved in bunkering shall ensure that bunkering shall only take place after notification to and approval from the Harbour Master of the intention to bunker. at least 24 hours in advance of proposed bunkering, the Master of a Vessel to be bunkered must inform the Harbour Master of such, stating the place, type and quantity of Bunkers to be transferred and the probable time that bunkering will begin and end.
- iii. The Master or his representative shall be on board at the time when a Vessel is taking on Bunkers and shall be responsible for ensuring that all international/national requirements for conducting such operation are observed and all reasonable safety precautions taken.
- iv. The Master of a Vessel or terminal operator or/and the driver of a truck involved in bunkering shall ensure that the conditions of paragraphs (ii) & (iii) along with their company requirements for bunkering are fully complied with during the entire bunkering process.
- v. If the Master of a Vessel or terminal operator or/and the driver of a truck involved in bunkering cannot ensure the fulfilment of the conditions of paragraphs (ii) & (iii) respectively, he shall cease bunkering immediately.
- vi. The Petroleum Ports Authority may from time to time establish further rules with respect to bunkering within the limits and purposes of this Regulation.

### **5.1.17 Discharge of waste**

No refuse of any kind shall be discharged overboard or into the installations of the Port.

## **5.2 Cargo operations**

### **5.2.1 Naval Vessels**

The provisions of this part shall not apply to a naval vessel carrying Dangerous Goods for its own use, provided it is not loading or unloading such goods and providing that the Dangerous Goods do not pose a danger or potential danger to the Port.

### **5.2.2 Display of appropriate signals**

The Master of a Vessel carrying Dangerous Cargo or Dangerous Goods within a Port shall ensure that the international signals indicating loading or unloading of Dangerous Goods are displayed as required.

### 5.2.3 Preparations on board vessels

The Master of a Vessel shall ensure that before commencing loading or unloading of Cargo all necessary preparations for loading and unloading have been taken such as:

- Preparation of all necessary equipment
- Verifications of the atmospheres of tanks, holds and other cargo spaces.

### 5.2.4 Vessel Fire Plans, Loading / Discharging Plans and Stowage Plans,

The Master of a Vessel shall ensure that an appropriate loading/discharging plan and stowage plan is prepared and available for scrutiny along with the Vessels' fire plans close to the point of access to shore.

### 5.2.5 Stopping of cargo operations in case of fire

All loading or unloading operations shall be discontinued immediately upon any outbreak of fire and the Vessel prepared for immediate disconnection of cargo arms or hoses.

### 5.2.6 Fumigation of vessels

The Master of a Vessel shall not carry out fumigation unless prior permission has been obtained from the Harbour Master.

Vessels that have been previously fumigated shall provide a declaration to the Harbour Master stating that all areas are free of fumigants.

### 5.2.7 Application of the IMDG code

The Master and owner of a Vessel and the owner of the Cargo shall jointly and severally ensure that the Dangerous and Noxious Goods and substances on board the Vessel:

- i. Are packed and stowed according to the requirements as set out in the IMDG-code.
- ii. The Harbour Master may in special circumstances permit a deviation from the requirements of this Article.
- iii. The Petroleum Ports Authority may establish a limit on the quantity of Dangerous Goods in packaged form allowed on a Vessel in Port or on one or more berths in Port.
- iv. The quantities allowed may differ according to the type of Vessel, type of tank, type of package, the size of the package, the nature of the substances or groups of substances and the berth or part of the Port.
- v. The master of a Vessel shall not reside with his Vessel in Port, in a part of the Port or on a berth if the quantity of Dangerous Goods on board exceeds any limit set as per paragraph (i).
- vi. The Harbour Master may designate a specific berth for a Vessel loaded with or to be loaded with Dangerous Goods or Noxious Substances.
- vii. The Harbour Master may in special circumstances grant exemption from paragraph i to a Vessel for a specific berth and for a short period as specified in that exemption.

### **5.2.8 Leakage**

All pipes and other equipment shall be free from any leakage and shall be kept under constant supervision. Any leakage or spillage shall be immediately reported to the Harbour Master

### **5.2.9 Scuppers**

All deck scuppers on any Vessel within a Port shall be tightly sealed and no leakage or spillage of oil on board shall be allowed to drain overboard.

### **5.2.10 Sparks from funnels**

The Master of a Vessel shall be responsible for ensuring that all appropriate measures have been taken to prevent the emission of sparks from funnels. The Harbour Master may take appropriate action against any vessel not complying with this requirement.

### **5.2.11 Use of cooking equipment**

Cooking and the use of cooking equipment are not permitted in the Hazardous Area at any time.

### **5.2.12 Responsibilities**

The Master and/or Vessel owner and/or charterer shall be responsible for any and all breaches of Articles 5.1.7 and Articles 5.2.8-5.2.11 and shall be responsible for cleaning the leakage, spillage, discharge, emission and for all costs for so doing.

The Petroleum Ports Authority and/or Harbour Master may refuse to permit a Vessel to sail until such cleaning has been undertaken or until the costs/anticipated costs of such cleaning have been paid. Without prejudice to the foregoing, the Petroleum Ports Authority and/or Harbour Master may permit a Vessel to sail upon receipt of a suitable and acceptable P&I Club Letter of Undertaking or bank guarantee to cover all costs arising out of or in connection with the aforesaid cleaning. Any delay in the Vessel sailing as a consequence of failing to provide security in a form acceptable to the Petroleum Ports Authority/Harbour Master will result in charges for detention, as set out in Article 3.2.5(iv), being incurred.

### **5.2.13 Lightning Storms & Gas Accumulation**

- i. Loading, discharging, ballasting, de ballasting, gas freeing and tank cleaning operations shall be stopped during lightning storms if the Master or Chief Officer or the Harbour Master / Terminal Superintendent orders.
- ii. In such cases, all tank openings, loading valves, gas line ascending tube valves, mast riser and vents shall be closed, ensuring that a pressure build-up in the tanks does not occur.
- iii. In the event of leakage or abnormal gas accumulation, cargo operations shall be stopped or the cargo transfer rates shall be reduced if the Officer in Charge on board or the Harbour Master/Terminal Superintendent so orders.

### **5.2.14 No Smoking**

- i. It is prohibited to smoke within the Ports except as specifically permitted by the Petroleum Ports Authority in designated areas for the purpose.

- ii. Smoking on board a Vessel at a berth may be allowed in spaces specifically designed for this purpose.
- iii. The Vessel's Master is responsible for nominating and clearly marking the designated smoking areas in consultation with the manager of the terminal or with his representative.
- iv. The latest ISGOTT guidelines must be followed whilst designating such spaces.
- v. The Harbour Master /Terminal Superintendent may, however, prohibit smoking within the designated areas if in their opinion the circumstances so necessitate.

#### **5.2.15 Ship to Ship Transfer (“STS”) within Petroleum Ports**

- i. STS operations are not permitted within the Petroleum Port, unless they are a business need of any ADNOC Group company
- ii. Any ADNOC Group company planning to conduct any such STS operation shall send a formal request to PPA not less than 3 months in advance.
- iii. Any ADNOC Group company must provide with any STS requests an operational risk assessment and a detailed site specific contingency plan. This must cover the potential incidents identified by (OCIMF-STS), and any additional risks that might be identified by the Operational Risk Assessment.
- iv. Petroleum Ports Authority's STS Guidelines lay out the requirements for STS operations within Petroleum Ports and are available on Petroleum Ports Authority's website.

#### **5.2.16 Transfer / Transshipment of dangerous goods in bulk**

The Master of a Vessel involved in the transfer or transshipment of Dangerous Goods or Dangerous Cargo shall ensure that:

- i. Before, during and after the transfer or transshipment of one or more Dangerous Goods/Cargo between his Vessel and a terminal or between his Vessel and another Vessel, the requirements incorporated in the Vessel/shore safety checklist issued by the Terminal in question, or in the case of a ship to ship transfer by the OPCO conducting the operation, are fully complied with.
- ii. No tank cleaning is carried out concurrent with Cargo loading / discharging of any bulk Dangerous Goods/Cargo.
- iii. No more than one Vessel is berthed alongside his Vessel on the side of the Vessel designated by the Harbour Master.



- iv. No Vessel shall berth alongside the cargo area of his Vessel, unless the Vessel is specifically equipped for the transport of the Dangerous Goods/Cargo intended to be handled and is provided with a national or an international document to this effect.
- v. The Harbour Master is notified immediately prior to commencement of transfer operations.

#### **5.2.17 Specific requirements - Transfer / Transhipment of Oil / Chemical / Liquefied Gas Cargoes**

Without prejudice to the requirements of Article 5.2.15:

- i. Vessels engaged in ship to ship transfers of petroleum or chemicals or liquefied Gases shall comply with all the requirements set out in the latest edition of the [Ship to Ship Transfer Guide for Petroleum, Chemicals and Liquefied Gases](#).
- ii. Vessels engaged in the transfer of crude oil and petroleum products shall comply with all the requirements set out in the latest edition of the [International Safety Guide for Oil Tankers and Terminals \(ISGOTT\)](#).
- iii. Vessels engaged in the transfer of bulk chemical cargoes shall comply with all the requirements set out in the latest edition of the [ICS Tanker Safety Guide \(Chemicals\)](#).
- iv. Vessels engaged in the transfer of liquefied gas shall comply with all the requirements set out in the latest edition of the [ICS Tanker Safety Guide \(Liquified Gas\)](#).

#### **5.2.18 Cleaning of cargo holds / tanks / bunker spaces**

Cleaning, purging, or gas freeing of cargo or bunker spaces shall be prohibited without prior permission from the Harbour Master of the relevant Port. If such permission is granted, it will be on the basis of conditions imposed on the Master by the Harbour Master and the Master shall fully comply with such conditions.

#### **5.2.19 Crude Oil Washing Operations (COW)**

- i. If a Vessel discharging crude oil at any of the Ports intends to carry out Crude Oil Washing, the Vessel's Master must send a request for the same at least 24 hours prior arrival in the Port, to the relevant terminal with a copy to the Harbour Master of the respective Port.
- ii. If a terminal accepts such a request, the concerned terminal and the Vessel shall ensure that COW is conducted subject to the following conditions;
  - An approved Crude Oil Washing Operations and Equipment Manual is available and being utilized.

- The crude oil being utilized for COW is not listed in the Crude Oil Washing Operations and Equipment Manual as being not suitable for COW.
- Records indicate that COW system was pressure tested prior to use and that there is no indication of cargo oil leakage or malfunction within the COW system.
- The person overall in charge of COW operations is suitably qualified.
- The COW operation is carried out in accordance with a Crude Oil Washing operation plan.
- The oxygen content of the Inert Gas being supplied does not exceed 5% by Volume.
- There is no malfunction or stoppage of the inert gas system.
- Communication between the cargo control room, the Vessel's main deck and the terminal control room is maintained at all times.

#### **5.2.20 Cleaning of cargo spaces other than COW**

- For Tankers, ISGOTT requirements for tank cleaning must be complied with
- Adequate materials and equipment shall be used, complying with relevant safety standards
- The cleaning shall be effected in accordance with the relevant safety standards and
- No other Vessel shall berth alongside during the COW operation unless that Vessel is permitted by the Harbour Master for the purposes of receiving the washings.

#### **5.2.21 Tank Cleaning /COW - Notifications**

- Before the start of COW or tank cleaning, the following information must be sent to the Harbour Master at least 24 hours in advance:
  - Name and call sign of the Vessel
  - Nationality and home port of the Vessel
  - Full style address of Agent, Vessel owner and charterer of the Vessel the intended date and time of the cleaning;
  - the intended place of the cleaning in Port
  - the spaces of the Vessel which are intended to be cleaned
  - the chemical or technical names of the substances which the spaces intended to be cleaned contain or have last contained

- the intended method of cleaning to be applied.
- ii. The Harbour Master may restrict or prohibit the COW and/or tank cleaning if in his judgment due to prevailing conditions or circumstances it is not safe to proceed with such operation.

### **5.2.22 Emergency Towing Off / Fire Wires**

- i. All Vessels shall have either a manufacturer certified steel fire wire or a manufacturer certified fire resistant tow-off pendant, hanging from the bow and stern of the Vessel onto the seaward side to enable Tugs to effect immediate connection with the Vessel in the event of fire or other emergencies.
- ii. For Tankers, the specifications of the steel fire wire or tow-off pendant shall be as defined by the OCIMF Mooring and Equipment Guidelines in force at the relevant time.
- iii. For other vessels, Steel Wire lines of a minimum specification of {6x36}, 28 mm Dia, 45 metres in length shall be used.
- iv. The use of steel fire wires and/or tow-off pendants shall be supervised by the Vessel's crew at all times during their use to ensure that the eye of the aforesaid steel fire wires and/or tow-off pendants is maintained at a height of 1 meter above the water level at all times.
- v. Ship's with sunken bits in the ship side need not deploy Emergency Towing off / Fire wires.

## **5.3 Ballast Water Management Requirements**

### **5.3.1 General:**

Visual Monitoring of Ballast Discharge is mandatory. In this regard:

- All ballast discharge shall be via the high overboard discharge line if fitted. Vessels not so fitted may instead use their normal discharge line provided that the surface of the ballast water has been examined immediately prior to the discharge to ensure that no contamination with oil has taken place. This rule applies to all ballast. For vessels whose ballast tanks are inerted, the examination may be by visual inspection of a sample drawn from each tank.
- Deballasting by gravity is not permitted under any circumstances.
- This inspection shall be carried out jointly by the Vessel's Cargo Officer and the Duty Harbor Pilot.

- A crewmember shall be stationed on deck to sight the overboard discharge. Particular vigilance shall be exercised at any time that a change in operation takes place, e.g., starting of stripping pumps or eductors, change of tanks, commencement of loading, etc.
- At night, the ballast discharge and the sea area in the vicinity shall be adequately illuminated.
- At pier berths, all ballast shall, if physically possible, be discharged from the offshore side of the ship.

The Petroleum Ports Authority recognizes the provisions of the International Convention for the Control and Management of Ships' Ballast Water and Sediments (BWM convention) as adopted by IMO on 13th February 2004 and gives full effect to ROPME requirements for Ballast Water Management for the ROPME Sea Area as issued by the IMO on 2nd February 2009, vide MEPC 59/INF.3

**N.B.** The BWM Convention will enter into force internationally on 8 September 2017. This convention recognizes two standards - Regulation D-1 Ballast Water Exchange Standard and Regulation D-2 Ballast Water Performance Standard. Vessels will be required to comply with the BWM Convention.

### 5.3.2 Scope of application:

This section shall apply to all Vessels calling at any of the Petroleum Ports. for any purpose; of GRT 400 tons and above, with sea water ballast on board originated from outside the ROPME sea area (RSA).

Note: Vessels below GRT 400 tons, with sea water ballast on board originating from outside the ROPME sea area (RSA) shall endeavour to exchange ballast water prior to entering into UAE waters as far as practically possible.

### 5.3.3 Enforcement of Ballast Water Management Convention

- i. Vessels intending to discharge ballast water in any of the Ports, shall only do so taking the provisions of the BWM convention into consideration.
- ii. Until the BWM convention is enforced, the Petroleum Ports Authority requires Vessels arriving in a Port to:
  - Produce an international ballast water management certificate, issued by the flag state or a Petroleum Ports Authority recognized by the Flag State.
  - Have on board an approved ballast water management plan in accordance with IMO guidelines.
  - Have a ballast water record book giving details of when, where and quantity of ballast water taken on board, discharged, exchanged, circulated or treated for ballast water management purpose.

- Complete and submit a ballast water management reporting form (available on PPA website), to the Harbour Master/the Petroleum Ports Authority, 72 hours prior to the vessel's arrival.
- iii. The Petroleum Ports Authority reserves the right to randomly take and tests samples of ballast water upon vessel's arrival to verify the contents of the ballast water on board.
- iv. Vessels may not be allowed to discharge ballast water until it is verified that it does not present a threat of harm to human health, the environment, the property or resources in the Port.
- v. Ballast Water pumping records on board may be verified by the Petroleum Ports Authority's representative upon the Vessel's arrival.

#### **5.3.4 Exemptions**

The following Vessels are exempted from the requirements of this section:

- Navy, CICPA, and other government vessels.
- Vessels trading exclusively within waters of the RSA.
- Vessels with permanent sea water ballast in sealed tanks which are not required to be discharged in the Port.

#### **5.3.5 Exceptions**

Other than for Vessels arriving from zones affected by cholera or outbreak of similar contagious epidemics, the Petroleum Ports Authority may grant exceptions to Vessels from the requirements of this Article in the following circumstances:

- i. In the event of an accidental discharge of sea water ballast and sediments resulting from damage to a Vessel or its equipment, provided that all reasonable precautions have been taken for the purpose of preventing or minimizing the discharge.
- ii. In the event of emergencies when the discharge of sea water ballast and/or sediments is necessary for saving lives at sea, the health of those on board or for the safety of the Vessel.

#### **5.3.6 Reception Facility**

Except in emergency cases, the Petroleum Ports Authority does not currently offer a reception facility for discharge of sea water ballast or sediments.

#### **5.3.7 Violations**

Vessels that arrive at any of the Ports and are found to be in violation of the above requirements, may be denied entry into the Port, be prohibited from discharging ballast or become subject to the appropriate proceedings and sanctions under the laws of the UAE, including, applied fines or detention and shall be reported to its flag administration.

#### **5.3.8 Compensation**

No compensation or demurrage shall be payable for delays incurred as a result of extended investigation of ballast water contents on board, or for a Vessel being not in compliance with the above requirements.

### 5.3.9 More stringent requirements

The Petroleum Ports Authority may under special circumstances, e.g. increased risk of introduction of alien species, impose more stringent requirements than those laid down within this section.

### 5.3.10 Reporting oil spills

As soon as a Master becomes aware of an oil spill or oil pollution, he shall notify the Terminal Representative, Harbour Master, Pilot on duty or Port Control. Masters of Vessels causing a pollution incident shall immediately make the necessary arrangements to notify the concerned government agency in accordance with the requirements of MARPOL 73/78.

Masters are advised that any pollution incident involving a Vessel which occurs while the Vessel is located within a Port will subject the Vessel, its Master, owners, operators, charterers and Agents to penalties imposed by the Government and Courts of the U.A.E. In the event that a Vessel is determined to be the source of such pollution, the Master or the Vessel's Agent will be served with a Letter of Protest and will be required to provide the Petroleum Ports Authority or Harbour Master with a Statement of Facts describing the incident. A bank guarantee acceptable to the Petroleum Ports Authority or, in their sole discretion, a Protection & Indemnity (P&I) Club Letter of Undertaking in a form acceptable to the Petroleum Ports Authority will be required by way of security and a failure to provide security promptly may result in the Vessel being detained pursuant to an order from the Abu Dhabi Courts or other competent authority. Costs reimbursable for pollution include but are not limited to the following: -

- Investigation costs including aerial surveillance and satellite data;
- Charges resulting from delays at berth necessary to investigate and correct the cause of the pollution.
- Boats, materials and other equipment used for oil spill cleanup.
- Manpower resources.
- Samples analyses.
- Oil waste treatment costs.
- The costs of providing exceptional marine assistance to unberth and re-berth vessels.
- Cost of berth unavailability due to pollution damage.
- Corporate overhead not otherwise included in the applicable rates charged for other expenses.

## **6 SERVICES IN PORT**

### **6.1 General provisions**

#### **6.1.1 Specific license for provision of services in port areas**

- i. Unless a specific licence has been granted for the purpose by the Petroleum Ports Authority, rendering of any services with the Ports is strictly prohibited.
- ii. The Petroleum Ports Authority may establish rules for the construction, equipment and manning on such Vessels involved in rendering services.

### **6.2 Pilotage**

#### **6.2.1 Compulsory Pilotage**

Pilotage is compulsory for all Vessels calling at or departing from terminals within the Ports, other than the Vessels listed below, or as otherwise ordered by the Harbour Master.

- i. Vessels of the United Arab Emirates (UAE) Defence Forces
- ii. Vessels belonging to CICPA
- iii. Dredgers, survey, project vessels, tugs, barges and special ancillary non-cargo boats on contract to the Petroleum Port Petroleum Ports Authority or ADNOC Group Company.
- iv. Agent Boats
- v. Pleasure crafts

**In all above mentioned cases, however the Harbour Master may enforce the use of a Pilot in the pursuit of securing safety, in which case appropriate tariff for the availed Marine Service shall apply.**

#### **6.2.2 Completion of pre- arrival or pre-departure formalities**

Vessels may be piloted to or from berths only after pre arrival or pre departure formalities have been completed, and all required information has been submitted to the Harbour Master, the Petroleum Ports Authority and the Pilot.

#### **6.2.3 Organization - License to provide Pilotage Services**

Any organization, legal entity or individual may only provide Pilotage Services in the Ports and in the waters leading to these Ports if they hold a valid License for that purpose.

#### **6.2.4 Organization Pilotage License - Specifications**

A Pilotage License shall specify either directly or by reference to other instruments of the Petroleum Ports Authority:

- i. The quality and features of the organization required to provide safe and efficient pilotage services



- ii. Requirements with regards to the skills and proficiency of the Pilots provided and the system in which these are maintained at the required level;
- iii. Requirements as to the quality management of the organization providing the Pilotage services.
- iv. Requirements with regards to human resources;
- v. Requirements with regards to the hours of service provided, response times and similar issues.

#### **6.2.5 Individual - Pilotage License**

No person(s) may act as a Pilot within the Ports or in the waters leading to or from these Ports, unless:

- i. That person holds a valid Pilot License issued by the Petroleum Ports Authority and
- ii. That person is an employee of or acts under the supervision of a Legal Person or entity that holds a valid license as indicated in article 6.2.4.

#### **6.2.6 Certification of Pilots**

- i. Upon receipt of a written application for a competence certificate as a Pilot, the Petroleum Ports Authority shall assess the application on the basis of the following criteria:
  - Whether the applicant has credentials from an accredited nautical institute certifying his qualification as a Pilot and/or has passed both theoretical and practical examinations prepared and conducted by the Petroleum Ports Authority and;
  - Whether the applicant has a valid medical certificate from an ADNOC approved medical practitioner indicating physical (including vision and hearing) and mental fitness of the individual.
- ii. The Petroleum Ports Authority may, in order to facilitate pilots' education and training or as a temporary and emergency measure, authorize a competent person who has not obtained a Pilot's license, to act as a pilot subject to such conditions as it deems necessary.

#### **6.2.7 Identification of Pilots**

- i. A Pilot shall always be in the possession of a proof of identification, issued by the organization mentioned in Article 4.2.2, paragraph 1, stating:
  - The name of the Pilot,
  - Date of Birth in DD/MM/YYYY format
  - The serial number of his/her license and its' validity, and

- The organization with which he/she is associated.
- ii. During operations the Pilot shall upon request produce his identity card to appropriate Petroleum Ports Authority, personnel.

#### **6.2.8 Suspension and cancellation of Individual Pilot's License**

- i. The Harbour Master may suspend the License of a Pilot if he is of the reasonable opinion that the individual is negligent in his duties as a Pilot or behaves in a manner inconsistent with the proper performance of his duties and responsibilities.
- ii. After any such suspension, the Petroleum Ports Authority shall initiate an inquiry to determine the circumstances and merits of the suspension.
- iii. The Petroleum Ports Authority may cancel the License of a Pilot if it is satisfied upon inquiry that the individual either lacks the competence or qualities required of a Pilot, and/or has been negligent in his duties as a Pilot and/or has behaved in a manner inconsistent with the proper performance of his duties and responsibilities.

#### **6.2.9 Duty of a Pilot - Limitations**

The duty of a Pilot is confined to offering advice to the Master of the Vessel. No Pilot appointed by the Petroleum Ports Authority when acting in his capacity as a Pilot, shall be deemed to be in command of any Vessel.

#### **6.2.10 Responsibility of Master**

A Pilot provided by the Petroleum Ports Authority will undertake the pilotage, anchorage, mooring and sailing of Vessels subject to the understanding that in all circumstances, the Master of any Vessel remains solely responsible, on behalf of his owners, for the safety and proper navigation of his Vessel.

#### **6.2.11 Permanent Exemption from Pilotage**

All marine crafts owned by or under command of the Petroleum Ports Authority, and all UAE government or naval vessels are exempt from pilotage.

#### **6.2.12 Pilotage Exemption Certificate**

The Petroleum Ports Authority may issue a pilotage exemption certificate to an individual if after an assessment it is satisfied that the individual concerned fulfills the requirements set by the Petroleum Ports Authority for this purpose.

#### **6.2.13 Validity of exemption certificate**

An exemption certificate issued under Article 6.2.12 hereof shall be valid for a maximum of one year. The Petroleum Ports Authority may revoke it earlier on valid grounds.

#### **6.2.14 Display of pilot signals**

Vessels with a Pilot on board, shall by day display the International signal flag "H" in a prominent position whilst maneuvering under his advice and by night, as determined by the Petroleum Ports Authority.

### **6.2.15 Duties of the Master – Embarkation and Disembarkation of Pilots**

The Vessel's Master shall comply fully with the requirements of safe embarkation and disembarkation of Pilots as prescribed by the International Maritime Pilots' Association (IMPA) & International Maritime Organization IMO.

N.B. Shipping Industry Guidance on Pilot boarding arrangements may be obtained from IMPA at Pilot Transfer Arrangements.

### **6.2.16 Obligation to Inform regarding Damage, Defects**

The Master of a Vessel is obliged to inform the Harbour Master and Pilot of any damage, defects or special circumstances that may affect the safety of navigation prior to entering the Port.

## **6.3 Towage**

### **6.3.1 Organization - License to provide Towage Services**

Any organization, legal entity or individual may only provide towage services in the Ports and in the waters leading to these Ports if they hold a valid License for that purpose. The License shall specify the requirements that the organization must fulfil in the interest of order, safety and efficiency in Port.

### **6.3.2 Requirements of vessels and crew**

All vessels which are used for towage services shall comply with the requirements laid down by the Petroleum Ports Authority. Such compliance shall be verifiable by the scrutiny of certification issued by a Petroleum Ports Authority recognized institution.

In the interest of safety of towage, the Petroleum Ports Authority shall prescribe requirements and rules with respect to the number, health, skills and proficiency of the crews on board such vessels.

### **6.3.3 Utilization of tugs – Tug Usage in Petroleum Ports**

Pilots and Vessels Master shall always utilize Tug/s as per the Petroleum Ports Authority's Tug usage requirements.

However, when deemed justifiable, the Harbour Master along with the representative of the Marine Service provider may agree to other / alternate usage, always within the limits of the assets available for use.

### **6.3.4 Employment of tugs during towage**

When towage is provided the Master and crew of the Tug shall be considered employees of the hirer and shall be under his control or that of his agents.

## **6.4 Line Handling**

### **6.4.1 Definitions**

For the application of this section it is deemed that:

- i. Line handlers: Person/s who have been issued a License by the / Petroleum Ports Authority for conducting the mooring and unmooring of seagoing Vessels.
- ii. Mooring Foremen: Persons in charge of mooring gangs / line handlers

- iii. Boat: Is a vessel built or used for mooring and unmooring of seagoing Vessels.

#### **6.4.2 Use of line handlers**

The Master/Agent of any Vessel shall ensure that the mooring and unmooring services are only provided by Line handlers who belong to an Organization duly licensed for this purpose by the Petroleum Ports Authority.

#### **6.4.3 License of Line handler/s Mooring Organizations**

- i. Line handling services may only be provided by an organization holding a License for that purpose issued by the Petroleum Ports Authority.
- ii. The License shall specify, either directly or by reference to other regulations issued by the Petroleum Ports Authority, the requirements that the organization must fulfil in the interest of order, safety and efficiency in Port.
- iii. These requirements aim inter alia at guaranteeing:
  - the professional skill of persons mooring and unmooring Vessels,
  - the organization of training and refresher-courses to assure the professional skill of personnel, and
  - the availability, maintenance and management of the material and equipment required for mooring and unmooring.
- iv. The Petroleum Ports Authority may suspend or cancel the License of the aforesaid organization if it does not observe the regulations or limitations in force.

#### **6.4.4 Identification of Line handlers**

- i. Individual line handlers shall always be in the possession of a proof of identification, issued by the organization mentioned in Article 4.4.3 stating:
  - Name
  - Date of Birth in DD/MM/YYYY format
  - The number of his/her certificate and its' validity, and
  - The organization with which he/she is associated.
- ii. During operations the linesman shall upon request show the identity card to the relevant Petroleum Ports Authority/personnel.

## **7 LIABILITIES AND PENALTIES**

### **7.1 Liabilities**

#### **7.1.1 Liability for Pollution damage**

In addition to the provisions in Article 5.2.12, and without prejudice to the liability of any persons causing pollution, any damage or injury caused by pollution emanating from the vessel shall render the Master, Vessel owner, charterer and operator liable for compensation and other remedies and measures in accordance with international conventions or other instruments ratified by the governments of Abu Dhabi and/or the UAE.

#### **7.1.2 Liability of permit holders**

The holder of a Permit is liable for any loss or damage caused by him in relation to the use of the Permit and duties carried out by him pursuant to the terms of the Permit.

#### **7.1.3 Failure to pay charges**

The Petroleum Ports Authority may take any action it deems appropriate to ensure that all relevant Port Charges, Port Dues, detention charges and other fees for services rendered by or on behalf of the Petroleum Ports Authority, its' agents or service providers are paid in full, or sufficient guarantee is provided for the payment thereof.

#### **7.1.4 Liability of Petroleum Ports Authority in respect of vessels within port**

- I. Neither the Company, the Petroleum Ports Authority nor their servants (in whatever capacity they may be acting) shall be liable for any loss, damage or delay from whatsoever cause howsoever arising, whether through the negligence of the aforesaid entities or otherwise, in consequence of any assistance, advice or instructions whatsoever given or tendered in respect of any Vessel, whether by way of pilotage, towage or mooring services, the provision of navigational facilities, including buoys or other channel markings, or otherwise..
- II. In all circumstances the Master of any Vessel shall remain solely responsible on behalf of his owners for the safety and proper navigation of his Vessel and shall be liable for damage and any loss, howsoever arising, including economic and consequential losses due to a Pilot's neglect, negligence error or mistake.
- iii. The Vessel, its Master and owners shall be held responsible for any loss or damage caused to the pilot boat or injuries to or death of its crew or the Pilot, during the process of the Pilot's embarkation on or disembarkation from the Vessel.
- iv. Without prejudice to sections i and ii of this Article, the pilotage service provider may also be held liable for damages or losses incurred as a consequence of wilful acts of or gross negligence by its Pilots and other personnel performing their duty.
- v. The Master of every Vessel is obliged to sign a declaration accepting the Conditions of use of the Port / Terminal facilities issued by the Petroleum Ports Authority.

#### **7.1.5 Liability for damage to or loss of Goods**

- i. The Company and Petroleum Ports Authority shall be held harmless from any claims for damage to or the loss of Goods from Vessels within the Port.
- ii. The alleged damage shall always be reported in writing immediately by the Master of the Vessel to the Harbour Master, who will inspect the damage before the Vessel sails.

- iii. The inspection of such damage will in no way make the Company or Petroleum Ports Authority or Harbour Master liable for such damage, and the Company, Petroleum Ports Authority and Harbour Master will continue to be held harmless from any claims whatsoever and howsoever arising submitted by the Vessel, Master or owner. The damage must be reported to the Harbour Master and signed by the Master of the Vessel.

#### **7.1.6 Law and jurisdiction**

These Regulations and their interpretation are governed by the laws of the UAE and any disputes shall be referred to the Abu Dhabi courts. Any claims shall be subject to any statute of limitations imposed by these laws and/or courts.

### **7.2 Penalties**

#### **7.2.1 Fines – general**

Any person who fails to comply with the laws of the UAE insofar as they are relevant to these Regulations or fails to comply with judgments issued in implementation of the terms hereof shall be punished with imprisonment for a period not exceeding two years and a fine or penalty of not more than AED 400,000.00 (DIRHAMS FOUR HUNDRED THOUSAND) or with either of these two penalties, without prejudice, to the right of the parties concerned to claim compensation, if applicable, from the offender. This penalty is enforced by Article # 86 of Law # 12/1973 as amended by Article # 1 of Law # 7 / 1985.

#### **7.2.2 Fines for violations not related to Safety and/or Pollution**

A Vessel (the Master and/or the Vessel owner and Vessel management or charterer) or its Agent and any other person that contravenes any of the provisions of these Regulations except those dealing with safety and pollution shall be liable to a fine as defined in Law No 12 of 1973 or subsequent amendment.

#### **7.2.3 Fines for violations of Safety Regulations**

A Vessel (the Master and/or the Vessel owner and Vessel management) or its Agent and any other person that contravenes any of the provisions of these Regulations dealing with safety shall be liable to a fine as defined in the Law No 12 of 1973 or subsequent amendment.

#### **7.2.4 Fines for violations of Pollution regulations**

In addition to the provisions in Article 5.3 and Article 7.1.1 above, a Vessel (the Master and/or the Vessel owner and Vessel management and/or charterer) or its Agent and any other person that contravenes any of the provisions of these Regulations dealing with pollution control shall be liable to a fine as defined in the Law No 12 of 1973 or its subsequent amendment.

## **8 ENFORCEMENT AND FINAL PROVISIONS**

### **8.1 Enforcement**

#### **8.1.1 Harbour Master's Instructions**

The Harbour Master may, in the interest of order and safety in Port issue instructions, in particular to regulate navigation and berthing and for the purpose of preventing danger, damage and hindrance. The person to whom an instruction is addressed, shall act accordingly without delay.

#### **8.1.2 Exemption/Deviation from the rules**

In exceptional cases the Harbour Master may give permission to deviate from these Regulations in the interest of public safety.

#### **8.1.3 Supervision / Powers of Petroleum Ports Authority officials**

- i. The Petroleum Ports Authority may appoint supervising officials with powers to enforce the provisions of these Regulations. These may include amongst others, the Harbour Master, Port Officers, and Investigators.
- ii. Such persons shall be:
  - Authorized to enter areas and spaces as far as reasonably required for the performance of their duty.
  - Authorized to inspect and to copy documents as far as reasonably required for the performance of their duty.
  - Authorized to perform measurements with their equipment, gather evidence and take samples of substances, as far as reasonably required for the performance of their duty. (Any sample taken or physical evidence collected will as far as possible be returned to the person having title to the substance or evidence.)
  - Authorized to issue instructions, give orders and stop activities in the interest of order, health and safety, in connection with the rules and regulations for which they are appointed as responsible officials.
- iii. The person to whom an instruction is addressed by such officials, shall act accordingly without delay.

#### **8.1.4 Obligation to cooperate and to provide information**

Anyone thus requested under Article 8.1.3 (iii) shall render all assistance and provide all information to the officials mentioned in Article 8.1.3, which in their reasonable judgment is necessary for the execution of the powers conferred on them in accordance with these Regulations.



### **8.1.5 Admission of PPA Officials to spaces and places**

In the event that the Petroleum Ports Authority or Harbour Master consider it necessary, the Harbour Master is duly authorized to enter premises and board the Vessel to carry out a full inspection of all parts of the premises or Vessel with or without the Master's consent or agreement.

### **8.1.6 Preventing departure and detention of a vessel**

- i. Where the Petroleum Ports Authority or Harbour Master or its delegated representative has reasonable reason to believe that a marine pollutant has been discharged from a Vessel within the Ports, or whilst within coastal and/or territorial waters, the Petroleum Ports Authority may, with an appropriate order from the Abu Dhabi Court or other competent authority, prevent the departure of the Vessel or cause the Vessel to be detained in Port until the owner or Agent of the Vessel deposits with the Petroleum Ports Authority or otherwise to its satisfaction, an acceptable bank guarantee or, at its sole discretion, an acceptable Protection & Indemnity (P&I) Club letter of undertaking which, in the opinion of the Petroleum Ports Authority, shall be adequate to meet the owner's liability and the costs incurred in removing the marine pollutant from the Port, coastal and territorial waters of Abu Dhabi. Any delay in providing such security which, as a consequence, causes a delay to the Vessel's departure will cause a charge to be incurred, at the rate set out in Article 3.2.5(iv).
- ii. The Petroleum Ports Authority shall have the right to prevent the departure of a Vessel which in its' opinion has caused damage to persons, quays or installation, equipment, in the Port, in the waters in port or leading to the port, the environment or has failed to pay any lawful charges, including but not limited to Port Dues, Port Charges, fines, until such time as the owner or Agent of the Vessel deposits with the Petroleum Ports Authority or otherwise to its satisfaction a sum of money or furnishes such equivalent security which would, in the opinion of the Petroleum Ports Authority, be adequate to meet the owner's liability.

### **8.1.7 Appeal/Judicial Review**

- i. A person aggrieved by a decision or action taken by the Company, Petroleum Ports Authority and/or Harbour Master under these Regulations may, within 30 calendar days after such decision or action has been rendered or taken, respectively, apply to the Courts of Abu Dhabi, upon paying the required court fee. The Abu Dhabi Courts shall have exclusive jurisdiction.
- ii. The Abu Dhabi Court may set aside a decision which it finds:
  - Arbitrary, an abuse of discretion or otherwise not consistent with law; or
  - Not made consistent with the required procedures; or
  - Unsupported by substantial evidence.
- iii. The decision of the Abu Dhabi Court shall be final and binding.

## **8.2 Final Provisions**

### **8.2.1 Existing Documents**

Any Licenses, Permits, exemptions, certificates issued under previous version of the Port regulations shall be deemed to be valid unless explicitly notified by the Petroleum Ports Authority.

### **8.2.2 Effective date**

These Regulations shall enter into force as of date of their publication.

## **9 PROVISIONS CONCERNING THE CONVEYANCE OF PASSENGERS IN THE PORT**

### **9.1 Application**

This Article shall apply to the transfer of personnel between shore and Vessels or between Vessels within the Port.

### **9.2 Permit requirement**

No transfer service within the Port shall be operated without a Permit for the same being issued by the Petroleum Ports Authority. All Craft engaged in such services shall be subject to the ADNOC Ship Vetting requirements as part of this process.

### **9.3 Construction, Operation and Management**

The Master, owner and operator of all such vessels used for the conveyance of passengers shall ensure that all requirements that may be laid down by the Petroleum Ports Authority from time to time with respect to the construction, manning, equipment levels, operation and management of such vessels are fully complied with, in addition to any International and UAE national rules and regulations governing the same.

Special attention shall be paid to ensure that adequate, properly certified and maintained Life Saving appliances are always carried on board for all the passengers and crew that the vessel is licensed to carry.

### **9.4 Insurance coverage**

The Master, owner and operator of all such vessels shall ensure that adequate insurance cover is in place for all crew and passengers. The Petroleum Ports Authority reserves the right to demand production of the insurance certificate to satisfy itself of the adequacy of such certificate.

### **9.5 Embarkation and disembarkation facilities**

- i. Any facilities such as fixed and floating jetties or quays used for this purpose, shall always be maintained in a proper state and be suitable for the embarking and disembarking of passengers on and off board the vessels.
- ii. Points of embarkation / disembarkation shall be well-lit and shall also be kept free of any obstacles.
- iii. The Master shall ensure that all persons embarking or disembarking use life jackets.
- iv. A crew member shall always be available to assist with passenger embarkation / disembarkation.