

# **FREE TRANSLATION FROM OFFICIAL GAZETTE OF TURKEY DATED MARCH 10th 2008 NO: 26812**

## **From the Ministry of Industry and Trade**

### **SHIP AGENCY SERVICES TARIFF**

The undermentioned tariff has been issued by Ministry of Industry and Trade as an official communiqué and published in the Official Gazette No.26812 dated 10th March 2008.

#### **Object :**

**Article 1-** The object of this communiqué is to define the tariff for ship agency services rendered to Vessel(s) and floating objects carrying cargo and passenger and sailing at Turkish territorial waters, inland waters, rivers and passing through Turkish Straits.

#### **Scope :**

**Article 2-** The terms in this communiqué defines the minimum fees for ship agency services rendered by individuals or legal entities established according to the laws of Republic of Turkey and registered to the Chambers of Shipping.

#### **Legal Status :**

**Article 3-** The tariffs in this communiqué have been prepared by the Chambers of Shipping according to Law No. 5174 and paragraph (p) of the Article 12

#### **Descriptions:**

**Article 4-** The undermentioned descriptions have been used for this tariff :

##### **a) Freight :**

Total of all payments in favour and for account of the carrier, regarding the carriage of cargo and passengers. All kinds of surcharges and additional revenues in connection with sea carriage are included in the freight.

##### **b) Cargo :**

All kinds of objects and commodities which can be transported from one place to another generally by sea, air, land and railway.

##### **c) Container :**

A container or a box designed specially in cylindrical, rectangular or cubical shapes which enables high speed and saves time in loading and discharging operations.

##### **d) Ship Agent Services :**

Individuals or legal entities who protect the rights and interests of the shipowner, ship-master, ship-operator and ship-charterer on behalf of the same against third parties during shipment of cargo and passengers with vessels or floating objects within the appointed area and those who get paid for these services.

##### **e) Ship Agency Services :**

Services such as maintenance/repair, survey, supply, personnel change, loading/discharging, receiving pilot/tugboat service, etc. rendered to vessels and floating objects and their cargo and/or passenger calling at Turkish Ports in the presence of relevant institutions and authorities. The agent should comply with the rules determined by the laws of Republic of Turkey and declare all necessary information in connection with above services to the related parties in due time.

##### **f) Protecting Agency Services:**

Work and services related to the vessel rendered by the agent appointed by the shipowner, ship-master or ship-operator in addition to the agent appointed by the Charter Party clauses.

**g) Fees :**

- 1) Agency Fee: The fees which are not less than the minimum fees indicated in the tariffs of this communiqué, to be paid by shipowner, ship-master, ship-operator or ship-charterer to individuals or legal entities against the ship agency services that they render.
- 2) Supervision Fee : The fees to be paid by the shipowner, ship-master, ship- operator or ship charterer (the same party that pays the agency fee) for work and services rendered by the agent in addition to agency and protecting agency services, namely organizing and performing vessel's operation in connection with the parties and departments concerned, speeding up the operations, ensuring safe loading or discharging of the cargo, documentation, delivery of the cargo and pursuit of precedures for shortage or overlandings.
- 3) Primage Fee : Premium paid by the shipper ( the party paying the freight) in addition to the freight for the care and attention given during loading at the port of loading.
- 4) Other Services Fee : (For the Vessel(s) passing through the straits of Dardanelles and Bosphorus
  - (a) Crew Attendance : In addition fees indicated in the tariffs of this communique to be paid by the shipowner , ship-master , ship-operator or ship charterer , for work and services rendered by the agent for crew changes , medical attendance , visa fees , hotel , car , hospital , medicine etc..
  - (b) Spare parts and Equipments Fee in Transit : In addition fees indicates in this tariffs of this communique to be paid by the shipowner , ship-master , ship-operator or ship charterer, for work and services rendered by the agent while supplying/delivering of the spare parts , equipments to the Vessel .
  - (c) Cash to Master : In addition fees indicates in this tariffs of this communique to be paid by the shipowner , ship-operator or ship charterer to give/deliver to the ship-master as cash which to be sent to the agent by shipowner , ship-operator or ship charterer.

**Liabilty :**

**Article 5-** Individuals or legal entities rendering agency services should first of all, protect the honour, dignity, interests, economical and commercial esteem of the Turkish Maritime at international levels and ensure that taxes, dues and expenses due from the laws of Rebuplic of Turkey and international agreements are duly paid and should apply the minimum fees as described in this comminique.

**Collection Of Fees And Expenditures:**

**Article 6 -** It is compulsory that the agency, protecting agency, commision and supervision fees, primage, port dues and other expenses are to be transferred in advance to the agent's bank account for the above services rendered to vessels calling at Turkish Ports or passing through Turkish Straits.

Transactions of port dues for vessels calling at Turkish Ports on a schedule or on regular basis are subject to Law No. 1567 and Communiqué No. 32.

**Minimum Fees :**

**Article 7-** The fees in this communiqué are minimum fees. The fees to be charged can not be less than those indicated in the tariffs. Individuals or legal entities who provide services for less than the fees in this communiqué will be penalized as per article 10 (ten) of this communiqué.

**Disbursements Not Included into The Fees :**

**Article 8-** The fees in all tariffs are for work and services stated in the "descriptions". Taxes, dues, fees, fiscal stamp and all other obligatory expenses in connection with the vessel or floating object, her cargo and passengers as well as all expenses which have to be incurred due to the vessel, her cargo and passengers status not being in conformity with regulations and freight collection and remittance expenses are not included in the Agency fees.

## Sphere Of Application :

**Article 9-** This communiqué is applied to all vessels and floating objects calling to Turkish territorial waters, ports, shipyards, inland waters, rivers and passing through the Dardanelles and Bosphorus excluding the vessels and floating objects in cabotage traffic.

## Penal Sanctions :

Article 10- Individuals or legal entities rendering agency services must act in consistent with the principles and apply the minimum fees indicated in the tariffs of this communiqué.

No service can be taken or given other than the basic rates mentioned of this communiqué.

Individuals or legal entities who act against the principles of this communiqué would be punished

By Chambers of Shipping according to article 87 and 93 of the Law numbered 5174 of The Union of Chambers and Commodity Exchanges of Turkey.

## Effectiveness :.

**Article 11-** This communiqué and a/m fees shall come into the force on the date of its publication.

The Ship Agency Services Tariff published in the Official Gazette No. 25340 dated 08/01/2004 are superseded by this communiqué.

## Enforcement :

**Article 12-** This communiqué rules will be executed by the Minister of Industry and Trade.

## TARIFF NO.1: AGENCY SERVICES

### Basic fees for Vessel(s) in ports and /or territorial waters

<u>Vessel's NT</u>		<u>Basic fee per each call in Euro</u>
0 - 500		300
501 - 1000		500
1001 - 2000		750
2001 - 3000		975
3001 - 4000		1200
4001 - 5000		1450
5001 - 7500		1700
7501 - 10000		2100
10001 – 20000	in addition per each 1000 NT or fraction thereof	75
20001 – 30000	in addition per each 1000 NT or fraction thereof	65
30001 – 40000	in addition per each 1000 NT or fraction thereof	55
40001 – 50000	in addition per each 1000 NT or fraction thereof	40
over 50001	in addition per each 1000 NT or fraction thereof	25

- The above basic fees are charged for vessels' stay in ports and/or territorial waters up to 5 (five) calendar days (inclusive) irrespective of reason of stay.
- When vessel's stay exceeds 5 (five) days, 25 % (twentyfive percent) of the basic fee will be added for each period of 3 (three) days or fraction thereof.
- Should a vessel's cargo and passenger services be performed at different locations within the same harbour limits (excluding shifting of the vessel by her own means along the same quay) 10 % (ten percent) will be added to the basic fee for the first shifting and 5 % (five percent) will be added to the basic fee for all subsequent shiftings.
- 25 % (twentyfive percent) will be added to the basic fee in cases of services such as general and particular average, collision, grounding, fire, salvage assistance, drydocking and repairs excluding any special attendance and services required by the shipowners .

(e) A reduction of 40 % (fourty percent) on the basic fee can be applied to passenger vessels only.

## TARIFF NO.2 : PROTECTING AGENCY SERVICES

Basic fees for Vessel(s) in port and/or territorial waters

<u>Vessel's NT</u>	<u>Basic fee per each call in Euro</u>	
0 - 500	150	
501 - 1000	250	
1001 - 2000	375	
2001 - 3000	488	
3001 - 4000	600	
4001 - 5000	715	
5001 - 7500	850	
7501 - 10000	1050	
10001 – 20000	in addition per each 1000 NT or fraction thereof	38
20001 – 30000	in addition per each 1000 NT or fraction thereof	33
30001 – 40000	in addition per each 1000 NT or fraction thereof	28
40001 – 50000	in addition per each 1000 NT or fraction thereof	20
over 50001	in addition per each 1000 NT or fraction thereof	13

(a) The above basic fees are charged for vessels' stay in ports and/or territorial waters up to 5 (five) calendar days (inclusive) irrespective of reason of stay.

(b) When a vessel's stay exceeds 5 (five) days 25 % (twentyfive percent) of the basic fee will be added for each period of 3 (three) days or fraction thereof.

(c) 25 % (twentyfive percent) will be added to the basic fee in cases of services such as collision, grounding, fire, salvage assistance, drydocking and repairs excluding any special attendance and services required by the shipowners.

## TARIFF NO . 3 : AGENCY SERVICES

Basic fees for Vessel(s) passing through the straits of Dardanelles and Bosphorus

<u>Vessel's NT</u>	<u>Basic Fee for each passage through One strait, in Euro</u>	
0 - 1000	100	
1001 - 2000	145	
2001 - 3000	170	
3001 - 4000	200	
4001 - 5000	230	
5001 - 7500	280	
7501 - 10000	320	
10001 - 20000	in addition per each 1000 NT or fraction thereof	15
20001 - 30000	in addition per each 1000 NT or fraction thereof	10
30001 - 40000	in addition per each 1000 NT or fraction thereof	5
40001 - 50000	in addition per each 1000 NT or fraction thereof	5
Over 50001	in addition, per each 1000 NT or fraction thereof	5

**A-** These basic fees are for one passage through one of the Straits irrespective of direction.

**B-** In case there is a change of agent in the return voyage of a vessel through Turkish Straits, ½ of the dues and fees which were fully paid by the first nominated agent is to be charged to the second nominated agent. The successor is obliged to pay the amount debitted to the predecessor.

**C-** Vessels' passing through Turkish Straits escorted by tugboats

- a) 25 % (twentyfive percent) will be added to the basic fees for vessels up to 300 meters in length.
- b) 50 % (fifty percent) will be added to the basic fees incase of towage of vessels and floating objects.
- c) 75 % (seventyfive percent) will be added to the basic fees for vessels over 300 meters in length or for vessels passing with a special permission.

**D-** 25 % (twentyfive percent) will be added to the basic fees ( for both straits) in case the Vessel(s) stay exceeds the permitted time so that her transit status changes to free pratique status.

#### **TARIFF NO . 4 : PROTECTING AGENCY SERVICES**

Basic fees for Vessel(s) passing through the straits of Dardanelles and Bosphorus

<u>Vessel's NT</u>	<u>Basic Fee for each passage through One strait, in Euro</u>	
0 - 1000	50	
1001 - 2000	73	
2001 - 3000	85	
3001 - 4000	100	
4001 - 5000	115	
5001 - 7500	140	
7501 - 10000	160	
10001 – 20000	in addition per each 1000 NT or fraction thereof	8
20001 - 30000	in addition per each 1000 NT or fraction thereof	5
30001 - 40000	in addition per each 1000 NT or fraction thereof	3
40001 - 50000	in addition per each 1000 NT or fraction thereof	3
Over 50001	in addition per each 1000 NT or fraction thereof	3

These basic fees are for one passage through one of the Straits irrespective of direction.

## **TARIFF NO. 5 : SUPERVISION SERVICES**

### **For vessels in ports and/or territorial waters**

#### **Loading or Discharging**

**Euro - Per Metric TON**

#### **A. CARGO IN BULK :**

##### ***a) Dry cargo:***

Ores, minerals, scrap iron, pig iron, coal, carob, animal feed,  
seed extraction, cement, clinger, pumice, artificial fertilizers,slag.

I. 0-10.000 tons .....	0.15
II. 10.001-20.000 tons .....	0.10
III. For part over 20.000 tons .....	0.05

##### ***b) Grains and seeds :***

**Wheat, barley, oats,rye, rice, corn, sunflower, soyebeans, vetches.**

I. 0 - 10.000 tons .....	0.10
II. 10.001 – 25.000 tons .....	0.075
III. For part over 25.000 tons .....	0.045

##### ***c) Legumes :***

Broad Beans, black-eyed beans, lentils, chickpeas.

I. 0- 5.000 tons .....	0.30
II. For part over 5.000 .....	0.15

##### ***d) Crude oil and petroleum products (fuel):***

I. 0- 15.000 tons .....	0.040
II. 15.001-35.000 tons.....	0.030
III. For part over 35.000 tons .....	0.015

##### ***e) LPG and LNG:***

I. 0-15.000 tons .....	0.15
II. For part over 15.000 tons .....	0.05

##### ***f) Chemical products (including petroleum derivatives) wine, olive oil, molasses, edible liquid oil , mineral oil,tallow .....***

0.15

**B- CARGO NOT IN BULK :**

(Listed below)

**a) Grains, and flour, artificial fertilizers, sugar, cement, rice, semolina, carob, minerals, marble blocks:**

I. 0- 20.000 tons .....	0.15
II. For part over 20.000 tons .....	0.05

<b>b) Fresh fruits and vegetables, citrus, frozen food .....</b>	<b>1.00</b>
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<b>c) Legumes and seeds .....</b>	<b>0.60</b>
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**d) Paper, iron and steel products and semi-finished products:**

**Steel plates, steel bars in coils, steel profiles, steel billets, reinforcement steel, steel pipes and tubes, steel plates in rolls, newsprint, paper in rolls, paper pulp.**

I. 0 – 5.000 tons .....	0.25
II. 5.001 – 10.000 tons .....	0.15
III. For part over 10.000 tons .....	0.10

**e) Wooden log :**

I. 0 – 3.000 tons .....	0.50
II. 3.001 – 5.000 tons .....	0.35
III. For part over 5.000 tons .....	0.10

**C. EMPTY CONTAINER(S) AND EMPTY TRAILER(S)**

<b>(EURO PER UNIT) .....</b>	<b>10.00</b>
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**D. LIVESTOCK (U.S.D. PER HEAD)**

a) Small heads (sheep and goat etc.) .....	0.05
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b) Large heads (cattle, horses etc.) .....	0.15
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**Euro - Per Metric TON**

**E. OTHER CARGO, VARIOUS CARGO CARRIED**

**IN THE SAME VESSEL**

I. In case the carrier pays the cost of loading and/or discharging .....	1.00
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II. In case the shipper and/or consignee pays the cost of loading and/or discharging .....	0.60
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**F. ALL KIND OF CARGO CARRIED IN CONTAINERS (INCLUDING ALL ABOVE) :**

I. In case the carrier pays the cost of loading and/or discharging .....	1.00
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II. In case the shipper and/or consignee pays the cost of loading and/or discharging ..... 0.60

**G. CAR, JEEP, PICKUP, PANELVAN, MINIBUS, MIDIBUS, ( Euro – per Unit )**

In case the carrier, shipper and/or the consignee pays the cost of loading and/or discharging.

I- 0- 50 units 5.00  
 II- 51- 300 units 3.00  
 III- over 300 units 1.50

**H. MOBILE VEHICLES AND CONSTRUCTION**

**MACHINERY CARRIED IN RO-RO VESSELS**

**( Euro - PER LINEAR METER) ..... 3.00**

\* A flat amount of Euro 150 (onehundredfifty) is to be charged in case the total of supervision fees calculated according to be above basic fees is less than Euro 150 (onehundredfifty).

**TARIFF NO. 6 : COMMISION**

Commision is in addition to agency fees as per tariff no.1 and applicable only on cargoes defined in items F and H of Tariff No.5-Supervision Services.

	Percentage on the gross freight revenue	
A) i. For Outward cargo .....		5.0
ii. For Inward cargo .....		2.5
B) i. For Outward transit cargo .....		2.5
ii. For Inward transit cargo .....		1.5
	Percentage on tickets sold in Turkey	
C) For passengers .....		12.5

**TARIFF NO. 7 : PRIMAGE**

**Percentage on gross freight revenue**

A) For Mediterranean and Black Sea ports..... 5.0  
 B) For port(s) outside Gibraltar Strait and Suez Canal ..... 3.0

a) Primage is in addition to agency fees as per Tariff no.1 and applicable only on cargoes defined in items F and H of Tariff no.5-Supervision Services.

b) Maximum amount of primage to be charged per Bs/L is Euro 3.500.-

## TARIFF NO. 8 : OTHER SERVICES FEES

### 1) SPARE PARTS :

Euro : 1.00 - is payable to the agent for each 1 kg weight of spare parts /equipments which will be received from the foreign countries to the ship.

Additional to the delivery expenses ;

Euro : 150.00 - minimum

Euro : 500.00 - maximum

Will be applied for each passage and/or call as " service fee "

### 2) SUPPLY OF BUNKERING :

Euro : 100:00 - In case Vessel stay in roads , will be applied  
As " Cost of Bunkering Fee "

### 3) CREW JOINING / DISEMBARKING ( In addition to the Expenses )

Euro : 75.00 - for 1 to 2 persons

Euro : 25.00 - for each additional person

### 4) MEDICAL ATTENDANCE : ( In addition to the Expenses )

Euro : 40.00 - for each person

### 5) CASH TO MASTER ( In addition to the Expenses )

Euro : 50.00 - minimum - One (1) percent onto total amount  
Which delivering to the Master as Cash