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Communiqué

Communiqué Regarding Wage Tariff of Shipping Agency Services (İTG: 2008/1)

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 10 th March 2008.)

Purpose:

ARTICLE 1- (1) The purpose of this Communiqué is to determine the tariff of the services of "Shipping Agencies" that execute agency services for naval and commercial vessels and vehicles that pass through Turkish Straits or carry cargoes and passengers and make expeditions in Turkish territorial waters, internal waters and rivers or pass Turkish Straits.

Scope:

ARTICLE 2- (1) The provisions of this Communiqué determine the minimum level of fees of agency services which will be applied by real (persons) and legal entities (companies) that are duly established under the Laws of the Republic of Turkey and are members of the Chambers of Shipping.

Basis

ARTICLE 3- (1) This Communiqué and the tariffs attached to it have been prepared in accordance with article 12 Para "P" of Code No. 5174 of Chambers and Commodity Exchanges and Turkish Union of Chambers and Commodity Exchanges.

Definitions

ARTICLE 4- (1) The undermentioned descriptions have been used for this Communiqué;

a) Freight:

It is the sum of the charges regarding transportation of passengers and cargoes that shall be paid on behalf of the carrier. All kinds of surcharges and additional revenues in connection with sea carriage are included to freight.

b) Cargo:

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

c) Container:

It is a specially designed transportation case or box that can be in shape of cylinder, rectangular or cube, providing speed and time savings during loading/discharging.

c) Ship Agents;

are real (persons) or legal entities (Companies) who are paid to protect the rights and interests against the third parties of the ship owners, ship's masters, ship-operators and ship-charterers ; relating to the cargo and passenger operations of naval and commercial vessels and vehicles within the area of their appointment.

d) Ship Agency Services:

It means the fulfilment of operations regarding passenger, cargo, maintenance/repair, survey, supply, change of personnel, loading/discharging, having pilot/tugboat services and etc. of all kinds of naval and commercial vessels and vehicles which are calling at Turkish ports, in the presence of relevant individuals, institutions and authorities and providing complete application of the rules that are implemented by the Laws of the Republic of Turkey and giving all kinds of information regarding such business accurately and completely.

e) Protecting Agency Services:

It means the work and services of the shipping agency that is appointed to provide services that are requested by the shipowners, ship's master or ship- operator in the name of the ship in addition to the agent appointed in accordance with the provisions of Charter Party clauses.

f) Fees:

1) Agency Fee:

It means the fee, which are not less than the minimum fees indicated in the tariffs of this Communiqué, to be paid by the ship owner, ship-master, ship-operator or ship-charterer to the real or legal entities against the ship agency services that they render.

2) Supervision Fee:

It means the fee paid by the ship owner, ship-master, ship-operator or ship-charterer for work and services rendered by the agent in addition to its agency and protecting agency services, namely organizing and performing vessel's operation in connection with the parties and departments concerned, speeding up the operations, providing safe discharging and loading of the cargo in the shortest possible time, fulfilling the document transactions, receiving and consigning the cargo, following the shortage or overlandings of the goods

3) Primage Fee:

This is 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) Fees of Other Services (for the vessels passing through the Istanbul and/or the Canakkale Straits)

a) Supervision of Personnel:

It means the fee paid by the ship owner, ship-master, ship-charterer or ship-operator in case of change of ships personnel, sickness or leave of the personnel of naval and commercial vessels and vehicles that make expedition, in addition to the expenses incurred by the agency such as visa fee, greeting, hotel, means of transportation, doctor, hospital, medicine and etc. in accordance with the tariff attached to this Communiqué.

b) Fee of Transfer of Transit Ship Spare Parts and Materials:

It means the fee paid by the shipowners, ship's-masters, ship-operators or ship-charterer in addition to the expenses incurred by the shipowners, charterers and operators for fulfilment of services as delivering the ship parts and equipments that are shipped for the requirements of naval and commercial vessels and vehicles to such naval and commercial vessels and vehicles in accordance with the tariff attached.

c) Cash Advance given to the Master of the Vessel:

It means the fee paid to the agent by the ship owner, charterer or ship-operator in accordance with the attached tariff in addition to the expenses incurred for delivering the money that was sent to the ship through the agency for cash to master by the shipowners, charterers and ship-operators.

Liability

ARTICLE 5- Real and legal entities who run activities of shipping agency are initially liable from protection of the honour, dignity, interests, economical and commercial esteem of the Turkish maritime at international level firstly and providing all taxes, duties and fees that are obligatory under the Laws of the Republic of Turkey and international agreements are duly paid and applying the minimum fees of pay that should be collected in accordance with this Communiqué.

Collection of Fees and Expenses

ARTICLE 6- (1) It is compulsory that the agency, protecting agency, commission, primage, supervision fees, port dues and all other expenses of the vessels calling at Turkish ports or passing through Turkish straits are to be transferred in advance to the accounts of real and legal entities who work as shipping agencies. Provisions of the "Communiqué on Intangible Transactions" that was issued in accordance with the 1567 numbered Code Regarding The Protection Of The Value Of Turkish Currency and 32 numbered decision on the Protection Of The Value Of Turkish Currency shall be applied to the transactions regarding the payments of port expenses of the vessels that make scheduled or regular expedition to Turkish ports.

Minimum Fees :

ARTICLE 7- (1) The fees indicated in the tables attached to this Communiqué are the minimum fees. The fees to be charged shall not be less than those indicated in the tariffs in this Communiqué. Punitive sanctions that are specified under the 10th article of this Communiqué shall be applied regarding the persons who sell and receive services less than the fees indicated in the tables in this Communiqué.

Expenditures that are not included to the fees :

ARTICLE 8- (1) All fees indicated under the tariff tables are for work and services stated under " definitions " section. Taxes, dues, fees, fiscal stamp and all other

obligatory expenses regarding the cargo, passengers and wares of naval and commercial vessels and vehicles together with the expenses that should be paid for machineries, equipments, supplies and personnel of such vessels and vehicles in cases and situations that are not consistent with the regulation, collection of freight and transfer charges are not included to agency fee.

Field of application

ARTICLE 9- (1) The articles of this Communiqué shall be applied to all kinds of naval and commercial vessels and vehicles calling at Turkish territorial waters, ports, shipyards, inland waters, rivers and passing through the Canakkale and the Istanbul Straits, excluding the naval and commercial vessels and vehicles in cabotage traffic.

Penalty Jurisdictions:

ARTICLE 10- (1) Real and legal entities who have shipping agency activities are obliged to apply the provisions of this Communiqué together with the attached tables of minimum fees. The services given or received shall not be less than the minimum fees indicated by the attachment of this Communiqué. Real and legal entities who violate such application shall be penalized by Chambers of Shipping in accordance with 87th and 93rd articles of Code No. 5174 of Chambers and Commodity Exchanges and Turkish Union of Chambers and Commodity Exchanges. All other related Turkish Legislations are to be preserved.

Validity:

ARTICLE 11- (1) Provisions of this Communiqué and fee tables stated by its attachment shall come into force on the date of its publication. Upon coming into enforcement, this Communiqué shall supersede the Communiqué regarding Ship Agency Services Tariff (Internal Trade: 2004/1) that was published on 8/1/2004 dated and 25340 numbered Official Gazette.

Enforcement :

ARTICLE 12- (1) The provisions of this Communiqué will be executed by the Minister of Industry and Trade.

TARIFF NO: 1 AGENCY SERVICES

Basic fees for the vessels in the ports and/or territorial waters:

<u>Vessel's N.T.</u>	<u>Basic fees for per call in EURO</u>
0 - up to 500	300
501 - up to 1000	500
1001 - up to 2000	750
2001 - up to 3000	975
3001 - up to 4000	1.200
4001 - up to 5000	1.450
5001 - up to 7500	1.700
7501 - up to 10000	2.100
10001 - 20000	in addition per each 1000 N.T. or fraction thereof 75
20001 - 30000	in addition per each 1000 N.T. or fraction thereof 65
30001 - 40000	in addition per each 1000 N.T. or fraction thereof 55
40001 - 50000	in addition per each 1000 N.T. or fraction thereof 40
Over 50001	in addition per each 1000 N.T. or fraction thereof 25

a) The above basic fees are charged for vessel's 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 fees will be added for each period of 3 (three) days or fraction thereof exceeding 5 (five) days.

c) 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 fees for the first shifting and 5% (five percent) will be added to the basic fees for all subsequent shiftings.

d) 25% (twentyfive percent) will be added to the basic fees 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 fees can be applied to passenger vessels only.

TARIFF NO: 2 PROTECTING AGENCY SERVICES

Basic fees for the vessels in the ports and/or territorial waters:

<u>Vessel's N.T.</u>	<u>Basic fees per each call in EURO</u>
0 - up to 500	150
501 - up to 1000	250
1001 - up to 2000	375
2001 - up to 3000	488
3001 - up to 4000	600
4001 - up to 5000	715
5001 - up to 7500	850
7501 - up to 10000	1.050
10001 - 20000 in addition per each 1000 N.T. or fraction thereof	38
20001 - 30000 in addition per each 1000 N.T. or fraction thereof	33
30001 - 40000 in addition per each 1000 N.T. or fraction thereof	28
40001 - 50000 in addition per each 1000 N.T. or fraction thereof	20
Over 50001 in addition per each 1000 N.T. or fraction thereof	13

a) The above basic fees are charged for vessels' stay in the 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 fees will be added for each period of 3 (three) days or fraction thereof exceeding 5 (five) days.

c) 25% (twentyfive percent) will be added to the basic fees 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 the vessels passing through the straits of the Canakkale and the Istanbul :

<u>Vessel's N.T.</u>	<u>Basic fees for each passage through one strait, in EURO</u>
0 - up to 1000	100
1001 - up to 2000	145
2001 - up to 3000	170
3001 - up to 4000	200
4001 - up to 5000	230
5001 - up to 7500	280
7501 - up to 10000	320
10001 - 20000 in addition per each 1000 N.T. or fraction thereof	15
20001 - 30000 in addition per each 1000 N.T. or fraction thereof	10
30001 - 40000 in addition per each 1000 N.T. or fraction thereof	5
40001 - 50000 in addition per each 1000 N.T. or fraction thereof	5
Over 50001 in addition per each 1000 N.T. 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 second nominated agent is obliged to pay the charged amount to the first nominated agent.

c) - The vessels passing through Turkish Straits escorted by tugboats:

1) Vessels up to 300 meters in length;

25% (twentyfive percent) will be added to the basic agency fees,

2) Towage of vessels and sea vehicles;

50% (fifty percent) will be added to the basic agency fees,

3) Vessels over 300 meters in length or vessels passing with a special permission;

75% (seventyfive percent) will be added to the basic agency fees,

d) 25% (twentyfive percent) will be added to the basic agency 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 the vessels passing through the straits of the Canakkale and the Istanbul :

<u>Vessel's N.T.</u>	<u>Basic fees for each passage through one strait, in EURO</u>
0 - up to 1000	50
1001 - up to 2000	73
2001 - up to 3000	85
3001 - up to 4000	100

4001 - up to 5000	115
5001 - up to 7500	140
7501 - up to 10000	160
10001 - 20000 in addition per each 1000 N.T. or fraction thereof	8
20001 - 30000 in addition per each 1000 N.T. or fraction thereof	5
30001 - 40000 in addition per each 1000 N.T. or fraction thereof	3
40001 - 50000 in addition per each 1000 N.T. or fraction thereof	3
Over 50001 in addition per each 1000 N.T. 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 the vessels in the ports and/or territorial waters:

Loading and discharging

Euro per metric ton

A) CARGO IN BULK:

a) Dry Cargo:

(Ores, minerals, scraps, pig iron, coal, carob, animal feeds, oil cakes, cement, clinger, pumice stones, artificial fertilizers, slag.)

I- 0-up to 10000 tons	0.15
II- 10001-up to 20000 tons	0.10
III- For part over 20000 tons	0.05

b) Grains and Seeds:

Wheat, barley, oats, rye, rice, corn, sunflower, soya beans, vetches.

I- Up to 10000 tons	0.10
II- 10001-up to 25000 tons	0.075
III- For part over 25000 tons	0.045

c) Pulses:

Broad beans, black eyed beans, beans, lentils, chickpeas

I- 0-up to 5000 tons	0.30
II- For part over 5000 tons	0.15

d) Crude oil and petroleum products:

I- up to 15000 tons	0.040
II- 15001-up to 35000 tons	0.030
III- For part over 35000 tons	0.015

e) LPG and LNG gasses:

I- 0- up to 15000 tons	0.15
II- For part over 15000 tons	0.05

f) Chemical products (including petroleum derivates)

Wine, olive oil, molasses, edible liquid oil, mineral oil, tallow	0.15
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B) CARGO NOT IN BULK

(The below mentioned)

a) Grains and flour, artificial fertilizers, sugar, cement, rice, semolina, carob, minerals, marvel blocks.

I- Up to 20000 tons	0.15
II- For part over 20001 tons	0.05

b) Fresh fruits and vegetables, citrus, frozen food 1.00

c) Pulses and Seeds 0.60

d) Paper, iron and steel products and semi-finished products:
 Steel plates, iron coil, profiles, iron billets, iron bars,
 Round bars, wire rods in coils, all kinds of pipes, rolled sheets,
 newsprint paper, kraft paper in rolls, wood pulp

I- 0- up to 5000 tons	0.25
II- 5001 – up to 10000 tons	0.15
III- For part over 10001 tons	0.10

e) Wood logs and heavy logs

I- 0 – up to 3000 tons	0.50
II- 3001 – up to 5000 tons	0.35
III- For part over 5001 tons	0.10

C) EMPTY CONTAINERS AND EMPTY TRAILERS (Euro per unit): 10.00

D) LIVESTOCK (Euro per unit)

a) Small heads	0.05
b) Large heads	0.15

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
II- In case the shipper and/or consignee pays the cost of loading and/or discharging	0.60

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
II- In case the shipper and/or consignee pays the cost of loading and/or discharging	0.60

G) MOTOR CARS, JEEP, PICK UP, PANELVAN, MINIBUS, MIDIBUS (Euro per unit)

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

I- Up to 50 units	5.00
II-51- up to 300 units	3.00
III-Over 301 units	1.50

H) MOBILE VEHICLES AND CONSTRUCTION MACHINERY CARRIED BY RO – RO VESSELS: (Euro per linear meter)

Per linear meter of the vehicle	3.00
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I) If the total supervision fee calculated according to the above mentioned basic cargoes, is less than Euro 150.- (one hundred fifty) , then a minimum amount of Euro 150.- is to be charged.

TARIFF NO: 6 COMMISSION

Commission is applicable only on cargoes defined in section (F,H) of tariff no. 5 and is charged in addition to the agency fee as per Tariff No. 1 .

A- CARGOES

Percentage on gross freight Revenue

i) Outward Cargo (Loading commission is received on freight which is from the loading port to the final destination	5.0
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port stated on the bill of lading)

ii) Inward Cargo 2.5

B) CARGO IN TRANSIT

i) Outward Cargo 2.5

ii) Inward Cargo 1.5

Percentage on tickets sold in Turkey

C- CARRIAGE OF PASSANGERS 12.5

TARIFF NO: 7 PRIMAGE

**Percentage on gross
freight Revenue**

A) For Mediterranean Sea and Black Sea Ports 5.0

B) For ports outside Gibraltar Strait and Suez Canal 3.0

a) Primage is only applicable on cargo loadings defined in section (F, H) of Tariff No.5 and is charged in addition to the agency fee as per Tariff No. 1 .

b) However, the amount of primage to be charged per bill of lading, is limited with 3.500.- Euro.

TARIFF NO: 8 OTHER SERVICE FEES:

(The services under this article are applied to the vessels passing through straits of the Istanbul and/or the Canakkale)

1- Spare Parts:

1.00 Euro as agency service fee will be paid to the agent for each consignment or consignment sender per kilo of the total weight of spare parts and/or stores forwarded from foreign countries that is delivered to the vessel. The service fee charged per each passage or call is minimum 150.- Euro and maximum 500.- Euro , in addition to delivery expenses.

2- Bunker Supply:

Bunker supply and slop delivery attendance fee of 100.- Euro is charged in case the service is rendered to vessel at anchorage.

3- Per person who embarking or disembarking during passage through Turkish straits (in addition to the expenses)

Euro

1-2 persons 75

Per each additional person 25

4- Medical Services:

Per each patient 40

(in addition to the expenses)

5- Cash to Master:

1% (one percent) of the delivery amount, minimum 50

(in addition to the expenses)

GENERAL NOTES :

- (a) The abbreviation "TL" stands for Turkish Liras.
- (b) The abbreviation "€" for EURO