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# PORT POLICE REGULATIONS PORT OF OSTEND

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*This set of regulations was approved by the board of directors of 'Port of Ostend NV Public Limited Liability Company' on the 29th of September 2020.*

*This set of regulations was approved by the Cabinet of the Flemish Minister for Mobility and Public Works on the 29th of January 2021.*

**This is a translation of the original *Politieverordening Haven Oostende*.  
Only the original Dutch text is legally binding.**



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# **1: SCOPE – GENERAL PROVISIONS**

## **Section 1: “Geographical scope”**

These regulations apply within the port area as referred to in the Flemish Parliament Decree of the Flemish Government of 2 March 1999, concerning the policy and management of the seaports, published in the Belgian Official Gazette of 8 April 1999.

As described in the Regional Spatial Implementation Plan (GRUP) 1st phase and 2nd phase.

### **For the implementation of these regulations, the following definitions apply:**

Port of Ostend: the locks, the waters and associated terrains, the infrastructure and superstructures situated in the port area, the operation of which falls under the jurisdiction of ‘Port of Ostend NV Public Limited Liability Company’, and more specifically the area within the boundaries specified hereafter.

The description and the demarcation plan of the seaport area is incorporated in the Regional Spatial Implementation Plan “Afbakening Zeehavengebied Oostende”, permanently established by the Flemish Government on 22 March 2013.

The plan is attached to the present set of Port Police Regulations for the Port of Ostend. For an accurate description, we refer to the section “Gedetailleerde beschrijving van de afbakeningslijn” in annex III a: Explanatory Statement, text, pages 58- 61 of the Regional Spatial Implementation Plan 2.12 “Afbakening Zeehavengebied Oostende”.

In the port, the following regulations also apply, amongst others:

- Notices to Mariners, published by the Ministry for Mobility and Public Works, Agency for Maritime and Coastal Services, Coastal Division, Flemish Hydrography.

## **Section 2: “Legislation”**

1. In the port of Ostend, docks and engineering structures included, the following provisions apply, provided that there are no exceptions to them set forth in the present set of regulations:
  - The Decree of 3 May 2019 with regard to the determination of the status of Harbour Masters (Port Decree).
  - The Law of 11 April 1989, regarding the approval and implementation of various International Maritime Acts for shipping (Wrecks Act).
  - The Decree of the Flemish Parliament of 2 March 1999, regarding the policy and management of the seaports (Port Decree).
  - The Decree of 19 April 1995, regarding the organization and operation of the pilotage services of the Flemish Region and regarding the certification of harbour pilot and boatman (Pilotage Decree).
  - The Royal Decree regarding maritime security of 21 April 2007 and the Law regarding maritime security of 5 February 2007 (ISPS code).
  - The Decree of 17 March 2006 implementing Directive 2001/96/EC of the European Parliament and the Council of 4 December 2011 establishing harmonized regulations and procedures for safely loading and unloading bulk carriers.
  - The Royal Decree of 9 March 2007 regarding crew regulations on the waterways of the Kingdom.
  - The Law of 26 March 1971 regarding the protection of surface waters against pollution.
  - The Royal Decree of 1 December 1975 containing general regulations on the road traffic police and the public roads (The Highway Code).
  - The current waste management plan for the port of Ostend, drafted in implementation of EU Directive 2000/59/EC of the port’s waste collection infrastructure for ship-generated waste and cargo residues.
  - The Flemish waste management plan for inland shipping, in implementation of the CCR-Treaty for the Collection, Deposit and Reception of Waste generated during navigation on the Rhine and other Inland Waterways, Strasbourg, 9 September 1996.
  - The Decree regarding traffic of port vehicles between loading and unloading quays, storage facilities, hangars and warehouses situated in the port area (Traffic of Port Vehicles Decree of 28 March 2014).
  - The Law regarding the road traffic police, as set forth in the Royal Decree of 16 March 1968.
  - Intermediate announcements issued/ratified by the Harbour Master’s Office.
  - The Royal Decree of 4 August 1981, regarding police and shipping regulations for the territorial sea, the ports and beaches of the Belgian coast, supplemented, improved or modified by the Royal Decree of 4 June 1987, the Law of 6 October

1997, the Royal Decree of 9 February 1996, the Royal Decree of 9 December 1998, the Royal Decree of 4 May 1999 and the Royal Decree of 4 June 1999.

- The Royal Decree of 15 October 1935 regarding the General Regulations of Shipping Waterways of the Kingdom, last supplemented, improved or altered by Royal Decree of 5 March 1999.
- All other applicable laws, decrees, decisions, agreements, rules and regulations, and all subsequent supplements or amendments to the aforementioned laws, decrees, decisions, agreements, rules and regulations.

**This list is not exhaustive.**

2. The docks include all engineering structures, jetties and mooring buoys that directly belong to them.
3. Every port user must know and implement these and the above-mentioned regulations, as well as the related "Port Services Regulations for the port of Ostend", "Regulations regarding Dangerous and/or Hazardous Goods for the Port of Ostend" and the notices to interested parties.
4. Before leaving the port or the port area, the captain, skipper or master of a vessel is obligated to ensure payment of all shipping rights and port duties, as well as all fines and claims of 'Port of Ostend NV', at his expense and/or at the expense of his vessel or shipowner.
5. The Harbour Master or his delegate or appointee under his authority, is authorized to have vessels without crews - whether or not guarded or laid-up - moved, detained without formality, taken into custody or made subject to the security measures he deems necessary at the expense and risk of the interested party. 'Port of Ostend NV Public Limited Liability Company' also has the right of retention and the right of sale, as provided for in article of these regulations.
6. The Harbour Master or his delegate or appointee under his authority, is authorized to have vessels removed from the port or deny them access to the port, in function of order, hygiene and safety.
7. Port policing is exercised by the Harbour Master of the Harbour Master's office and by his delegates or appointees under his authority.
8. When a vessel needs to be moved and, as a general rule, whenever it is necessary to ensure and safeguard the safety and interests of shipping and the port facilities and/or to ensure normal port operations, the Harbour Master or his delegates or appointees may impose the measures they deem necessary for the captains or skippers, even those not provided for by the present police regulations.
9. If the captain of a vessel at risk or his helmsman fails to comply with these regulations, the Harbour Master or his delegates or appointees shall, of their

own motion and without delay, take the necessary measures to ensure navigation and safeguard port activities.

The Harbour Master or his delegate or appointee, has the right to loosen or cut the mooring lines when he deems such action is necessary.

All official measures taken by 'Port of Ostend NV' mentioned in this section, will be taken at the expense and risk of the master or skipper, the shipowner, the owner, operator or possessor of the vessels. All amounts and costs in this respect are immediately due and payable and for the execution of the measures taken ex officio, Port of Ostend NV may demand that the captain or skipper, shipowner, owner or possessor deposits the amount deemed necessary to cover the costs involved. In this respect Port of Ostend NV also has a right of retention and a right of sale as prescribed in the present regulations.

10. The Harbour Master or his delegate or appointee under his authority, is authorized, without formality, to immediately detain and/or take into custody, recover or have removed all vessels, rafts, beams, poles, masts, strands, wrecks or other floating and deserted objects, including sunken objects, at the expense and risk of the master, skipper, shipowner, operator, owner or possessor. All amounts and costs in this respect are immediately due and payable and the 'Port of Ostend NV' may, for the implementation of the measures taken ex officio, demand that the captain or skipper, shipowner, owner or possessor, deposits the amount deemed necessary to cover the costs involved. In this respect 'Port of Ostend NV' also has a right of retention and a right of sale as prescribed in the present regulations.
11. Every form of travelling sales in the port is prohibited without special prior permission from the Harbour Master, or his representatives or appointees under his authority.
12. It is forbidden, except with the written permission, possibly stipulating certain conditions, from the Harbour Master or his representatives or appointees to sail or lie in the harbour with floating loading and unloading material, with vessels used as a workshop, to practice a trade, to peddle or vessels used as a floating warehouse.
13. The Harbour Master or his delegates or appointees under his authority, can take any measure at the expense and risk of the owner, shipowner, shipper, operator, master, skipper or he who acts as an agent of one of them, of the obstructing vessel or object in order to have it removed. Port of Ostend NV also has a right of retention and a right of sale, as provided for in these regulations.

14. In the port area comprising the outer port, Visserijdok, Vlotdok, Houtdok and Zwaardok, the lights, day marks and signals are applicable as stipulated in the Royal Decree of 4 August 1981 determining Police and Shipping Regulations for the Belgian territorial sea, the ports and the beaches of the Belgian coast - section 3, articles 13 to 18 included.

These lights, day marks and signals apply to seagoing vessels in the part of the Canal Ghent - Ostend between Plassendale bridge and the Doksluis lock.

## **Section 3: "Competences of the Harbour Master".**

### **"Compliance / Disclosure"**

1. In the port of Ostend everyone is obligated to comply with and follow every order, verbally or in writing, in order to maintain public order, security and safety, for the protection of the environment, for the regulation of shipping traffic, for the prevention of fire, collision or other incidents, or for the implementation of the present regulation or other applicable laws, decisions, decrees, ordinances and regulations, given by the Harbour Master and his delegates under his authority, as provided in the Decree of 3 May 2019 (regarding the Harbour Master's Office).
2. The Harbour Master may also draft regulations for special situations, for the purpose of ensuring order, safeguarding the environment and safety in the port, which will be published on the website of the Port of Ostend as notices to interested parties.
3. The Harbour Master is the civil servant referred to in Article 17,§1, third section of the law of 14 April 1989 on the approval and implementation of various international maritime navigation acts.

## **Section 4: "Establishing infringements"**

The Harbour Master is an officer of the judicial police and an assistant officer of the public prosecutor.

The Harbour Master is charged with the detection and determination of violations of laws, decisions, decrees, ordinances, rules and regulations applicable within the port, as well as of all other offences committed within the boundaries of the port area 'Port of Oostende NV'. All delegates, who report under the authority of the Harbour Master, are authorized to go on board of vessels with due observance of the applicable legal provisions concerning the sections of the vessel that are fitted out as a residence.

They also have unrestricted access to company premises, company buildings, company warehouses and vehicles in the entire port area, regardless of the owner or operator.

Without prejudice to the competence of the officers and agents of the judicial police, the Harbour Master and his representatives or appointees are charged with the detection and determination of violations of the laws, decisions, rules and ordinances applicable within the port and of all other offences committed within the boundaries of the port area.

The Harbour Master and - on his authority - his delegate can stop, investigate and impose special restrictions or conditions on any vessel or other means of transportation, whose destination is not known or whose use endangers the good order, peace and safety of port activities.

The Harbour Master or his delegates or appointees, can call in the local police or the federal police, in case of recalcitrance and/or if they are insulted or physically threatened in the exercise of their function.

An official report may be drafted for rebelliousness or defamation and violence against a representative of the authority, in particular the Harbour Master or his delegates or appointees under his authority.

- Traffic control has the authority over the traffic within the port, the traffic between the berths, the traffic from and to the locks.
- All instructions, regulations and orders issued by traffic control in relation to shipping traffic must be followed correctly and strictly.

The owner, captain or skipper must immediately comply with the orders given. If they fail to do so, or if they are absent, the imposed measures may be carried out automatically at their expense and risk.

If necessary, a security deposit should be transferred immediately to 'Port of Ostend NV' (PO), to be determined by the Harbour Master's Office (HMO).

It is prohibited to enter the port or the port area with loaded firearms.

In exercising his police powers, the Harbour Master is charged with drafting the necessary official reports where necessary. These official reports are submitted to the competent public prosecutor's office.

## **Section 5: “Amicable settlement”**

When the Harbour Master and his delegates under his authority, establish offences as referred to in article 10 and article 11 of the law of 5 May 2019 establishing the status of Harbour Masters, the Harbour Master is entitled to propose an amicable settlement.

## **Section 6: “Requisitioning”**

If the need arises, the Harbour Master and his delegates or appointees under his authority, may requisition any person in the port area for service and port police, for the purpose of providing assistance or help in the exercise of his policing or security duties in the port.

The persons requisitioned may not refuse the service for which they are suited.

## **Section 7: “Permit / Licence”**

1. The oral or written permits and licences issued in accordance with these regulations shall be issued by the Harbour Master and the delegates or appointees under his authority. These permits and licences may be revoked at any time.
2. Any permit or licence granted may be made subject to conditions by the Harbour Master.
3. A person who contravenes or fails to comply with one or more of the conditions imposed, shall be deemed to have acted without authorization or permit.
4. The holder of a written permit or licence is obligated to present it to the Harbour Master and to his delegates or appointees under his authority upon request, as well as to inspectors of the police services (Maritime and River Police, Federal Police and Local Police), the Environmental Inspectorate and Customs officials.
5. Access to the port area is only permitted to persons who must be present for their duties or activities and to persons authorised by the HMO.

For some areas and/or companies, access procedures will be enforced when increased security levels come into force.



## **Section 8: “List of abbreviations”**

- “ADN”:** European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways.
- “ADR”:** European Agreement concerning the International Carriage of Dangerous Goods by Road.
- “AIS”:** Automatic Identification System
- “CTV”:** ‘Crew Transportation Vessel’, vessels intended for the transportation of persons and technicians at sea, usually towards wind farm(s).
- “HMO”:** Harbour Master’s Office
- “IBC Code”:** International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk, issued by the 'I.M.O.' and the Ministerial Decree of 24 June 1975 on additional regulations for ships carrying dangerous chemicals in bulk.
- “IGC”:** International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk. The regulations for the construction and equipment of seagoing ships carrying liquefied gases in bulk, issued by 'I.M.O.', and those of the Ministerial Decree of 17 July 1981 on additional requirements for the construction and equipment of ships carrying liquefied gases in bulk.
- “IMDG”:** International Maritime Dangerous Goods Code. The provisions of the 'International Maritime Dangerous Goods Code' drafted by the 'I.M.O.' and article 108 of the Royal Decree of 20 July 1973 on sea transport inspection regulations.
- “IMO”:** International Maritime Organization
- “IMSBC”:** International Maritime Solid Bulk Cargoes Code
- “ISPS Code”:** International Ship and Port Facility Security Code.
- “MARPOL”:** International Convention for the Prevention of Pollution from Ships, 1973, drafted in London on 2 November 1973, amended by the Protocol of 1978, drafted in London on 17 February 1978.
- “RID”:** Regulations concerning the International Carriage of Dangerous Goods by Rail.
- “SOLAS”:** International Convention for the Safety of Life at Sea of 1914. "Solus" falls under the "I.M.O." since 1954.

## **Section 9: “Definitions”**

In addition to these regulations, the definitions also apply to:

- Port Public Services Regulations for the port of Ostend

For the implementation of these regulations the following definitions apply:

**“Inner port”:** Waters in the port not subject to the tide.

**“Waste product”:** Any substance or object which the holder discards, intends to discard or is required to discard.

**“Air draft”:** The highest point of the ship measured from the current waterline.

**“AIS”:** ‘Automatic Identification System’, a tracking system that uses transponders on board of a ship to transmit position and navigation-related information, enabling automated identification.

**“Itinerant trade”:** The official term used for door-to-door sales, sales on public roads, in public markets or in other places such as on the quay or on board of ships.

**“Other Vessels”:** Ships, vessels and floating bodies that do not correspond to the description given for 'Seagoing vessels' and 'Inland waterway vessels'.

**“Goods handling”:** Any operation involving, inter alia, the loading, unloading, stowing, unstowing, trimming, dumping, handling, receiving, checking, marking, delivering, storing, transporting, transhipping (direct transfer between vessels), transferring, delivering, discharging of goods. The list is not exhaustive.

**“Inland waterway vessel”:** A vessel that transports goods and/or persons on a commercial basis, exclusively intended for navigation on inland waterways. Inland waterway vessels that call at a port along the sea are considered as seagoing vessels.

**“Biodegradable detergents”:** Detergents or dispersants which are broken down by the natural activity of living micro-organisms, such as bacteria and fungi.

**“Boatman”:** Any person employed by a boatman service, certified by the port authority, and charged with the mooring and unmooring of vessels.

**“Marine fuel”:** Any product used as a fuel for the propulsion or auxiliary machinery of vessels.

**“Bunkering”**: The fuel supply to a ship, such as fuel oil, lubricating oil, liquefied natural gas (LNG), ...

**“Bunker ship”**: A tanker vessel used for supplying ships with fuel oil, lubricating oil or liquefied natural gas (LNG), ...

**“Debunkering”**: The opposite of bunkering, or the removal of fuel.

**“Dispersants (detergents)”**: Oil dissolving agents used for combating oil spills.

**“Transit storage location”**: A storage location on which or in which goods, products or substances are temporarily stored, either awaiting their shipment or dispatch, or after shipment or dispatch, for a period not exceeding the maximum duration for storage in port areas as provided for in the relevant regulations issued by the port authority. This must be requested in writing at the HMO.

**“Floating objects”**: All other non-machine propelled vessels (e.g. pontoons).

**“Push barge”**: An inland waterway vessel built and intended to be pushed by another vessel or pusher, having no propulsion or steering system and therefore not requiring a crew during navigation.

**“Pusher”**: A mechanically propelled ship which is part of a push convoy and which is built or arranged to propel it by pushing.

**“ENSOR”**: (Electronic Network System Ostend Region) The electronic port information system through which all communications relating to shipping and cargo information are made.

**“Operator”**: Operator means: shipowners, charterers, managers or shipping agents.

**“Gas expert”**: A person holding a certified "gas expert certificate of competence".

**“Hazardous goods”:** Goods which are likely to cause danger, damage or significant nuisance to humans, animals or the environment, because of their properties or the conditions under which they occur.

**“Hazardous goods”** are:

- Goods as defined in the "UN Recommendations on the Transport of Dangerous Goods".
- Goods as defined in Chapter 7 of "SOLAS".
- Goods as defined in the "IMDG Code".
- Hazardous liquids as defined in chapters 17 or 18 of the "IBC Code".
- Liquefied gases as defined in chapter 19 of the "IGC Code".
- Goods for the transport of which appropriate conditions have been set in accordance with section 1.1.13 of the IBC Code or section 1.1.16 of the IGC Code.
- Solid goods as referred to in appendix B of the "IMSBC Code".
- Goods as mentioned in the “ADN”.
- Goods as mentioned in the “ADR”.
- Goods as mentioned in the “RID”.
- Any other substance identified and declared as a dangerous substance by the legislator or the Harbour Master.

**“Goods handler”:** The person who orders, is responsible for or is in charge of the handling of goods.

**“Port or port area”:** The port area of Ostend as referred to in the Decree of the Flemish Government of 2 March 1999 regarding the policy and management of sea ports, published in the Belgian Official Gazette of 8 April 1999.

**“PO”:** ‘Port Of Ostend NV Public Limited Liability Company’. The port authority with legal status Port of Ostend, with registered office at Slijkensesteenweg 2 in Ostend, charged with the exploitation of the port.

**“Port user”:** Any actor located in the port or making use of the port infrastructure.

**“Port Information System (ENSOR)”**: The electronic data exchange with agents, stowers, pilots, boatmen, tugboats and maritime service providers with regard to vessel tracking, berth allocation, vessel-bound port activities, cargo data, port-bound events, authorizations and restrictions.

**“Harbour Master”**: The person whose powers are defined in the law of 5 May 2019 establishing the status of Harbour Masters, and in the harbour decree.

**“Harbour Master’s Office (HMO)”**: Is the service that falls under ‘Port of Ostend NV Public Limited Liability Company’ as operating port authority, and that has authority over the port area as described and defined. The HMO is composed of delegates of the Harbour Master and, by order and under the authority of the Harbour Master, is charged with taking all measures to safeguard the public order, the tranquillity, the environment and the safety of the port activities, such as:

- Regulating the handling and storage of goods and the embarkation and disembarkation of passengers.
- Regulating the accessibility of traffic management in the port area.
- Safeguarding the environment, the integrity and security of the port area. For the purposes of implementing these general port police regulations only, the following are deemed to be **“Harbour Master delegates”**: the harbour lieutenant, the superintendents, the boatmen, the lock operators and others employed by the HMO.

**“Port vehicle”**: Motor vehicles, trailers, tows and all specialized vehicles, with or without engine, exclusively intended for handling and transportation within the port area, excluding passenger cars, dual purpose cars and minibuses.

**“Captain”, “Skipper” of “Master”**: Any person charged with the command or control of a vessel, and any person actually in command or acting as a substitute.

**“Short-term storage”**: Quayside storage of goods, products or substances shipped or to be shipped through the port, for a period not exceeding 30 consecutive calendar days for IMDG goods and for a period of time for goods other than IMDG goods, the maximum duration of which shall be determined by the Harbour Master.

**“Line fishing vessel”**: A vessel not intended for commercial fishing, but for line fishing as a branch of leisure "Sport Fishing".

**“Mooring lines”**: The mooring lines, steel cables and chains used to keep the ship at its berth.

**“MPW”**: Ministry for Public Works

**“Degassing expert”**: A person who verifies, by means of readings and inspections, that welding and fire activities can be carried out safely on board of ships and who can prove that they had training or have certification for this purpose.

**“Laid-up vessels”**: Vessels that have been temporarily taken out of service.

**“Pleasure craft”**: A vessel up to 24 metres in overall length which, whether used for profit or not, in any form whatsoever, is engaged in or intended for pleasure navigation, excluding vessels used or intended for the transportation of more than 12 passengers.

**“Direct transhipment”**: The transhipment of goods between two means of transport.

**“Ship carrying certain hazardous goods or polluted goods in bulk or in packaged form”**: Any cargo ship, chemical or gas tanker, or any passenger ship carrying the following goods:

- Those defined in the IMDG Code and radioactive materials defined in the INF Code, in chapter 17 of the IBC Code and in chapter 19 of the IGC Code.
- Those defined in the annexes 1, 2 and 3 to the Marpol Convention.

**“Ship / ship transfer”**: The act of unloading goods from one ship to another at the same place, without intermediate handling, in direct transfer.

**“SOV”**: ‘Support Offshore Vessel’, assistance vessels for sea-bound activities, usually hotel ships (long-term stay at sea).

**“Spud poles”**: Vertical tube constructions allowing vessels to secure themselves to the bottom.

**“Tug boat”**: A vessel which, by construction and design, is made for towing and pushing operations.

**“Illegal dumping”**: The deposit or abandonment of any substance or object in places where it is prohibited by law or regulation, or at non-regulatory times, or in non-regulatory containers.

**“Tank barge”**: An inland waterway vessel built or adapted for the carriage of dangerous liquids and/or gases in bulk and labelled and included as such in the AND code.

**“Tanker”**: A seagoing ship built or adapted for the carriage in bulk of dangerous or hazardous liquids and/or gases and that is identified as such in the IMO MARPOL Annex I and II or IBC or IGC Code.

**“Vessel carrying dangerous or hazardous cargo in bulk”**: Any seagoing vessel or inland waterway vessel built or adapted for carrying dangerous or hazardous goods in bulk, whether completely or partially loaded or empty, but not yet degassed and stripped of its residues.

**“Vessel”**: Any floating object or floating assembly that is, or has been used, or is capable of being used as a means of transportation via/over water, including objects without water displacement and seaplanes.

**“Person in charge of a vessel”**: The shipowner or the owner, the shipper, captain, skipper, master or the person acting as an agent of one of them.

**“Traffic control – Trafconto”**: The guidance of maritime and inland navigation in the outer port.

**“Polluting goods”**: Physical, chemical or biological substances that cause pollution or nuisance or pose a danger to health and the environment.

“Polluting goods” are:

- Oils as defined in annex I of the MARPOL convention.
- Hazardous liquids as defined in annex II to the MARPOL convention.
- Hazardous substances as defined in annex III to the MARPOL convention.
- Any substance likely to cause pollution, in particular those listed in annex VIII (European Water Framework Directive).
- Any other substance identified and declared as a pollutant by the legislator or by the Harbour Master.

Note: Hazardous liquids (Annex 2 MARPOL) are substances listed in chapter 17 of the IBC Code, as well as those listed in chapter 18 if they have a pollution category.

**“Fishing vessel”**: A vessel intended for marine, high seas or coastal fishing, with business purposes.

**“Outer port”**: Waters in the port that are subject to the tide.

**“Quayside”**: The exploitation area intended for short-term storage, which is adjacent to the quay wall and which has been given a domain concession or permit by the port authority, or

which is at the disposal of the operator as owner, domain concessionaire or permit holder, for the purpose of handling transit goods only and to which the port regulations apply.

**“Water recreation”:** Outdoor recreation on and around the water, including sailing, surfing, water skiing, swimming, rowing, canoeing, diving, jet skiing, kiting and all other forms of water sports.

**“Seagoing vessel”:** A ship, a mechanically propelled vessel, which is used or intended for the transportation of goods and/or persons and which normally navigates the sea or is intended for that purpose.

In order to sail at sea, the ship must be provided with a document:

- Issued by the competent authority of the country where the ship is registered.
- Proving that it is suitable for navigation at sea.

**“Litter”:** Any substance or object lying about in the street or in the roadside, ditch or between the tracks and in buffer areas. Litter is any substance or object which has been deliberately or inadvertently thrown away or left in places not intended for that purpose, or which has ended up in those places through the indirect action or negligence of people.



## **2: ORDER, SAFETY, HEALTH, HYGIENE AND ENVIRONMENT**

### **Section 1: “Principal’s liability”**

If, while implementing one or more provisions of these regulations, any obligation or prohibition is imposed on anyone acting on behalf of somebody else, this shall also apply to his principals.

### **Section 2: “Appropriate vessel / damage caused by vessel”**

1. Every vessel or floating rig in the port has to be safe and fit for the purposes it is used for. In this regard, the Harbour Master may at any time request the necessary certificates and impose additional conditions.
2. The captain, skipper or master is obligated to take the necessary precautions, so that his vessel does not cause damage, harm or accidents and does not endanger the safety of persons, vessels and equipment.
3. In the port area the captain, skipper or master must ensure that the crew has the required valid certificates, in accordance with the law. The captain, skipper or master must ensure that a number of competent persons, who can take the appropriate security measures, are always on board.
4. All damage, of whatever nature, resulting directly or indirectly from failure to comply with the aforementioned instructions, regulations and orders will be borne entirely by the defaulting persons, vehicles or vessels.
5. Only vessels which, on account of their dimensions or their draft, can safely enter and leave the breakwaters and can safely pass through the engineering structures in complete certainty, will be allowed in the waters of the port.
6. In the port area, the master must ensure that the crew has the required valid licences and certificates in accordance with the law.

### **Section 3: “Refusal of means of transportation”**

The Harbour Master's Office is authorized to have vessels or other means of transportation removed from the port or denied access to the port for reasons of order, safety, pollution, danger, environment or hygiene.

This shall be done at the expense, risk and peril of those who are in default.

### **Section 4: “Notification obligation for masters/ damage report”**

1. The captains, skippers or masters:
  - a. of vessels on which a fire occurred during the voyage or while in port, which may or may not have been completely extinguished.
  - b. of vessels which sustained damage, whether or not visible or noticeable, after collision, grounding or other marine hazard.
  - c. of vessels that caused damage to any part of the port facilities, equipment, appliances, engineering structures, and/or to other vessels.
  - d. of vessels which have an abnormal heeling angle.
  - e. of vessels with a leak below the water line and/or with stability problems.
  - f. of vessels that have lost, or are in danger of losing cargo, fuel or objects.
  - g. who have encountered an obstruction in the waterway.
  - h. of vessels fouled by a polluting substance of any kind or origin, or which themselves pollute the surface waters.
  - i. of vessels in danger of sinking.
  - j. of vessels that suffer hull, propeller or rudder damage in the port.
  - k. of vessels which for any other reason create or constitute a hazard.

are obligated, if possible before their arrival in the port, or at least immediately upon their arrival or stay in the port area, to report this to the Harbour Master's Office or traffic control (VHF#09 - 059/342488) and/or other competent authorities.

2. Such a notification does not relieve the master or skipper of the vessel concerned from taking the necessary measures on board in order to counteract the calamity and/or prevent worse.
3. Whenever danger, damage or hindrance to navigation may occur, the masters or skippers must warn the approaching shipping traffic and take measures to keep the fairways clear.
4. The admission of ships, which have sustained damage as mentioned in chapter 2 section 4, to the port area is only allowed under the conditions imposed by the Harbour Master. If necessary, a statement will be required from a judicially certified shipping expert, testifying that the vessel in question can stay in the port area without further danger.
5. For the incidents mentioned under chapter 2, section 4, point 1, letters a, b, d, i, j the Harbour Master may grant permission after submission of a certificate issued by a Trade Court-certified shipping expert, attesting that the vessel in question can enter and leave the port and occupy or leave a berth without any further danger or additional pollution. The costs for this statement will be borne by the vessel, the master, the owner or the shipper. Permission to sail after inspection may be withheld until the costs are paid or security for payment is provided.
6. Without permission from the Harbour Master or his representative or appointee, entering the port, sailing in the port or locks, mooring at or leaving a berth at the quays and jetties, both in the canal and in the docks, is prohibited after an incident mentioned in chapter 2 section 4. In order to grant this permission, they may request a certificate issued by a navigation expert certified by the Nautical Commission of Antwerp, attesting that the vessel in question can enter and exit the docks or port channel, and berth or leave without further danger or additional pollution.
7. 'PO' shall, at its own discretion, determine the amount of the deposit for carrying out the repair and/or clean-up works immediately after the damage occurred. The deposit must be made by a scanned signed document by e-mail and must be confirmed by means of the original deposit.

The payment of the costs shall be invoiced by the appropriate department of 'PO'.

This amount shall be set off against the original deposit, after full completion of the repair works.

'PO' also has a right of retention and right of sale, as provided for in these regulations.

8. After notification of hull, propeller or rudder damage 'chapter 2 section 4.1.j' on VHF#09 channel, the Harbour Master's Office will assign the vessels concerned to a compulsory berth in the immediate vicinity of the location where the damage was sustained, which they may not leave until the Harbour Master or his delegates or appointees on board have taken a statement from the captain, skipper or master.
9. The captain, skipper or master has to fully cooperate with the Harbour Master's Office during its investigation into the possible causes and circumstances on board and in the immediate vicinity of the vessel, for the incidents listed under chapter 2 section 4.

All other port users who witness or cause the incidents listed under chapter 2 section 4 have the same obligation to report the incident as the captain, skipper or master of the affected vessel(s).

Pilots, boatmen and towage services are obligated to report to the Harbour Master or his delegates or appointees under his authority, about any damage they have found to the engineering structures, facilities and equipment located in the port area, or belonging to 'PO'.

## **Section 5: "Releasing steam, water, gases and liquids"**

It is prohibited to allow steam, gases, vapours and liquids to escape from a vessel or from the shore.

## **Section 6: “Exercising port public services”**

1. In view of policing and with a view to maintaining public order and security of port activities in general and of shipping traffic in particular, and with a view to maintaining safety, health, hygiene and the environment in the port area, boatman services, the towage of vessels, the collection of waste from vessels, the supply of drinking water to vessels, (de)bunkering of vessels, embankment/clearance of water-related calamities and the services related to them, in any case belong to port public services.

In principle, 'PO' is solely authorized to provide port public services. Notwithstanding the foregoing, 'PO' may decide to concession or license all or part of the services referred to herein to a third party that meets the conditions to be specified in terms of ensuring the safety of shipping traffic, in terms of security, health, hygiene and the environment, in terms of the general quality and organization of the service and in terms of the minimum equipment required and the size and skill of the staff.

2. It is expressly forbidden for all private or public legal entities that do not belong to the port authority or that are not designated by the port authority as concessionaires or licensees in the port or the port area, to organize, to offer, to keep available or to provide boatman services, towage services, waste collection services, drinking water deliveries, bunkering, embankment and clearing of water-related calamities and related ancillary services.
3. It is prohibited to place vessels on dry land for repairs or for any other reason. Repairs may only be carried out at the places and under the conditions indicated by the Harbour Master or his representatives or appointees.
4. It is forbidden to carry out any work in the port area or to remove or store any materials there without the permission of the Harbour Master or his delegates or appointees.

## **Chapter 7: “Fire on board”**

If a fire breaks out on board of a vessel, traffic control must be informed immediately, by the master or skipper or by any member of the crew (VHF#09 - 059/342488).

Traffic control ensures that the general emergency number (#112) and the necessary authorities are contacted / called.

Through traffic control, the Harbour Master or his delegates or appointees under his authority will also be notified.

This notification cannot discharge the master or skipper of the vessel concerned from the obligation to take the necessary measures on board themselves, to deal with the calamity and to remove the vessel concerned as quickly as possible from all other vessels and, if necessary, from the quays and/or engineering structures, at all times with due regard for the safety of all concerned.

### **3: ACCESS TO THE PORT AREA AND THE PRESENCE OF PERSONS AND COMPANIES IN THE PORT AREA**

#### **Section 1: “Port access card / Temporary Admission”**

1. The Harbour Master's Office supervises access to the port area.
2. Access to quays and jetties and direct access routes to quays and jetties is only allowed to those with a port access card or temporary admission issued by the Harbour Master under the conditions determined by him, and those who are in the port for professional activities.

#### **Section 2: “Unauthorized persons”**

1. The captain, skipper or master of a vessel must ensure that no unauthorized persons are allowed on board of the vessel.
2. Companies shall not admit unauthorized persons, neither in the immediate vicinity of a vessel's berth, nor on the quaysides or transit storage locations.

#### **Section 3: “Obstacles / Access modalities / Contacts”**

1. The quays, jetties and berths must be directly accessible at all times to authorized persons and their vehicles.
2. The use of the public roads leading to the loading and unloading areas of the port must be ensured at all times.
3. The smooth passage of emergency services must be ensured.
4. The captain, skipper or master of a vessel shall not lay or order to lay any cables, anchors or other objects on the quays, jetties and banks, so that they obstruct passage or impede the road.
5. The Harbour Master's Office may at all times access and enter terrains, terminals and port facilities.
6. Companies must at all times immediately provide the HMO with their means of access and their modifications (such as access codes, etc.).
7. Companies must keep the 'contacts' database in the port information system up to date by, at all times, providing the details of all the persons to be contacted within their company in the event of an emergency.

8. Every port user who enters the quays, jetties, berths, companies, terminals and port facilities must comply with the safety and security rules imposed by the company, terminal or facility.

#### **Section 4: “ISPS Port Facilities”**

Every port user must respect the ISPS security regulations and comply with the security measures applicable to ISPS certified port facilities.

#### **Section 5: “Company access measures under Maritime Security”**

1. ISPS port facilities and other companies subject to Maritime Security should take appropriate measures to prevent unauthorized access to the port facility in function of their business activities.
2. These companies should clearly indicate the boundaries of their premises and communicate the applicable access procedures to users.

#### **Section 6: “Unauthorized access to a terminal”**

Unlawful entry or facilitation of entry into an ISPS terminal is prohibited. In order to obtain lawful access to an ISPS terminal, the procedures of the terminal must be followed.

#### **Section 7: “Unauthorized access via ship”**

Vessels berthed at the boundary of an ISPS port facility shall ensure that unauthorized access to the ISPS port facility is not provided through their vessel.

#### **Section 8: “Reporting of breaches of access and ISPS measures”**

Violations of applicable security measures taken by ISPS-certified port facilities, must be reported by the security officer of the port facility to the maritime security officer of the port and the members of the Local Committee for Maritime Security Ostend.

#### **Section 9: “Detection systems”**

The port authority uses cameras, VHF radio, radar and other detection systems in exercising its port administrative and other powers. It receives, registers, processes and manages this data, in accordance with 'GDPR legislation'.



## **4: MAINTAINING PORT INFRASTRUCTURE**

### **Section 1: “Port equipment/Signage”**

1. It is forbidden for any person, not appointed by 'PO' to handle, move or even touch any device of the port and its equipment.
2. It is forbidden for any person, not appointed by the port authority or the waterway administrator, to place, alter, remove or move navigation equipment, traffic signs, buoys or other markings intended for, or used as signage, on and along the waterway(s) without:
  - a. notifying the HMO.
  - b. the permission of the Harbour Master or his delegates.
3. The rescue and safety equipment made publicly available in the port area may only be used in emergency situations. Damage must be reported to the HMO. It is forbidden to use the rescue equipment for any purpose other than that for which it is intended.
4. Notice to Mariners, published by the Ministry for Mobility and Public Works, Agency for Maritime and Coastal Services, Coastal Division - Flemish Hydrography.

### **Section 2: “Electrical power and drinking water”**

1. It is prohibited to tap electric power (excluding shore power cabinets) or water (excluding water nozzles) in the port, except with the written permission of the HMO.
2. Any damage to shore power cabinets or water nozzles must be reported to the HMO.
3. Obstructing access to shore power cabinets is prohibited. The berths situated at the water nozzles may only be occupied for a maximum of the time required for provisioning. The use of both must be in accordance with the instructions provided on the installations.

### **Section 3: “Water meter covers”**

It is prohibited to place goods, vehicles or materials on the covers of cisterns in which water connections are installed. These water connections must always be accessible.

## **Section 4: “Damage / Pollution port infrastructure”**

1. Every port user who, by any activity, soils quays, quay floors, grounds or buildings, is obligated to report this immediately to the HMO. He must also take the necessary measures to contain and clean up the soiling.
2. It is forbidden to damage or pollute quays, docks, bridges, drainage channels, sewers, shore power cabinets, lifting gear, goods warehouses, appliances or any object of the public domain or otherwise. The damage and/or pollution must be compensated by those who caused it. This compensation, which shall include at least the administrative and repair costs and clean-up costs, as well as an immediate collection, shall always be recoverable from the perpetrator or the person civically liable for the perpetrator.
3. The port users are fully and directly liable to 'PO' for any damage to the institutions, engineering structures, equipment or any other objects of the port whose use was entrusted to them. Repairs must be done under the supervision of the 'PO' Technical Department.
4. 'PO' determines the amount of compensation to be paid to the port authority, immediately after the event, as a deposit for the execution of the work.
5. Payment of the repair and/or clean-up costs will be made after the invoice is drafted. This amount will be set off against the deposited guarantee after full execution of the repair works.

## **Section 5: “Sewers”**

1. Each company is obligated to keep the sewers and collectors on its premises free of goods residues and to clean them thoroughly after each loading/unloading operation. On a public quay, the goods handler must also do this if it is the result of his loading/unloading activities on that quay.
2. Sewer covers that are broken must be renewed immediately by the companies and have to be temporarily covered for safety reasons and provided with signage. This must also be reported immediately to the Harbour Master's Office, or his delegates.

## **Section 6: “Liability for damages / Repairs”**

The port users are fully and directly liable towards ‘Port of Ostend NV’ for any damage to the institutions, engineering structures, equipment or any other objects of the port whose use was entrusted to them. Repairs must be done under the supervision of the ‘PO’ Technical Department.

## **Section 7: “Quay restricted by quay wall and public road - Prohibitions”**

1. It is forbidden to park port vehicles on the covered and uncovered quays, except with special permission of the Harbour Master or his delegate under his authority.

In case of refusal to move the vehicle or the objects, or in case of absence of the violator, the Harbour Master or his delegate under his instructions and authority, may, ex officio, at the expense, risk and peril of civically liable persons, arrange for having the vehicle or the objects moved, without prejudice to the application of other sanctions.

2. On the quays, it is prohibited to erect, either covered or uncovered structures without written permission of the 'PO'.
3. Regardless of whether or not the quayside is incorporated into the company premises, it must always be possible to immediately clear a strip of 5 metres, counting from the blue stone, to ensure the smooth passage of emergency services. No goods may be stored on this strip and must be removed immediately. In special circumstances, the Harbour Master may grant an exception to this.

Any cargo hoses that may obstruct the passage of emergency services must be broken up at the request of the HMO.

## **Section 8: “Order and safety”**

### **1. “Intoxication/Drug Use”**

No person shall, either voluntarily or involuntarily, endanger the safety of navigation, endanger navigation or cargo handling or the safety of others by negligence or incompetence, or by acts performed in a state of intoxication or in a similar state caused by the use of narcotics, stimulants or hallucination-inducing drugs.

### **2. “Duty to report dangerous situations”**

Anyone who is in a potentially dangerous situation, or sees a dangerous situation in the port area must report it to the HMO or traffic control as soon as possible.

### **3. “Open fire/fireworks/no smoking”**

1. In the port area and on board of vessels, it is forbidden to make an open fire. Exceptions may be granted by the HMO.
2. It is forbidden to light fireworks in the port area without prior permission of the Harbour Master.
3. In the cargo areas and tanks as well as in the vicinity of them, smoking is generally prohibited.

### **4. “Welding, flame cutting, grinding”**

A request must be submitted to the HMO before starting welding, flame cutting or grinding activities on board.

In the case of tank work or on ships carrying hazardous cargo, a safety certificate must be submitted by a degassing expert.

When carrying out repairs or other work on board of vessels or on shore, which involve the possibility that glowing objects or sparks could come into contact with the water surface, a prior written permission is necessary from the Harbour Master or his representatives or appointees or under his authority.

The parties concerned who carry out works or have works carried out must always ensure beforehand that there are no inflammable substances or liquids floating around on the water. If that is the case, the repairs or work may not be carried out. Work in progress must be stopped as soon as the presence of inflammable substances or liquids is suspected, detected or observed.

5. **“Confiscation of abandoned objects”**

The HMO is authorized to take, ex officio, the necessary measures to confiscate abandoned objects in the port area at the expense, risk and peril of those who are in default.

6. **“Lighting small craft”**

Rowing or motor boats or other small craft must display an all-around bright white light from sunset to sunrise, or if there is a visibility of less than 500 metres. This light must extend at least 1.2 meters above the bow of the vessel and must be visible for a distance of 1,000 metres in clear weather.

7. **“Snowfall or ice formation”**

After snowfall or icing, companies must, at their own expense, immediately and with due speed, make every effort possible to get their designated quays and the access roads to these quays within their premises completely free of snow and/or ice again.

8. **“The use of personal protective equipment”**

1. Companies must clearly indicate at their entrance gates that personal protective equipment is required when entering the grounds. For visitors, they must make these available.
2. Companies and cargo handlers must ensure that third parties use the necessary personal protective equipment (PPE) at all times, especially when handling goods on the quay and on board of ships.

9. **“ Port pilotage – Pilots and piloting”**

Seagoing vessels with a length of 60 metres and more, as well as all vessels carrying dangerous goods are obligated to use the advice of pilots in the inner port, and this under the responsibility and at the expense of the vessel for which this is done.

In view of maintaining public order and safety, the piloting of seagoing vessels is the exclusive task of the 'PO' concessionaire.

Certified pilots always have to unconditionally and punctually obey the orders, regulations and instructions of the Harbour Master, or his representatives or appointees under his authority.

In relation to the use of pilotage services, the port users must always comply with the instructions that are issued by the Harbour Master or his delegates or appointees under his authority.

Without prejudice to the exclusive competence of the pilotage service of the Flemish Region in the outer port, it is explicitly forbidden for masters and skippers to make use of, or call upon pilotage services in the port provided, organized or offered by a natural or legal person other than the concessionaire of these services designated by 'PO'.

It is expressly prohibited for all natural persons and legal entities that do not belong to 'PO' or that are not designated by 'PO' as concessionaires to organize, offer, keep available or provide pilotage services in the port.

Pilots shall act only as advisors to the captain, who shall at all times retain full command and responsibility of the vessel. 'PO' cannot be held liable, under civil or criminal law, for possible collisions or accidents with damage, with or without physical injury.

Piloting and pilotage in the maritime access route to the docks of the Ostend Sea and Port area must be carried out in accordance with the Pilotage Decree of April 19, 1995, and is the responsibility of the DAB Loodswezen (Belgian Official Gazette September 5, 1999).

#### **10. "AIS – use"**

The use of AIS is mandatory throughout the complete port area, for all vessels including fishing and inland waterway vessels. The device must remain switched on during the entire stay of the vessel in the port area.

#### **11. "Weapons"**

Weapons are forbidden in the port area. The current national and the European legislation concerning possession and transport of weapons apply.

## **Section 9: “Health and hygiene”**

### **“Illnesses on board”**

1. The captain, skipper or master of a vessel is obligated to strictly comply with all the provisions of the International Regulations of the World Health Organization, as well as the instructions that would be provided in the context by the mandatories or officials authorized and/or appointed for this purpose.
2. Diseases of a suspicious nature, which might occur among the persons on board during the voyage and/or stay in the port, have to be immediately reported to the HMO and to the competent state health inspector (Saniport)'.

## **Section 10: “The use of dock water as drinking water”**

The use of canal or dock water as drinking water, as well as the use of such water for cleaning food, eating, drinking and cooking utensils, is prohibited.

## **5: ENVIRONMENT**

### **Section 1: “Nuisance during loading / unloading / transshipment”**

1. Companies, cargo handlers and ships should also ensure that loading and unloading (bulk) goods causes as little nuisance as possible (dust, odour, noise, etc.). The reduction techniques for diffuse dust emissions during storage and transshipment of dry bulk goods drafted by the VITO (Flemish Institute for Technological Research) and listed in the dust sheets in the energy and environment information system for the Flemish Region (EMIS), must be implemented.
2. Additional conditions can be imposed by the HMO and can be consulted in the "Regulations regarding Dangerous and/or Hazardous Goods for the Port of Ostend".
3. When handling goods, the parties involved in the handling process must, at their own expense and risk, take all necessary protective and safety measures to prevent environmental nuisance and/or damage to the port's equipment and infrastructure.
4. Residue or spillage (loading/unloading) cannot be sprayed away from hatches and/or decks. Residue/sweepings that are kept on board, should be handled in accordance with 'Marpol73-78 Annex 5'. Residue/sweepings from the holds must be moistened or covered in such a way that no dust can be spread. If handed over ashore, this should be done in accordance with the guidelines of PO's waste plan.
5. Transportation of dust-sensitive cargo by truck (tipper truck) should be covered with a tarpaulin.

### **Section 2: “Illegal dumping / litter / quayside waste”**

1. Dumping waste outside of the provided receptacles (illegal dumping or littering) is prohibited in the port area.
2. Any form of illegal dumping or littering must be reported to the HMO.
3. Port users shall not leave waste on the quaysides and transit storage locations. Upon detection of abandoned garbage, the HMO will request that the garbage be removed within a specified period of time. In case of refusal to clean up the pollution, the HMO is authorized to take the necessary measures, ex officio, to have the waste removed at the expense, risk and danger of those at fault.



4. It is prohibited to leave waste, cargo residues, packaging residues and similar objects on the quays. The shipowner, cargo handler or agent concerned, one in the absence of the other, is obligated to remove it in time.
5. It is prohibited to dump or to leak environmentally harmful substances, industrial or household waste or debris on the terrains or waters of the port area.
6. It is forbidden to place vessels or vessel parts on the quays without the prior permission of the Harbour Master's Office.
7. Leaving gasoline, diesel oil or other flammable or polluting liquids on the quays is prohibited at all times.

### **Section 3: "Maintenance of adjacent strips/roads"**

Companies are obligated to keep the strips located between the quays and/or grounds assigned to them and the adjacent access roads to their premises clean, to clear away litter and to regularly eradicate weeds.

### **Section 4: "Discharge into dock water/surface water"**

1. It is forbidden to throw, drop, pump, or let flow anything, whatsoever, into the waters of the dock area without prior authorization of the Harbour Master. The costs of cleaning the dock water and/or the canal water, the bottom, the quay walls and/or the banks, the beaches, will be borne by the violator.
2. Pollution on board of a vessel, port infrastructure or surface water has to be immediately combated with absorbent material and, where relevant, with 'skimmers'. Combating the pollution by means of dispersants or detergents is strictly forbidden, unless with the express permission of the HMO.
3. Additional conditions may be imposed by the HMO and can be consulted in the "Regulations regarding Dangerous and/or Hazardous Goods for the Port of Ostend".
4. It is forbidden to throw any solid or liquid objects or substances overboard, whether or not mixed together or diluted with water, or from the shore into the water, to drop, to pump or to cause to flow without the prior permission of the Harbour Master or his representatives or appointees under his authority.

## **Section 5: “Discharge of ballast water from seagoing vessels”**

1. Ballast water (clean ballast) from especially designated ballast tanks (segregated ballast) may be discharged if:
  - a. when pumped out in calm weather, no visual traces are left behind,  
and
  - b. it can be demonstrated that during the voyage the ballast tanks were flushed several times (until the end of the foreseen transition period in the International Convention for the Control and Management of Ship's Ballast Water and Sediments, 2004) or that the ballast water has been treated with an IMO-approved installation in order to prevent exotic organisms as much as possible.

This should be substantiated by providing an extract of the ballast voyage from the "ballast water record book" to the HMO at the time of application for permission.

2. Discharges from other tanks to surface water are principally prohibited. They are only permitted after prior written permission from the Harbour Master.
3. For de-ballasting, permission must be requested from the HMO. Start and stop of the discharge of ballast water must be reported to the HMO.
4. If these conditions are not met, the ballast water must be handed over to an authorized waste collector.
5. Additional conditions may be imposed by the HMO and can be consulted in the "Regulations regarding Dangerous and/or Hazardous Goods for the Port of Ostend".

## **Section 6: “Waste incinerator”**

Because of environmental concerns, the use of waste incinerators on board of ships is prohibited in the port area.

## **Section 7: “Emission”**

While in port, each ship will comply with all applicable legislation regarding emissions. Such as, but not limited to, the prohibition to release soot from the exhaust system of a ship.

## **6: EXERCISING VARIOUS ACTIVITIES**

### **Section 1: “Use of boats / water recreation”**

1. The presence and use of rowing or motor boats or other small craft in the docks is permitted only with the written permission of the HMO.
2. Except when there is a written permission of the Harbour Master, any form of water recreation in the docks is prohibited.
3. The Harbour Master or his delegate may attach or impose conditions to the permission.
4. Recreational navigation on the canal 'Ostend-Bruges' is permitted if the commercial shipping is not hindered, with the exception of water skiing and sailing boat manoeuvres.
5. Sailing boats are only allowed in the port area if equipped with a propulsion device. Under no circumstances sailing is allowed or can sails be hoisted, except with the permission of the Harbour Master.
6. Swimming, board sailing, water skiing, jet skiing and sport diving are prohibited in the harbour.

### **Section 2: “Hunting / fishing / animals”**

1. It is prohibited in the docks:
  - a. to hunt or catch birds in the port, except in the following permitted areas and subject to compliance with the conditions valid therein: - the Eastern Harbour Dam, - the Western Pier, - the canal from Plassendale Bridge to the Doksluis lock, with the exception of terrains given in concession.
  - b. to fish from the banks, quays, jetties or from the water.
  - c. to stray from the footpath on the breakwaters and to go on the rocks in any circumstances.
2. On the canal Ostend-Bruges line fishing is only allowed from the banks (not from quays, jetties or from the water) in the fishing zones provided by the Agency for Nature and Forests.
3. It is prohibited to let animals that may cause nuisance or danger to roam freely, both on board of vessels and on land.

### **Section 3: “Itinerant trade”**

It is prohibited to engage in itinerant trade in the port area, except with the written permission of the Harbour Master.

### **Section 4: “Lifeboats”**

Launching and/or sailing with lifeboats is prohibited, except with the written permission of the Harbour Master or his delegate.

### **Section 5: “Organized boat trips”**

Locally organized boat tours are permitted only after written authorization from the Harbour Master or his delegate under his authority. The skipper or captain is required to draft a passenger list, and provide it to the HMO and the Maritime and River Police before departure.

Pleasure craft such as rowing boats and pleasure craft which carry passengers against payment within the framework of organized boat trips, are only admitted to the port if prior permission, possibly subject to certain conditions, has been obtained from the Harbour Master or his representatives or appointees under his authority.

### **Section 6: “Floating equipment, houseboats, workshop vessels, floating warehouse”**

It is forbidden, except with the written permission of the Harbour Master or his delegate, to sail or lie in the docks or the canal with floating loading and unloading equipment, houseboats, vessels used as a workshop, or to carry out a trade or itinerant trade, or with craft serving as floating warehouses.

### **Section 7: “Obstructive activities/ constructions/installations”**

It is prohibited to operate activities/constructions/installations on the water, which may cause nuisance or danger, other than those inherently connected with loading, unloading and transshipment, without the written permission of the Harbour Master, unless expressly permitted in these regulations or in higher legislation.

## **Section 8: “Demolition of vessels”**

1. The demolisher must report all vessels to the HMO that are intended for demolition. This notification must be made electronically and/or in writing 24 hours before arrival. All useful data (length, width, draft, owner, insurance) and the condition of the hull must be specified.
2. At all times, the exact location of the vessel intended for scrapping must be reported electronically and/or in writing to the HMO.
3. The termination of the demolition of a vessel occupying a berth, must be immediately reported electronically and/or in writing to the HMO.
4. When scrapping vessels, the necessary measures must be taken by the scrapper, in accordance with the Hong Kong Convention ("Hong Kong International Convention for the safe and environmentally sound recycling of ships, 2009 / IMO SR/45").
5. An IHM (Inventory of Hazardous Materials) certificate should be submitted to the HMO.
6. Additional conditions may be imposed by the HMO, such as the obligation to present a bank guarantee.

## **7: NAVIGATION - GUIDANCE OF SHIPPING**

### **Section 1: “Shipping traffic authority – Traffic control”**

1. The HMO has jurisdiction over vessel traffic within the port and movements between berths.
2. All instructions, regulations and orders issued by the HMO in connection with such traffic, shall be strictly observed.

### **Section 2: “Liability insurance and salvage clause”**

1. Owners of vessels who wish to occupy a berth in the port area must have a liability insurance, including a salvage clause.
2. A copy of the policy must be presented upon simple request from the Harbour Master or his delegate.
3. Owners of vessels that have been taken out of service and who wish to occupy a berth in the port area must have a liability insurance, including a salvage clause.

### **Section 3: “Registration Port Information System - ENSOR”**

1. The captain or master of a seagoing vessel or his ship's agent is obligated to register the vessel in the electronic port information system 'ENSOR' and to report all arrival and departure times, relocations and other useful data and their changes.
2. The captain or master of a seagoing vessel or his ship's agent is obligated to enter copies of the following documents into the system:
  - a. Cargo Manifest, Crew and Pax List.
  - b. Dangerous Goods Manifest & Stowage Plan (dangerous goods).
  - c. MSDS, ISPS Security (for ships >500GT)
  - d. Stowage plan (dangerous goods)
  - e. IOPP Certificate
  - f. Waste declaration (and possible collection)

The Harbour Master can always request other documents and/or certificates.

3. In special circumstances, the HMO may grant an exception to this.

#### **Section 4: “Pre-notification ETA / ISM / berth position”**

1. The captain or master of a seagoing ship (or vessel) or his ship's agent who wishes to call on the port, is obligated to declare the data of the person indicated in the ISM code ("designated person") in the port information system 'ENSOR' at the time of pre-notification or at first ETA (Estimated Time of Arrival), 72 hours prior to arrival or at departure from the last port.
2. The cargo handler must report, or let report, the exact berth position, start and end times of port activities and/or loading/unloading operations, including "Surveys" in the port information system 'ENSOR'.

#### **Section 5: “VHF radio / AIS”**

1. Every motor vessel with an overall length of more than 7 metres must be equipped with a government-approved, properly functioning VHF radio system that is suitable for ship-ship traffic, for receiving nautical information and for connecting with the services set up for shipping.

It must function on the channels intended for ship-ship traffic, nautical information and the services set up for shipping.

- a. In a lock, a vessel must listen out on the channel of the lock.
  - b. In the port, a vessel must listen out on the port's navigation and safety channel.
  - c. These calls may be recorded.
  - d. To avoid accidents, Dutch or English should always be used.
2. This VHF radio system must be switched on for reception, simultaneously on the channels intended for ship-ship traffic and for nautical information. The operator shall broadcast the messages necessary for the safety of navigation on these channels. 'Dual Watch (watch on two or more channels with only one device)' is prohibited.
  3. All commercial shipping - with the exception of police vessels in special assignments, pleasure craft with a length of less than 20 metres and for non-sailing vessels on which the installation of AIS is technically impossible - must be equipped with an AIS installation and must keep this system operational during navigation and/or stay in the port area of Ostend. The information must be correct and up to date. If it is impossible to meet these requirements, the HMO or traffic control should be notified immediately.

4. The use of AIS is mandatory in the entire port area, for all vessels including fishing and inland waterway vessels. The device must remain switched on during the entire stay of the vessel in the port area.

### **Section 6: “Notification of ship movements”**

1. The captain, skipper or master of a vessel that is entering or leaving the port area, that is anchoring or that has anchored, that is mooring or unmooring, shall immediately report this to the HMO.
2. The captain, skipper or master of a vessel entering or leaving a dock and/or secondary waters shall do so with due caution and will notify nearby traffic.
3. Inland waterway vessels must apply for a berth, and upon arrival in the port area, they must continue to report until they have received confirmation of registration or a stay code from the HMO for passage or for stay, respectively.
4. Every month, the recipient/shipper must send the Harbour Master's Office a monthly statement of inland navigation on the forms provided for that purpose, which can be obtained from the Harbour Master's Office.
5. All notifications must be made on the VHF channel provided for that purpose.

### **Section 7: “Notification of oversize, anchors / protruding loading and unloading equipment”**

1. The captain, skipper, master or owner of a vessel whose deck cargo and/or superstructure protrude beyond the vessel is obligated to report this to the HMO prior to its arrival, departure and mooring.
2. On vessels moving to, in and out of the docks, the anchors and any protruding loading/unloading gear must be hauled in. Exceptions may be granted at any time by the Harbour Master and by his delegates under his authority.



## **8: NAVIGATION - SAILING IN THE PORT**

### **Section 1: “Safe navigation / condition of waterways”**

1. Vessels moving to, in and out of the docks, or in the channel, must maintain an appropriate, slow speed. The captain, skipper or master of a mechanically propelled vessel is obligated to regulate the speed of his vessel in such a way that no damage can be caused to other vessels, to their mooring lines, to their cargo or to engineering structures by suction, wave motion or any other reason.
2. The captain, skipper or master of a vessel, or a pilot appointed by them, must consult the HMO if they have any doubts about the condition (width, water depth, signage, etc.) of the fairway, before navigating it. This does not relieve the captain, skipper or master in command of his own responsibilities in this matter.

### **Section 2: “Dragging anchor”**

The use of a dragging anchor is permitted only while manoeuvring, under the supervision of a pilot, in places where it cannot cause damage to underground pipelines, cables or local soil protection.

### **Section 3: “Bow thruster”**

Vessels equipped with a bow thruster have to mitigate its use in places where it poses a danger to quay walls, shores, jetties, mooring buoys, dolphin structures, floats and/or other vessels.

### **Section 4: “Mutual vessel movements”**

Captains, skippers or masters must give the necessary space to facilitate mutual vessel movements along berths.

A vessel, following behind a vessel sailing in the same direction and unwilling or unable to pass the latter, must not approach this vessel so closely that it may be hindered in its navigation movements and/or cause damage to engineering structures and/or other vessels. Sufficient distance must be maintained between the two vessels.

Mutually passing vessels are forbidden in lock channels, in channels that are too narrow, as well as when the passing vessel is so close to a bridge or lock or entrance to a dock that it can be hindered in its movements and/or can cause damage to engineering structures and/or other vessels or can be damaged itself.

## **Section 5: “Good view”**

1. A captain, skipper or master must load his vessel in such a manner that the view necessary for the proper and safe handling of the vessel is fully guaranteed.
2. If the construction of the vessel or the cargo carried as deck cargo limits the view from the command bridge, or from the wheelhouse of the vessel, the captain must take the necessary measures to ensure safe navigation.
3. "Necessary measures" implies:
  - a. The deployment of a tug, which must be secured in front, or the removal of objects that obstruct the view.
4. “The view necessary” for the proper and safe handling of a barge, implies:
  - a. The view from the place where the helmsman stands or sits must be sufficiently clear at all times.
  - b. From a vertical point of view, this means that the distance from the bow to the point where the helmsman has an obstructed view of the water surface, must be a maximum of 350 metres.
  - c. From a horizontal point of view, this means that the free horizontal line of sight from the point where the helmsman is normally located, must be at least 240° of the horizon. A line of sight of at least 140° must lie within the forward semicircle.
  - d. Optical aids to reduce the blind spot may not be taken into account.
  - e. There cannot be any window mullions, supports or superstructures in the normal line of sight of the helmsman.
  - f. If a sufficiently unobstructed view to the rear is not possible, fixed optical aids may be used.

## **Section 6: “Main water / secondary water”**

1. The waterways of the port area are divided into main water(s) and secondary water(s).
  - a. All the docks ending up into the main water, such as the fishery dock, the Montgomery dock and the Demey lock which end up into the outer harbour are considered as secondary waters.
2. Main navigable waters have priority over secondary navigable waters.
3. The regulations contained in this article do not exempt any vessel from complying with other obligations, whether or not expressly imposed by or pursuant to these regulations or the other applicable regulations.

## **Section 7: “Snow and ice formation”**

1. In freezing weather, the master is required to break the ice for a distance of about one metre around the vessel.
2. If, in freezing weather, the master or the guard wishes to leave the berth or has received an order to do so, they are obligated, if necessary, to break the ice further at their expense, risk and peril.
3. In addition, they are obligated to take precautions so that their vessel cannot be damaged by passing vessels and/or ice accumulation.

## **Section 8: “Barriers - prohibition”**

It is prohibited to go on the bridges when the barriers are about to close, indicated by a red light and/or bell signal.

## **9: NAVIGATION - USE OF TUGBOATS**

### **Section 1: “General and special conditions for the accreditation and organization of towage services”**

1. It is expressly forbidden for all natural persons and legal entities not belonging to the towage service of the concessionaire to organize, offer, keep available, or provide towage services and related ancillary services in the port, unless a valid special and expressly written permission has been granted by 'PO'.
2. The captains, skippers or masters are expressly prohibited from using or relying on towage services or ancillary services provided, organized or offered in the port by natural or legal persons other than the concessionaire, unless the service provider has a valid special and expressly written permission by 'PO'.
3. With a view to safeguarding safety and optimal coordination of shipping traffic in the port, such services belong exclusively to the concessionaire.

### **Section 2: “Tugboat assistance”**

1. The use of tugs in the port is in principle not obligatory. For reasons of public safety, the Harbour Master, or his delegates or appointees, can, ex officio, impose the compulsory use of one or more tugs under the responsibility and at the expense and risk of the vessel for which this is done.
2. The commander of the towed vessel has command of the tow. He shall order all the movements that are to be carried out. The tug shall be under his sole command.
3. The commander, or he who acts in his place, determines the number of tugs required for the tow, autonomously and under his responsibility, always taking into account all precautions according to good seamanship.
4. The person in charge of the vessel using a tug is liable for all damage caused during the towage operation to persons, to the vessels forming part of the tow, to the tug itself, to other vessels, to 'PO', to the port's equipment or engineering structures, or to third parties.
5. When relocating seagoing vessels, except for relocation along the quay, only tugs belonging to the concession or license holder(s) of the towage service(s) may be used. This applies both to the captain, master or person in charge of the vessel and to the owners and captains of the tugs, unrelated to the concession or license holder(s).

6. Exceptionally, by a decision of the HMO, exceptions can be made to the preceding articles.
7. Cruise ships with a length greater than 145m.

## **10: NAVIGATION - BERTHS, MOORING, UNMOORING AND MOORED VESSELS**

### **Section 1: “Berth assignment”**

1. The cargo handler must request the correct berth (position and mooring side) of the seagoing vessel in the electronic port information system ENSOR.
2. Only the HMO designates the berths of vessels.
3. The designation of a berth does not relieve the captain, skipper or master of the duty to ascertain himself that that berth is suitable and safe for his vessel. The same obligations apply to pushed barges and/or towed units, coupled or not.
4. It is prohibited to occupy a berth with a vessel or to have it occupied, to unmoor or to change berths without having obtained permission from the HMO.

### **Section 2: “Undocking vessels”**

It is forbidden to tie up or untie vessels within the port without the express permission of the HMO. It is forbidden, without the permission of the master or the skipper, to untie, move or relocate any vessel or to cut or cast off the mooring tools of the vessel, except by order or command of the Harbour Master, or his delegates or appointees under his authority.

### **Section 3: “Casting lines”**

The use of throw lines, the end of which is weighted in such a way that danger and/or damage and/or injury may be caused when throwing these lines, is prohibited. This weighted end may be confiscated by the delegates of the Harbour Master.

### **Section 4: “Berth not free”**

The port authority is not responsible for all consequences and additional costs arising from a berth not being available.

### **Section 5: “Who tethers or casts off”**

Tethering and untying of vessels within the port is reserved for boatmen under concession of 'PO'.

## **Section 6: “Use of mooring facilities ashore”**

1. A vessel may only moor at the designated mooring facilities. In particular, a vessel may not tether to quay ladders. In order to avoid damage to the quay edge by chafing of steel mooring lines, barges and push boats should use the special haul pins in the quay wall or quay edge whenever possible.
2. It is forbidden to moor a vessel in such a way that the engineering structures of the port could be damaged by mooring lines, anchors, fenders or any other tool of the vessel. Under no circumstances shall land traffic or the use of port equipment be obstructed.
3. Vessels using the berth-change and mooring infrastructure affixed to the quays remain responsible for all accidents and damage caused by their use.
4. The cargo handler may not allow the ship to leave berth if there are concrete indications that it would endanger the safety of the installations. He must immediately inform the Harbour Master or his delegate, so that the necessary observations can be made and possible measures can be taken.
5. When approaching the mooring location and before entering the locks, vessels must have sufficient casting lines and mooring lines ready, both fore and aft, and the personnel necessary for safe mooring must be present.

## **Section 7: “Mooring in second line / push barges”**

1. Vessels mooring in multiple lines need to take the necessary precautions to safeguard the vessel alongside which they are mooring, from damage.
  - a. It is prohibited to tether or keep vessels tethered to vessels that are not properly moored.
  - b. It is forbidden to transfer from any vessel to another vessel that is not properly moored, with the exception of a police or customs vessels that may moor or call on a moving vessel and come alongside for inspection while navigating.
  - c. These prohibitions (a & b) also do not apply insofar as it relates to tethering the tugboat, which is to tow or haul the vessel, for the purpose of bringing the pilot on board or taking him off, for getting alongside the vessel to render assistance, or for performing similar necessary operations.

2. Every push barge must be anchored at all times with a bow and stern anchor. Outside the intended anchorage areas they have to carry the prescribed anchor lights from sunset to sunrise. During the day they have to carry the prescribed day marks of the 'General Police Regulations for Navigation on Inland Waterways (APSB)'.
3. Anchoring push barges outside the intended anchorage areas is prohibited, unless expressly authorized by the HMO.
4. Any pusher or tug mooring, anchoring or anchoring a pushed barge must report this to the HMO.
5. The master or skipper of the outermost row of vessels is obligated to display lights as stipulated in the Police and Shipping Regulations for the Belgian Territorial Sea, Coastal Ports and Beaches.

### **Section 8: “Notification of mooring”**

The captain, skipper or master of a moored vessel must report to the HMO immediately upon arrival. The name of the vessel, its draft and the occupied berth must be specified. The same obligation applies to push barges, attached or not, and/or towed vessels.

### **Section 9: “Being moored”**

1. The captain, skipper or master in command is obligated to ensure that the vessel is properly moored while at berth. Mooring lines shall be of sufficient strength and attached in such a way that they can also hold vessels moored in multiple lines.
2. Every vessel has to moor with at least 6 proper mooring lines suitable to keep the vessel moored against the quay in all circumstances and taking into account its water displacement, namely a fore line, a fore transverse line, a headspring line, an aft line, an aft transverse line and a backspring line. All these mooring lines shall be set properly rigid, so that the ship cannot move forward, backwards or sideways. The mooring lines must be distributed over several mooring posts and must carry evenly in order to distribute the applied forces equally.
3. The captain, skipper or master and/or demolisher of a moored vessel shall:
  - a. Keep his vessel effectively against the quay and keep his vessel afloat at all times.
  - b. Apply effective fenders.



- c. Regularly check and adjust the mooring lines of his vessel in accordance with the changes in the vessel's draft as it increases or decreases during unloading or loading and/or in function of the tide, and take into account that the water level in the inner port may drop or rise in case of any water being discharged or water being added, without prior notice.
4. The captains, skippers or masters in command shall strictly follow the modalities determined by the Harbour Master with regard to the mooring width and the maximum number of vessels that may lie side by side.
5. The captain, skipper or master shall ensure that, at quays where the influence of passing ships and/or gale force winds may be dangerous, a sufficient number of mooring lines are used, so that the ship remains securely moored with these fixed lines only.

### **Section 10: “Use of anchors / spud poles / jacking-up”**

1. The captain, skipper or master of a vessel is not allowed to deploy anchors or spud poles. Exceptions to this rule may be authorized by the HMO on prior application, for each vessel individually, provided that the safety measures imposed are observed. The permission granted may in any case be revoked by the HMO at any time.
2. Every anchor in or near the fairway which can pose a danger to other passing vessels must be signalled by a yellow buoy fitted with a bright white flashing light which is visible all round for a distance of at least 1,000 metres from sunset to sunrise.
3. Jacking-up in the port is permitted only with the permission of the Harbour Master's Office. For each application, the technical specifications must be available as well as the diameter of the spud poles and/or spud cans and the maximum pushing force per spud pole. Reporting the penetration into the bottom is mandatory after jacking up. 'PO' reserves the right to fill the imprints at the user's expense.

## **Section 11: "Signage of protruding parts"**

All protruding parts of moored vessels must be signalled with a white light from sunset to sunrise and when visibility is poor on the outside.

- a. The captain, skipper, master or agent of a sailing vessel, whose superstructure, deck cargo or hoisting gear protrudes beyond the ship's side, is obligated to report this to the HMO before arrival, departure and when changing berths.
- b. The captain, skipper or master of moored vessels who wants to have deck cargo or hoisting gear protruding from the water side, has to request this at the HMO in advance.
- c. Protruding parts (superstructure, deck cargo, etc.) of vessels must be lit with a white light from sunset to sunrise and in case of poor visibility on the outside.
- d. Cargo and/or ship's rigging cannot protrude out of the ship, unless authorized by the Harbour Master or his delegate.

## **Section 12: "Additional ship lighting"**

1. The captain, skipper or master of a vessel that is moored, or is the outermost of a row of vessels, is required to ensure that the ship's side facing the fairway is adequately illuminated from sunset to sunrise, or in case of poor visibility of less than 500 metres, so that the vessel can be clearly seen from the fairway.
2. Deck openings have to be effectively illuminated and/or closed from sunset to sunrise.

## **Section 13: "Gangway / Safe boarding"**

1. The captain, skipper or master of a vessel berthed at the quay or of vessels berthed alongside each other is obligated to establish a pedestrian connection with the shore and between the vessels for the benefit of their crew and the persons who need to be on board for work. This pedestrian connection must be implemented in accordance with the applicable regulations contained in the "General Regulations on Health and Safety at Work" (A.R.A.B.).

2. The stairways or gangway that connects the shore to vessels moored at the quay has to be folded down and lowered in such a way, so that it is possible to step safely onto the landing platform from the shore.
3. At the gangway and, if necessary, the landing platform, there has to be a lifebuoy with a line of at least 30 metres, a safety net between the ship and the shore that is at least 3 metres outside the landing platform on the quay and sufficient lighting.
4. At the gangway, a crew member must be present at all times to register visitors with a view to port security.
5. The captain, skipper or master of a vessel is obligated to have those parts of the quay which give access to the vessel, swept as often as necessary to keep them clean.
6. Boarding of persons must be made safe through this connection.
7. If the vessel is berthed at mooring buoys or dolphins, the stairs or ladder used for embarking and disembarking must be completely safe.

#### **Section 14: “Ladders for drowning persons in quay wall”**

1. It is forbidden to obstruct access to the ladders for drowning persons built in or on the quay walls.
2. The use of ladders for drowning persons as mooring infrastructure is strictly prohibited.

#### **Section 15: “Use of propulsion”**

1. The captain, skipper or master of a vessel moored at quays, jetties, dolphins, floats or mooring buoys is prohibited from running propulsion, unless with the permission of the HMO.
2. Any damage suffered by third parties, notwithstanding the permission which may have been granted, shall be at the expense of the vessel that used its propulsion.
3. If a vessel is going to test run, a provision for the cooling water circulation must be installed to prevent pollution on the quay.

## **Section 16: “Unguarded Vessel”**

1. No vessel may lie unattended in the (outer)port, unless there is written permission of the Harbour Master and there is full compliance with the conditions imposed by him. Monitoring must be entrusted to authorized persons.
2. At the indication of the HMO and within the time period imposed, the captain, skipper or master must relocate his vessel to another berth. The captain, skipper or master of each vessel is required, at all times, to have the necessary crew on board that is ready for immediately moving the vessel to another berth.
3. On board of laid-up vessels, the presence of a guard is sufficient, provided that he can take the appropriate safety measures. The person in charge of such a vessel is nevertheless obligated to ensure that his vessel is ready to relocate to another berth 6 hours after being notified thereof by the HMO at the latest.
4. The Harbour Master is authorized to immediately order vessels without crew, whether or not guarded or laid up, to be moved, to take the safety measures he deems necessary, to detain or to take them into custody, at the expense, risk and peril of the person in charge, the owner or the possessor thereof.

## **Section 17: “Mandatory personnel on board of tankers”**

The captain, skippers or masters of moored tankers and tank lighter vessels, must ensure that there is always a sufficient number of competent persons on board who can take the appropriate safety measures.

During the stay in the port, it is forbidden to carry out welding work or other repair work on board of tankers during which open fire is used or sparks can be generated, unless a "gas-free certificate" issued by a certified inspection agency can be presented.

A similar certificate must be presented when the repair work takes place at a dry-docking facility.

## **Section 18: “RYCO Berth - CTV”**

All vessels berthing at the RYCO berths intended for CTVs, must strictly observe the following arrangements and/or conditions:

- It is forbidden to leave waste or oil residues on the RYCO. Disposal is only possible on the pontoons located at quay 605 and quay 606.

- It is forbidden to park cars on the RYCO site or parking lot. Parking is provided across the street, with access via the 'Vergunningenstraat'.
- In order to enter the pontoons, two access cards per berth/ship at RYCO will be provided upon payment of a deposit.
- When moored, the ship's engines must be turned off.
- Only crew members of the ship may enter the RYCO facilities or the pontoons at RYCO. Technicians are not allowed.
- It is prohibited to load and/or unload ship supplies for the CTVs at the pontoons of the RYCO. This should be done at other quays (K605/K606).
- To occupy a berth at RYCO, you must have a contract with 'PO'.
- When drafting the contract, a berth will be assigned (berth number). This berth must always be occupied correctly, without exception. Taking another berth than the one mentioned in the contract is prohibited.

### **Section 19: “Pontoon at quays 605 and 606”**

'PO' has provided a pontoon for each wind farm at quay 605 and quay 606. The windmill operators, maintenance and supply services organize, direct and coordinate the exploitation of the pontoons.

Each wind turbine operator has its own pontoon (owned or rented), and therefore cannot use or claim any other pontoon. Unless there is mutual agreement between the windmill operators.

Each call or departure of a CTV from a pontoon, must be timely entered by the captain, skipper or ship's agent into the port system 'ENSOR'.

'PO' cannot be held responsible for the reservation, exploitation and/or planning of these pontoons.

Depending on which wind farm, the 'CTV' that is assigned to do the job for them, will have to call at the correct pontoon.

## **11: NAVIGATION - BOATMEN SERVICE**

### **Section 1: “General and special conditions for the accreditation and organization of boatmen services”**

1. It is expressly forbidden for all natural and legal persons who do not belong to 'PO' or who are not designated by 'PO' as concessionaires, to offer or provide boatman services in the port.
2. Masters and skippers are expressly prohibited from using or relying on boatman services offered in the port by any natural or legal person other than the concessionaire of such services designated by 'PO'.
3. With a view to safeguarding public order and safety and optimal coordination of navigation in the port, such services belong exclusively to the concessionaire, who must obtain a written permit per boatman from the 'PO' Harbour Master's Office.

### **Section 2: “The use of boatmen”**

1. The use of boatmen while mooring and unmooring is on the responsibility and at the expense of the particular vessel for which it is done.
2. Seagoing vessels and floating objects with a length from 50 metres up to, and including, 70 metres are obligated to use one boatman for mooring, unmooring and changing berths, and this under the responsibility and at the expense of the seagoing vessel for which this is done.
3. Seagoing vessels and floating objects with a length of more than 70 metres, as well as all seagoing vessels transporting dangerous goods, are obligated to use two boatmen for mooring, unmooring and changing berths, and this under the responsibility and at the expense of the seagoing vessel for which this is done.
4. Seagoing vessels carrying dangerous goods must always make use of boatmen, except when changing berths along the quay.
5. For reasons of safety, the Harbour Master or his representative can impose the use of boatmen ex officio.

### **Section 3: “Exemption for the use of boatmen”**

1. The Harbour Master, or his delegates or appointees, may exempt certain shipping lines from the compulsory use of boatmen, possibly on conditions.
2. A seagoing vessel can change berths along the quay without using the services of boatmen, if it does not enter the fairway.
3. Exempted vessels may always use the service in accordance with the applicable procedures and rates.
4. Sand barges or seagoing vessels using only a spud pole to moor when unloading, instead of mooring lines.
5. Jack-up vessels, which do not moor ‘floating’ along a quay.

The master remains responsible for the safety of his crew and for the safe mooring of his ship. For this purpose, he decides whether or not to use boatmen. This exemption may be revoked at any time, after consultation with the interested parties.

### **Section 4: “Changing berths along the quay”**

The use of boatmen does not apply when a seagoing vessel changes berths along a quay without using its propulsion. At least one fore and one aft line must be ashore at all times.

### **Section 5: “Compliance with orders, regulations and instructions”**

1. Certified boatmen must at all times unconditionally and punctually obey the orders, regulations and directions of the Harbour Master, or his delegates or appointees under his authority.
2. As for the use of boatmen, port users must always comply with the instructions issued by the Harbour Master, or his delegates or appointees under his authority.
3. During manoeuvring, the boatman is under the sole direction of the captain of the vessel concerned.
4. The request for obtaining a boatman license is to be addressed to the 'HMO' of 'PO'. The competence of the person concerned will be evaluated by the Harbour Master and the representative of 'MPW'.

## **12: BUNKERING / BUNKERING TRANSHIPMENT**

### **Section 1: “General and special conditions for the accreditation and organization of bunkering”**

1. It is expressly forbidden for all natural persons or private or public legal entities that do not belong to the Port Authority or that are not designated by the 'PO' as concession or license holder of this port public service to organize, offer, keep available or provide bunkering in the port.
2. The captain, skipper or master (or ship's agent) of a vessel is expressly prohibited from using bunkering services provided, organized or offered in the port by any natural person or private or public legal entity other than the concession or license holder of the port service designated by 'PO'.

### **Section 2: “Safety Regulations”**

Bunkering or mutual transfer between bunkering vessels will only be allowed, provided that the regulations imposed by the HMO are observed.

Bunkering 'Ship to Ship' or debunkering will only be allowed provided that the regulations imposed by the HMO are observed.

For all bunkering operations delivered by ship or truck approval must be requested in the port information system ENSOR by the recipient.

Bunkering can only take place after approval has been received.

Traffic Control must always be informed (through VHF#09) of the start and stop times of the operations, as well as be notified of the berth.

The master of the ocean-going vessel, inland waterway vessel or fishing vessel will only proceed with bunkering if the scupper holes are closed off as much as possible and the bunker pipes that are not in use are blinded off.

In the event that no request can be submitted in the port information system ENSOR for bunkering of inland waterway vessels and fishing vessels, the master or skipper of the vessels involved must ensure that bunkering only takes place if:

- a. The intention to bunker has been notified 30 minutes at the latest and 6 hours at the earliest before the start of the bunkering, through VHF#09 to the Harbour Master, or his delegates or appointees under his authority, and/or to traffic control stating the name of the vessel, the berth, the quantity and type of bunker oil and the time of the start of the bunkering, name and location of the bunker vessel or tanker truck.



- b. The bunker checklist, the model of which can be obtained from 'PO', has been fully and truthfully completed and endorsed by the responsible persons of the vessel involved in the bunkering.
- c. The master or skipper of the vessel involved in bunkering ensures that the bunker checklist, completed and endorsed, remains on board of their vessel for inspection during bunkering and for at least 24 hours after its completion.

The skipper of the bunker vessel, tank lighter or tanker only starts bunkering when the ship is properly moored and the bunker pipes are in good condition. Both shall additionally ensure that:

- a. The bunker lines are properly suspended and have sufficient clearance and the bunker connection is fitted with a proper good gasket.
- b. All bolt holes of the bunker pipe connection flanges are fitted with properly tightened bolts or, when mounting of the bunker pipe is only possible by means of properly constructed clamps or quick couplings intended for this purpose, these are mounted in such a way as to prevent leakage.
- c. There are sufficient means underneath the bunker pipe connection to collect any possible leakage.
- d. Plugs have been placed on the drip trays.
- e. The quantity that is to be bunkered is properly agreed upon.
- f. The maximum pump flow rate and pressure is agreed upon.
- g. The measures with regard to an emergency stop are known and the communication between sea and bunker ship during bunkering is continuously ensured.
- h. No welding or other repair work, which may involve the use of open flames or sparks, takes place.
- i. There is no smoking on deck.

The master of the seagoing vessel, inland waterway vessel or fishing vessel is responsible for ensuring during bunkering that regular and sufficiently frequent bearings are taken of the tanks that have to be filled.

It is prohibited for pleasure craft to bunker in the outer harbour via tank truck from the quay.

### **Section 3: “Compliance with conditions of bunkering”**

1. The HMO shall ensure that the concession or license holder complies with the conditions and safety regulations applicable to them at all times during the implementation of their services. If this is not the case, they shall issue instructions for compliance.
2. In the event of non-compliance with the aforementioned instructions, the Port Authority may, at the proposal of the HMO, revoke or temporarily suspend a concession or permit after hearing the service provider concerned.
3. Notwithstanding the prior stipulations, the Harbour Master may always, if urgently required in function of public safety, prohibit a bunkering operation, have it stopped or impose any other safety measure.
4. The master of the seagoing vessel, inland waterway vessel or fishing vessel must ensure the presence on deck of a person in charge who continuously supervises the bunkering operations. The skipper of the bunker vessel must also ensure the presence on board of a person in charge who continuously supervises the bunkering in the vicinity of the control panel of the pumps.

### **Section 4: “Bunkering while sailing or at anchor”**

It is prohibited in the port area to bunker while sailing or at anchor.

### **Section 5: “Bunkering transshipment”**

Bunkering transshipment is subject to the same obligations, regulations and prohibitions as imposed for bunkering.

## **13: WASTE COLLECTION FOR VESSELS**

### **Section 1: “General and special conditions for the accreditation and organization of waste collection for vessels”**

1. It is expressly prohibited for any natural person or private or public legal entities not belonging to the 'PO' or not designated by the 'PO' as a concession or license holder of this port service to organize, offer, keep available or provide waste collection services for inland waterway or seagoing vessels in the port area.
2. It is expressly forbidden for the captain, skipper or master of a vessel to use a waste collection service in the port organized or offered by a natural person or private or public legal entity, other than the concession or license holder of this port service designated by the Port Authority.
  - The general and special conditions relating to the accreditation and organization of waste collection services are laid down in the Port Public Services Regulations for the port of Ostend. The Port Authority publishes the list of all authorized service providers and any changes thereto.

### **Section 2: “Safety regulations”**

Waste collection from seagoing or inland waterway vessels will only be permitted if there is compliance with the regulations imposed by the HMO.

### **Section 3: “Waste management plan / Ship waste convention”**

1. Companies, cargo handlers, waste collectors, the captain, master or skipper of a vessel calling at the port are obligated to:
  - a. comply with the current waste management plan of 'PO' for seafaring.
  - b. comply with the provisions of the Ship Waste Convention for inland waterway navigation. Without prejudice, the provisions of chapter 5, section 4 apply in the docks and at berths in the entire port area.
2. Additional conditions can be imposed by the HMO and can be consulted in the "Regulations regarding Dangerous and/or Hazardous Goods for the Port of Ostend".

#### **Section 4: “Ship-generated and cargo-related waste”**

1. Dumping ship-related waste from seagoing vessels in the port is only allowed in the waste containers ordered by the ship's agent designated for that purpose and is exclusively reserved to the persons on board of the seagoing vessels moored in the port. See waste plan 'Port of Ostend'.
2. Sweepings from the holds collected on the deck of vessels must be moistened or covered in such a way that no dust can be spread.
3. The ship's and cargo-related waste must be sorted and collected selectively.

## **14: SUPPLY OF DRINKING WATER**

### **Section 1: “General and special conditions for the accreditation and organization of drinking water supply”**

1. It is expressly prohibited for any natural persons or private or public legal entities not belonging to the Port Authority or not appointed or designated by the Port Authority as concession or license holders of the port service to organize, offer, keep available or provide drinking water supplies to vessels in the port area.
2. It is expressly forbidden for the captain, skipper or master (or ship's agent) of a vessel in the port to use drinking water supplies organized or offered by a natural person or private or public legal entity other than the concession or license holder of the port service designated by the Port Authority.
3. The general and special conditions relating to the accreditation and organization of drinking water supplies to vessels are laid down in the ‘Port Services Regulations for the port of Ostend’. The Port Authority publishes the list of all authorised service providers and any changes thereto.

### **Section 2: “Conditions for the supply of drinking water”**

Drinking water for seagoing vessels, inland waterway vessels or for passenger ships can be obtained at the conditions laid down in Port Public Services Regulations.

## **15: EMBANKMENT AND CLEAN-UP OF WATER-RELATED CALAMITIES**

### **Section 1: “Concession / licence embankment and clean-up license of water-related calamities”**

1. It is expressly forbidden for any natural person or private or public legal entities not belonging to the 'PO' or not appointed by the 'PO' as a concession or license holder of this port service to organize, offer, keep available or provide the embankment and clearing of water-related calamities in the port.
2. It is expressly prohibited for the captain, skipper or master (or ship's agent) of a vessel to use embankment and clean-up services for water-related calamities in the port, organized or offered by a natural person or private or public legal entity other than the concession or license holder of this port service designated by the 'PO'.
3. The general and special conditions relating to the accreditation and organization of services for the embankment and clean-up of water-related calamities are laid down in the ‘Port Services Regulations for the port of Ostend’’. The Port Authority publishes the list of all authorized service providers and all changes thereof.

### **Section 2: “Safety regulations”**

Intervention related to the embankment and clean-up of water-related calamities will only be permitted if there is compliance with the regulations imposed by the HMO.

### **Section 3: “Provisions on containment and clean-up measures in the event of water-related calamities”**

1. The general provisions of Chapter 5, section 4 apply, in particular the prohibition of the use of detergents or dispersants and the possibility for the HMO to stop all work on the ship and all cargo operations until the clean-up activities have been completed.
2. Without prejudice to the provisions of Chapter 2, section 4 sub f and g on the obligation for masters or skippers to report and sub 8 on the obligation to report for port users as witnesses, the polluter or any other port user concerned must immediately report the oil calamity.
3. Without prejudice to Chapter 4, section 5, the polluters and other port users concerned must fully cooperate with the authorized service provider during the containment and clean-up activities.
4. The polluter must, without prejudice to the provisions in Chapter 5, section 4, immediately take all necessary measures to:
  - a. stop or plug the leak or source of pollution.
  - b. reduce and contain the extent of the contamination by having a screen installed, or absorption materials implemented.
  - c. have clean-up work done to the vessel, to the port infrastructure and to other soiled vessels at its own expense and risk.
  - d. have the soiling of the dock water skimmed or extracted by an adequate installation. The emulsion will have to be disposed of by an approved treatment facility immediately after each intervention. Upon completion, the processing and final destination certificates have to be submitted to the Port Authority.
  - e. contact a certified shipping expert.
  - f. immediately report all actions taken and changes made.

## **16: THE IMPLEMENTATION OF MAINTENANCE AND REPAIR WORKS**

### **Section 1: “Authorization maintenance and repair works O/B or on quay”**

1. The implementation of maintenance or repair works in the port area or on board of ships requires a written and/or electronic authorization from the HMO.
2. When working on the quaysides and transit warehouses, the safety and environmental protection instructions of the HMO or his delegates and/or yard supervisors under his authority must be observed.
3. Contractors carrying out work on the quaysides, transit warehouses and on the water must take all necessary safety and environmental protection measures.
4. Any accident and/or damage to the environment must be reported to the HMO.
5. Conditions may be attached to these authorizations.

### **Section 2: “Authorization for sparking and welding work O/B”**

1. A written and/or electronic permit from the HMO is required to carry out maintenance or repair work on board of vessels or on shore, which involves heat generation or which may generate sparks.
2. If there is a possibility that glowing objects or sparks may come into contact with the water surface, the interested parties carrying out or having carried out the maintenance or repair work must ensure in advance that there are no inflammable substances or liquids in the vicinity or floating on the water. If this is the case, these works may not be carried out. Work in progress must be stopped as soon as the presence of inflammable substances or liquids is suspected or noticed.



### **Section 3: “Gas-free certificate”**

1. Without prejudice to the provisions of Chapter 16, sections 1 and 2, no maintenance or repair work may be carried out on board of tankers during their stay in the port, unless a certificate issued by a certified specialized firm is submitted when applying, which proves that the ship is gas-free.
2. Notwithstanding the provisions of Chapter 16, sections 1 and 2, no maintenance and or repair work may be carried out on board of all vessels during their stay in the port on or near fuel and oil tanks, unless a certificate issued by an certified specialized firm is submitted when applying, proving that the vessel is gas-free.

### **Section 4: “Steam installation or power generator”**

Appliances for supplying electricity or steam may only be set up alongside vessels moored at the berths, with the written permission of the HMO.

Floating hoists or devices that supply electricity may only be moored alongside vessels that are moored at petroleum facilities or at berths specially designed for handling hazardous substances, provided that prior permission was obtained from the Harbour Master or his representatives or appointees.

### **Section 5: “Maintenance and repair works on the water”**

1. During maintenance and repair work on vessels on the water, the necessary safety and environmental protection measures must be taken by the ship's crew or contractor carrying out the work.
2. The nature of the work must be reported to the HMO, which will give approval or not.
3. The start and end times of the work must be reported to the HMO, as well as any accident or damage to the environment.
4. Sandblasting or other maintenance activities that are a nuisance to people, equipment and the environment are prohibited.

## **Section 6: “Underwater work”**

1. Underwater work is prohibited, unless there is a written and/or electronic permission of the HMO. The vessel or accompanying vessel must fly the international signal "A" flag by day, and a yellow flashing light by night. Traffic control has to be notified of the start and end time of the work.
2. Blasting or other maintenance activities that are a nuisance to people, equipment and the environment are prohibited, unless there is a written and/or electronic permission of the HMO.
3. For underwater cleaning of the ship's hull and propeller, we refer to the 'Port Regulations - Regulations for Underwater Cleaning'.

## **17: SUNKEN VESSELS AND/OR VESSELS OR OBJECTS CAUSING NUISANCE**

### **Section 1: “Notification/Signage/Removal”**

1. The person in charge of a sunken vessel or the owner or possessor of an object that is a nuisance to navigation must immediately report this to the HMO. In doing so, the circumstances and a precise location of the vessel or object must be specified.
2. Persons involved must place beacons or safety signals above the sunken vessel or above the object that hinders shipping both by day and by night, and must continue to monitor it, as imposed by the HMO. In case of failure to properly signal and/or monitor, 'PO' shall, ex officio, have the necessary safety signage and beacons affixed to the sunken vessel or the object that causes nuisance, at the expense and risk of the master or the skipper, the shipowner, proprietor, operator or possessor.
3. In the event of failure to comply with the obligation imposed in sub 2, the HMO may take the necessary measures to affix the beacons or safety signage referred to in sub 2 and to have the sunken object or object that causes nuisance guarded at the expense, risk and peril of those in default.
4. The person in charge of a sunken vessel or the owner or possessor of an object that is hindering navigation must ensure that it is retrieved and, if necessary, removed from the docks or waterway within the time frame and in accordance with the procedure prescribed by the Harbour Master.
5. In the event of failure to comply with the obligation imposed in sub 4, the HMO may take the necessary measures to remove the sunken vessel or object hindering navigation at the expense, risk and peril of those in default.
6. The Harbour Master or his delegate must be informed immediately of any object fallen into the dock or canal waters, whether or not it is a nuisance to navigation, by any port user who so determines.
7. Dredging for and/or retrieval of any sunken objects or goods is only permitted with the written permission of the HMO.
8. 'PO' shall in no event assume any responsibility for obstacles, hazardous substances and objects in the dock water caused by the vessels or crew members of port users or by third parties, or which were not retrieved by the captains, skippers, shipowners, proprietors or possessors concerned, after permission was granted to them, nor for damage of which the origin is unknown.

9. If the vessel, its remains or the objects retrieved are not recovered by the owner, the captain or the skipper; or if the owner, the captain or the skipper is unknown, 'PO' shall dispose of those remains or objects, after having given the following publicity to the sale.

The proceeds of the sale, shall be retained by the 'PO' for the owner concerned, if known, or for the one who asserts his rights, all this after deducing the amount of the aforementioned advances, as well as the outstanding costs regarding publicity and sale, conservation costs or port dues. 'PO' shall not interfere with the distribution among the parties concerned of the consigned amounts. If no buyer presents itself, 'PO' will take possession of the vessel, the collected remains or objects, or will destroy them at the expense of the owners concerned.

If the owner, captain or skipper are unknown, 'PO' shall publish two notices, in two local newspapers and at intervals of fifteen days, specifying and characterizing those objects, appealing to any person claiming the objects, to submit their claim within thirty days from the date of publication of the last notice. After the period has expired, 'PO' will take possession of the vessel, its remains or the retrieved objects, as stipulated in the preceding paragraph.

The removal or taking possession of the rescued vessel, its remains and the retrieved and salvaged objects by the person concerned, shall be implemented provided that the declaration formalities, the investigation and payment of the rights and expenses due, if any, are to be fulfilled beforehand.

## **Section 2: “Detention of floating and sunken objects that cause nuisance”**

The HMO is authorized, without formalities, to take the necessary measures for taking possession of floating objects and sunken objects obstructing navigation at the expense, risk and peril of those at fault.

## **Section 3: “Submersible or floating objects”**

It is forbidden to lay, place or have submersible or floating objects in or over one of the docks or waterways, except with the permission of the Harbour Master or his delegate.

## **18: STORAGE AND HANDLING OF GOODS**

### **18.1 General Provisions**

#### **Section 1: “Loading and unloading/Quayside regime/Transit storage locations/Transit warehouses”**

1. 'PO' shall autonomously determine the geographical and substantive demarcation of the quaysides. The delineation has to be transparent and consultable.
2. The conditions under which certain flows of goods are allowed on the quaysides, are regulated in the "Regulations regarding Dangerous and/or Hazardous Goods for the Port of Ostend".
3. A transit storage location which is specifically equipped to handle cargo in (tank) containers whether or not on a trailer, not in possession of an environmental permit, but which falls under the quayside regime (section 48. Vlareml), can obtain a permit from the Harbour Master for temporary short-term storage.

Transport documents have to state clearly that the transit storage of goods at the quayside is in anticipation of a further destination. A copy of the transport documents have to be submitted to the HMO.

4. The port police regulations, as well as Vlareml art. 5.17.1.1 §1 and §2 are applicable to transit storage locations and warehouses.
5. Anyone who moves or removes merchandise lying on the quay(s), covered or uncovered, must be able to prove at first request to the Harbour Master or his representatives or appointees in what capacity he is doing so.
6. Those who load, unload or transport goods in the port must take the necessary measures to secure the port terrain under concession, and to prevent all accidents to persons, any damage to the infrastructure or equipment of the port, as well as environmental pollution in the port.

Those who load, unload or transport goods in the port are responsible for any accidents to persons, damage to the roads, quays, facilities or equipment of the port, or environmental pollution, in which case the cargo handler is required to immediately notify the Harbour Master, or his representatives or appointees under his authority, and must guarantee compensation for all damage, including repair and clearance costs.

In this regard, they must comply with all the orders of the Harbour Master or his representatives or appointees under his authority.

7. The following is prohibited: loading, unloading or accommodating on the quays or in the cargo warehouses of the port,
  - a. of obstructing or perishable goods, unless they are put in appropriate infrastructure.
  - b. of any harmful or dangerous goods as determined in the applicable regulations.

In the event of violations of this prohibition, the Harbour Master, or his representatives or appointees, may without prejudice to the penalties provided by this regulation, have the goods removed at the expense and risk of whomever it belongs to.

8. The Harbour Master, or his delegates or appointees may, subject to the conditions he deems necessary laid down in a prior written consent, exceptionally permit the loading, unloading or the accommodation of such goods in a secluded place at the expense and under the responsibility of the interested parties.
9. It is forbidden to exceed the maximum quayside load. Users of quays and quay terrains are required to inform themselves about this subject in advance at 'PO'.
10. The transit storage of goods other than IMDG goods on the quaysides is only permitted for a short period, the maximum duration of which is determined by the Harbour Master. It is renewable only once. This one-time extension must be requested in writing at the HMO, 7 calendar days at the latest before the expiry of the first period of the short-term storage.
11. Cargo handlers that use the port terrains, whether or not concessionary, are responsible for all damages resulting from their activities on those port terrains.
12. The transit storage of (IMDG) goods on the quaysides is subject to a prior notification obligation to the Harbour Master. This duty to report concerns the nature of the loading and unloading activity (the "handling"), the identification and quantity of the (IMDG) goods, and the identity of the shipowner or shipping company. If it seems that the obligation to report has not been correctly done, the permission to store (IMDG) goods at the quayside can be withdrawn with immediate effect, a fee can be imposed on the shipowner or shipping company, and the costs of the removal of the (IMDG) goods in question can be recovered, ex officio, from the shipowner or shipping company.

13. The transit storage of goods on the quaysides takes place on a designated area on the quaysides (the "transit storage locations") in accordance with the port regulations and the conditions of the Harbour Master. The Harbour Master guarantees, where necessary, a high level of protection with his conditions.

## **Section 2: "Notification of berth and cargo"**

Cargo handlers and terminal operators must report the vessel's proper loading and unloading berth and the type of goods and quantity being loaded or unloaded through the electronic port information system ENSOR.

## **Section 3: "Termination of loading and unloading activity"**

The HMO may temporarily stop any loading and unloading activities in the port, when the safety and/or the environment in the port area is compromised due to the prevailing weather conditions.

On the instructions of the Harbour Master or his delegate, work on the ship and all loading operations can be stopped until the cleaning activities have been completed.

## **Section 4: "Quay clean-up / Incident reporting"**

1. The company or cargo handler involved is required to clean up waste, cargo and packaging residues released during loading or unloading operations in a timely manner. The waste or sweepings must be removed selectively in accordance with the relevant statutory provisions.
2. The company or goods handler must immediately report any accident, damage to infrastructure or environmental pollution to the HMO and take temporary safety and environmental protection measures.

## **Section 5: "Indemnification for damage to goods"**

'PO' is not responsible for:

- a. guarding or preserving the goods left on quays, in hangars or warehouses, basements, attics and under shelters.
- b. damage, spoilage, theft and the total or partial loss resulting from the poor condition of the quays or buildings.



## **Section 6: “Movement of railway carriages on quays”**

Whenever railway carriages are moved on the quays, the person initiating the movement must ensure that the route is, and remains, clear. If necessary, he must be assisted by a lookout.

## **Section 7: “Positioning of vehicles / Loading units on the quay”**

1. The places that are to be occupied by vehicles and/or cargo units can always be determined by the HMO.
2. In case of an inconvenient positioning of a vehicle and/or loading unit and in case of refusal to move it, or in the absence of the offender, the HMO may, ex officio, have it moved at the expense, risk and peril of the civilly liable persons.
3. The places that are to be occupied by lorries and other vehicles on the location, on the quays or in the goods hangars may be determined by the Harbour Master or his representatives or appointees.

## **Section 8: “Keeping tracks free / occupied”**

1. On the quays, it is prohibited within 2 meters of the train and crane tracks, measured from the outside of the tracks:
  - a. to lay down or leave objects of any kind.
  - b. to park vehicles, with the exception of mobile cranes that are temporarily used for loading and unloading ships.
2. The freight handler who wishes to temporarily occupy the tracks for the use of a mobile crane, must inform the railroad company 2 working days in advance in order to coordinate with the planning of the freight handler on the one hand and for the shunting problem of the railroad company on the other hand. The HMO shall be informed of the arrangements made by the cargo handler.

These goods may, as the case may be, be moved or removed ex officio or on the orders of the Harbour Master, or his delegates or appointees, at the expense and risk of the owners, cargo handlers or consignees, without any right to compensation from 'PO' on account of damage to these goods.

## **Section 9: “Protective and security measures”**

1. Those who load, unload or transport goods in the port must take all necessary protective and safety measures to prevent all accidents, any damage as well as any pollution. In this respect they must comply with all orders and special conditions of the HMO.
2. In the event of non-compliance with the obligations imposed in §1, the HMO shall be authorized ex officio to take the necessary measures to have the goods removed at the expense, risk and peril of those in default.

## **Section 10: “Vehicles sold to seafarers”**

1. Vehicles sold to persons on board of vessels may only be stored in the places designated by the HMO in anticipation of the loading operations and with the written consent of the cargo handler and under his responsibility, on the locations that were given in concession to the cargo handler.
2. Vehicles not parked in the places specified in §1 may ex officio be removed by the HMO at the expense, risk and danger of those in default.
3. The seller or the person who delivers vehicles, or he who has in any way acted as an intermediary in the sale, must notify the HMO of the number and types of vehicles, specifying the make, type and chassis number. After notification, the HMO shall determine the time within which loading operations must be carried out, taking into account the number of vehicles that are to be shipped.
4. The seller or the person who delivers vehicles, or he who has in any way acted as an intermediary in the sale, commits himself to put the vehicles on board through a cargo handler. The vehicles may only be put on board originating from the place determined in § 1 and within the period determined in § 3.

## **Section 11: “Terrains and warehouses”**

1. Permit holders or other users of port grounds are obligated to install the required signage themselves for their access routes at the appropriate places, at their own expense and with the prior permission of the Harbour Master, or his representatives or appointees under his authority. All this in accordance with the legislation and implementing decisions concerning the signage of public, private and tourist institutions.
2. It is forbidden to set up fixed or temporary structures in the port area, except with the permission of 'PO', possibly under certain conditions.
3. It is prohibited to smoke or make an open fire in the hangars and in places where this prohibition is indicated.
4. It is forbidden to make fire or burn waste on quays and grounds.
5. It is forbidden to occupy more surface area than the surface of the grounds given in concession.

## **18.2 The use of power gutters, crane tracks and hoisting equipment**

### **Section 1: “Authorization/Damage to power gutters and crane tracks”**

1. It is prohibited to use the power gutters and crane tracks belonging to the Port Authority without written permission from 'PO'.
2. Any damage to power gutters, power gutter covers and crane tracks must be reported by the companies to the HMO.

### **Section 2: “Hoisting equipment”**

1. It is prohibited to:
  - a. Use the (hoisting) equipment for any other work than that for which it is intended.
  - b. Place goods on the quay at less than 2 meters from the train and crane tracks measured from the outside of the tracks.
  - c. Allow unauthorized persons to climb on or enter the hoisting equipment.
2. Persons charged with operating the hoisting equipment must obey the orders of the users, subject to the police authority of the Harbour Master or the delegates or appointees under his authority.
3. The hoisting equipment is the responsibility of the users until the last loading or unloading or transshipment operation with the cranes has been completed.

The users shall be fully responsible for all damage incurred or caused by the hoisting equipment during the aforementioned period, regardless of the cause or object of the damage.

'PO' does not assume liability for any accident, nor for damage to persons, vehicles, merchandise or goods, caused by the cranes or their use.

4. If the crane operator considers that the work with the hoisting equipment cannot be continued without danger or hindrance, the users will be obligated to immediately stop the activities until the Harbour Master, or his delegates or appointees, gives permission to resume the work.
5. It is mandatory to lock the hoisting equipment after use, turn the boom inward, shut off the power, position the crane hook in such a way that the free passage of vehicles is not obstructed and lock all the brakes of the crane.

6. Any company performing an exceptional lift, must draft a hoisting plan, and have it approved by the HMO, or his delegates or appointees under its authority.
7. The use of safety pressure plates is mandatory for all crane activity. These plates should be placed under the outriggers of the crane at all times, in order to minimize the pressure load on the quay.

### **Section 3: “Load on power gutters”**

The following is prohibited:

- a. Loading and unloading bulk goods over the power gutter, without having properly covered and protected it.
- b. Impeding proper operation of the power gutter.
- c. Placing loads or goods that cause nuisance of any kind on a power gutter.
- d. Loading and unloading goods such as wood, pulp, coal, cement, etc. over the power gutter of the cranes without having properly covered the gutter.

#### **Section 4: “Moving / Stopping hoisting equipment”**

1. The HMO may order the relocation of a hoist in emergency situations.
2. The HMO may temporarily stop any crane activity in the port when, due to the prevailing weather conditions, safety in the port area is compromised.
3. The Harbour Master, or his delegates or appointees under his authority, can at all times suspend or interrupt work with hoisting equipment, or give verbal orders regarding the safe handling of goods with hoisting equipment belonging to 'PO' or with hoisting equipment belonging to a port user, without any entitlement to compensation.

## **18.3 Second-hand vehicles**

### **Section 1: “Authorization second-hand vehicles”**

For handling second-hand vehicles, a written permission must be requested from the HMO that is in accordance with the conditions included in the "Regulations regarding Dangerous and/or Hazardous Goods for the Port of Ostend".

## **18.4 Ship/ship transshipment of non-dangerous goods, bunker vessels excluded**

### **Section 1: “Application”**

Direct transshipment (RO) ship-to-ship may be permitted for non-hazardous solid bulk goods under the following conditions:

The captain, skipper or master (or ship's agent) of a vessel must apply for authorization to the Harbour Master during office hours at least 24 hours before starting the transshipment and must submit the following information to the HMO with the application:

- a. The name of both vessels, indicating unloading and receiving vessel.
- b. The nature of the product.
- c. The quantity of products that is to be transhipped.
- d. The quay number.
- e. The desired date and time of the start of the direct transshipment (RO).

### **Section 2: “Notification of transshipment”**

1. Vessels must report to the HMO on VHF#09 channel:
  - a. Arrival alongside ship.
  - b. Start and end time of the direct transshipment (RO).
  - c. Departure from alongside ship.
2. The HMO will announce the activities in a shipping notice and request cautious passing on the location.

## **18.5 Dangerous and/or polluting goods**

### **Section 1: "Notification"**

1. Dangerous and/or polluted goods can only be handled in the port on condition that all statutory regulations, as well as the "Regulations regarding Dangerous and/or Hazardous Goods for the Port of Ostend" issued by the Harbour Master are strictly complied with.
2. The handling of polluting goods or dangerous goods, to which statutory or general regulations apply, is subject to the rules set out in these laws and regulations, without prejudice to additional stipulations issued by the Harbour Master.
3. The Harbour Master or the master (or ship's agent) of a seagoing vessel that will unload a dangerous and/or hazardous good in the port is obligated to report this at least 24 hours in advance through the electronic port information system ENSOR to the HMO. The master or skipper of an inland vessel must report such unloading activities to the HMO upon entering the port area.
4. Dangerous and/or hazardous goods intended for export by ship must be reported by the forwarder or the terminal operator in the port information system as soon as they enter the terminal. Once loaded on board, they must also be reported in the port information system by the shipping agent for seagoing navigation or the cargo handler for inland navigation.
5. The notification must also specify the number and nature of the goods that are to be unloaded and the freight handler for the unloading.
6. On vessels carrying dangerous cargo, a fire hose with a nozzle under water pressure must be ready at all times during loading and unloading.
7. In port, dangerous goods are those defined in the 'International Maritime Dangerous Goods Code' (IMDG), in chapter 17 of the 'International Bulk Chemicals Code' (IBC) or in chapter 19 of the 'International Gas Carrier Code' (IGC) of the 'International Maritime Solid Bulk Cargoes Code' (IMSBC).
8. Every captain or operator of a vessel carrying dangerous or polluting goods in bulk or in packaged form that calls at the port of Ostend must, at the time of departure from the port of loading, submit the following information to the HMO:



- a. Name and call sign of the ship.
  - b. Nationality of the ship.
  - c. Length and depth of the vessel.
  - d. Port and/or destination quay.
  - e. Estimated time of arrival (ETA) at the destination port or pilot station.
  - f. Estimated time of departure (ETD).
  - g. Planned route.
  - h. The correct technical names of the dangerous or polluting goods, the 'United Nations' identification numbers if applicable, the 'IMO' hazard class in accordance with the 'IMDG', 'IBC' and 'IGC' codes, the quantities of the goods and their location on board and if they are in transport tanks or freight containers, their identification marks.
  - i. Confirmation that there is a list or manifest or appropriate loading plan on board, detailing the dangerous and polluting goods transported and their location on the ship, including any segregation plan applied.
9. If the cargo on board consists of several liquids and/or gases classified in different classes of the 'IMDG' code, the provisions for those with the highest degree of danger apply.
  10. Both with regard to the layout and equipment and with regard to the safety measures to be taken for the transport of dangerous cargoes, tankers must comply with the Belgian Maritime Regulations. This also applies to tank barges in so far as special regulations provide for this.
  11. On board of tankers and tank barges equipped for the transport of cargo from which flammable or explosive gases can escape, the necessary openings of all cargo spaces and cofferdams must be fitted with flame-resistant grids.
  12. In the port, the tanks may not be brought into contact with the open air unnecessarily.

## **Section 2: “Authorization transshipment”**

1. The loading, unloading and transshipment of dangerous and/or polluting goods may only take place at those locations which are specially equipped and/or reserved for this purpose, unless written permission has been obtained from the Harbour Master. Such permission is always given once and is decided upon on a case-by-case basis.
2. Transshipment bunkering, waste collection is not considered as transshipment of cargo.

## **Section 3: “Permission for simultaneous loading/unloading/transshipment”**

If several dangerous and/or polluting goods are loaded, unloaded or transhipped at the same time, a permit from the HMO is required.

## **18.6 Fumigation / Degassing fumigated cargo / Decontamination**

### **Section 1: “Notification of fumigated cargo”**

1. The captain, skipper or master of a vessel carrying fumigated cargo is obligated to report this to the Harbour Master's Office at least 24 hours before arrival.
2. The degassing of vessels and/or cargo units (containers) is only permitted at the locations designated for this purpose by the HMO and is subject to compliance with the conditions imposed.
3. Before the holds can be opened, readings must be carried out by an expert specially accredited by the Federal Public Service for Public Health, Food Chain Safety and Environment to ascertain that the vessel can be safely entered and unloaded. A copy must be submitted to the HMO.

### **Section 2: “Fumigation of containers/ On board of vessels/ Facilities in the port”**

1. The work should be carried out in accordance with the modalities as imposed in the Royal Decree of 14 January 1992 on the regulation of fumigation.
2. For the fumigation of containers, fumigation on board of vessels or fumigation in installations within the port, authorization must also be requested from the HMO and must be implemented in accordance with the conditions.

### **Section 3: “Destroying vermin on board of vessels”**

1. If a problem arises on board of a ship involving vermin that poses a danger to public health, the Saniport Department must be notified. The measures taken must be approved and supervised by Saniport.
2. Permission must also be obtained from the HMO. Permission from the HMO will only be granted after Saniport's written approval has been submitted of the procedure to be followed.
3. 'Saniport' will supervise the measures taken and will carry out an inspection afterwards to check whether the treatment was effective.
4. The findings, corrective actions and results are entered in the ship's health certificate.

## **18.7 Degassing of tankers**

### **Section 1 “Degassing of tankers - General provisions”**

1. Degassing in the port area 'Port of Ostend' is prohibited.
2. Tankers and tank lighters must permanently display at least two signs on deck in clearly visible places that indicate the prohibition of smoking, fire and open light on board.
3. Tankers and tank lighters must permanently display at least two signs on deck in clearly visible places that indicate the prohibition of smoking, fire and open light on board.
4. Degassing with mobile installations approved by the HMO is only possible after permission from the HMO.
5. The master or skipper of a vessel must at all times supervise compliance with this prohibition.
6. The loading and unloading of dangerous and/or polluting goods in bulk is strictly prohibited in places other than those specially equipped or reserved for this purpose, unless there is prior permission of the Harbour Master or his representatives or appointees.
7. During loading and unloading of the aforementioned bulk cargoes, all hatches on board of tankers and tank barges must remain carefully closed. If necessary, a "return" line has to be installed.
8. All safety measures must be taken as stipulated in the prevailing regulations and in the IMDG Code of I.M.O. Moreover, the Harbour Master, or his delegates or appointees, may at any time impose additional regulations for certain products.
9. The connection of the fixed pipelines on land with the pipelines on board always has to be implemented with sound material, so that no leaks, cracks, tears or fractures can occur.
10. The use of tools that may cause sparks, is strictly forbidden in the case of inflammable cargoes.
11. Masters and skippers must ensure that no visitors are allowed during pumping, either on the ship or in the vicinity of the quay.

12. Tanker vessels must be moved by means of tugs in the inner port, this in function of the dimensions and the equipment of the vessel and in accordance with the regulations on the subject, determined by the Harbour Master or his representatives or appointees.
13. With the submission of the berth application, full details must be given of the nature and weight of the cargo for each tanker. If a tanker arrives empty, the nature and flashpoint of the last cargo must be provided. It must also be stated whether or not the tanker is gas-free.
14. Prior to entering the lock, a statement must be submitted for each tanker, stating the nature and quantity of the cargo carried in bulk, as well as the characteristics thereof in accordance with the IMDG Code of the I.M.O.  
  
The statement must be submitted to the lock master on request, when situated in the lock.
15. Tank barges carrying liquid fuels to supply ships are admitted to the port, provided that they obtain the prior permission of the Harbour Master or his representatives or appointees.  
  
This permission can be granted for a specific period of time by the Harbour Master or his delegates or appointees.
16. The provisions on the bunker checklist in chapter 2, section 15 of these regulations must be strictly complied with.
17. The masters or skippers of tankers and tank barges must ensure that there are always a sufficient number of competent persons on board who can take the appropriate safety measures.
18. It is forbidden to allow gases to escape in such a way that it may cause danger or nuisance to the surroundings.
19. Additional conditions may be imposed by the HMO.

## **19: LIABILITY AND SAFEGUARD PROVISIONS**

1. The Harbour Master, and his delegate under his authority, acts only in the exercise of his policing authority and no measure prescribed by and imposed as a result of these regulations or instructions that are issued or based on them, shall affect the civil liability of 'PO'.
2. The owner, shipowner, shipper, master, skipper or the person acting as agent for one of them, of vessels for which instructions are given or against which measures are taken, are solely liable for all damages caused to 'PO', to the vessels or to third parties that may result from such instructions or measures.
3. The owner, shipowner, shipper, master, skipper or any person acting as an agent of one of them, of the vessels which are subject to instructions or measures, engages himself to holding 'PO' harmless from any adverse effects that such instructions and measures may have on themselves or on third parties. They explicitly waive any recourse against 'PO'.
4. 'PO' cannot be held liable for damage or harm caused to third party vessels by vessels assisted by port pilots, towage services or boatmen, nor to the latter. The mere fact that 'PO' grants a concession to third parties to perform shipping services does not affect possible claims of 'PO' in case of damage caused to third parties, port infrastructure, vessels, equipment, goods or personnel of 'PO' by the port pilots, towage services or boatmen providing the services.
5. 'PO' is not liable for the damage incurred by a vessel or an object during entry, exit or transit, or through the use of the port equipment and/or stays in the port, nor for the actions, orders, negligence or incompetence of the appointee(s).
6. No compensation can be claimed from 'PO' for damage, ship's damage, obstruction of navigation or delay or prohibition of sailing caused by:
  - an accident
  - peak traffic
  - the condition and quality of dock and/or canal water
  - a strike, congestion and/or blockades
  - force majeure
  - any circumstance whatsoever

Claims for delay or prohibition to sail must be addressed to the vessel that caused the damage or loss and/or to its insurer.

7. If, in application of one or more of the provisions of the present regulations, an obligation or a prohibition is imposed on a person acting on behalf of the latter, then his mandators shall also be liable for compliance with such obligation or prohibition.
8. 'PO' shall not be held responsible for the work performed by the services under concession, such as, but not limited to, harbour pilot services, boatman services, towage services, etc.
9. 'PO' is not liable for surveillance or safekeeping of the goods on terrains or in hangers. Furthermore, 'PO' is not liable for ship's damage, decay, damage, theft, total or partial loss of the goods, arising from the poor condition of the terrains or buildings, fire, or the means used to fight the fire or any other cause.

## **20: PENAL AND FINAL PROVISIONS**

### **Section 1: “Penalties”**

Without prejudice to the application of the stricter penalties provided for in the general laws, decisions, decrees, ordinances and regulations, any violation of the provisions of this regulation and/or of the orders, even verbally given by the Harbour Master or his delegates or appointees under his authority, shall be punished by the penalties provided for in articles 10 and 11 of the law of 5 May 2019 establishing the status of Harbour Masters, without prejudice to any civil recourse of 'PO' for any damage possibly caused.

Without prejudice to the application of the provisions of the law of 5 May 2019 determining the status of Harbour Masters, the Harbour Master, or his delegates or appointees, are entitled to immediately collect the provided fine for any violation of these police regulations.

Payment shall result in the cessation of all legal proceedings, except if the Public Prosecutor considers it necessary to claim a penalty other than the fine and without prejudice to the affected party's right to claim compensation for damage caused before the criminal court.

### **Section 2: “Deposit”**

The offender may be required to post a bond, or to deposit a certain sum as security for any recovery of fines forfeited by him.

The person causing damage to the port, the port infrastructure or appurtenances and/or the owner of the vessel may, pending the determination of the amount of such damage by 'PO', be required to make a deposit or transfer a sum for the recovery of the damage caused.

The captain or skipper, shipowner, owner or possessor, must reimburse 'PO' for all sums which it has advanced for the implementation of all ex officio measures provided for in the provisions of these regulations. The amount of such advances shall be determined by 'PO' and it shall be payable immediately.

If the amount deposited or the security is insufficient, or if no amount is deposited or guaranteed, 'PO' shall have a lien on the vessel that is the subject of the charges due with regard to the measures taken ex officio, as well as on its equipment. The vessel and equipment in question, its remains or the objects retrieved, shall be taken as a pledge for the entire charges advanced by 'PO', to be increased by all possible legal costs and costs of sale and realization.



'PO' may sell the salvaged vessel, its remains or the objects retrieved, up to the amount of the incurred costs, the advances or the amount not covered by the amount deposited or the security. After payment of all outstanding costs, the unsold remains and objects shall remain at the disposal of the parties concerned and entitled parties.

In the same sense, 'PO' also has a right of retention on, and right of sale of, the vessel and its accessories which are the subject of unpaid and still owed port charges.

### **Section 3: “Modalities of execution”**

The Harbour Master is charged with the implementation of this regulation.

The guidelines and practical implementation of the procedures and obligations mentioned in this regulation are regulated and published on the website of 'PO'.

The 'HMO' may draft regulations for special (temporary) situations, which shall be issued as notices to interested parties, also published on the website of 'PO'.

## **21: RPAS 'REMOTELY PILOTED AIRCRAFT SYSTEMS' - DRONES**

The use of RPAS (including drones) is subject to RD 10/04/2016. In the port area, only RPAS may be used that meet the conditions set out in this RD, the implementing regulation (EU) 2019/947 of the Commission of 24 May 2019 (UAS) and the use is subject to prior permission of the Harbour Master.

To this end, the applicant must submit the application form to the 'HMO' for the use of an RPAS in the port, with attached permits for both the RPAS and the pilot and the permission of SKEYES (DSA).

Each flight must be requested at HMO at least 1 week in advance.

The applicant and pilot are required to respect privacy laws at all times and to comply with the camera law once the aircraft is used for surveillance purposes (authorization from IBZ). The flight may only take place within the area authorized by the Harbour Master.

An RPAS may only be deployed during the day and within sight range after permission of the Harbour Master. In the port area it is not permitted to have the view taken over by an observer who is in contact with the pilot

***In order to operate on the territory of the port of Ostend a permission of SKEYES (DSA) has to be obtained first, as stipulated in the RD.***

A RPAS may **not** be used in adverse weather conditions, such as strong winds or other conditions that could impede a safe flight.

The permission of the concessionaire and/or owner of the terrain is required at all times in order to fly over his terrain. When flying over multiple sites, the permission of each concessionaire and/or site owner is required. The written permission(s) must be attached to the application.

As soon as an intervention with air support by police and/or intervention services is required in the port area, it is mandatory to immediately ground RPAS aircraft.

It is mandatory to maintain a safe distance from cranes and other moving and/or fixed objects.

***A separate approval from the Harbour Master is required for each application. The application form is available at the Harbour Master's Office.***

## **22: LOCK DEMEY - FISHERY LOCK - SLIPWAYS - INLAND NAVIGATION**

### **Section 1: “General conditions, regulations, agreements, instructions”**

1. The masters and skippers are obligated to comply with the orders of the Harbour Master or his delegates or appointees when approaching, entering, staying in and leaving both the access channel and the lock chamber of the lock itself.
2. No vessel shall stall in the vicinity of the lock.
3. The Harbour Master, or his delegates or appointees, shall determine the time, the order of precedence and the manner of the locking.
4. At the locks, absolute priority shall be given to vessels for which, for safety reasons, it is required that they be taken into the locks and locked immediately.
5. The draft marks of the vessel must be clearly legible, both at the front and at the back. If there is any doubt about the correctness of the stated draft, access to the lock may be denied by the Harbour Master, his delegates or appointees.
6. A vessel is considered to be within the work area of the lock from the moment they are between the piers, which form the access channel to the lock.
7. Once the vessel is moored in the lock, the propeller may not spin until the lock doors open. At other times it is forbidden to have the propeller spin excessively.
8. It is forbidden to use the lock gates as supports.
9. It is forbidden to drop the anchor or let it drag on the bottom in the access channel to and in the lock itself.

### **Section 2: “Slipway - Fishery Dock”**

No further operation of the slipways (dry dock facilities) is foreseen, both the large and small slipways. They are no longer accessible.

### **Section 3: “Compliance with orders, conditions - Safety”**

1. Vessels with insufficient crew to implement the movements with the necessary speed and safety, will not be admitted to the lock.
2. When the vessel approaches and passes through the lock, all anchors must be pulled into the anchor locker. And all protruding objects must be hauled in.
3. Vessels must secure themselves to the bollards provided for that purpose. It is forbidden to secure the vessel to the ladders in the lock.
4. Every vessel in the lock must be secured with the necessary mooring lines to avoid forward and backward movements of the vessel.
5. If the vessel has sunk or is at risk of sinking, if it is insufficiently moored and is lying in such a way that it endangers the engineering structures, the Harbour Master, or his delegates or appointees, are authorized to impose any measures on the skipper or captain which he deems necessary, even those which are not provided for by the present regulations. If the captain or skipper cannot immediately carry out the measures imposed, the Harbour Master or his delegates or appointees may have them carried out at the expense and risk of the vessel.
6. It is forbidden, except for authorized persons, to walk over the lock doors.
7. When approaching the mooring place and before entering the locks, vessels shall have sufficient throw lines and mooring lines ready, both fore and aft, and the personnel necessary for a safe mooring must be present.

### **Section 4: “Admission / Refusal”**

In so far as the provisions of this chapter do not stipulate otherwise, no vessel may moor or be moored at any of the heads of locks, in the access channels, without the explicit - and at all times revocable - permission of the Harbour Master or his delegates or appointees, and provided that the conditions imposed are strictly observed.

If, upon entering or leaving the lock, the captain or skipper of the vessel provides false information regarding the vessel's draft, he shall be obligated to compensate 'PO' and/or third parties for any damage arising thereof.

## **Section 5: “Inland navigation”**

For inland waterway vessels on the part of the Ghent-Ostend canal between the Plassendale bridge and the Doksluis lock, the General Police Regulations for the Shipping on the Inland Waters (APSB) RD of 24 September 2006 is applicable, as well as the General Regulations for the Shipping Waters of the Kingdom RD of 15 October 1935, supplemented, improved or amended by the Royal and Regent Decrees up to and including the RD of 5 March 1999.

Notification of an inland waterway vessel must be done by the recipient or the shipper of the goods, by means of electronic notification, on the forms to be obtained from the Harbour Master’s Office or via the officially provided system.

## **23: INSPECTION ON BOARD OF SHIPS**

### **Advice by a shipping expert**

If the need arises, the Harbour Master may seek expert advice and/or a certificate from a shipping expert certified by the Commercial Court.

The cost of this certificate shall be borne by the vessel, the master, the owner or the shipper. Permission to sail after inspection may be withheld until the costs are paid or deposit for payment is provided.

## **24: EMERGENCY PORT**

Without prejudice to the provisions regarding access to places of refuge of the Belgian Shipping Code and the Decree of 16 June 2006 concerning the guidance of shipping on the maritime access routes and the organization of the Maritime Rescue and Coordination Centre, the entering of the port of Ostend by a ship in distress or a ship in need of assistance is subject to the following conditions:

1. No dry dock is required.
2. An opinion from a shipping expert certified by the Commercial Court after an assessment on board of the ship in distress.
3. The ship's P&I club will supply the Port Authority in writing with a sufficient financial deposit as a guarantee.
4. A suitable berth must be available.
5. This must be in accordance with the Law and the Decree on the implementation of the European Traffic Monitoring Directive as well as in accordance with the 'Contingency Plan for the North Sea'.

*These regulations were approved by the board of directors of 'Port of Ostend NV Public Liability Company' on the date of 29 September 2020.*