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1. GENERAL INFORMATION

This is a translation of the official document "FORRETNINGSBETINGELSER LONGYEARBYEN HAVN 2019" which is in Norwegian. The Norwegian document will always be dominant in any dispute.

All prices are in Norwegian kroner (NOK).
For further information see "LH Business conditions".

Guidelines for the pricing of Longyearbyen harbor is authorized by the Norwegian Act of 17th April 2009 No. 19 relating to ports and waterways § 10 and § 25, cf. Regulation of 30th December 2010 about the ports and waters of Svalbard.

1.1 PRICE, OFFER, PAYMENT

Price

Customers are required to pay the price that has been adopted, or the price agreed.

Currency

All prices are in Norwegian kroner.

Offers

All offers Port of Longyearbyen make are non-binding until the customer's acceptance of the offer has been returned to Port of Longyearbyen.

Payment

Payments are due 14 calendar days after the invoice date.

Collateral

Port of Longyearbyen can demand security or advance payment for services.

2. REGULATED FEE

2.1 DOCKING FEE

Purpose and authority

The fee will cover the costs of the exercise of public authority and the costs to facilitate the safety and accessibility in Longyearbyen Lokalstyres sea areas. The fee is set by "Fiskeri og kystdepartementet" pursuant to Act 17 April 2009 No. 19 relating to ports and waterways § 10 and § 25, and associated regulations.

Fee area

Fee area corresponds to Longyearbyen's land use plan area of the sea as determined pursuant to Act 15 June 2001 No. 79 relating to environmental protection in Svalbard § 47. Docking fees shall be imposed per call. A call means the entry and departure. On several calls to the port during the same day, the fee is imposed only once.

Calculation of the fee

The fee is calculated from the basis of the vessel's gross-tonnage in accordance with the International Convention on Tonnage Measurement of Ships, 23 of June 1969.

For vessels with a maximum length of 15 meters that are not measured nor have a valid certificate, the Port Authority will set an appropriate tonnage.

Exemption from docking fees

- a) vessels with overall length of less than 15 meters, rescue and icebreaker vessels in connection with salvage and iceberaking, naval vessels– Norwegian and foreign, Kystverkets vessels in connection with work in the waters, Governor of Svalbard service vessels and the Norwegian PolarInstitute's vessels in connection with work in the waters of Svalbard, vessels calling at the port because of injury or emergency, and vessels who does not load, unload or take on board passenger, or vessels passing through are all exempt from the fee.

Arrival notice

The master of a vessel or a representative of the vessel shall give advance notice to the port before the vessel calls the port, if possible at least 24 hours before arrival. Advance notification is preferably given by e-mail. Cancellation or modification of the calls shall be reported in the same way.

Payment obligation

Ship owner and the agent responds solidarity for port fees, see the Norwegian Harbour Act, § 25 fourth paragraph.

3. FEES FOR USE OF INFRASTRUCTURE

Port of Longyearbyen may claim compensation for all services and all use of port areas and special port facilities in Longyearbyen. Port of Longyearbyen may have ice in fixed or drifting form at all seasons. Port of Longyearbyen accepts no responsibility for damage to the vessel or equipment as a result of ice or icedrift. Vessels must evaluate ice conditions at any time.

3.1 PIER FEES

Calculations of the fee

The fee is calculated on the basis of the vessel's gross tonnage in accordance with the International Convention on Tonnage Measurement of Ships, 23 in June 1969.

For vessels with a maximum length of 15 meters that are not measured nor have a valid certificate, the Port Authority will set an appropriate tonnage. Recreational Vessels pay by the vessel's longest length. Tender boats that use floating piers to set ashore and/or take on board passengers, crew or supplies, pay per tender arrival.

Time at the pier is counted from the time the vessel touches the pier or heaves a line ashore, until all lines are cast off. However, the minimum fee is for 24 hours. After 24 hours, the excess part of 6 hours or less are considered ½ days, and pays half fee.

Vessels who must shift from the pier to make room for another vessel under orders from the port authorities, and then return to the dock again, are considered not to have left the pier. If the absence from the pier is over 3 hours, the time shall be deducted from the estimated length of stay by the time the vessel has been away from the dock. If a vessel shifts from a quay to another without leaving the docking fee area, time will be calculate as if the vessel had been at the quay without interruption.

A vessel moored on the side of another vessel using the quay, pays as if the vessel was moored to the quay. Naval ships, both Norwegian and foreign are exempt from the fee.

3.2 CARGO FEE

Goods

Fees are to be paid for all cargo unloaded or loaded at Port of Longyearbyens public docks. The calculation of the fee is based on the item's gross weight in metric tons,

including packaging. Volume cargo is converted to weight units, 1 m³ = 0.5 tons. The calculation shall in no case be less than the actual weight of the cargo.

Cargo means goods that are packaged, palletized, stowed in containers or devices stowed loose in the cargo hold. Bulk cargo means cargo (dry or liquid) that is unpackaged and loose, stowed directly in the cargo hold.

Goods arriving in the port with a vessel to be forwarded with another vessel, shall be charged at arrival. Cargo which is forwarded to interntional ports is charged at departure. Transport operators and brokers shall continuously transmit data on the quantity of cargo for each ship call. Carriers, brokers and expeditors undertake the collection of trade charges from commodity owner.

Exemptions of cargo fee:

- Passengers luggage
- Provisions, and the ship's fuel and stores for the ship's own use

Passengers

Passenger fee shall be paid for all passengers embarking or disembarking over a quay or floating pier with tenders, and is calculated based upon passenger lists from the vessels captain or agent.

Anyone who is not part of the crew is considered to be a passenger.

3.3 FEE FOR RENT OF AREAS

It is not under any circumstances allowed to leave cargo, merchandise or debris within the fenced area of the ISPS quay after the ship's departure. Violation of this results in a fee kr. NOK 16.500,00

Rental of areas in the port must be pre-arranged with the port authorities.

– 3.3.1 Area rental

For goods/cargo stored at Port of Longyearbyen's piers, quays, premises or other facilities more than 48 hours after unloading and more than 48 hours before loading, triggers a fee for rental of area.

– 3.3.2 Parkering

Parking of vehicles outside marked parking spaces must be arranged with the with port authorities.

3.4 FEE FOR USE OF SEA AREAS

Vessels stored in the port may be charged. For specialized vessels like drilling rigs, production vessels, pipe laying vessels, crane vessels and lother structures that anchor in the port area and consumes sea areas, the operator will pay a fee as agreed upon with the port.

4. OTHER FEES

4.1 WASTE FEE

Sorted waste can be delivered in containers on Bykaiaterminal. Hazardous waste can only be delivered by arrangement with the port authorities. The price is calculated by m³ or kg.

A waste declaration is to be delivered to the port authorities before arrival. Vessels failing to do so will be charged with a fee per person or GRT, based on their traffic schedule.

It can be reduced or waived if it is documented that the ship delivers waste in another port, or if other circumstances dictates it. Delivery of waste in violation of sorting fractions entails fee pr. wrong sorted fraction set to NOK 16 500, -

4.2 ISPS-FEE

General information

The ISPS code (The International Ship and Port Facility Security Code) is prepared by the International Maritime Organization (UN), and was ratified 12th of December 2002. The purpose of the rules is to protect vessels, including crew and passengers in international traffic against acts of terrorism.

Regulations relating to ports and waters of Svalbard of 30th December 2010 makes the ISPS code apply to Svalbard. The ISPS fee is the vessel's payment to cover the costs of investment and operation of security and terrorism preparedness in port of Longyearbyen.

All ships calling at an ISPS-compliant port facility shall pay the ISPS fee.

4.3 PROCESSING FEE

Processing fees can be determined by actual time spent, in the following cases:

- For processing based on the Norwegian Act of 17th April 2009 No. 19 relating to ports and waterways § 10 and § 25, cf. Regulation of 30th December 2010 about the ports and waters of Svalbard.
- Other work LH processes in accordance to the regulations within our area of responsibility, and that is not covered by this document of Business conditions
- or where the processing cause an unreasonable amount of extra work.

In these cases the hourly rate for the work follow the rates for: "Hourly rate for consultant services and manpower".

5. SERVICES

5.1 WATER DELIVERY

Delivery is by self-service, counter's start and end values are entered on a form hung on the wall in the water house. If there is a need for assistance, one hour of man power work will be charged.

Outside normal working hours the charge will be the actual costs.

5.2 ELECTRICITY

Delivery of electricity must be agreed upon before arrival. Connecting will trigger a charge of one working hour.

Outside normal working hours the charge equals the actual cost.

5.3 HIRE OF LABOR

Responsibilities Port of Longyearbyen:

We provide qualified personnel with the necessary certificates/approvals.

Customers responsibilities:

Must comply with the requirements Port of Longyearbyen has regarding rules for health, environments and safety, as well as internal and governmental requirements.

6. EQUIPMENT RENTALS

6.1 PORT VESSELS

The port has two harbor boats, Pilot "Elling Carlsen" with 6-tons of bollard pull, and "Port Control Longyear 2" with 2-tons of bollard pull. The vessels can be leased by agreement, including 2/3 crew with necessary certificate-approvals.

6.2 LOADER WITH DRIVER

The port has an Volvo L60 wheel loader with forks. Furthermore, it can be equipped with a snow blower, sweeper, excavation unit and various other tools. Rental is with a driver with necessary certificates/approvals.

