

Sundry Services

Port Pilot Tariff for the Port of Cuxhaven, Man-
aged by Niedersachsen Ports GmbH & Co. KG
effective as of 1/1/2024

Contents

| | |
|-----------------------|---|
| I. Port Pilot Fee | 2 |
| II. Port Pilots Dues | 3 |
| III. Final Provisions | 3 |

- (1) For the use of a port pilot, a Port Pilot Fee must be paid.
- (2) For ocean-going vessel using the Port of Cuxhaven that are required to take on a port pilot or that voluntarily want to use such service, Port Pilot Dues must be paid.
- (3) The Port Pilot Fee and the Port Pilot Dues are owed, jointly and severally, by the ship owner, the operator, and the charterer (debtors).
- (4) The amount of the Port Pilot Fee and the Port Pilot Dues are calculated as follows:

I. Port Pilot Fee

1. The Port Pilot Fee is based on gross tonnage (GT) pursuant to the London Convention (ITC 69). For ships not covered by the London Convention, a gross registered ton (GRT) survey may also be used (1 GRT = 1 GT).
 - 1.1 For transit piloting between the River Elbe and the berth in the port (the ship travels from position Elbe I or Brunsbüttel to the berth in the Port of Cuxhaven or vice versa continuously under piloting advice from one and the same pilot) the Port Pilot Fee is

| | |
|--|------------|
| a) for ships up to 500 GT | EUR 43.51 |
| b) for ships above 500 GT up to 1,000 GT | EUR 61.18 |
| c) for ships above 1,000 GT up to 2,000 GT | EUR 74.13 |
| d) for ships above 2,000 GT up to 3,000 GT | EUR 89.74 |
| e) for ships above 3,000 GT up to 4,000 GT | EUR 106.05 |
| f) for ships above 4,000 GT up to 6,000 GT | EUR 118.24 |
| g) for ships above 6,000 GT up to 8,000 GT | EUR 137.27 |
| h) for ships above 8,000 GT up to 12,000 GT | EUR 167.18 |
| i) for ships above 12,000 GT up to 18,000 GT | EUR 209.38 |
| k) for ships above 18,000 GT up to 25,000 GT | EUR 261.00 |
| a) for ships above 25,000 GT | EUR 312.67 |
 - 1.2 For port piloting (the ship travels within the Sea Pilot Territory Elbe without piloting advice, but requires/desires a port pilot upon entering the port or when leaving the Port of Cuxhaven) and for the shifting of ships, a surcharge of 100% is levied on the amounts specified in section 1.1.
2. If the requested port pilot has come aboard on time, and the craft does not commence its journey at the agreed upon time for reasons within the ship commander's responsibility, an additional fee of EUR 94.69 per hour of waiting time will be levied after the expiry of one hour.
3. If the requested port pilot is not taken on board or is released without having exercised any piloting duties, a lump sum fee of EUR 69.65 will be levied, notwithstanding section 1.

II. Port Pilots Dues

For transit piloting or shifting of berths within the port with

the help of a pilot, the Port Pilot Dues are EUR 113.25;
for port piloting for each mooring or unmooring of the ship EUR 201.07.

III. Final Provisions

Final Provisions

I. Tax Provisions

The fees stipulated in this Port Tariff – with the exception of the harbor dues for leisure boats and traditional ships – are net amounts within the meaning of the Value Added Tax Act, to which the statutory VAT may have to be added.

II. Other Provisions

- (1) If not otherwise stipulated in conjunction with the respective fees, the general rule is that the party that ordered the service(s) is responsible for the payment of fees for the utilization of services. Multiple ordering parties will jointly and severally liable.
- (2) The fees according to this schedule are payable 14 days after receipt of invoice. Niedersachsen Ports is entitled to demand payment for the harbor dues according to § 2 before the ship's departure.
The fees for leisure crafts and the monthly and annual lumpsum fees must be paid in advance.
- (3) If the payment is late, we will levy default interest. The amount of default interest is determined based on the provisions of the German Civil Code (BGB) of 8/18/1896 (Fed. Law Gazette RGBL. p. 195), as amended, and of the legal notice of 1/2/2002 (Fed. Law Gazette BGBL. I p. 42) as amended from time to time.
- (4) Offsetting against our receivables in conjunction with this schedule is permissible only with undisputed or ultimately legally binding and due counterclaims.
- (5) Fractions of calculation units (time, weight, area, and spatial measurements) are billed as whole units.

III. Final Provision

This tariff becomes effective on January 1, 2024.

At the same time, the Port Pilot Tariff previously in effect since January 1, 2023 for the Port of Cuxhaven, managed by Niedersachsen Ports GmbH & Co. KG, will cease to be in effect.