



2021 FEE DOCUMENT

NOTICE TO PUBLIC

EFFECTIVE April 1, 2021

## TABLE OF CONTENTS

FEE DOCUMENT .....	1
1.0 PREFACE / NOTICE TO PUBLIC.....	3
Contact Information .....	3
2.0 TERMINOLOGY .....	5
2.1 Definitions.....	5
2.2 Abbreviations.....	8
2.3 Conversion Factors .....	8
2.4 General Terms and Conditions .....	9
3.0 HARBOUR DUES.....	13
4.0 WHARFAGE.....	14
5.0 BERTHAGE .....	15
6.0 VESSEL CHARGES .....	16
7.0 TERMINAL LABOUR CHARGES.....	16
8.0 PASSENGER TERMINAL CHARGES .....	16
9.0 DUKE POINT ROLL-ON ROLL-OFF BARGE RAMP .....	16
10.0 PORT AUTHORITY SERVICES .....	16
11.0 PASSENGER FEES .....	17
RATE SHEET 1 (RS1) HARBOUR DUES .....	18
RATE SHEET 2 (RS2) - WHARFAGE .....	19
RATE SHEET 3 (RS3) – BERTHAGE.....	20
RATE SHEET 4 (RS4) - VESSEL CHARGES .....	21
RATE SHEET 5 (RS5) - PASSENGER TERMINAL AND CRUISE VESSELS .....	22
RATE SHEET 6 (RS6) – DUKE POINT BARGE RAMP .....	23
RATE SHEET 7 (RS7) - PORT AUTHORITY SERVICES .....	24
RATE SHEET 8 (RS8) – PASSENGER FEE .....	26

## 1.0 PREFACE / NOTICE TO PUBLIC

This document is prepared and issued by the Nanaimo Port Authority (herein after called the “Port Authority”) and may be cited as the “Fee Document”.

Aside from conditions stipulated by Section 51 of the Canada Marine Act, this Fee Document may be amended, revoked, replaced or otherwise altered by the Port Authority, in its sole discretion at any time without prior notice.

Information regarding facilities terms and conditions and fees, as provided in this Fee Document may be obtained at the following address.

### Contact Information

Corporate (Courier) Office:	Nanaimo Port Authority 100 Port Drive Nanaimo, BC Canada V9R 0C7
Mailing Address:	PO Box 131 Nanaimo, BC Canada V9R 5K4
Telephone:	250-753-4146
Fax:	250-753-4899
Email:	<a href="mailto:info@npa.ca">info@npa.ca</a>
Website	<a href="http://www.npa.ca">www.npa.ca</a>

For Shipping Terminals Handling and Cargo Operations please contact partners below:

### **DUKE POINT TERMINAL**

DP World Nanaimo Inc.  
Pamela Ellison  
Terminal Manager  
#1 – 750 Jackson Road  
Nanaimo, BC V9X 1J2  
Phone: (250) 722-2290  
Email: Pamela.Ellison@dpworld.com

### **NANAIMO ASSEMBLY WHARVES**

BC Vehicle Processing Centre  
Ryan McGillis  
VPC Manager  
60 Port Drive  
Nanaimo, BC V9R 0C7  
Phone: (250) 688-2645  
Email: rmcgillis@bcvpc.com

Western Stevedoring  
Brent Shillito  
Operations Manager  
5105 Tzouhalem Road  
Duncan, BC V9L 6Y1  
Phone: (250) 710-8378  
Email: bshillito@westeve.com

### **CRUISE CALLS and DUKE POINT ROLL-ON/ROLL-OFF BARGE RAMP**

Nanaimo Port Authority  
Jason Michell  
VP, Business Development  
100 Port Drive  
Nanaimo, BC V9R 0C7  
Phone: (250) 734-3457  
Email: jmichell@npa.ca

## 2.0 TERMINOLOGY

### 2.1 Definitions

**“All Cargoes N.O.S.”** means all other cargoes not otherwise specified within this tariff.

**“Automobile”** means a motorized wheeled vehicle the primary purpose is ordinarily the transportation of passengers and light packages or baggage, including personal vehicles, pickup trucks, minivans and sport utility vehicles.

**“Barge”** means a box shaped vessel propelled by a towboat used to transport goods on waterways.

**“Berth”** means a wharf, pier, or other marine structure or property used for mooring vessels.

**“Berthage”** applies to a vessel occupying a berth or is made fast to or tied up alongside any other vessel occupying a berth at the Nanaimo Assembly Wharf, or Duke Point Assembly Wharf.

**“Berthage Fee”** means the fees prescribed in section 5 in respect of a Vessel that occupies a berth or is made fast to or tied up alongside any other Vessel occupying a berth at Port Authority Property (see also RS3).

**“Bill of Lading”** means the bill of lading issued by the ocean carrier to distinguish a shingle shipment of goods or cargo carried by the vessel.

**“Breakbulk Cargo”** means cargo which transits Port Authority Property in units or packages (not including containers)

**“Bulk Cargo”** means any liquid, nodule, particle or granulated cargo which transits Port Authority Property in bulk without packaging.

**“CMA”** means *Canada Marine Act, S.C. 1998, c.10*

**“Cargo”** means merchandise conveyed by a mode of transportation such as an ocean vessel.

**“Carrier”** means a party engaged in the transport of cargo, containers, and/or passengers

**“Container”** means a freight container complying with ISO standards which has been designed for the carriage of goods and cargo by one or more modes of transport. It is a single rigid, intermodal, dry cargo, insulated, refrigerated, flat rack, platform, liquid tank, or open-top container unit, demountable, without wheels or chassis attached, furnished with unique identification numbers and marking. Unless otherwise specified herein, this term refers to both empty and laden containers. Containers have construction fittings and fastenings, compatible with the lifting beams of container handling equipment, to be able to withstand, without permanent distortion, all of the stresses that may be applied when lifted by container-handling equipment.

**“Containerized Cargo”** means cargo in containers between vessels and inland carriers or vice versa, vessel to vessel, to or from a warehouse or between inland carriers in a container.

**“Goods”** means any cargo, livestock or other animals, commodity, thing or product within the harbour to be transported by ship, whether incoming or outgoing, whether loaded, unloaded, stored or handles, whether containerized or not and whether carried under a bill of lading or not.

**“Gross Registered Tonnage”** means the gross tonnage stated in the certificate of registry or tonnage certificate of a ship and where the ship has more than one gross registered tonnage, means the largest gross registered tonnage of that ship.

**“Harbour”** means all the navigable waters set out in the Port Authority’s Letters Patent and Supplementary Letters Patent.

**“Harbour Dues”** means the fees payable by a vessel as set out in section 3 calling the Harbour (see also RS1).

**“Length Overall” (“LOA”)** means the maximum length overall of the vessel in metres as stated on the certificate of registry or an alternate certified document that declares the maximum length of the vessel.

**“Letters Patent”** means Letters Patent issued by the Minister of Transport to the Authority and made effective July 1, 1999 and all Supplementary Letters Patent issued thereto.

**“MFBM”** means 1000 foot board measure.

**“N.O.S.”** not otherwise specified.

**“Non-Working Period(s)”** means for the purposes of calculation of Berthage Fees set out in section 5 are limited to Christmas Day, New Years’ Day and Labour Day, always subject to the vessel in fact not being worked, meaning there is no loading or unloading of cargo and/or passengers.

**“Ocean Carrier”** means vessel owners, their agents, employees or charterers.

**“Operator”** means an organization that is contracted with the Port Authority as the authorized party to perform cargo and container handling activities on Port Authority Property. An operator includes service and management contractors of the Port Authority.

**“Outbound”** (aka “export”) means the movement of containers, cargo or goods from an inland carrier to a place of rest on Port Authority Property and its subsequent transfer onto a vessel.

**“Overtime”** hours worked outside of regular time

**“Owner”** means the person who owns property and, for greater certainty, includes:

- a) In the case of a vessel or shipping or cruise line: the agent, charterer by demise, master or person in apparent control of the vessel; or
- b) In the case of goods: the agent, sender, consignee or bailee of the goods, or the carrier of goods to, upon, over or from the Port Authority Property

**“Passenger”** means a fare-paying person who comes into or leaves the Harbour (whether by a Passenger Service or otherwise).

**“Passenger Fees”** means a fee imposed in respect of each passenger coming into or leaving the Harbour.

**“Port Authority”** means Nanaimo Port Authority, and includes the officers, employees, servants and agents of the Nanaimo Port Authority

**“Port Authority Jurisdiction”** includes the navigable waters in that part of the Strait of Georgia adjacent to the City of Nanaimo. This jurisdiction is more specifically described in the Port Authority’s Letters Patent and Supplementary Letters Patent.

**“Port Authority Property”** means all real property set out in Schedule B or other real property set out in Schedule C to the Authority’s Letters Patent and Supplementary Letters Patent.

**“Regular Time”** Regular time is Monday to Friday 0830 hrs to 1630hrs excluding recognized holidays

**“Scribner”** means the quantity of one inch boards (board measure, abbreviated to BM) of sawn lumber configured in the cross section of a log measured at its smallest end, allowing for ¼ inch saw kerf between each board, multiplied by the length of the log to the nearest full foot. The sum of the calculation is the quantity of BM of sawn lumber contained in the log as determined by a certified log scaler.

**“Shipment”** means a single consignment of cargo and goods tendered on one shipping document at one time from one point of origin by one shipper for one consignee to one point of destination. A shipment which is transported by a vessel is distinguished by a separate bill of lading issued by the ocean carrier

**“Shipping Line”** means a common carrier of goods, for a charge, but does not include a consortium, shipping conference, affiliated companies or a vessel sharing agreement.

**“Storage”** means the service of providing Port Authority Property for the storage of inbound or outbound cargo or goods

**“Stores”** means vessel supplies

**“TEU”** means the standard conversion basis of comparing container loads based on length measurement.

- a) Containers with a length less than feet shall be equal to 1 TEU;
- b) Containers with a length equal to or greater than 40 feet but less than 45 feet shall be equal to 2 TEU’s
- c) Containers with a length equal to 45 feet shall be equal to 2.25 TEU’s; and
- d) TEU measure for containers with a length greater than 45 feet shall be determined by dividing the length, in feet, by twenty to the nearest second decimal point.

**“Tonne” (“MT”)** means, with reference to weight, one thousand (1,000) kilograms, and, with reference to measurement, one cubic metre. In the case of charges for all cargoes not otherwise specified (NOS), the charges in this tariff shall be calculated on whichever of the weight or measurement of the cargo yields the greater revenue to the Port Authority.

**“Tonnage Measurement Certificate”** means a certificate that is issued by a surveyor of ships appointed under the *Canada Shipping Act* and regulations thereto, that sets out the Registered Gross Tonnage of a Vessel or an International Tonnage Certificate issued under the provisions of the *International Convention on Tonnage Measurement of Ships*, 1969.

**“Transshipment”** means to transfer cargo from one vessel to another for further transportation to another port with said transfer occurring completely on Port Authority Property; in the case of laden containers, without the container being de-stuffed or altered in form or composition.

**“Usage”** means the use of Port Authority Property or Port Authority jurisdiction by any rail carrier, lighter operator, trucker, shipper or consignee, its agents, servants, and/or employees, when it performs its own car, lighter or truck loading or unloading or the use of said facilities for any other gainful purpose for which a charge is not otherwise specified.

**“Vehicle”** means any and all types of wheeled or tracked units of Cargo, excluding Automobiles, able to be moved on the Berth Corridor and loaded or discharged from Vessels by rolling either self-propelled or towable; including but not limited to heavy trucks and equipment, agricultural equipment, other tracked or wheeled units, machinery, and any and all similar types of Cargo.

“Vessel” means any ship, barge or floating craft that engages in commercial activity.

“Wharf” means a pier or other marine structure, property, facility or an anchorage used for the transfer of cargo and goods.

“Wharfage” applies to the cargo or vessel on all cargo passing or conveyed over, onto, or under wharves or between vessels (to or from barge, lighter, or water), when berthed at wharf or when moored in slip adjacent to wharf. Wharfage is solely the charge for use of the wharf and does not include any other service.

“Wharfage Fee” means a fee imposed in respect of goods moved across Port Authority Property or under Port Authority jurisdiction as described in section 4 (see also RS2).

“Working Period(s)” means all other period or periods of time outside those deemed non-working periods as defined earlier in this section. In the case of passenger vessels, this also means those period or periods of time when the passenger vessel is loading or unloading passengers, stores or both, usually signified by a ramp or gangway being in position.

## 2.2 Abbreviations

The abbreviations in this Fee Document carry the following meanings:

GRT	Gross Registered Tonnage
LOA	Length Over All (in metres)
MFBM	One Thousand Foot Board Measure
NOS	Not Otherwise Specified, specifically in reference to goods and cargo
TEU	Twenty-foot Equivalent Unit

## 2.3 Conversion Factors

The following conversion factors will be used to convert weight and measurement or other values when needed to apply the applicable fee(s) contained in this Fee Document:

Converting From		Converting To
Kilogram (kg): one	Equals	2.2046 Pounds
Litre (L): One	Equals	0.2200 Imperial Gallons
	or	0.2642 U.S. Gallons
Metres (m): one	Equals	3.2808 Feet
Tonne	Equals	1,000 Kilograms
	or	2,204.6 Pounds
	or	1.1023 Short TONS
	or	0.9842 Long TONS
MFBM: One	Equals	1,000 Foot Board Measure (FBM)



## 2.4 General Terms and Conditions

### 2.4.1 Rate Application

- a) The Fee Document is published by the Port Authority in accordance with the Canada Marine Act as notification of the Port Authority's fees and charges, and specifically how they apply.
- b) Fees and terms may be amended, revoked or replaced by the Port Authority upon sixty (60) days' notice if section 51 of the Canada Marine Act applies to them. Any other fees and terms of this Fee Document may be amended or revoked by the Port Authority without prior notice.
- c) The Fee Document applies within the navigable waters and real property under the jurisdiction and management of the Port Authority as described in the Port Authority Letters Patent and Supplementary Letters Patent.

### 2.4.2 Right to Refuse

The Port Authority reserves the right to inspect without responsibility for demurrage, loss, or damage attaching, to refuse to accept, receive unload or to permit operators, ocean and inland carriers to discharge cargo, containers, or goods without hindrance.

### 2.4.3 Compulsory Removal of Cargo, Container or Goods

The Port Authority may, by written notice to the assigned operator of cargo, containers or goods that are on Port Authority property, require the removal of the cargo, containers or goods at the operator's expense and risk. Upon receipt of such notice, the operator shall remove the cargo, containers or goods forthwith from the Port Authority Property.

### 2.4.4 Removal of Abandoned/Objectionable Cargo

The Operator reserves the right to move abandoned cargo and dispose of such cargo sixty (60) days after notice as well as remove freight or other material which in its judgment is likely to damage other property, to another location, at the risk and expense of the owner.

### 2.4.5 Shipper's Requests and Complaints

Shipper's requests and complaints shall be promptly and fairly considered by the Port Authority provided that they are submitted in writing to Port Authority at the address listed in the fee document. When the action of the Port Authority in response to a shipper's request or complaint requires tariff change, no such change will be retroactive.

### 2.4.6 Dangerous Goods

The acceptance, handling or storage of dangerous goods within the Port Authority's jurisdiction, including goods that are to be loaded, discharged or remain on board a vessel (including barges), is subject to obtaining prior approval from the Port Authority. Such goods are to be handled in compliance with applicable dangerous goods codes, regulations, and acts. For more information, please refer to the *Practices and Procedures to be followed by Ships in the Port of Nanaimo* document Section 6 Dangerous Goods and Explosives – Special Safety and Security Measures.

#### 2.4.7 Charges Generally

- (a) The charges prescribed by the Fee Document are in addition to any other Fee, notice or law, or any other charges that may be owing to the Port Authority.
- (b) The fees prescribed in the Fee document do not include applicable federal, provincial or municipal taxes. Such taxes will be added to invoices where required.
- (c) All invoices issued by the Port Authority for administration and user fees and charges, as provided in the Fee Document, shall be subject to a minimum billing charge of \$100.00
- (d) All fees are quoted in Canadian Dollars

#### 2.4.8 Refuse Materials and Rubbish

Rubbish, refuse or other materials, must upon demand, be removed from the yard, apron, or other areas within the confines of the facility by the person or persons placing it there; otherwise it will be removed at the expense of the party responsible.

Discharging rubbish or any debris into slips or channels or on the Terminals is strictly prohibited. Violators who do not remove debris or rubbish upon demand by the Port Authority shall be charged with the expense of removal plus a removal fee of \$5000.00.

#### 2.4.9 Security

Operators, ocean and inland carriers, and other users within the Port Authority's jurisdiction shall require their members to comply with any security procedures established by the Port Authority and any security laws, statutes, and regulations in force while on or using the Port Authority's Property.

#### 2.4.10 Liability

- a) Cargo, containers and goods: It is a condition of the use or any Port Authority property referred to in this Fee Document that the Port Authority shall not be liable for any loss or destruction of or damage to any goods or property unless:
  - i. The loss, destruction, damage or injury, whether direct or indirect, occurred solely as a result of the negligence of an officer or employee of the Port Authority, acting within the scope of their duties or employment; and
  - ii. Legal proceedings to enforce a claim for such loss, destruction or damage are instituted within one year from the time the loss, destruction or damage was incurred.
- b) Notwithstanding the generality of sub-section (a) above, it is a condition of the use of any Port Authority Property referred to in this Fee Document that the Port Authority is not liable for any loss or destruction of or damage to any goods or property in any amount exceeding the lesser of either of the following:
  - i. The landed cost of the goods, including invoiced cost, as paid to the supplier, plus freight, insurance and any duty paid and which is not refundable; or
  - ii. \$100.00 per package or per customary freight unit unless the nature and value of the goods is declared in writing to the Port Authority at or before the time the goods are received on Port Authority Property.

- c) Injury to persons (including death) and property damage: The Port Authority shall not be liable for the death of or personal injury to any person, including but not limited to persons in the employ of the operator, persons associated with the transfer and handling of cargo, containers or goods, and/or vessel passengers and crew, visitors, invitees and other persons, unless such personal injury or death occurs directly and solely as a result of the proven negligence or willful misconduct of the Port Authority, or an officer or employee of the Port Authority while acting within the scope of their duties or employment.
- d) Owners risk: every vessel, float, derelict, pile driver, barge or section of logs or part thereof that occupies a berth at Port Authority Property is at the owners' risk while so berthed.
- e) Notwithstanding sub-section (a), (b) and (c), it is a condition of the use of the Port Authority Property that the Port Authority and its officers and employees shall in any event be entitled to the same exceptions, exemptions, restrictions and limitations with respect to liability as are set out in the carrier's favor in any bill of lading or similar document relating to the passenger or goods in question.

#### 2.4.11 Use of Port Deemed Acceptance

The Fee Document is binding upon any person entering the Port Authority's jurisdiction or using the Port Authority property regardless of their knowledge. Entrance or use constitutes complete acceptance of the Fee Document, its revisions or supplements and the term and conditions set forth.

#### 2.4.12 General Legal Provisions

##### a. Governing Law and Attornment

This Fee Document will be governed by and construed in accordance with the substantive laws of British Columbia and the federal laws of Canada applicable in British Columbia, without regard to the conflict of law rules of British Columbia that would apply a different body of law. All parties irrevocably submit to and accepts generally and unconditionally the exclusive jurisdiction of the courts and appellate courts of British Columbia with respect to any legal action or proceeding which may be brought at any time relating in any way to this tariff.

##### b. Force Majeure

The Port Authority shall not be responsible or held liable in damages if any obligation it may have to a party cannot be performed, in whole or in part, due to Force Majeure including but not limited to labour disputes, disturbances, riots, civil commotion, war or the consequences of war (declared or undeclared), terrorism or the consequences of terrorism, insurrections, requisitions, or the threat of requisition, priorities or any other action, direction, regulation or order of any competent authority or agency, natural occurrences beyond human control or influence, perils of the sea and of other waters, dangers of navigation, ice, public enemies, storms, floods, or any other matter or thing beyond the direct control of the Port Authority

#### 2.4.13 Charges Payable to Whom

All fees and charges are payable directly to the Port Authority or to the assigned operator of the Port Authority property at which the vessel, cargo, containers or goods are handled or passengers have transited. The operator of the Port Authority property collects the fees on behalf of the Port Authority.

#### 2.4.14 Payment of Fees

(a) The fees prescribed herein are due and owing by the owner to the Port Authority (or party shown on the invoice), within thirty (30) days of the invoice date and are in addition to any other fees that may be owing to the Port Authority or which are prescribed by another Port Authority by-law or notice.

(b) The fees herein are due and owing on or before the date shown on the invoice and where any fee is not paid within the time specified in sub-section (a) above, interest at the rate of one and one-half percent per month (eighteen percent per annum), or portion thereof, shall be payable on the unpaid balance. Interest shall be calculated from the date when the fees become due and owing and shall accrue and be payable by the owner without the necessity of any demand, therefore.

(c) Where any fees prescribed herein are owing in respect of any goods, those goods shall not be removed from Port Authority Property until the fees have been paid or arrangements for payment have been made to the satisfaction of the Port Authority.

#### 2.4.15 Weights and Measurements

Weights and measurements shown on shipping documents are subject to verification by the Port Authority and the actual scale weight or measurement of the shipment as determined by the Port Authority will govern rating and billing.

## 3.0 HARBOUR DUES

The Port Authority charges Harbour Dues to a vessel for each harbour call. Intended for recovery of investments and costs associated with harbour operations, including those contributing to harbour safety, security, environmental stewardship, cleanliness, as well as some common user infrastructure.

### 3.1 Application of Harbour Dues

- a. **Harbour dues shall be calculated as set out in Rate Sheet 1 (RS1)**
- b. The Harbour Dues payable in respect of a vessel:
  - i. are due as soon as the vessel enters the harbour and shall be paid to the Port Authority at its Office in Nanaimo;
  - ii. are in addition to any fees, charges, rates or tolls that are imposed by any other by-law or fixed under section 49 of the CMA or that may be owing to the Port Authority;
- c. Where two Registered Gross Tonnages are recorded on a Tonnage Measurement Certificate, the greater of those tonnages shall apply for the purpose of this Fee Document.
- d. Where the owner of a vessel is not able to produce to the authority a Tonnage Measurement Certificate, the Port Authority may estimate the gross tonnage of that vessel and the gross tonnage so estimated shall be deemed to be the Registered Gross Tonnage for the purpose of this Fee Document.
- e. If, within six months after an estimate of the gross tonnage of a vessel is made pursuant to subsection 3.1.d the owner produces a Tonnage Measurement Certificate to the Authority, the Harbour Dues payable in respect of that Vessel shall be recalculated on the basis of the gross tonnage shown on the Tonnage Measurement Certificate and any amount previously paid in respect of the Harbour Dues that is in excess of the Harbour Dues as recalculated, shall be remitted to the person who paid the Harbour Dues.
- f. Harbour Dues are payable by the Owner of the Vessel.

### 3.2 Exemptions

- a. Harbour Dues are not payable in respect of a Vessel:
  - i. that is of a non-commercial type or design and belongs to Her Majesty in right of Canada or Province or to a foreign government and is not engaged in commercial activity;
  - ii. Harbour Dues are not payable in respect of the same vessel more than five times in any one calendar year
  - iii. that is of a non-commercial type or design and is used solely for pleasure;
  - iv. that enters and departs the Harbour within a period of twelve consecutive hours without engaging in commercial activity;
  - v. that enters the Harbour in distress under its own power or under tow without engaging in commercial activity or;
  - vi. Canadian registry that is engaged exclusively in fishing operations that are authorized by a license issued to that vessel under the Fisheries Act, R.S.C. 1985, c.F-14, or pursuant to the North Pacific Fisheries Convention Act or the Northern Pacific Halibut Fishery Convention Act.
  - vii. do not apply in respect of a Canadian warship, naval auxiliary ship or other ship under the command of the Canadian Forces, a ship of a visiting force within the meaning of the *Visiting Forces Act* or any other ship while it is under the command of the Royal Canadian Mounted Police.

## 4.0 WHARFAGE

Wharfage is a fee for cargo, good, and container handling at Port Authority property or under Port Authority jurisdiction. The fee is based on the weight or measurement of the cargo and is variable by cargo type and/or commodity. Wharfage fees are intended to help recover investments and costs associated with the provision of Port infrastructure and services to handle cargo.

### 4.1 Application of Wharfage Fees

- a. **Wharfage fees** for non-containerized cargoes and laden containers, both import and export **are charged as set out in Rate Sheet 2 (RS2).**
- b. Wharfage fees shall not be imposed more than once in the respect of any Goods reshipped from Harbour except Goods that:
  - i. are removed from and later reshipped over Port Authority Property;
  - ii. are reshipped over Port Authority Property after alteration in form or composition on Port Authority Property
- c. the Port Authority reserves the right to classify any goods and the Port Authority's decision in this regard shall be final and binding
- d. Wharfage fees on laden containers are payable by the owner of the container, and wharfage fees for non-containerized cargo are payable by the owner of the goods.

### 4.2 Exemptions

- a. Wharfage fees shall not be imposed in respect of:
  - i. ships stores and bunker fuel used solely for a Vessel that is loading or unloading goods or paying Berthage in respect of Port Authority Property where the Port Authority does not issue a receipt for the stores and fuel
  - ii. repair materials, lining or ballast delivered to and for the sole use of a Vessel loading or unloading Goods or paying Berthage in respect of Authority Property;
  - iii. do not apply in respect of a Canadian warship, naval auxiliary ship or other ship under the command of the Canadian Forces, a ship of a visiting force within the meaning of the *Visiting Forces Act* or any other ship while it is under the command of the Royal Canadian Mounted Police.

## 5.0 BERTHAGE

The Port Authority charges a berthage fee based on the physical size of the vessel when it utilizes a berth owned by the Port Authority, as well as the vessel's length of stay at the berth. Such a fee also applies to vessels that are fast to or tied up alongside any other vessel occupying a Port Authority property berth. Berthage fees are intended to help recover investments and costs associated with the wharf apron, berth dredging and maintenance.

### 5.1 Application of Berthage Fees

- a. **Berthage Fees shall be calculated as set out in Rate Sheet 3 (RS3)**
- b. Berthage will be assessed on the registered overall length ("LOA") of the vessel in metres and will be calculated from the time when the first line is made fast to when the last line is cast off. The owner of the vessel will be charged per hour, rounded up to the nearest quarter of an hour.
- c. The Port Authority reserves the right in its discretion, to determine for the purposes of berthage fees the length of any vessel.
- d. Berthage Fees shall be paid by the Owner of the Vessel.

### 5.2 Exemptions

- a. Berthage Fees are not payable in respect of a Vessel:
  - i. that is of a non-commercial type or design and belongs to Her Majesty in right of Canada or a Province or to a foreign government and is not engaged in commercial activity;
  - ii. a tug that is docking or undocking another Vessel; or
  - iii. any other Vessel that is loading or unloading goods to or from any Vessel that is paying Berthage Fees to the Authority, if that Vessel is moored at Authority Property with the permission of the Authority
  - iv. do not apply in respect of a Canadian warship, naval auxiliary ship or other ship under the command of the Canadian Forces, a ship of a visiting force within the meaning of the *Visiting Forces Act* or any other ship while it is under the command of the Royal Canadian Mounted Police.

## 6.0 VESSEL CHARGES

Vessel charges such as communication and freshwater charges **shall be calculated as set out in Rate Sheet 4 (RS4)**.

## 7.0 TERMINAL LABOUR CHARGES

Terminal labour charges **shall be calculated as set out in Rate Sheet 4 (RS4)** and are set based on the BCMTOA rates.

## 8.0 PASSENGER TERMINAL CHARGES

Passenger terminal charges **shall be calculated as set out in Rate Sheet 5 (RS5)**.

## 9.0 DUKE POINT ROLL-ON ROLL-OFF BARGE RAMP

Barge ramp charges **shall be calculated as set out in Rate Sheets 2 (RS2) and 6 (RS6)**.

Under no circumstances can the Port Authority's properties or facilities be altered or repaired without expressed written consent from the Port Authority.

## 10.0 PORT AUTHORITY SERVICES

Port Authority service fees such as equipment, environmental, maintenance, storage, property, utility, operations and administrative fees **shall be calculated as set out in Rate Sheet 7 (RS7)**.



## 11.0 PASSENGER FEES

Passenger fees shall be calculated as set out in Rate Sheet 8 (RS8)

### 11.1 Application of Passenger Fees

In accordance with Sections 49 and 50 of the *Canada Marine Act*, it is the Policy of the Port Authority to fix fees to be paid in respect of persons coming into or using the Port at a public or private facility.

“Passenger Service” means a regularly scheduled passenger service transporting Passengers into or out of the Harbour.

“Passenger Service Operator” means a person or entity operating a Passenger Service.

Each Passenger Service Operator shall pay to the Port Authority either:

- (a) the Passenger Fees payable by it in accordance with the provisions of **Rate Sheet 8 (RS8)**; or
- (b) where the Passenger Service Operator has entered into a written agreement with the Port Authority pursuant to s. 53 of the *Canada Marine Act*, such fees as are set out in that agreement as payable instead of Passenger Fees.

Each payment pursuant to the above shall be accompanied by a statement in respect of the applicable period setting forth

- (a) the number of Passengers who paid their fare on the day they used the Passenger Service to enter or leave the Harbour
- (b) the number of Passengers who utilized pre-purchased tickets on the day they used the Passenger Service to enter or leave the Harbour; and
- (c) the number of pre-purchased tickets for the Passenger Service sold during that period.

Except as may otherwise be agreed by contract with an Operator, the Passenger Fees payable by the Passenger Service Operator are payable within 15 days following the end of the calendar month in which the Passenger entered or left the Harbour, or in the case of pre-purchased tickets, within 15 days following the end of the calendar month in which the tickets are purchased.

# RATE SHEETS

## RATE SHEET 1 (RS1) HARBOUR DUES

### Harbour Dues Fees

Harbour dues are payable on every vessel that enters the harbour at the following rates:

- i. Registered vessels, Gross registered tonnage, per GRT \$0.080
- ii. Unregistered vessels, Gross tonnage as determined by the Harbour Master, per GRT \$0.080
- iii. Minimum billing charges \$100.00

All rates are reviewed annually and updated periodically. To ensure that these are the most current rates please contact the Port office via email at: [info@npa.ca](mailto:info@npa.ca)

## RATE SHEET 2 (RS2) - WHARFAGE

### Wharfage fees

#### a. Non-Containerized Cargo

Commodity	Unit	Rate Per unit
Automobiles	Unit	\$25.00
Breakbulk – Logs	MFBM Scribner	\$3.50
Breakbulk – Lumber	MFBM	\$1.77
Kaolin	Tonne	\$1.66
Soil/Salt	Tonne	\$3.00
Bulk – Dry	Tonne	\$0.85
Bulk – Liquid	Tonne	\$0.75
All other goods NOS (not otherwise specified)	Tonne	\$1.87

*\*Wharfage based on tonnes or volume (cubic metre) whichever is greater.*

#### b. Containerized Cargo

Direct Call Laden	TEU	\$40.00
Direct Call Empty	TEU	\$25.00
Barge Laden	TEU	\$31.21

All rates are reviewed annually and updated periodically. To ensure that these are the most current rates please contact the Port office via email at: [info@npa.ca](mailto:info@npa.ca)

## RATE SHEET 3 (RS3) – BERTHAGE

### Berthage Fees

Charges for berthing a vessel will be:

- a. \$0.23 per metre of length overall per hour (or part thereof) at the Nanaimo Assembly Wharves and Duke Point Terminal, where length means the overall length of a ship in metres, or a
- b. Minimum charge of \$500.00 per day or part thereof.

All rates are reviewed annually and updated periodically. To ensure that these are the most current rates please contact the Port office via email at: [info@npa.ca](mailto:info@npa.ca)

## RATE SHEET 4 (RS4) - VESSEL CHARGES

### Communication Charges

Daily Charge Charges  
\$40.00

### Fresh Water Charges

Per Metric Ton \$4.95  
 Hose connections, per connection, includes 30 metres of hose \$165.00  
 Each additional 15 metre length of hose \$35.00

### Security Charges

All vessels on berth will be assessed a security fee of \$35.00 per hour

### Handling of Vessel Lines

#### Handling Vessels' Lines – In accordance with BC Marine Terminal Operators Association (BCMTOA) Rates

**HANDLING VESSELS' LINES**  
**RATES EFFECTIVE APRIL 1, 2021 to MARCH 31, 2022** **SCHEDULE 7**

Rates charged to vessels for the service of tying up and letting go vessels' lines will be as follows:

	<u>Tying Up</u>	<u>Letting Go</u>
8:00 a.m. to 4:30 p.m. Monday to Friday inclusive	\$2,040.00	\$1,362.00
4:30 p.m. to 1:00 a.m. Monday to Friday inclusive	\$2,529.00	\$1,688.00
1:00 a.m. to 8:00 a.m. Monday to Friday inclusive	\$3,087.00	\$2,060.00
8:00 a.m. to 4:30 p.m. Saturday	\$2,567.00	\$1,713.00
1:00 a.m. to 8:00 a.m. & 4:30 p.m. to 1:00 a.m. Saturday Sunday - All Shifts	\$3,170.00	\$2,115.00
Recognized Holiday at any time	\$3,923.00	\$2,617.00

The above rates are computed on a four (4) hour basis. Should any line call go beyond a four (4) hour call, such time in excess of four (4) hours shall be charged on the basis of 25% of the above charge for each hour or part thereof.

When more than one vessel is tied up or let go by the same gang within the same four (4) hour period, a thirty (30) per cent reduction will be allowed to each vessel.

The charges are to be based on actual hours paid to lines crew. When a line call straddles a shift change, the applicable charge shall be determined by adding the pro-rata rate in effect for the initial shift with the pro-rata rate in effect for the subsequent shift.

All rates are reviewed annually and updated periodically. To ensure that these are the most current rates please contact the Port office via email at: [info@npa.ca](mailto:info@npa.ca)

## RATE SHEET 5 (RS5) - PASSENGER TERMINAL AND CRUISE VESSELS

### Vessel Charges

Berthage:	\$4.20 per metre per 12 hour period
Harbour Dues	\$0.080 per GRT
Passenger Terminal Fee	\$8.50 per onboard passenger Includes security fees
CBSA (Customs Clearance fee if required)	\$2,000.00
Gangway Handling:	
Machinery rental	\$150.00
Labour (includes foreman and driver for 8 hours straight time)	\$1900.00
Labour cost exceeding 8 hours \$310.00 per hour – 2 hour maximum	
Use of the Port's gangway	Complimentary

### Ground Transportation

All vehicles entering the terminal for the purposes of picking up or dropping off passengers must obtain permission from the Port. Private tours or services not arranged through the cruise lines will be charged per vehicle per pick up:

Coach capacity over 30 passengers	\$250.00
Coach capacity of 15 to 30 passengers	\$150.00
Other Vehicles N.O.S.	\$100.00

### Handling of Ships Lines for Cruise Ships

Effective April 01 <sup>st</sup> , 2021	4 person let go	6 person tie up/let go	8 person tie up
1. 0800 hrs to 1630 hrs Monday to Friday	\$1,362	\$2,040	\$2,724
2. 1630 hrs to 0100 Monday to Friday	\$1,688	\$2,529	\$3,372
3. 0100 hrs to 0800 hrs Monday to Friday	\$2,060	\$3,087	\$4,116
4. 0800 hrs to 1630 hrs Saturday	\$1,713	\$2,567	\$3,423
5. 0100 hrs to 0800 hrs / 1630 hrs to 0100 hrs Saturday and at any time on Sunday	\$2,115	\$3,170	\$4,226
6. Recognized holidays at any time	\$2,617	\$3,923	\$5,231

**NOTE:** The above rates are computed on a four (4) hour basis. Should any line call go beyond a four (4) hour call, a second four (4) hour call will be charged.

All rates are reviewed annually and updated periodically. To ensure that these are the most current rates please contact the Port office via email at: [info@npa.ca](mailto:info@npa.ca)



## RATE SHEET 7 (RS7) - PORT AUTHORITY SERVICES

### Environmental Fees

a. Review of environmental testing	\$250.00
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### Maintenance Fees

a. Labourer (\$/hour)	\$65.00	Regular time	\$95.00 Overtime
b. Lead Labourer (\$/hour)	\$85.00	Regular time	\$110.00 Overtime

### Equipment Types and Charges

LHM500S Mobile Harbour Crane	\$850.00 /hour (Duke Point Only)
	\$5,000 Mob/De-mob per use
15,000lb Forklift	\$95.00 /hour
Pickup Truck	\$10.25 /hour

### Storage Fees

Car or Pick-up	\$6.00 per day
40' x 8' trailer	\$14.00 per day
62' x 8' SBT	\$17.00 per day

### Operations and Security Fees

Labour (\$/Hour)	Regular Time	Overtime
VP, Marine Operations / Safety (Harbour Master)	\$145.00	\$180.00
Manager, Marine Operations (Deputy Harbour Master)	\$115.00	\$145.00
Manager, Health Safety and Environment	\$115.00	\$145.00
Manager, Port Security Officer	\$115.00	\$145.00
Senior Harbor Patrol Coxswain	\$105.00	\$120.00
Harbor Patrol Deckhand	\$85.00	\$110.00

### Equipment

Vessels per Hour (including fuel)	\$170.00
Oil spill containment equipment – per foot per hour (max \$4.00 per foot per day)	\$0.20

### Overhead

Applicable on purchased materials and services	Cost + 15%
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## Port Pass Fees

Cost per Card	\$25.00
Annual Activation Fee	\$40.00
Lost port pass fee*	
1 <sup>st</sup> lost port pass	\$60.00
2 <sup>nd</sup> lost port pass	\$100.00
3 <sup>rd</sup> lost port pass	\$150.00
Thereafter	\$250.00
	Plus Port Authority interview plus other discretionary measures as deemed appropriate and in consultation with the Port Authority (e.g. port pass suspension)

## Property Agreements

Fees for review by Port Personnel:

Lease	\$750.00
Renewal or surrender of lease (at customer's request)	\$300.00
License (all types)	\$500.00
Easement	\$300.00
Right of Way	\$300.00
Discharge of Easement or Right of Way	\$300.00
Consent to assignment or mortgage	\$500.00 plus costs
Consent to sublease or sublicense	\$500.00
Amendment of any of the above documents	\$300.00
*Plus additional legal fees incurred by the Port	

## Utility Fees

Utilities By Arrangement.

## Project and Building Permit Fees

Applicants should contact the Port Authority's Asset Management Department to discuss their proposal and application requirements prior to submitting an application. If necessary, a pre-application meeting will identify requirements specific to the proposal and issues that may be expected to arise in the review process.

## Project Review Fees

Projects reviewed through the Project and Environmental Review processes are subject to a non-refundable project permit application fee to accompany a complete application. These fees do not include expenses related to obtaining a Letter of Project Authorization from the Port Authority.

Application Fee -	\$500.00
Environmental Review Fee	\$2500.00
Amendment	\$500.00
3 <sup>rd</sup> party technical analysis to support application	
Review	Cost plus 15% service fee
Letter of Project Authorization	\$250.00

*\*Does not include applicable federal, provincial or municipal taxes.*

## RATE SHEET 8 (RS8) – PASSENGER FEES

### Section A – Passenger Fees

	Arriving Into Nanaimo Harbour	Departing From Nanaimo Harbour
Each fare-paying passenger	\$0.25	\$0.25
Passengers who pay no fare	Nil	Nil
Passengers who enjoy a percentage discount from regular fares based on disability, age, or education status	\$0.15	\$0.15