

## **GENERAL INFORMATION ON TARIFF**

### **Order of Services**

1. Any works or services required by any port user shall be made at least 2 hours prior to commencement of the shift where the works or services so required.

**“Shift”** means one of the following periods:-

0730 to 1530 hours

1530 to 2330 hours

2330 to 0730 hours

### **Fire**

2. The Commission shall not be responsible for losses or damage by fire nor any loss or damage resulting from a necessary and bona fide effort to put out a fire.

### **Responsibility Of Charges**

3. Unless otherwise specifically provided as non-gazetted tariff or previously agreed, responsibility for all charges will be as stated in this Scale of Rates, Dues and Charges.

### **Special Rates For Services Covered By The Scale of Rates, Dues And Charges**

4. The Commission is empowered to enter into special agreements for the provision of any services covered by this Scale of Rates, Dues and Charges, and applications for special rates should be made to the Manager.

### **Charges For Other Services**

5. Charges for any services not provided for in the Scale of Rates, Dues and Charges or under the non-gazetted tariff items will be quoted on application to the Manager.

### **Long Storage Cargo**

6. Cargo which are granted long storage rate will be subject to a removal charge.

### **Insurance**

7. Charges published in this Scale of Rates, Dues and Charges do not include any expense for insurance covering Cargo, Container or Vessels. It is the port users responsibility to provide such insurance coverage.

### **Berth Occupancy**

8. In case of doubt, the determination made by the Manager pertaining to the classification of the vessel type shall be conclusive.

### **General Charge For Container Operation**

9. General charge on cargo in containers is payable by the exporter or consignee whereas stevedorage and wharf labour is payable by the vessel. Empty containers are not subject to General Charge.

Wharf handling charge is levied on all cargo handled over the Commission's wharf

### **Term and Conditions of Business**

10. All services provided by the Commission shall be abide to Term and Conditions of Business.

### **The Company**

11. The "Company" that is Penang Port Sdn. Bhd. is the port operator that act as an agent for the Commission.

## SCALE OF RATES, DUES AND CHARGES 2006

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### 1. INTERPRETATION

**“goods”** and **“cargo”** shall include livestock, minerals and wares and merchandise of every description;

**“dangerous goods”** includes ammunition, explosives, petroleum or other inflammable, noxious or dangerous substance or article and all goods specified in the Schedule C of the Penang Port Commission By-Laws 1957 [L.N (NS) 93 of 1957];

**“package”** includes any box, basket, barrel, case, receptacle, sack, bag, wrapper, envelope or other covering or thing in which goods are placed for the purpose of carriage, consignment, freight, importation or exportation;

**“wharf”** includes any wall or structures adjoining the foreshore, sea-bed or a river-bed;

**“Commission’s Wharf”** means berth, wharf, dock, pier or landing place operated or controlled by the Commission;

**“GRT”** means the gross registered tonnage of a vessel;

**“day”** means 24 hours cycle;

**“berth”** means dock, pier, jetty, quay, landing place or wharf which is connected to the shore side;

**“vehicle”** includes any carriage used or intended to be used for the conveyance or carriage of persons, animals or goods;

**“LCL”** means less than container load;

**“LOA”** means the length of a vessel measured from the extreme point forward of the vessel to the extreme point aft of the vessel;

**“craft”** means a craft used for the purpose of leisure, sport or recreation activities;

**“marina”** means any facility belonging to the Commission for mooring, anchoring, berthing or storing of craft in the port;

**“FCL”** means full container load;

**“Manager”** means the officer in charge of the respective port operations and any other officer acting under or with his authority;

**“Commission’s premises”** includes all places owned by the Commission and appropriated by it including any portion of the land which has been improved to facilitate the carrying out of port activities and any foreshore used for such purpose;

**“free storage”** means the specified period during which cargo or container occupy the space assigned to it in the Commission’s premises, free of store rent;

**“CFS”** means container freight station;

**“shift”** means one of the following periods:-

0730 to 1530 hours

1530 to 2330 hours

2330 to 0730 hours

**“pier”** includes any stage, stairs, landing place, landing stage, jetty, floating barge or pontoon and any bridges or other works connected therewith;

**“tonne”** means one metric tonne which is equivalent to 1,000 kilograms or one cubic metre;

**“vessel”** includes barges, lighters and any mechanically propelled ship or boat;

## 2. **NOTICE TO DISCHARGE OR LOAD CARGO**

- (1) The owner, master or agent of every vessel shall give written notice to the Manager of his intention to discharge or load before such work is commenced;
- (2) Cargo which is discharged without permission of the Manager being first obtained shall not be deemed to be in the custody of the Commission and the Commission shall not be held responsible for any loss or damage that may result to such cargo from any cause whatsoever.

## 3. **DEPOSITING CARGO FOR SHIPMENT**

Goods shall not be deposited anywhere within the Commission’s premises without the written permission of the Manager.

4. **UNDERCHARGE**

The Commission shall be entitled to collect any amount which may be ascertained to have been undercharged or that which may otherwise be found to be due.

5. **OVERCHARGE**

- (1) A person shall not be entitled to a refund of any overcharge unless he refers in writing to the Manager within six years from the date of the delivery bill, shipment bill or any other bill which is issued upon him, and he gives full information supported by such documentary evidence as may be required.
- (2) Where any goods have been measured or weighed by the Manager, no claim for a refund shall be accepted by the Manager unless the person claiming the refund has disputed the measurement or weight of the goods at the time the goods were measured or weighed.

6. **PAYMENT OF CHARGES**

- (1) All charges shall be payable in cash, except in the case of persons holding a ledger or credit account.
- (2) Where credit facilities are made available to the port users, account in respect of such credit facilities shall be settled within the credit term allowed, failing which further use of the facility may be denied until all outstanding charges have been paid.
- (3) The Commission may at its sole discretion, estimate and collect in advance all charges which may accrue against port users.

7. **CHARGEABLE TONNAGE**

- (1) Charges on cargo are based upon one tonne or one cubic metre, whichever is the greater.
- (2) The Commission may elect to calculate all tonnages of cargo according to deadweight or cubic measurement whichever is the greater, whether or not a vessel's manifest or shipping note is lodged.
- (3) Wharf handling charge for heavy-lifts above 5 tonnes per package will be based on deadweight.

## 8. TRANSHIPMENT AND RE-EXPORT

- (1) Transshipment and re-export rates shall apply only to cargoes and containers which fulfill the following conditions:
  - (a) the transshipment cargoes and containers shall be declared for transshipment or re-export at the port at least 12 hours prior to the arrival of the discharging vessel and subject to the approval of the Manager;
  - (b) the transshipment cargoes and containers shall be discharged by the discharging vessel onto the Commission's Wharf and remain in the custody of the Commission until it is transhipped or re-exported; and
  - (c) the transshipment cargoes and containers shall be reshipped by the Commission via another vessel at the Commission's Wharf.
- (2) The Manager may, on application, allow transshipment cargoes and containers received from rail or road for onward transshipment by sea via the Commission's Wharf or received from sea for onward transshipment by rail or road via the Commission's Wharf be charged transshipment and re-export rates.
- (3) Dangerous goods Group 1, 2 and 3 and vehicles are not subject to transshipment or re-export rates.

## 9. PALLETISED OR UNITISED CARGO

- (1) Palletised or unitised cargo rates shall be levied on import or export cargo which fulfill the following conditions:-
  - (a) the cargo is in small packages or units which are wrapped and strapped together on a pallet;
  - (b) the weight or volume per palletised unit shall not be more than 2.5 tonnes or 4 cubic metres in measurement;
  - (c) the cargo is manifested and the manifest is duly endorsed at the port of loading that the cargo is palletised or unitised. The import or export documents shall be similarly endorsed; and
  - (d) the palletised or unitised cargo is discharged or loaded as single unit with the aid of forklift trucks.

- (2) Any other cargo not defined as palletised or unitised cargo under this Scale of Rates may be classified as loose cargo by the Manager and subject to surcharge as determined by the Commission.

10. **STORE RENT**

- (1) In calculating the storage period, Sundays and all gazetted public holidays applicable in the State of Penang shall be included.
- (2) The storage period for import cargo and container shall be calculated from the following shift upon completion of discharge of vessel or completion of each consignment.
- (3) The storage period for export cargo and container shall be calculated from the following shift upon receipt of the cargo or container until the time the vessel is berthed.
- (4) The storage period for transshipment cargo and container shall be calculated from the following shift upon receipt of the cargo or container until the time the vessel is berthed.
- (5) Store-rent charges are calculated after the expiry of the free storage period.
- (6) Long storage rate may be granted at the discretion of the Manager and may be done on acceptance of an application for long storage rate.
- (7) If tarpaulins are used to protect cargo stored in the open storage area, the rental will be charged at shed rates.
- (8) Arms and ammunition shall not be received into storage by the Commission.
- (9) Store-rent on heavy-lifts above 5 tonnes will be based on weight or measurement whichever is the greater.