

ENQUIRIES

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Kenya Ports Authority

TARIFF

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PREAMBLE

The Minister responsible for Kenya Ports Authority has approved the tariff contained in this publication. The tariff shall be effective from the 1st day of February 2008.

It is notified for general information that the Board of Directors, in pursuance of the powers of Section 30 of the Kenya Ports Authority Act, CAP 391, 1978 has prepared and published this Tariff as approved by the Minister.

These charges shall apply equally to all port users (individuals, persons, firms or corporations engaged in or responsible for handling vessels and cargos including and not limited to cargo agents, charterers, brokers, freight forwarders, Shippers or consignees).

Charges and dues appear in Sections I-IV of this Tariff. In the event of any inconsistency or contradiction between the provisions of this Tariff and the provisions of the Act, the latter provisions will prevail.

The whole Tariff has been denominated in United States of America Dollar (US\$). The Kenya Ports Authority Management may allow payment to be made in Kenya Shillings (Kshs.) and reserves the right to prescribe the currency of payment and the exchange rate to be applied.

A. INTERPRETATION

For the purpose of interpretation, The Kenya Ports Authority Tariff should be read together with the preamble.

In this Tariff unless the context otherwise requires: -

“**ACT**” means the Kenya Ports Authority Act, 1978 (Cap 391 of the Laws of Kenya) as amended from time to time, and any rules and regulations made thereunder.

“**APPOINTED PLACES**” means any place within the Harbour or Depot limits officially designated by the Authority as a place for the landing or discharge of goods.

“**AUTHORITY**” means the Kenya Ports Authority.

“**CHARGES**” means all sums received or receivable, charged or chargeable for or in respect of Ship or cargo or any other services performed or for facilities provided by the Authority.

“**PER TONNE**” or “**HARBOUR TONNE**” in respect of cargo, shall, unless otherwise specified, mean per tonne of 1000 kilograms or 1 cubic metre whichever shall yield the higher charge.

“**DEADWEIGHT TONNE (DWT)**” means 1,000 kilograms.

“**TONNE**” In relation to fresh water supplied to Ships, shall mean a unit of charge equivalent to 224 gallons or 1,000 litres of water.

“**MANAGING DIRECTOR**” means the person appointed under Section 5 (1) of the Act or such other person for the time being performing the duties of the Managing Director.

“**CFS**” means Container Freight Station

“**FCL**” means Full Container Load.

“**LCL**” means Less Container Load.

“**LCL/LCL**” means Pier To Pier.

“**LCL/FCL**” means Pier to House.

“**FCL/LCL**” means House to Pier.

“**FCL/FCL**” means House to House.

“**DEAD SHIP**” means vessel not under own steam or not under control due to engine, mechanical or steering failure.

“**LIGHT DUES**” means charges for use of navigational aids and vessel traffic services.

“**SHIPS ENGAGED IN COASTAL TRADE**” means Kenya Registered Ships of less than 1000 GT trading exclusively between the limits of Mogadishu in the North and Mwambo in the south and within 50 nautical miles off the Coast.

“HARBOUR AREA” or “DEPOT AREA” means the area within the limits of any Harbour or Depot as defined by an order made under Section 34 of the Act and, in addition to such area;

a) **Mombasa**

The Port of Mombasa includes Kilindini Harbour, Port Reitz, the Old Port, Port Tudor and the whole of the tidal waters encircling Mombasa Island. The waters of the Port Area are bounded on Seaward side by a line drawn from Ras Mkungombe to a point off the shore of the mainland, half a nautical mile south of Ras Mwakisenge.

b) **Lamu**

The Port of Lamu includes Lamu Harbour and that part of the Lamu Bay comprised within a radius of three nautical miles from Shella Lighthouse.

c) **Malindi**

The Port of Malindi includes the northern anchorage, Malindi Roads and so much of the sea as is comprised within a radius of three nautical miles from Malindi (Vasco Da Gama) Lighthouse.

d) **Kilifi**

The Port of Kilifi includes Kilifi and Takaungu Creeks and so much of the sea as is comprised within a radius of three nautical miles from Ras Kitoka

e) **Shimoni**

The Port of Shimoni includes Shimoni Harbour, Funzi, Pungutiayu, Wasini, Vanga, Yimbo and the sea area south of Wasini Island bounded by a line drawn from Ras Yimbo to a point 1.5 nautical miles South of Pungutiayu Light Beacon and Ras Kanda to the North.

f) **Mtwapa**

The Port of Mtwapa includes Mtwapa Creek and so much of the sea as is comprised within a radius of three nautical miles from Cannon Point.

g) **Kiunga.**

The Port of Kiunga includes Kiunga Harbour, Kiunga-Mwini Island, Kisiwa Sudhi Island and so much of the sea area within a radius of three nautical miles from the tidal station.

h) **Container Terminal (Mombasa)**

Means all container handling areas within the Port of Mombasa.

i) **Inland Container Depots (ICDs)**

These include designated container depots managed by the Port Authority in Nairobi, Kisumu, Eldoret and any other depot that the Authority may establish.

WORKING HOURS

Working hours shall mean the appointed hours of business as may from time to time be prescribed by the Authority for the provision of any particular service or facility.

Stations or small harbors under the jurisdiction of the Authority shall observe regular working hours from 0800 to 1700 hours. Provision of services or facilities outside these hours shall be on prior notification.

Ships and cargo handling operations shall be available 24 hours a day throughout the years. These operations are organized on shift basis as below:-

(a)	First Shift	0700	-	1500
(b)	Second Shift	1500	-	2300
(c)	Third shift	2300	-	0700

B. PRINCIPLES TO BE APPLIED & NATURE OF CHARGES

- (a) **Tonnage Scale.**
Unless otherwise enumerated hereunder, all charges shall be assessed on Harbour Tonne.
- (b) **Gross Tonnage (GT)**
Gross tonnage means the gross tonnage of a vessel provided in the international tonnage certificate issued under the 1969 International Convention as amended.
- (c) **Pick –Up Order/Mombasa Port Release Order (MPRO)/Inland Container Depot Release Order (ICDRO)/ Pre- Advice Slip /Shipping Order (S/O)**
These are accounting documents which incorporate services rendered to containers and cargo by the Authority.
- (d) **Gate Pass**
All cargo leaving the Port shall be issued with a Gate Pass on 24 hour basis. These Gate Passes shall expire as follows:
- i. Conventional Cargo - 6 hours from the time of issue
 - ii. Containerized cargo - 6 hours from the time of issue
 - iii. Motor Vehicles - 12 hours from the time of issue
- (e) **Vessel**
A vessel means all water crafts including non displacement Crafts, Barges, Wing In Ground(WIG) Crafts and Seaplanes used or capable of being used as a means of transportation on water.
- (f) **Cellular Container vessel**
Fully cellular Container vessel means a vessel purposely built for the transportation of ISO standard containers stacked on top of each other in vertical cell guides.
- (g) **Non Cellular Container vessel**
A non cellular Container vessel means a vessel which is not purposely built to carry ISO standard containers but which may carry non containerized cargo. Not all hatches into which containerized cargo will be loaded or discharged on this vessel will have vertical cell guides although there may be hatches which do.
- (h) **Ro-Ro vessel**
A Ro-Ro vessel means a vessel which has certain cargo decks accessible only by means of a ramp which is lowered onto the quay side and over which cargo is driven on board or off the vessel by means of the ramp.
- (i) **Container**
A container means any container, reefer container, controlled atmosphere container, integral reefer container, and transportable tank or flat that conforms to the ISO type designations. Containers not complying with this standard will be handled at the discretion of the Authority.
- (j) **Abnormal/Out of Gauge Containers**
Any container including High Cubes which contains cargo of which the dimensions exceed any of the external dimensions of the container in or on which it is carried, or any container which cannot be handled by means of standard container handling equipment. This includes ISO standard containers that have been damaged and consequently cannot be handled by means of standard container handling equipment. Such containers are handled at owner's risk.

(k) **Reefer Containers**

A reefer container means any container, including reefer clip-on units, heated tanks and fantainers that move via the reefer area and require power connection.

(l) **Arrived Vessel**

A vessel is deemed to have arrived at the port when she has entered the Harbour limits and reported her presence to the pilot/control station.

(m) **Documentation**

The following documents shall be submitted to the Authority electronically at least forty eight (48) hours prior to the vessels arrival. Failure to do so may result to withholding of the vessels from berthing or clearance to sail from the Port until such time as they are made available. Late submission of each EDI file will attract a penalty as per clause 16.

i) **Discharging vessels**

1. Cargo Stowage plan
2. Cargo manifest
3. Hatch list/discharge list
4. Hazardous and dangerous cargo declaration
5. Passenger manifest

ii) **Loading Vessel**

1. Pre-advise slip/Shipping order
2. Cargo stowage plan
3. Cargo Loading list
4. Hazardous and dangerous cargo
5. Passenger manifest

iii) **Sailing vessel**

1. The Ships register
2. International Tonnage Certificate where applicable

(n) **Through Bill of Lading Container**

A through bill of lading container is an FCL/FCL container whose handling charges are paid by the Ship's agents or ICD/CFS Operators or the Cargo Owners as applicable. Such bill covers at least two modes of transport.

(o) **Status of Containers and Amendments**

Amendments of status or destinations of containers must be submitted to and approved by the KRA on form C10 and must include all the necessary details, viz; the relevant bill of lading, container numbers/marks and the status for which change is requested. Such approved requests must be submitted to the Authority two (2) days prior to the arrival of the Importing vessel to facilitate necessary amendments to the manifests to ensure the correct charges are secured. If the status or destination of the container is not declared in the manifest, such container will attract storage charges as per tariff immediately the container is landed until the amendment is received or the container removed from the Port.

(p) **Ordering and Cancellation of Labour**

Requirements for Port labour and facilities must be requested in writing by 1000Hours each day, to cover 2nd and 3rd shift of that day and 1st shift of the following day. For Saturdays and Sundays the order must be placed by 1000Hours on Friday. For Public Holidays the order must be placed by 1000Hours on the preceding working day. These timings are subject to change from time to time.

Cancellation of labour must be notified in writing per shift by 1300 hours and 1700 hours for 2nd shift and both 3rd and 1st shift the following day respectively. Weekend cancellation will have to be made 1700 hours on Friday for all weekend shifts.

Labour cancellation CHARGES will be raised for late cancellation of labour. Cancellation made by 1500 hours for a 2nd shift and by 1800 hours for 3rd shift and 1st shift of the following day and weekends shall be charged for a 3 HOUR hire of labour. Cancellation after these times shall be charged for an 8 HOUR hire of labour.

Delays and idle time during shift working which are not caused by the Authority shall be charged as Chargeable delays

(q) **Direct Delivery for General Cargo**

Imported Cargo shall be considered to be directly delivered if the first resting point on the shore side from the vessel is a waiting truck, wagon or other mode of conveyance such as a pipeline, a conveyor or equivalent without landing on the quay. Where such cargo is landed on the quay and handled by shore equipments then it ceases to be a direct delivery and charges for indirect delivery shall apply. The reverse shall apply to exports. Imported vehicles delivered from the ramp to the to Port exit gates shall also be deemed to be directly delivered.

Importers and Exporters of General Cargo can apply to the Authority for permission to deliver their cargo directly to/from the transport vehicle or wagon from/to a vessel. Such application will be accepted provided that:-

- i. The cargo is homogeneous/uniform in nature. The tonnage applicable in this case shall be more than 500 metric tonnes per bill of lading.
- ii. They are Explosives or highly dangerous packages
- iii. They are Heavy lifts of over 14 DWT or awkward packages of over 46 cubic meters which cannot be landed on the quay.
- iv. Motor vehicle units delivered via the ramp.

Note:

- a. Cargo in this category shall not attract Shorehandling charges specified in **Clause 13**
- b. The consignee/ agent shall have to notify the Ship Agent to indicate on the manifest that such cargo is due for direct delivery and such manifest shall not be submitted later than 48 hours before arrival of the vessel.
- c. Delivery of such cargo shall not pose any operational impediment and subject to confirmation

(r) **Customs Warehouse Cargo**

Cargo will be declared as Customs Warehouse due when it is declared so by a proper Customs Officer and a Want of Entry issued.

- (s) **Customs Auction Sales**
Goods auctioned by Customs shall attract normal Wharfage and Shorehandling charges as provided in this Tariff prior to removal from the Port.
- (t) **Re-Marshalling**
Re-marshalling means any shifting, transfer, removal or handling of containers after the free period within the container terminal and include movement within the bays, blocks, yards or transfer to other areas within the Port or other designated areas outside the Port.
- (u) **Free Storage Period**
Means specified periods during which cargo or containers handled over the quay may occupy space assigned to it in the Port free of storage charges, either prior to the loading or subsequent to the discharge of such cargo or containers.
- For the purpose of computing storage charges, free period for imports and Transshipment cargo shall commence from the next day of completion of discharge of the vessel. Export cargo free period shall start from the day of receipt. A day refers to 24 continuous hours running from 0001 hours (midnight). Part of the day shall be deemed as a whole day.
- Free days shall run consecutively and shall include Saturdays, Sundays and public holidays.
- (v) **Transshipment Cargo**
Transshipment cargo or Transshipment container means goods landed from a vessel and placed in the custody of the Authority for the purpose of Shipment on another vessel.
- To qualify for the Transshipment cargo rates the cargo must be discharged by the first carrier at the Port and remain in the custody of the Authority until it is Transhiped onboard the on-carrying vessel.
- (w) **Stevedoring**
Stevedoring means transfer or movement of cargo within the vessel and/or between the vessel and the quay or the next mode of transportation.
- (x) **Shorehandling**
Shorehandling means handling, transfer or removal of cargo to or from the quay or jetty and the transit sheds, warehouses or stacking yards.
- (y) **Wharfage**
Wharfage charges shall be raised on all cargo passing over the quays, wharves, jetties and buoys except Transshipment cargo which is exempted.
- (z) **Storage**
Storage is a charge levied on cargo remaining in the Port Area after expiry of the allowed Free Period.
- (aa) **Exemption from Compulsory Pilotage**
The following vessels may be exempted from compulsory Pilotage provided that such exemption will assure safety to Harbour installations, vessels or other crafts:-
- i. Ships owned or operated by the Government other than those engaged in commercial trade.
 - ii. Ships owned or operated by the Authority.
 - iii. Authorized ferries plying as such exclusively within the Harbour limits.
 - iv. Ships of less than 500 Gross Tonnage

- v. Ships trading exclusively between Ports in Kenya.
- vi. Dredgers or similar vessels whose ordinary course of navigation does not extend beyond the Port limits.

(bb) **Exemption from Light Dues**

- i. Naval Ships on courtesy calls and Government vessels not engaged on trading voyages.
- ii. Passenger/ Cruise vessels.
- iii. At the sole discretion of the Authority, vessels entering a Port on account of distress, weather, with mutinous crew or entering when disabled or for medical assistance (provided they do not stay in Port longer than 48 hours.) For any period in excess of 48 hours, such vessels shall pay the normal rate specified under CLAUSE 4 of this Tariff.

(cc) **Exemption From Port /Harbour Dues**

The following vessels are exempted from payment of these Dues:-

- i. Naval Ships on courtesy calls and Government vessels not engaged on a trading voyage.
- ii. Vessels entering the Port solely for bunkers, fresh water or provisions provided that they do not stay in the port longer than 24 hours.

(dd) **Laid Up Vessels**

The Owners or Agent(s) of a vessel in Port intending to lay it up shall give Notice of such intention to the Authority and provide proof that: -

- i. The Ship has no cargo on board and is not used for storage purposes.
- ii. The articles of agreements with the crew thereof have been closed other than for the following who must remain on board during the entire period of lay up to maintain the Ship and facilitate safety;
 - An Engineer to man the generators
 - One Deck Officer
 - 2-3 Seamen to deal with any emergency that may arise.
- iii. The Ship has been surveyed and certificate of seaworthiness issued by a competent Authority.

On receipt of the notice and proof as above, the Authority may at its discretion grant consent and declare the date on which such vessel shall be treated as a “laid up” vessel.

(ee) **Chargeable Delays**

The following delays occasioned during operations shall be paid for parties causing the delay;

- i. Standby attributed to delay in opening or closing hatches by Ship crew.
- ii. Standby attributed to delay in rigging Ships gear by crew (This delay is only applicable if advance notice of requirement of Ship gear was given to the vessel).
- iii. Standby of gangs allocated on the next Ship planned for a berth attributed to failure by a completing vessel to sail on appointed time if the Authority did not contribute to the delayed sailing of the completing vessel.
- iv. Standby of labour attributed to failure by Ship to provide loading/discharging instructions or stowage/bay plan.
- v. Standby of labour attributed to poor supply of empty containers delivered directly to vessel from depots outside the Port.

NOTE: All chargeable delays are subject to 15 minutes free period from commencement of the delay as booked in the supervisor’s working report or any relevant document.

- (ff) **Dangerous Cargo**
- i. Dangerous goods are all those substances listed in the I.M.D.G. Code published by the International Maritime Organization. (IMO)
 - ii. It is mandatory for Ship operators to declare all dangerous goods on board in the form prescribed under the IMDG Code. Trade names of dangerous goods are not acceptable.
 - iii. It is mandatory for all Ship's Agents and Clearing and Forwarding Agents to declare all dangerous cargo by class on all documents required in the clearance process.
- (gg) **Waste Reception Facilities**
- Vessels can only discharge their garbage, sludge and Ship waste into designated Waste Reception Facilities in accordance with the requirements of International Convention for the Prevention of Marine Pollution at Sea (MARPOL), on payment of appropriate published charges.
- (hh) **Salvage Operations**
- Vessels within the Port limits are obliged to accept salvage services offered by the Authority. These services shall be charged separately from normal Marine Charges. The charges shall be based on the nature of salvage or as per the Lloyds Open form.

C. GENERAL PROVISIONS

- I. Supersession**
This Tariff supersedes the Tariff introduced with effect from 1st January 1995 and any amendments thereto.
- II. Consent To Terms Of The Tariff**
The use of the Port of Mombasa shall constitute consent to the terms and conditions of this tariff, and evidence, agreement on the part of all vessels, their owners, operators, charterers, mortgagees, or agents, the cargo owners and agents (Shippers or consignee) and other users of the Port to pay all charges specified and to be governed by all rules and regulations appertaining to the Port.
- III. Payment For Services Rendered And Levies**
All services shall be provided upon payment of the charge or the levy due in accordance with this tariff. Ships agents or owners shall be required to pay in advance or before sailing the full marine and stevedoring charges.

Cargo owners or agents shall pay for services before any service is rendered. Cargo owners and or agents may apply for credit facilities provided they fulfill such conditions for the facilities as may be required by the Authority from time to time.
- IV. Late Payment Of Invoices**
All invoices shall be payable when they fall due. Failure to pay may cause a lien to be placed on the goods handled at the port and the responsible party may be denied further use of the port until all outstanding charges have been paid. The Authority reserves the right to charge interest on the outstanding amount at the rate of 2% above the CBK (Central Bank of Kenya) inter-bank offer rate.
- V. Charges Or Dues Not Expressly Provided For**
The Authority may in respect of services rendered or to be rendered or facilities provided or to be provided but which services or facilities are not specified in this Tariff, determine and raise charges at such rates or for such amounts as the Authority may in each case consider appropriate.
- VI. Contracts**
The Authority may enter into agreement with any person including any company or association or body of persons corporate for the performance or provision by that person of any of the services or facilities which may, under the Act, be performed or provided by the Authority and raise charges at such rates or for such amounts as may be mutually agreed between them, and such charges or rates shall apply and be collected as if they were set out in this Tariff Book.
- VII. Power Of The Authority To Impose Surcharges And Adjust Charges.**
The Authority may impose an individual or general surcharge or adjust the rates set out in this Tariff according to the nature of the services rendered or facility provided or afforded or on account of specific or general economic consideration.
- VIII. Value Added Tax (VAT)**
All charges in this tariff exclude VAT and any other statutory charges where applicable. VAT and those other statutory charges/ levies will be applied at the rate(s) applicable at the time of billing.

IX.

Revocations

For the avoidance of doubt all verbal or written instructions, exchange of letters for special rates, ruling, understanding(including MOUs) or any other compromises contrary to the provisions of this Tariff but negotiated between the Authority and Port users or otherwise shall from the 1st day of February, year Two Thousand and Eight (01-02-2008) cease to have validity and or effect.

SECTION I
CHARGES FOR MARINE SERVICES AND SHIP DUES

CLAUSE 1: PILOTAGE FEES

All vessels other than exempted ones navigating whether by entry, leaving or shifting within the Port shall be under the charge of a pilot. The Harbour Master shall direct on the use of a pilot in the interest of Port safety in which case the appropriate tariff charges shall apply.

Pilotage fees are charged on all vessels, including barges and bunkering vessels. Charges per operation are subject to a minimum charge of **US\$150.00** and shall be as follows:-

	<u>RATE PER 100 GT OR PART THEREOF</u>
1.1 Inward, Outward and Internal vessel movements	\$5.50
1.2 Dead Ship movement shall be charged at Double 1.1 above	
1.3 Cancelled Inward, Outward and Internal Vessel movement or pilot detention shall be made at the rate shown in Clause 1.1 above as described below	
i) Cancellation made over 30 minutes before the confirmed time of service is free of charge	
ii) Cancellation made less than 30 minutes before the confirmed time of service is chargeable	
iii) Where the Pilot attends at the time of service but is not picked up or used by the vessel within 30 minutes through no fault of the Authority, every 30 minutes thereafter or part thereof is chargeable	

Where exemption from Pilotage has been granted to a Vessel, a certificate of exemption shall be issued to the Master by The Harbour Master. The certificate shall remain valid for one (1) Year from date of issue.

	<u>RATE PER YEAR</u>
1.4 Pilotage exemption licence for Inward, Outward and Internal vessel movements	\$200.00

CLAUSE 2: TUG SERVICES

All vessels, including barges and bunkering vessels shall be obliged to accept the services of a Tug(s) at the discretion of the Port. Service shall be deemed to have been provided whether the Tug(s) are on standby or used. Charges per Tug per operation are as follows subject to a minimum of **US\$200** per Tug;

	<u>RATE PER 100 GT OR PART THEREOF</u>
2.1 Berthing or unberthing vessels, internal movements or movements within 2 nautical miles of harbour limits	0 -10,000 GT \$ 14.00 per tug per operation there after \$7.00 per Tug per operation
2.2 Dead Ship movements shall be charged at Double 2.1 above.	
2.3 Movements between harbour limits and a point beyond 2 nautical miles of harbour limits shall be charged Double 2.1. above	
2.4 Tugs ordered and present at the time of service but not used by the Vessel within 30 minutes through no fault of the Authority.	\$14.00 per every 30 minutes or part thereof
	<u>RATE PER HOUR OR PART THEREOF</u>
2.5 Towage of lighters, floating crane, pontoons or small crafts of less than 500 GT Per Tug (When available)	\$ 200.00

CLAUSE 3: MOORING SERVICES

Every mooring, un-mooring of any vessel including barges will constitute a separate operation and shall be charged as follows:

	<u>RATE PER 100 GT OR PART THEREOF</u>
3.1 Mooring or un-mooring or any other mooring service for vessels of 100 GT and above.	\$3.00 subject to minimum of \$150.00
3.2 Vessels less than 100 GT to pay a fixed charge of \$ 100.00 per operation Mooring Gang ordered and present at the time of service, but not used by the vessel within 30 minutes through no fault of the Authority.	\$3.00 per 30minutes or part thereof

CLAUSE 4: LIGHT DUES

Light dues shall be charged on all vessels per call as follows:-

	<u>RATE PER 100 GT OR PART THEREOF</u>
4.1 Vessels, other than those exempted, or paying an annual fee	\$ 5.00 Subject to a minimum of \$100.00
4.2 Vessels which are resident in a Kenyan Port may request to pay an annual fee. The fee charged is 6 times the amount in 4.1 above payable annually in advance.	

CLAUSE 5: PORT AND HARBOUR DUES

Port and harbour dues are charged on all vessels, including barges and bunkering vessels, per call as follows:-

	<u>RATE PER 100 GT OR PART THEREOF</u>
5.1 Vessels other than those exempted, or paying an annual fee	\$ 12.00 Subject to a minimum of \$100.00
5.2 Vessels which are resident in a Kenyan Port may request to pay an annual fee. The fee charged is 6 times the amount in 5.1 above payable annually in advance.	

CLAUSE 6: DOCKAGE, BUOYAGE AND ANCHORAGE

Dockage dues shall be charged on all vessels, including barges and bunkering vessels whether berthed or double banked, per hour or part thereof as follows:-

	<u>RATE PER METRE PER HOUR OR PART THEREOF</u>
6.1 Vessels at quays, wharves or jetties.	\$ 0.24
6.2 Vessels at buoys, or Ro-Ro vessels berthed stern to quay (RO-RO vessels berthed alongside or with bow/stern ramp-to-quay, chargeable dockage length is based on Length Overall(LOA)	\$ 0.12
6.3 Vessels at anchorage	\$ 0.06

CLAUSE 7: SUPPLY OF FRESH WATER

Supply of Fresh Water shall be charged as follows:

	<u>RATE PER TONNE OR PART THEREOF</u>
7.1 Via shore Hydrants	\$ 4.00
7.2 In Stream by barge or Tug(s)	\$ 8.50
7.3 In stream supply ordered and present at the time of service, but not used by the vessel within 30 minutes, through no fault of the Authority, shall be charged \$100.00 per each 30 minutes detained thereafter.	

Before supply begins the meter reading must be agreed and signed for. Meter testing shall be performed on request at a charge of **\$ 6.00**, which is refundable if the difference is over 5%.

CLAUSE 8: LAID UP VESSELS

Vessels laid up shall be charged per week of seven (7) Calendar days or part thereof as follows:-

	<u>RATE PER 100 GT OR PART THEREOF</u>
8.1 Vessels up to 10,000 GT	\$10.00
8.2 Vessels over 10,000 GT	\$20.00

After 12 weeks, laid-up status shall cease and normal Port charges shall apply under **Clause 6**. Vessels may re-apply for a further laid-up period if required.

CLAUSE 9: PRIVATE MOORING, BUOYS AND JETTIES

The Authority may grant permission for laying buoys or jetties for private use. The charges per calendar year for each buoy and its mooring, or for each jetty shall be as follows:

	<u>RATE PER YEAR OR PART THEREOF</u>
9.1 Facility used for crafts engaged in commercial activities at the Port of Mombasa	\$5000.00
9.2 Facility used for crafts engaged in commercial activities outside the Port of Mombasa	\$1000.00
9.3 Facility used for private craft and yachts (Non Commercial)	\$500.00

CLAUSE 10: SECURITY DUES

Security dues shall be raised on all vessels per call as follows:-

	<u>RATE PER 100 GT OR PART THEREOF</u>
10.1 Vessels other than those paying annual fee.	\$ 3.00
10.2 Vessels which are resident in a Kenyan Port may request to pay an annual fee. The fee charged is 10 times the amount in 10.1 above payable annually in advance.	

SECTION II

CHARGES FOR STEVEDORING SERVICES

CLAUSE 11: STEVEDORING - CONVENTIONAL CARGO

Stevedoring charges shall be levied on Dry General, Dry Bulk and Liquid bulk Cargo per Harbour Tonne as follows:

	<u>RATE PER TONNE OR PART THEREOF</u>
11.1 Dry General cargo Discharging, loading, shifting within hold or shifting on deck without landing	\$7.00
11.2 General Cargo discharged or loaded from/to a Ro-Ro vessel via the ramp	\$5.50
11.3 Motor vehicles discharged via the ramp	\$5.50
11.4 Discharging and loading of Transhipment cargo	\$6.00
11.5 Over-landed cargo, cargo Shipped and re-landed or landed and re-Shipped and cargo shifted from hold to hold shall be charged at 1.5 times the rates under clause 11.1 and 11.2 as applicable	
11.6 Dangerous cargo shall be surcharged at 10% above the rates in Clause 11.1 to 11.4 .	
11.7 Import Dry Bulk or Liquid bulk cargo handled via conveyors or Pipeline from the vessel without landing on quay to any existing liquid bulk facilities within the Port area or to storage areas outside the port .	\$1.50
11.8 Export Dry Bulk or Liquid bulk cargo handled via Conveyors or Pipeline into a vessel without landing on the quay from any existing liquid bulk facilities within the port area or a storage facility outside the Port	\$1.00
11.9 Import dry bulk handled from a vessel via any other mechanical method to a Waiting truck or to a bagging facility on the quay.	\$4.00

Other cargo not charged per tonne shall be charged as follows:-

	<u>RATE PER ITEM</u>
11.10 Mail per bag, or Ships stores per package	\$1.00
11.11 Returning empty bags	\$0.01
11.12 Repairs in the breakage room per package (on request)	\$5.00
11.13 Crated animals, per cubic meter of crate	\$8.00
11.14 Animals handled by sling	\$16.00
11.15 Animals walked on/off board	\$1.00
11.16 Opening or closing of hatches on request, per hatch	\$100.00

**RATE PER GANG
PER HOUR**

11.17 Hire of a gang for services such as handling of dunnage or separation materials, trimming of cargo, sweeping of spillage on quay, or handling of bulk cargo via open-topped rail wagons which require rigging.	\$100.00
11.18 Labour Cancellation, delay, or idle time charge.	\$100.00

In addition to normal stevedoring charges, any package or article weighting over 14 DWT, or awkward packages of over 46 cubic metres other than standard freight containers with I.S.O. corner fittings, wheeled, trucked or any other cargo that can be discharged on a RO-RO basis, shall be surcharged as follows:-

	<u>RATE PER LIFT</u>
11.19 14 DWT to 40 DWT	\$30.00
11.20 Over 40 DWT	\$45.00
11.21 Awkward packages of over forty six (46) Cubic Metres	\$30.00

CLAUSE 12: STEVEDORING - CONTAINERISED CARGO

Charges shall be levied on standard 20 feet (20') and 40 feet (40') ISO containers to/from Ship, per move

		<u>RATE PER MOVE</u>	
		<u>20'</u>	<u>40'</u>
12.1	Discharging, loading, shifting within the hold or shifting on deck without landing and vice –versa without landing, on cellular vessel.	\$ 90.00	\$135.00
12.2	Discharging, loading, shifting within the hold or shifting on deck without landing and vice –versa on non-cellular vessel.	\$110.00	\$165.00
12.3	Discharging, loading, shifting within the hold or shifting on deck without landing and vice –versa on a Ro-Ro vessel	\$70.00	\$105.00
12.4	Transshipment containers	\$80.00	\$120.00
12.5	Over-landed, Shipped and re-landed, landed and re-Shipped or shifted from hold to hold containers shall be charged 1.5 times the rates applicable in clause 12.1 to 12.3		
12.6	Empty containers shall be charged at 60% of the rate shown in 12.1 to 12.4 above.		
12.7	Containers holding in whole or in part dangerous cargo shall be surcharged at 10% above rates in Clause 12.1 to 12.4		
12.8	Out of Gauge container (Export/Import)	\$180.00	\$270.00

Opening and closing of hatch covers will be performed on request. When such opening or closing exceeds **15 minutes** idle time charges under **Clause 11.16** shall apply.

		<u>RATE PER MOVE</u>
12.9	Hatch cover or pontoon which can be lifted using a standard ISO twist locks spreader	\$75.00
12.10	Other covers or pontoons.	\$100.00

SECTION III

CHARGES FOR SHOREHANDLING, WHARFAGE & STORAGE SERVICES

CLAUSE 13: SHORE HANDLING – CONVENTIONAL CARGO

Shorehandling charges shall be levied on Dry General and Dry Bulk Cargo per Harbour Tonne as follows:

	<u>RATE PER TONNE OR PART THEREOF</u>
13.1 Imports-Domestic	\$7.50
13.2 Exports-Domestic	\$6.00
13.3 Imports –Transit	\$6.00
13.4 Export –Transit	\$4.80

Where extra handling of cargo is required, additional charges shall be levied as follows:-

13.5 Import Cargo Handled at ICD's.	\$6.00
13.6 Export Cargo Handled at ICD's.	\$4.00
13.7 Shut-out Cargo Withdrawn from the Port.	\$5.60
13.8 Fumigation of Cargo.	\$3.00
13.9 Palletising/pre-slinging in the Port on request, excluding cost of materials.	\$3.00
13.10 Quay side bagging by the consignee or agent	\$1.00
13.11 Transfer of cargo in the Port Area, or transfer of cargo to Customs Warehouse, or handling of Customs Warehouse Cargo, Shut-out cargo not removed from the Port, or empty oil drums/barrels returned to the original Shipper	\$2.00

Dangerous cargo shall be surcharged at **10%** above rates in **Clause 13.1 to 13.4**

- 13.12 Ships gear/craft or equipment put over side by the Ship with permission from the Authority will not be charged. If eventually landed ashore, it will be charged as per **Clause 13.1 to 13.4.**

Other cargo not charged per tonne shall be charged as follows:-

	<u>RATE PER ITEM</u>
13.13 Mail per bag	\$1.00
13.14 Animals walked across the quay	\$1.00
13.15 Crated animals, per cubic metre of crate	\$4.00
13.16 Cargo handled at other designated Ports (Lamu, Old-Port, Shimoni, Malindi, Kilifi, Mtwapa, Kiunga)	\$0.50

In addition to normal Shorehandling charges, any package or article weighing over 14 DWT, or awkward packages of over 46 cubic metres other than standard ISO freight containers shall be surcharged as follows:

	<u>RATE PER LIFT</u>
13.17 14 DWT to 40 DWT	\$30.00
13.18 Over 40 DWT	\$45.00
13.19 Awkward package	\$30.00

CLAUSE 14: SHORE-HANDLING - CONTAINERISED CARGO

Shorehandling rates shall be levied as follows:-

	<u>RATE PER UNIT</u>	
	<u>20'</u>	<u>40'</u>
14.1 Imports – Domestic	\$ 90.00	\$135.00
14.2 Exports –Domestic	\$ 45.00	\$68.00
14.3 Imports –Empty	\$ 20.00	\$30.00
14.4 Exports – Empty (except direct loadings)	\$ 20.00	\$30.00
14.5 Imports -Transit	\$ 72.00	\$110.00
14.6 Exports – Transit	\$ 35.00	\$55.00
14.7 Out of Gauge container (Export/Import)	\$180.00	\$270.00

Where extra handling of cargo is required, additional charges shall be levied as follows:-

		<u>RATE PER UNIT</u>	
		<u>20'</u>	<u>40'</u>
14.8	Transfer within the Port Area at customer's request or Shut-out containers not removed from the Port.	\$30.00	\$45.00
	Empty containers will be charged 60% of the above		
14.9	Verification, Scanning, Inspection, Stripping or Stuffing	\$75.00	\$110.00
14.10	Exports /Import Containers handled at the ICDs	\$ 35.00	\$52.50
14.11	Handling of empty containers at ICD's	\$20.00	\$30.00
14.12	Reefer containers plugged onto reefer points, per hour or part thereof	\$1.60	\$2.40
14.13	Re- marshalling charge on expiry of free period for both domestic Import (7 days) and transit Import (15 days) containers	\$100	\$150
	Import Empty containers shall be charged at 60% of the above		
14.14	In addition to the above, containers holding in whole or in part dangerous cargo shall be surcharged at 10% of the rates In Clause 14		

CLAUSE 15: WHARFAGE

Wharfage charges shall be raised on all cargo passing over the quays, wharves, jetties, buoys and other installations within the Harbour limits except for Transshipment cargo.

Charges shall be levied as follows:-

		<u>RATE PER UNIT</u>	
		<u>20'</u>	<u>40'</u>
15.1	Domestic and Transit Full Containers both Imports and Exports	\$60.00	\$90.00
15.2	Domestic and Transit Empty Containers both Imports and Exports	\$20.00	\$30.00
		<u>RATE PER TONNE OR PART THEREOF</u>	
15.3	Domestic and Transit Dry General, Dry and liquid bulk Cargo both Import and Exports leaving or entering the Port on a truck, train or equivalent mode of transport		\$ 5.00
15.4	Dry Bulk or Liquid bulk cargo handled via conveyors or pipeline from/to the vessel to/from an existing liquid facilities within the port or a storage facility outside the Port		\$2.00
15.5	Dry and liquid bulk Cargo handled through private jetties or buoys		\$ 1.00
15.6	Dry General cargo handled through private jetties or buoys		\$ 2.00
15.7	Motor Vehicles Import or Export handled directly or indirectly		\$5.00

CLAUSE 16: STORAGE CHARGES

Containers remaining in the Authority’s premises in excess of free periods shall accrue storage charges as follows:-

		<u>RATE PER DAY OR PART THEREOF</u>	
		<u>20'</u>	<u>40'</u>
16.1	Domestic Import containers;		
	-First 7 consecutive days	Free	Free
	-Thereafter up to the date container is removed from the Port or is Customs warehouse due.	\$25.00	\$37.50
16.2	Domestic Export Containers;		
	-First 11 consecutive days	Free	Free
	-Thereafter up to the date container is nominated or withdrawn	\$20.00	\$30.00
16.3	Transit Import containers;		
	-First 15 consecutive days	Free	Free
	-Thereafter up to the date container is removed from the Port or is Customs warehouse due.	\$20.00	\$30.00
16.4	Domestic and Transit Export containers through ICDs’;		
	-First 15 consecutive days	Free	Free
	-Thereafter up to the date container is nominated or withdrawn	\$20.00	\$30.00
16.5	Shut Out Export containers;		
	-First 2 consecutive days	Free	Free
	-Thereafter up to the date container is re-nominated or withdrawn	\$20.00	\$30.00
16.6	Domestic Import containers through ICDs;		
	-First 11 consecutive days	Free	Free
	-Thereafter up to the date container is removed from the Port or is Customs warehouse due.	\$20.00	\$30.00

16.7	Transit Import containers through ICDs;		
	-First 15 consecutive days	Free	Free
	-Thereafter up to the date container is removed from the depot or is Customs warehouse due.	\$20.00	\$30.00
16.8	Transit Export containers;		
	- First 21 consecutive days	Free	Free
	-Thereafter up to the date container is nominated or withdrawn	\$16.00	\$24.00
16.9	Dangerous Cargo; from date of receipt or landing (Export/Import)	\$40.00	\$60.00
16.10	Out of Gauge containers (Export/Import)-		
	-First 2 consecutive days	Free	Free
	-Thereafter up to the date container is removed from the Port or shipped	\$40.00	\$60.00
16.11	FCL Containers Unmanifested/unknown status from date of landing up to the date Status is known	\$25.00	\$37.50
16.12	Change of Status/ destination (C10)- from arrival of the vessel up to the date charges are secured	\$25.00	\$37.50
16.13	Empty Import containers		
	- First 2 consecutive days from stripping day	Free	Free
	- Thereafter, until the container is removed from the Port or loaded onto a vessel.	\$15.00	\$22.50
16.14	Empty Export containers – from date of receipt		
	- First 4 consecutive days	Free	Free
	- Thereafter until the container is removed from the Port or loaded onto a vessel.	\$15.00	\$22.50
16.15	Transshipment full container		
	-First 30 consecutive days from arrival of the vessel	Free	Free
	-Thereafter up to the date container is re-Shipped	\$20.00	\$30.00

16.16	Empty Transhipment Containers		
	-First 15 consecutive days from arrival of the vessel	Free	Free
	-Thereafter up to the date container is re-Shipped	\$15.00	\$22.50
16.17	Over landed full container - From first day of landing to the date of re-shipment.	\$25.00	\$37.50
16.18	Empty Over landed Containers from the date of landing	\$15.00	\$22.50

Conventional cargo remaining in the Authority's premises in excess of free periods shall accrue Storage charges as follows:-

		<u>RATE PER TONNE OR PART THEREOF</u>	
16.19	Domestic Import conventional cargo		
	-First 10 consecutive days		Free
	-Thereafter up to the date cargo is removed from the Port or is Customs warehouse due.		\$1.50
16.20	Domestic Export conventional cargo		
	-First 11 consecutive days		Free
	-Thereafter up to the date the cargo is nominated or withdrawn		\$1.20
16.21	Shut Out Export Cargo;		
	-First 2 consecutive days		Free
	-Thereafter up to the date cargo is re-nominated or withdrawn		\$1.20
16.22	Transit Import conventional cargo;		
	-First 15 consecutive days		Free
	-Thereafter up to the date cargo is removed from the Port or is Customs warehouse due.		\$1.20

16.23	Transit Export cargo ;	
	-First 21 consecutive days	Free
	-Thereafter up to the date cargo is nominated or withdrawn	\$1.00
16.24	Transshipment	
	-First 30 consecutive days	Free
	-Thereafter up to the date of re-shipment	\$1.00
16.25	Over landed cargo - from date of landing to the date of re-shipment.	\$1.50
16.26	Dangerous Cargo; from date of landing (Export/Import)	\$2.40

The following penalties shall be levied as follows;-

- 16.27** Mis-Declaration of Weight, Measurement or nature of cargo/goods shall attract a penalty of **100%** on the correct weight, measurement or nature chargeable as per **Clauses 11 to 16** of the tariff.
- 16.28** In the event of mis-declaration and the Authority's equipment is used in handling an over-weight cargo unit, the party or parties causing such use shall be held liable for all losses, claims, demands and suits for damages including death and personal injury, legal and court expense, directly and indirectly resulting from such use.
- 16.29** Non-declaration of Dangerous Cargo shall attract a penalty of **50%** on the chargeable rates as per **Clauses 11, 12, 13, 14 and 16** of the Tariff.
- 16.30** Late submission of documents for conventional cargo as provided in part B(m) of this tariff shall attract a penalty of **US\$ 1.50** per day per tonne or part thereof .
- 16.31** Late submission of documents for containers as provided in part B(m) of this tariff shall attract a penalty of **US\$ 25.00** and **US\$ 37.50** per day per container for 20' and 40' respectively .
- 16.32** Alterations/Certification/Cancellation per document shall be charged **US\$ 5.00**.
- 16.33** Imported motor vehicles exiting the Port Area after expiry of the Gate Pass shall attract a charge of **US \$10.00** per unit per day or part thereof.
- 16.34** Loaded Trucks/ vehicles exiting the Port Area after expiry of the Gate Pass shall attract a charge of **US \$10.00** per truck per day or part thereof.
- 16.35** Requests for Late acceptance of Export cargo shall attract a penalty of **US\$ 75** per container and **US\$ 4** per ton for conventional cargo.

SECTION IV

CHARGES FOR GENERAL SERVICES

CLAUSE 17: HIRE OF LABOUR AND EQUIPMENT

Charges for hire of staff and equipment not covered elsewhere in this tariff shall be applied as follows:-

	<u>RATE PER HOUR OR PART THEREOF</u>
17.1 Management or supervisory staff	\$6.00
17.2 Skilled staff, e.g. Crane Driver, Forklift driver, Serang, Artisan, Firemen, Clerk	\$5.00
17.3 Semi-skilled staff, e.g Labourer, Watchman	\$3.00
17.4 Fire appliance inclusive of minimum crew for non operational activities	\$60.00
17.5 Tipper truck or flatbed lorry inclusive of driver	\$45.00
17.6 Van, Pick-up or Saloon Car inclusive of driver	\$17.00
17.7 Mobile Crane more than 5 tonnes inclusive of driver	\$110.00
17.8 Forklift or Tractor less than or equal to 5 tonnes inclusive of driver	\$17.00
17.9 Forklift or Tractor more than 5 tonnes inclusive of driver	\$23.00
17.10 Floating Crane, inclusive of minimum crew and exclusive of towage	\$150.00
17.11 Pilot boat inclusive of crew	\$1000.00
17.12 VIP launch inclusive of crew	\$400.00
17.13 Mobile Crane less than 5 tonnes inclusive of driver	\$50.00

Rates for hire of staff and/or equipment not specified above may be quoted by the Authority on application.

CLAUSE 18: GENERAL SERVICES

Unless otherwise provided for in this Tariff Book, the following licenses shall be required and may be issued on application. Licenses shall be for a calendar year and are subject to the conditions notified to licensees from time to time.

	<u>RATE PER CALENDER YEAR</u>
18.1 Specialized cargo service providers	\$5,500.00
18.2 Bunker Supplier, Bunkering Agent, Barge operator (Water/Bunkers) Fresh Water suppliers (road Tankers)	\$3,000.00
18.3 Marine Engineer, Cargo Surveyor, Ship Surveyor	\$350.00
18.4 Ship chandlers, safety and Ship equipment suppliers	\$350.00
18.5 Marine Contractors, Ship contractors and Pest Control Service	\$350.00
18.6 Garbage Collector	\$100.00
18.7 Sludge collector/ Waste water collector	\$350.00
18.8 Insurance Broker, Banking/ ATM/ Forex Bureau, Travel agent, Postal services	\$350.00
18.9 Small boat operator	\$200.00
18.10 Soft Drink Distributors, Shops, Confectionery Distributor, Canteen Operator, Scratch Cards Vendor and Telephone Service Provider (per Booth)	\$100.00
18.11 Curio vendor	\$15.00
18.12 Newspaper Vendor	\$5.00
18.13 Taxi Operator	\$150.00
18.14 Boat/Tour Operator	\$500.00

NB: Rates for licenses for services not specified above maybe be quoted by Authority on application.