

Port Regulations

REGULATIONS GOVERNING THE USE OF THE PORT FACILITIES OF GROS-CACOUNA, RIMOUSKI, MATANE AND GASPÉ

1. Every vessel in the port is subject to the SPBSG (Société Portuaire du Bas-Saint-Laurent et de la Gaspésie inc.) directives with respect to its draft, location, speed and direction, and with respect to its means and method of movement, whether these directives are issued by or through a Canadian Coast Guard traffic centre or not.

Except in the case of an emergency, no vessel may moor or anchor in one of the ports without authorization from the SPBSG harbour master, and then only at such place and in such manner as directed.

Any vessel owner or representative wishing to use the port facilities must send a berth request by email to the harbour master which contains the following information:

- name of vessel;
- gross tonnage, length, draft on arrival;
- expected date and time of arrival;
- reason for use, cargo and quantity;
- estimated time and date of departure;
- services required;
- agent;
- consignee of goods.

A notice confirming the date and hour of arrival must be sent to the harbour master five days, two days and one day before the vessel berths.

2. All vessels using the port facilities must be represented by a marine agent, or the owner if the vessel is Canadian, who will guarantee payment for the fees and services received by the vessel.

3. The harbour master assigns a berth to the vessel and may from time to time order a change of berth if applicable, but is not liable for any damages resulting from delay in providing a berth, from failure to provide a berth, or from the shifting of a vessel from one berth to another.

4. The SPBSG harbour master may refuse the right of entry into the port for which it has jurisdiction to any vessel carrying dangerous cargo or explosives or if, in the opinion of the SPBSG, the vessel constitutes a danger for the security or the environment.

Unless a written authorization from the harbour master is obtained, the transportation, loading, unloading, handling or storage of goods below are prohibited in the port:

- Explosives;
- Polluting or dangerous goods;
- Industrial wastes.

5. The customs procedures of the Ministries of Health and Immigration, Refugees and Citizenship of Canada apply and must be observed.

6. The SPBSG harbour master may, if he or she deems fit, order that the handling of goods to be loaded or unloaded be performed directly between the vessel and a land vehicle.

7. The consignee, the consignor or the owner of the goods must:

- agree upon the working hours relating to the loading or unloading of goods;
- supervise and bear witness to the loading or unloading of the goods;
- inform the harbour master of any anomaly or incident relating to the loading or unloading of the goods.

8. While berthed, all vessels must have a gangway which is well lit at night, and a suitable net must be placed beneath the gangway to prevent anything whatsoever from falling into the water between the dock and the side of the vessel.

The gangway must be guarded at all times, and a life-buoy equipped with a hauling line must be located close at hand.

During their stay in the port facilities, the captain and crew must comply with the current regulations.

The activities below require a verbal or written authorization from the harbour master:

- bunkering or fueling;
- conducting diving operations in navigable waters, including a navigation channel and anywhere else in the port;
- carrying out hot work in a public port facility;
- conducting scaling and painting operations;
- placing a placard, poster, sign or panel or control device in a port facility;
- selling or offering for sale goods or services in a port facility;
- engaging in any form of solicitation in a port facility;
- laying up a vessel..

9. The representative must provide the harbour master with regular updates regarding the ETA / ETC and ETS by email.

If a vessel is delayed in loading or departing from one of the port facilities, the master of the vessel, or his or her agent, must immediately report the reason for the delay, and its probable duration, to the harbour master.

The owner of the vessel will be liable for all costs which may result from a delay in leaving the berth after having received the SPBSG's permission to leave.

10. Any vessel using the SPBSG port facilities does so at its own risk.

All owners shall be fully responsible for their vessel while moored or anchored within the limits of the ports.

Any damage caused to one of the properties must be repaired to the SPBSG's satisfaction within the time limit specified. A vessel having caused damage to the port facilities must remain at dock until the SPBSG receives assurance that the damage has been or will be repaired to its satisfaction in the shortest possible time.

11. The ports are compliant with the ISPS Code. The SPBSG holds a "statement of compliance of a port facility" delivered by Transport Canada for all its facilities.

Every vessel that is ISPS certified and wishes to use the port facilities will be charged for ISPS

measures in place for the duration of its stay, except international cruise vessels that hold an agreement with a host organization applying security regulations that conform to Transport Canada requirements (Marine Transportation Security Regulations [MTSR]) and the vessels being taken in hand by a maritime facility operating in one of the ports under the management of the SPBSG.

Prior to the arrival of the vessel, the following additional information should be sent to the harbour master by email:

- the name of the last five ports of call;
- the vessel's IMO number;
- the name, telephone number and fax number of the vessel's security officer;
- the crew list;
- any change of crew;
- the name of suppliers such as delivery agents of goods, food, fuel or any other required services, repairers, etc.;
- any additional information requested by the harbour master.

12. No person shall, by act or omission, do anything or permit anything to be done in the limits of the port facilities that has or is likely to have any of the following results:

- to jeopardize the safety or health of persons in the port or in the port facility;
- to interfere with navigation;
- to obstruct or threaten any part of the port or the port facility;
- to interfere with any authorized activity in the port or the port facility;
- to cause a nuisance;
- to cause damage to vessels or other property;
- to adversely affect environment quality as per the Environment Quality Act (EQA) (CQLR, c. Q-2);
- to adversely affect the operation of the port or the port facility.

13. If a vessel is waiting for another vessel to load, unload or transfer cargo to get a berth or anchorage, the owner or the person in charge of

the other vessel shall ensure, regardless of what was scheduled (whether or not working around the clock is necessary or overtime charges are incurred), that:

- the loading, unloading or transfer operations are conducted with dispatch, and
- the cargo is moved with dispatch from the immediate vicinity of the berth or anchorage to enable the waiting vessel to load, unload or transfer its cargo.

If the loading, unloading or transfer operations of the vessel, or the movement of its cargo, are not conducted with dispatch, the port authority may instruct the owner or the person in charge of the vessel:

- to move the vessel from the berth or anchorage to allow the waiting vessel to berth or to anchor and begin its loading, unloading or transfer operations, or
- to move the cargo from the immediate vicinity of the berth or anchorage.

If, to allow a waiting vessel to berth or to anchor promptly, the loading, unloading or transfer operations of a vessel, or the movement of its cargo, are conducted around the clock or the vessel or cargo is moved on the instructions of the port authority, the owner or person in charge of the waiting vessel, regardless of what was scheduled (whether or not working around the clock is necessary or overtime charges are incurred), shall ensure that:

- the loading, unloading or transfer operations of the waiting vessel are conducted with dispatch, and
- the cargo of the waiting vessel is moved with dispatch from the immediate vicinity of the berth or anchorage.

14. No person shall access any port facility except in the following cases:

- the person enters the area to conduct legitimate business at this place;
- the person is authorized to enter the area by the harbour master;
- access is not restricted by a sign or in some other way such as by a fence.

Signalling

The harbour master may, if he or she deems fit, require the installation of complementary temporary signalling by the person in charge of an activity for security and environmental protection purposes or for the smooth running of the activities of the port.

Accidents and incidents

A person who does anything in a port or in a port facility that results in an incident involving injuries, environmental damages, material loss or damages or an explosion, fire, grounding or stranding shall:

- notify the port authority of the incident without delay;
- provide a detailed report of the incident to the port authority as quickly as possible after the incident occurred.

Fees

The fee schedule applies to users of the port facilities and are revised annually.

The fee schedule is available under the section “Projects and infrastructures” under the tab “Port infrastructures” of the ministère des Transports website.

HARBOUR AND BERTHAGE FEES ARE APPLICABLE TO ANY VESSEL:

- using the port facilities after receiving the SPBSG’s permission to do so;
- occupying a berth or moored side to side or attached to another vessel occupying a berth of the port facilities;
- which, without being moored to a port facility property, performs loading or unloading operations by means of lighters.

These fees apply from the time the first mooring line is made fast to the time when the last mooring line is cast off.

When two gross tonnages are shown on the registration certificate of a vessel, the higher tonnage will be used for the purpose of the port regulations.

WHARFAGE FEES ON TRANSSHIPPED GOODS

FEES ARE APPLICABLE TO GOODS WHICH:

- pass over, above or below the port facilities;
- are transshipped from one vessel to another within the harbour;
- are unloaded from a vessel and deposited in the water or which are taken from the water and loaded onto a vessel within the limits of the port facilities.

Failing a specific agreement, the fees prescribed for goods transported by a vessel will be calculated on the metric weight or volume of the goods.

DEMURRAGE

Fees are charged on goods which remain on one of the port facility properties prior of after transshipping.

During their stay, all goods being stored on one of the port facility properties must result from an agreement. This agreement may be concluded between the owner of the said goods or the mandated stevedoring company for their handling and the SPBSG.

Upon the expiry of the agreement, the SPBSG may demand that the owner remove the said goods.

The SPBSG may, at its discretion, lengthen or shorten the agreement previously established for convenience port operations purposes.

Should any owner of goods fail to comply with a notice given in accordance with the preceding paragraph, the SPBSG may, at the owner's risk and expense, remove, store or re-stack the goods.

DOCUMENTS REQUIRED

The owner or the agent in charge of the vessel shall, within 48 hours of its departure, submit to the harbour master:

- the declaration of use of the port facilities (inward outward declaration form available under the section "Projects and infrastructures" under the tab "Ports infrastructures" of this web site);
- the bill of lading or cargo manifest describing the goods transshipped and indicating their metric weight or volume.

NOTES

The SPBSG may amend the regulations relative to the use of the port facilities in order to maintain or improve the smooth running of its activities.

The SPBSG may, if it deems fit, define a particular agreement with a third party for the use of the port facilities.

CONTACT DETAILS — PORT FACILITIES

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Port de Gros-Cacouna

Harbour master
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Port de Rimouski

Harbour master
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Port de Matane

Harbour master

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418 560-2514 / 418 560-7152 (24/7)

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Harbour master

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