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25.09.2023

Konu : Gemi Acentelik Hizmetleri Ücret Tarifesine
İlişkin Tebliğ İngilizce Tercümesi

Sirküler No: 663

Sayın Üyemiz,

19.09.2023 tarih ve 32314 sayılı Resmi Gazete'de yayımlanan ve yayımı tarihinden bir ay sonra yürürlüğe girecek olan Gemi Acentelik Hizmetleri Ücret Tarifesine İlişkin Tebliğ'in İngilizce tercümesi ekte yer almakta olup, Türkçe metin ile İngilizce tercümesi arasında uyumsuzluk olması halinde Türkçe metin esas alınacaktır.

Bilgilerinize arz/rica ederim.

Saygılarımla,

e-imza

İsmet SALİHOĞLU
Genel Sekreter

Ek:AgencyFees Tariff Published on 19092023 (9 sayfa)

Dağıtım:

Gereği:

- Tüm Üyeler (WEB sayfası ve e-posta ile)
- İMEAK DTO Şube ve Temsilcilikleri
- Türk Armatörler Birliği
- S.S. Armatörler Taşıma ve İşletme Kooperatifi
- VDAD (Vapur Donatanları ve Acenteleri Derneği)
- TÜRK LİM (Türkiye Liman İşletmecileri Derneği)
- KOSDER (Koster Armatörleri ve İşletmecileri Derneği)
- GBD (Gemi Brokerleri Derneği)
- TURSSA (Gemi Tedarikçileri Derneği)
- 29-32-33-40-41-42-43 Nolu MK Başkan ve Üyeler

Bilgi:

- Yönetim Kurulu Başkan ve Üyeleri
- İMEAK DTO Şube YK Başkanları
- İMEAK DTO Meslek Komite Başkanları

Bu belge, 5070 sayılı Elektronik İmza Kanuna göre Güvenli Elektronik İmza ile İmzalanmıştır.



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From the Ministry of Trade

COMMUNIQUÉ ON SHIP AGENCY SERVICES FEE TARIFF

Purpose:

ARTICLE 1- (1) The purpose of the Communiqué is to determine the minimum service fee tariff of the ship agents which are authorized in accordance to the provisions of the Ship Agents Regulation published in the Official Gazette dated 5/3/2012 and numbered 28224.

Scope:

ARTICLE 2- (1) The provisions of this Communiqué comprise the fees for ship agency services provided by real or legal persons operating as a ship agency.

(2) The services referred in the regulations of Maritime Commerce Supervision Services published in the official gazette dated 19/11/2019 and numbered 30953 are completely out of the coverage of this communiqué

(3) The provisions of this Communiqué shall apply to all ships and marine vessels coming to the territorial waters, ports, shipyards, inland waters and rivers of our country and passing through the Çanakkale (Dardanelles) and Istanbul Straits.

(4)- Cabotage voyages are excluded from the scope of this Communiqué.

Basis

ARTICLE 3- (1) This Communiqué and the annexed tariffs have been prepared based on subparagraph (p) of Article 12 of the Union of Chambers and Commodity Exchanges of Turkey and Chambers and Commodity Exchanges Law dated 18/5/2004 and issue numbered 5174 and subparagraph (ç) of the first paragraph of Article 446 and Article 508 of the Presidential Decree on the Organization of the Presidency.

Definitions

ARTICLE 4- (1) The definitions below have been used for this Communiqué;

a) Ship agency: a person or organization which is in possession of a license according to the provisions of the Ship Agencies Regulation

b) Container: A cargo transport unit that complies with the standards defined in the International Convention on Safe Containers (CSC) and has a valid certificate,

c) Protective Agent : The agent which protects the rights and benefits of the persons represented against each other in case where the cargo agency and ship agency are different from each other.

ç) Freight : refers to all of the fares due to the owners for the transportation of passengers and cargoes.

d) Chamber : The Chamber of Shipping

e) Cargo : refers to all kinds of goods, merchandise, products, products, end products and solid, liquid or gaseous substances carried in accordance with the transportation contract.

Service & Fees

ARTICLE 5-(1) A Fee is charged by ship agencies for the following services in accordance with the tariffs published in this Communiqué:

a) Ship agency service: Passenger, cargo, maintenance/repair, survey, bunkering, change of personnel, loading/unloading of all kinds of ships, sea or water vessels from their entry into Turkish territorial waters to their exit from Turkish territorial waters within the scope of international legislation and customs and national legislation, the follow-up and fulfillment of pilot/tugboat and similar transactions before the relevant authorities, organizations and units, the application of the rules stipulated by the Laws of the Republic of Türkiye without error, and the timely, accurate and error-free notification of all kinds of information related to these affairs.

b) Protective agency service: In addition to the agency appointed pursuant to the provisions of the contract of carriage,

the ship agent appointed by the ship's owner, captain or operator for services related to the ship.

c) Supervision Fee: Fees charged by the ship agencies to the shipowners, captain, operator or charterers in addition and a part of the agency fees or protective agency fees for organizing the loading and unloading operations of the cargo, ensuring the coordination of all parties in order to carry out these operations in a healthy manner, carrying out activities to accelerate the work and transactions, ensuring the delivery or acceptance of the correct cargo to the correct recipient, in the correct amount and by the appropriate method, in the name and account of the carrier, in accordance with international customs, the follow-up and finalization of the issue in the proceedings initiated due to deficiency or excess, fulfillment of the legal processes to be initiated by the relevant authorities and similar services.

ç) Primage : Fees to be paid by cargo owner (party paying the freight) in addition to the freight, for the care shown during loading operations at loading port.

d) Other Service Fees

1) Crew services fees: Fees charged in addition to the visa fee, reception, hotel, vehicle, doctor, hospital, medicine, etc. expenses incurred by the agency in case of personnel change, illness or leave of absence of sailing ships and marine vessels,

2) Transit ship parts and material transfer fee: Fees charged in addition to the costs incurred for the transfer of ship parts and materials sent by the ship owner, lessee or operator for the needs of ships and marine vessels to ships and marine vessels and the fulfillment of these services,

3) Cash to master delivery fees : These fees are paid to the agent in addition to other expenses incurred by the agent in the process of delivering funds sent to the ship's safe by the shipowner, charterer and operator.

Liability

ARTICLE 6-(1) Shipping agencies are obliged to protect the honor, dignity, interests, economic and commercial reputation of the Turkish maritime industry at the international level and to ensure the payment of taxes, duties and fees required to be paid in accordance with the Laws of the Republic of Türkiye and international conventions / agreements and charge the mandatory base fees required in accordance with this Communiqué.

Collection of fees and expenses

Article 7- (1) All agency, protective agency, commission, primage, surveillance, port fees and other expenses of the ships sailing to Turkish ports or passing through Turkish straits must be paid in advance to the ship agency. The provisions of the Law on the Protection of the Value of Turkish Currency dated 20/2/1930 and number 1567 and the Decree No. 32 on the Protection of the Value of Turkish Currency published in the Official Gazette dated 3/7/1991 and number 20918 and the provisions of the Circular of the Central Bank of the Republic of Türkiye regarding the Communiqué No. 2008-32/34 of the Prime Ministry Undersecretariat of Treasury (Issue 1-M) shall apply to the payment of port expenses of ships making scheduled or regular voyages to Turkish ports.

Minimum Fees

Article 8 - (1) The amounts shown in the tariffs annexed to this Communiqué are basic fees. The fees to be charged cannot be less than the amounts specified in these tariffs.

(2) Unless written notification by the agent and written approval is available , no additional fees can be charged in addition to the tariffs specified .

(3) 50 pct discount is applied to vessels flying Turkish flag on tariffs of Agency Services No. 1 (for ships in ports and/or territorial waters), Agency Services No. 3 (for ships passing through the Çanakkale (Dardanelles) and Bosphorus Straits) and Supervision Services No. 5 attached to this Communiqué .

Expenses that are not included to the fees

Article 9 - (1) The fees specified in the tariff tables are for the works and services specified in the definitions. Taxes, duties, fees, stamps and compulsory expenses related to the cargo, passengers or goods of ships and marine vessels, and expenses to be paid for the machinery, equipment, materials and personnel of ships and marine vessels, freight collection and remittance expenses are not included in the fees to be charged in accordance with this Communiqué.

Penal provisions

Article 10 – (1) Ship Agents are compelled to adhere to the principles stated in this communiqué as well as are obliged to apply the basic minimum fees stated in the attachements of this communiqué. Agents not applying these basic minimum fees will be subject to disciplinary actions and fines according to the articles 86 and 93 of the Law No. 5174.

Annuled Communiqué

Article 11 – (1) The communiqué concerning the agency fees tariff published on the official gazette no. 26812 dated 10/03/2018 (ITG 2008/1) is hereby annulled.

Validity

Article 12 – (1) This communiqué comes into force one month after the date of its publication

Execution

ARTICLE 13-(1) The provisions of this communiqué are executed by the Minister of Commerce

TARIFF NO: 1 AGENCY SERVICES**For ships in ports and/or territorial waters:**

<u>Ship's tonnage N.T.</u>	<u>Euro base fee per Call</u>
0 - 500	600.-
501 – 1000	1000.-
1001-2000	1500.-
2001-3000	1850.-
3001-4000	2300.-
4001-5000	2750.-
5001-7500	3200.-
7501- 10000	4000.-
10001 - 20000 in addition per each 1000 NT or fraction thereof	125.-
20001 - 30000 in addition per each 1000 NT or fraction thereof	100.-
Over 30001 in addition per each 1000 NT or fraction thereof	75.-

a) The above base fees are for the stay of the vessel in the port and/or territorial waters for up to 7 (including seven) calendar days for whatever reason.

b) If the ship stays more than 7 (seven) days, 20% (twenty) is added to the basic fees for each period of 5 (five) days (or fraction) after the first 7 (seven) days.

c) Except for special inspections and services to be requested by the ship owners, 30% (thirty) is added to the basic rates in case of general average , collision, grounding, fire, rescue-assistance, drydocking, repairs.

d) A discount of up to 40% (forty) can be made from the basic fees for passenger ships.

e) A 50% (Fifty) discount can be granted for containerships belonging to a line that can prove that they make regular voyages.

TARIFF NO: 2 PROTECTIVE AGENCY SERVICES**For ships in port and/or territorial waters:**

<u>Ship's tonnage N.T.</u>	<u>Euro basic fee per call</u>
0-500	300.-
501-1000	500.-
1001-2000	750.-
2001-3000	925.-
3001-4000	1150.-
4001-5000	1375.-
5001-7500	1600.-
7501-10000	2000.-
10001 - 20000 in addition per each 1000 NT or fraction thereof	63.-
20001 - 30000 in addition per each 1000 NT or fraction thereof	50.-
Over 30001 in addition per each 1000 NT or fraction thereof	38.-

- a) The above basic fees are for the stay of the vessel in the port and/or territorial waters for up to 7 (including seven) calendar days for whatever reason.
- b) If the ship stays more than 7 (seven) days, 20% (twenty) is added to the basic fees for each period of 5 (five) days and fraction after 7 (seven) days.
- c) Except for the special inspections and services to be requested by the ship owners; 30% (thirty) is added to the basic fees in case of general average , collision, grounding, fire, rescue-assistance services..

TARIFF NO: 3 AGENCY SERVICES

For ships passing through the Dardanelles and Bosphorus Straits:

<u>Ship's tonnage N.T.</u>	<u>Euro basic fees for one crossing per strait</u>
0 - 1000	200.-
1001 – 2000	290.-
2001 – 3000	340.-
3001 – 4000	400.-
4001 – 5000	460.-
5001 – 7500	560.-
7501 – 10000	640.-
10001 - 20000 in addition per each 1000 NT or fraction thereof	30.-
20001 - 30000 in addition per each 1000 NT or fraction thereof	20.-
Over 30001 - in addition per each 1000 NT or fraction thereof	10.-

a- These basic fees are for one passage through one strait , regardless of the direction.

b- In case of agency change during the southbound passage of a ship , ½ of the duties and expenses paid in full by the agency during northbound passage of the vessel are to be debited to the agency attending the southbound passage. The agency attending the southbound passage is liable for the payment of this expenses.

c)- Vessels Passing the Turkish Straits under escort

- 1) For Escorted passage and/or towed of ships and marine vessels;
30% of the basic agency fees to ber charged.

TARIFF NO: 4 PROTECTIVE AGENCY SERVICES

For ships passing through the Dardanelles and Bosphorus Straits

<u>Ship's tonnage N.T.</u>	<u>Euro base fare for one crossing per strait</u>
0 - 1000	100.-
1001 - 2000	146.-
2001 - 3000	170.-
3001 – 4000	200.-
4001 – 5000	230.-
5001 – 7500	280.-
7501 – 10000	320.-
10001 - 20000 in addition per each 1000 NT or fraction thereof	15.-
20001 - 30000 in addition per each 1000 NT or fraction thereof	10.-
Over 30001 - in addition per each 1000 NT or fraction thereof	5.-

These basic fees are for one passage through one Strait regardless of the direction.

TARIFF NO: 5 SUPERVISION SERVICES

For ships in ports and/or territorial waters

<u>Loading & unloading</u>	<u>Euro/Metric TON</u>
A) CARGO IN BULK:	
a) Dry Cargo (Ores, minerals, scraps, pigiron, coal, carob, animalfeeds, pellets, cement, clinker, pumice stones, fertilizers, slag)	
I- 0 up to 10000 tons	0.15
II- 10001 up to 20000 tons	0.10
III- for part over 20000 tons	0.05
b) Grains and Seeds:	
Wheat, barley, oats, rye, rice, corn, sunflower, soya beans, vetches.	
I- up to 10000 tons	0.10
II- 10001 up to 25000 tons	0.075
III- for part over 25000 tons	0.045
c) Pulses:	
Broadbeans, blackeyed beans, beans, lentils, chickpeas	
I- 0 up to 5000 tons	0.30
II- for part over 5000 tons	0.15
d) Crude oil, petroleum:	
I- up to 15000 tons	0.040
II- 15001 up to 35000 tons	0.030
III- for part over 35000	0.015
e) LPG and LNG gasses:	
I- 0 up to 15000 tons	0.15
II- for part over 15000 tons	0.05
f) Chemical products (including petroleum derivates)	
Wine, olive oil, molasses, edible oil, mineral oil, tallow	
	0.15
B) CARGO NOT IN BULK:	
(those listed below)	
a) Grains and flour, artificial fertilizers, sugar, cement, rice, semolina, carob, minerals, marble blocks.	
I- up to 20000 tons	0.15
II- for part over 20000 tons	0.05
b) Fresh fruits and vegetables, citrus, frozen food	
	1.00
c) Pulses and Seeds	
	0.60

d) Paper, iron and Steel products and semi-finished products:

**Steel plates, ironcoil, profiles, ironbillets, ironbars,
Roundbars, wirerods in coils, all kinds of pipes, steel coils ,, newsprintpaper,
kraftpaper in rolls, woodpulp.**

I- 0 up to 5000 tons	0.25
II- 5001 up to 10000 tons	0.15
III- for part over 10000 tons	0.10

e) Wood logs and lumber

I- 0 up to 3000 tons	0.50
II- 3001 up to 5000 tons	0.35
III- for part over 5001 tons	0.10

C) EMPTY CONTAINERS AND EMPTY TRAILERS (Euro /unit): 10.00

Lines handling over 25.000 empty containers per year are exempt from this fee.

D) LIVESTOCK (Euro/unit):

a) Ovines	0.05
b) Bovines	0.15

E) OTHER CARGO, VARIOUS CARGO CARRIED IN THE SAME VESSEL

(excluding cargo transported in containers)

I- If loading and/or unloading charges are paid by the carrier	1.00
II- If loading and/or unloading charges are paid by the contractor and/or buyer	0.60

F) ALL KIND OF CARGO CARRIED IN CONTAINERS (including those above):

(Euro/Unit) 15.00

- Transit container coming from abroad by ship and going abroad by another ship (Euro / Unit): 15.00
- Lines handling over 50.000 full containers per year are exempt from this fee.

G) AUTOMOBILES, JEEPS, PICKUPS, PANEL VANS,

MINIBUSES, MIDIBUSES (Euro / Unit) Excluding Containers

If loading and/or unloading charges are paid by the carrier, shipper and/or consignee:

0 up to 50 units	5.00
51 up to 300 units	3.00
Over 301	1.50

H) SELF-PROPELLED WHEELED TRACKED VEHICLES AND CONSTRUCTION MACHINERY

TRANSPORTED BY RO - RO SHIPS

(Euro per meter per length) 3.00

I) To be calculated according to the above mentioned base rates

If the total surveillance fee is less than 300.- (Three hundred) Euro, 300 Euro is charged

If the surveillance fee is more than EUR 10.000, the surveillance fee is applied as EUR 10.000.

TARIFF NO: 6 COMMISSION

The commission fee applies , in addition to the agency fees specified under tariff (1) and only for the sections referred under para (F , G , H) of tariff no.5

<u>A) Freight</u>	<u>Percentage of Freight Revenue</u>
i) loading	5.0 %
(The loading commission is charged on the freight from the port of loading to the final destination port indicated on the bill of lading.)	
ii) Unloading	2.5 %
<u>B) Transit freight</u>	
i) loading	2.5 %
ii) Unloading	1.5 %

Transit containers coming from abroad by ship and going abroad by another ship are not charged.

Percentage of Ticket Price sold in Türkiye

<u>C) Passenger Transportation</u>	12.5 %
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TARIFF NO: 7 PRIMAGE

	<u>Percentage of Freight Revenue</u>
A) % For MediterraneanSea and Black Sea Ports	5.0
B) For ports out of Gibraltar and Suez Canal	3.0

- a) In addition to the agency fee in tariff number 1, the primage fee applies to sections (F, G and H) in tariff number 5.
- b) However, the amount of primage to be charged per bill of lading is limited to EUR 3,500..

TARIFF NO: 8 OTHER AGENCY SERVICE FEES

(The Services under this article are applied to vessels passing through the straits of the Bosphorus and/or Çanakkale (Dardanelles).)

1- SpareParts:

A service fee of EUR 1.00 per kilo, based on the weight of the spare parts and/or materials coming from abroad and delivered to the ship, for each consignor, is paid to the agency. In addition to the delivery costs, the service fee is applied as minimum 150.- Euro and maximum 500.- Euro per passage or port of call.

2- BunkerSupply:

Bunker replenishment and slop service supervision fee 250.- Euro is applied if the service is performed while the ship is at anchor.

3- Per person embarking and disembarking (in addition to costs)

	<u>Euro</u>
1 - 2 persons	175.-
For each extra person	50.-

4- Medical services:

Per patient	175.-
(in addition to costs)	

5- Captain's advance (Cash to master):

Based on the amount of money issued	1,5 %
(A minimum of 150 euros is applied in addition to the costs)	