

**PORT RULES AND REGULATIONS**

**DIVISION OF TRANSPORTATION  
Bureau of Commercial Development  
Ministry of Commerce & Trade  
Republic of Palau**

## AUTHORITY

THE PORT RULES AND REGULATIONS FOR THE REPUBLIC OF PALAU ARE PROMULGATED AND ISSUED PURSUANT TO THE AUTHORITY GRANTED BY LETTER OF DELEGATION OF AUTHORITY DATED SEPTEMBER 24, 1980, IN WHICH THE AUTHORITY TO ESTABLISH HARBOR RULES AND REGULATIONS WAS TRANSFERRED BY THE HIGH COMMISSIONER OF THE TRUST TERRITORY OF THE PACIFIC ISLANDS TO THE REPUBLIC OF PALAU.

FOR THE CONVENIENCE OF ALL PARTIES LEGITIMATELY INTERESTED, COPIES OF THE PORT RULES AND REGULATIONS OF THE REPUBLIC OF PALAU MAY BE OBTAINED AT THE DIVISION OF TRANSPORTATION, AND IT IS SUGGESTED THAT ALL SUCH PARTIES SECURE COPIES FOR THEIR INFORMATION AND GUIDANCE.

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# PORT RULES AND REGULATIONS

## Section 1. Definitions

- 1-1 BERTH: A vessel which is moored or made fast to a dock, wharf, dolphin or other structure is said to occupy a berth.
- 1-2 CARGO: shall mean all goods, wares, material, freight and merchandise.
- 1-3 CARGO STORAGE CHARGE or terminal storage is a charge assessed for assigned space occupied by cargo at a wharf.
- 1-4 COMMERCIAL PORT is a port designed for trade and other commercial activity which means Malakal, Koror and such other port as may be designated by the President or designee from time to time.
- 1-5 DEMURRAGE is a charge assessed for unassigned space occupied by cargo at a wharf after the expiration of free time.
- 1-6 DOCKAGE is the charge assessed against a vessel when:
- (a) The vessel is berthed at or made fast to a dock, wharf, dolphin, or other structure.
  - (b) The vessel is lying alongside of or tied up to another vessel which is berthed at or made fast to a dock, wharf, dolphin or other structure, or
  - (c) The vessel is not tied up to or lying alongside of but is using a dock or wharf by means of boats, rafts, lighters or otherwise.
- 1-7 FREE TIME is that period of time allowed for cargo to remain at a wharf for purposes of (1) assembling and loading the same and enabling its receipt at a wharf, without assessment of Demurrage or Cargo Storage Charges.
- 1-8 INFLAMMABLE LIQUID is any liquid which gives off inflammable vapors at or below a temperature of 80 F as determined by the use of a Tagliabue Open Cup Tester.
- 1-9 INTER-ISLAND OR INTRA-ISLAND FREIGHT is that freight or cargo handled between wharfs, piers or docks in the islands of Palau.
- 1-10 OUTSIDE BERTH: A vessel which is moored or made fast to another vessel which is occupying a berth is said to occupy an outside berth.

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- 1-11 OVERSEA FREIGHT is that cargo coming from or going to any foreign port.
- 1-12 PILOT shall mean a person who is employed by the Republic of Palau, holds a valid Pilot's license to operate within the waters of Palau, and provides pilotage service as part of his employment.
- 1-13 PILOTAGE is a charge assessed against a vessel for pilotage service into or out of a port or harbor.
- 1-14 PORT ENTRY FEE is a charge assessed against a vessel engaged in foreign trade for entry into a port or harbor.
- 1-15 RENTALS are transactions by which space is provided for all purposes other than the storage of cargo or dockage including office space, parking space or lockers.
- 1-16 RULES AND REGULATIONS are these rules as promulgated and as they may be amended from time to time.
- 1-17 TON, when used with respect to the computation of wharfage or demurrage, means:
- (a) By weight, 2,000 pounds.
  - (b) By volume, 40 cubic feet.
  - (c) By Board-foot measurement in the case of lumber, 480 Board-feet.
- 1-18 TRANSIT FREIGHT is cargo transit from an Overseas port, traveling between ports in the Republic of Palau without intermediate off-loading to a wharf of a Republic of Palau port.
- 1-19 ROP shall mean the Republic of Palau.
- 1-20 VESSEL embraces power boats, ships, tugs, sailing vessel barges, outrigger canoes, scow, lighters, ferry boats, pleasure craft, floating equipment, house boats, floating gear and any and all other water craft capable of being used as a means of transportation.
- 1-21 WHARF, PIER, DOCK or TERMINAL AREA is any area set aside and devoted to the receiving and discharging of cargo or passengers from or onto ocean vessels.
- 1-22 WHARFAGE is a charge assessed against cargo when the cargo is:

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- (a) Passing or conveyed over, onto or under any wharf, or
- (b) Passing or conveyed to or from a vessel while such vessel is:
  - (1) Made fast to a wharf, or
  - (2) Moored in any slip, channel, basin or canal or
  - (3) Made fast to another vessel which is made fast to a wharf or moored in any slip, channel basin or canal.

Wharfage is charged solely for the use of the wharf, slip, channel, basin or canal and does not include charges for any other activity or service.

### **Section 2. Regulations - General**

#### **2-1 DELEGATION OF AUTHORITY**

The Chief, Division of Transportation and the Port Manager are hereby designated the Representative of the Minister of Commerce & Trade and are thereby delegated the authority to administer these Rules and Regulations and to establish any necessary procedures for the efficient and safe operation of the ports and harbors Under their Jurisdiction.

#### **2-2 SPECIFIC AUTHORITY OF PORT MANAGER**

- (a) A master or person in charge of a vessel shall obey and carry into effect any orders given by the Port Manager regarding the manner of bringing vessels to anchorage, entering or leaving a harbor, or coming alongside of or leaving any wharf and shall not move or allow his vessel to be moved in, out, or within a harbor, or anchorage without the permission of the Port Director.
- (b) The berthing of vessels wharves shall be at the discretion of the Port Manager.
- (c) No person without the consent of the Port Manager shall cut or cast off any mooring line, rope or tackle made fast or attached to any vessel, wharf, mooring, buoy or other structure.

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### **2-3 DUTY OF MASTER AND CREW TO GIVE AID AND ASSISTANCE**

- (a) The master and crew of every vessel shall, when requested, give the Port Manager all possible aid in the performance of his duties in relation to such vessel.
  
- (b) If there is no person aboard a vessel with proper authority or if there is an insufficient number of persons aboard such vessel or if the master or crew refuse to aid the Port Manager in moving, pumping, mooring or unmooring of such a vessel when directed to do so by the Port Manager, then the Port Manager is authorized and empowered to move, pump, moor or unmoor such vessel, to this end the Port Manager may, if necessary, hire such assistance, equipment, and tackle or purchase and put aboard such ballast as to him seems requisite. All at the expense of the master, owners and agents of such vessel, which costs shall be paid before permission for departure is given. The government, its employees and agents shall not be liable for any damage or loss occurring to any vessel in consequence of such proceedings.

### **2-4 CONSENT TO RULES AND REGULATIONS**

The use of the waterways and facilities of Palau shall constitute a consent to the terms and conditions of these Rules and Regulations and an agreement on the part of the vessel, its master, crew, owners and agents to pay all charges specified and to be governed by these Rules and Regulations.

### **2-5 DEPOSIT**

The master, owner, or agents of a vessel arriving at a harbor at which a Port Manager is stationed shall deposit with the District Transportation Director in cash, or other legal tender, funds in an amount as determined by the Director, Bureau of Commercial Development cover all proposed obligations under these Rules and Regulations. Such a deposit will become unnecessary if credit is established with the Director, Bureau of Commercial Development.

### **2-6 RESPONSIBILITY OF AGENT FOR FEES**

If any agent or character purports to act as agent for a vessel by telephoning or otherwise communicating with the Director, Bureau of Commercial Development on behalf of a vessel; he thereby assumes credit responsibility for that vessel and any vessel she may have in tow unless, prior to arrival of that vessel he notifies the Director, Bureau of Commercial Development in writing, of his non-responsibility.

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### **2-7 DAMAGES TO WHARF OR WHARF STRUCTURES**

The master, owner, or agents requesting a berth, cargo space allocation, or use of harbor facilities incident to the receiving, discharging, loading or removal of cargo, will be liable for all damage caused to any property during such use of harbor facilities.

### **2-8 LIABILITY**

All vessels, their masters, owners and agents shall indemnify and save harmless the government, its officers, agents and employees, from and against all losses, claims, demands, and suits for damages, including death and personal injury, together with Court costs and Attorney's fees, incident to or resulting from their operations within a port, wharf or harbor of Palau.

### **2-9 INSPECTION**

The Port Manager or his designee shall be permitted access to enter upon and inspect any vessel to ascertain the kind quality and quantity of cargo thereon, and upon any rented or leased premises of the government to inspect the same.

### **2-10 PENALTY**

The violation of these Rules and Regulations or of any written procedures adopted pursuant to these Rules and Regulations shall be a misdemeanor and shall be punishable by a fine in the sum of not more than One Thousand Dollars or not more than a year in jail or both.

## **Section 3. Regulations - /Waterways**

### **3-1 OPERATING PROCEDURES**

- (a) Vessels more than 65 feet in length or exceeding 200 gross tons will advise the Port Manger of all moves into, within, or departing the harbor giving destinations.
- (b) No vessel shall anchor in any fairway of any channel or so as to Obstruct the approach to any wharf.
- (c) All vessels over 65 feet shall proceed at a rate of speed commensurate with safe navigation and slow enough so as not to cause damage to other vessels or property. Vessels under 65 feet shall proceed at a rate of speed not to exceed 10



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nautical miles per hour.

- (d) No vessel solely under the power of sail shall enter the harbor unless equipped with an auxiliary engine in working order or accompanied by a power boat equipped to take it under tow in case of an emergency.
- (e) Except for those vessels entering the harbor for special repairs requiring minimum drafts all vessels will be ballasted so as to reduce freeboard to a reasonable degree.

### 3-2 PRIORITIES IN VESSEL MOVEMENTS AND BERTH ASSIGNMENTS

- (a) Priorities for vessel movements, other than for emergency, shall be as follows:
  - (1) Any vessel putting into port in a bona fide emergency status.
  - (2) Any vessel putting into port with cargo of immediate need and vital to community transportation, health or communication functions.
  - (3) Regularly scheduled cargo liner service vessels.
  - (4) Other regularly scheduled service vessels.
  - (5) Special charter vessels arriving at pre-arranged and pre-announced dates.
  - (6) Vessels owned by the ROP or U.S. Governments.
  - (7) All other vessels on a first-come, first-served basis.
- (b) Priorities for vessel movements in emergency situation shall be as follows:
  - (1) Vessels owned by the ROP & U.S. governments.
  - (2) Passenger vessels.
  - (3) Tankers
  - (4) Vessels with explosive cargo
  - (5) Freighters

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- (6) All other vessels on a first-come, first-served basis.
- (c) Agents shall submit the following to the Port Manager for scheduling:
  - (1) Submit vessel schedules as far in advance possible
  - (2) Prior to 11:00 AM. Five days before vessel's arrival, or as soon thereafter as possible, submit estimated time of arrival. A berth assignment will be confirmed at this time.
  - (3) Prior to 11:00 AM. Daily, submit known departures for the following day. A schedule shall be prepared at this time.
  - (4) Prior to 11:00 AM. daily, submit known departures for the following day. A schedule shall be prepared at this time.
  - (5) Any changes in times of arrival and departure occurring after the preparation of a schedule shall be reported to the Port Manager.
  - (6) Berth assignments for a change in schedule will be made on a first-come, first-served and a not-to-interfere basis with the prepared schedule.
  - (7) Application for berth assignments shall include any peculiar requirements for berthing and any physical features which would affect piloting or mooring.

### **3-3 PRIORITY OF SCHEDULED VESSELS**

Vessels arriving or departing at the same hour will be granted priority as described in Section 3-2 (a) above, but within any category the vessel that was assigned a confirmed berth will be permitted to move first unless the vessel is late and operating conditions in the harbor dictate otherwise.

### **3-4 ARRIVAL WHEN PILOTAGE IS REQUIRED**

Vessels requiring pilotage shall plan arrivals and departures for daylight hours.

### **3-5 DUTY OF AGENTS TO ARRANGE FOR LINEMAN**

Agents shall arrange for proper and adequate lineman and insure that the same will be on

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time for all vessel arrivals, movements, or departures.

### **Section 4. Safety, Cleanliness and Use of Facilities**

#### **4-1 ALARM**

Five prolonged blasts of a whistle or siren is an alarm indicating a fire on board a vessel or at the dock at which a vessel is moored. Such a signal may be given and repeated at intervals to attract attention, but it is not a substitute for and shall be used in addition to other means of reporting a fire. Such a signal shall not be used for any other purpose. For the purpose of this section a "Prolonged Blast" shall mean a blast of four to six seconds in duration.

#### **4-2 EXPLOSIVES**

- (a) No vessel containing more than five hundred pounds of Class A; one ton of Class B, or ten tons of Class C explosives (net explosive content) shall enter or be loaded in any harbor except on written permission of the Director, Bureau of Commercial Development and pursuant to the instructions of the Port Manager.
- (b) All handling, loading, unloading or hauling, either away from or to a pier, of explosives shall be done in a safe and careful manner with the permission and pursuant to the instructions of the Port Director.
- (c) No use of explosives shall be made within the harbor, on a wharf, or in the immediate vicinity of the same without the written permission of Director of Bureau of Commercial Development and the Port Manager.

#### **4-3 NITRATE OF SODA, NITRATE OF AMMONIA, SULPHUR OR OTHER SIMILAR MATERIAL**

- (a) During all time of loading and unloading of cargoes containing nitrate of soda, nitrate of ammonia, sulphur or other similar material the wharf must be kept clean and swept free of such materials and the master, owner or agent of the vessel must provide, at their expense, a container of not less than fifty gallons capacity filled with a solution of nitrate of soda and water at distances not more than fifty feet apart, with suitable buckets alongside each container, for the purpose of fighting any fire which may occur.
- (b) If loose nitrate of soda, nitrate of ammonia, sulphur or other similar material is to

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be unloaded, it shall be placed directly into the carrier and immediately removed using such protective device approved by the Port Director and capable of preventing the material from falling upon the wharf.

- (c) Nitrate of soda, nitrate of ammonia, sulphur or other similar material may be stored or left upon any wharf for a period of time not to exceed four hours, provided such material is packed in sound and non-leaking containers and the master, owner or agent of the vessel provide, at their expense, a competent watchman satisfactory to the Port Manager to give continuous care thereto.

### 4-4 ACIDS

Sulphuric acid, muriatic acid, nitric acid and other similar material may not be stored or left upon any wharf for even a short period of time, but must be immediately removed from the wharf upon discharge and not put upon the wharf until the carrier is ready to receive the same in loading. Electric storage batteries are except from this provision if they are protected against short circuits and completely and securely boxed.

### 4-5 INFLAMMABLE SUBSTANCES

- (a) If inflammable substances are to be loaded or unloaded, and the same are not contained in sound and non-leaking containers, they shall be placed directly into the carrier and immediately removed from the wharf upon discharge and not put upon the wharf until the carrier is ready to receive the same in loading.
- (b) No empty containers which have been used to hold inflammable substance shall be delivered onto any wharf unless the same are securely closed with metal screw plugs and not until the carrier is ready to receive the same in loading.

### 4-6 PROHIBITED REPAIR, MANUFACTURING, CONSTRUCTION OR MAINTENANCE WORK

No combustible materials such as pitch, tar resin or oil shall be flame heated on board any vessel within the harbor nor shall any vessel be fumigated or smoke at any wharf without the permission of the Port Manager. If fumigation is to be with cynagen products or hydrocynic and gas in any form, the master, owner or agent shall provide, at their expense, a competent watchman satisfactory to the Port Manager to prevent unauthorized people to board while a health danger exists.

- (a) No welding or burning operations of any kind, nor repair, manufacturing,

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construction or maintenance work which may be hazardous, shall be performed on a wharf or in the immediate vicinity of the same or on a vessel moored thereto without the permission of the Port Manager.

### 4-7 SMOKING

Except areas designated by the Port Manager and plainly marked "No Smoking Area", smoking is permitted on the wharf and within any structure located therein.

### 4-8 WHARFS KEPT IN CLEAN AND SANITARY CONDITION

- (a) All wharves shall be kept in a clean and sanitary condition and free from all obstructions.
- (b) The Port Manager may hire or cause to be hired laborers for the cleaning of wharves which total cost of labor and materials shall be the responsibility of and assessed against the vessel which is responsible for the necessity of cleaning.

### 4-9 WHARF LOAD LIMITS

Loads of wharves shall not exceed the following unless otherwise authorized:

- (a) All reinforced concrete wharves:
  - 500 lbs. Per square foot over the area supported by piles, cylinders or seawall.
  - 1,000 lbs. Per square foot over the area supported by land or fill.
- (b) All other wharves: 250 lbs. Per square foot over the area supported by piles and wooden structure. 1,000 lbs. Per square foot over the area supported by land or fill.

### 4-10 ANIMALS

- (a) No fowl, animal or livestock of any kind subject to quarantine shall be unloaded unless first passed by the Department of Agriculture or unless arrangements have been made for acceptance for quarantine.
- (b) No fowl, animal or livestock of any kind is left or remains upon any wharf for a period of time greater than six hours, the master, owner or agent of the vessel shall provide, at their expense, proper feed and water therefor.

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### 4-11 VEHICLES

- (a) No vehicle shall be admitted upon any wharf or in any area used for the storage of cargo except for the purpose of delivery or the picking up of freight unless the operator thereof shall have received a permit from the Port manager vehicles conveying or to convey the sick or the infirm, ambulance, police and fire equipment are exempt from this provision.
- (b) All vehicles used in the handling of cargo or shipping containers shall be clearly marked to identify the owner thereof.
- (c) Speed limits of vehicles shall not exceed the following:
  - (1) Within roadways adjacent to wharves and areas used for cargo: 15 miles per hour.
  - (2) Within areas used for cargo storage: 10 miles per hour.
  - (3) On wharves: 5 miles per hour.
- (d) Any vehicle operated on any wharf or within any area used for cargo shall be under the direction and control of the Port Manager and he may cause the same to be moved or towed at the owner's risk and expense and without any liability for any damage which may result.

### 4-12 PLACEMENT OF CARGO AND EQUIPMENT

- (a) All cargo and equipment shall be placed, stored or stacked in such a way as not to impede the approaches to the same, nor to be an obstacle to the removal of other cargo, nor to cause damage to the wharf. No cargo shall be so placed as to restrict or prevent the use of mooring bits, cleats or any other device used for mooring purposes.
- (b) Any cargo which in the opinion of the Port Manager is unfit to remain upon any wharf or may be harmful to other cargo on such wharf, shall be removed at the expense of the owner or consignee.

### 4-13 DISCHARGES INTO HARBOR

- (a) No rubbish, swill, garbage or refuse, ballast, rock slag, gravel, sand, earth or other

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similar substance shall be thrown, washed over-board or placed in any harbor.

- (b) The discharge or oil sludge, oil refuse, fuel oil or molasses either directly or indirectly, or the pumping of bilges or ballast tanks containing other than clean water into the waters of any harbor or into any shore waters of Palau is strictly prohibited.
- (c) Should any vessel discharge, throw wash over-board or place a prohibited substance in said waters the mater thereof shall immediately notify the Director of Commercial Development and the master, owner or agent shall take such immediate action in necessary for removal of the substance from said waters upon failure of the mater, owner or agent to remove said substance the Director of commercial Development shall take such actions through government or commercial channels as are necessary for removal at the expense of the master, owner or agent.

### **4-14 AUTHORITY TO CLOSE WHARVES OR TO REGULATE USE**

The Port Manager may close the wharves or any portion thereof or regulate and control the use of the same whenever in his opinion it is advisable to do so and no person shall enter upon any wharf so closed without the permission of the Port Manager.

### **Section 5. Port Entry Fee**

Vessels shall be charged a Port Entry Fee of \$.03 per gross ton for all vessels of specified tonnage and \$5.00 for all vessels of unspecified tonnage, except that no fee shall be charged to Palau, U.S. government vessels, fishing or pleasure boats registered in Palau, or vessels reentering the harbor after leaving the same for reasons of emergency or weather or at the direction of the Port Manager.

### **Section 6. Dockage**

#### **6-1 COMMENCEMENT AND ACCRUAL**

Dockage shall commence against a vessel when:

- (a) It is made fast to a wharf, dolphin or other structure.
- (b) It is occupying a berth

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- (c) It is occupying an outside berth
- (d) The first boat, raft, lighter, etc. reaches the wharf.

Dockage shall accrue against said vessel until she is completely free from and vacates her mooring or until the last boat, raft, lighter, etc. leaves the wharf.

### **6-2 WAIVER**

Dockage may be waived by the Director of Commercial Development in the following circumstances.

- (a) At his discretion
- (b) To Palau, and U.S. Government vessels.
- (c) To vessels and equipment engaged in harbor maintenance or improvement.

### **6-3 RATE**

Dockage will be charged at the following rate for each day or fraction thereof:

- (a) Commercial and non-commercial vessels of specified tonnage: \$.03 per gross ton.
- (b) Non-commercial vessels of unspecified tonnage: \$15.00
- (c) Commercial vessels of unspecified tonnage: \$20.00

### **6-4 REDUCTIONS**

One half of the dockage rate will be charged for vessels occupying an outside berth or which is using a wharf by means of boats, rafts, lighter, etc.

## **Section 7. Rentals**

When space is provided for the convenience of agents, owners and others for storage or offices uses, a fair market rental shall be negotiated by the Director of Commercial Development and charged therefor.



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### **Section 8. Wharfage**

#### **8-1 WAIVER**

Wharfage may be waived by the Director of Commercial Development in the following circumstances:

- (a) At his discretion
- (b) Ship's stores and supplies (not including fuel) intended for vessel's own consumption and use.
- (c) Passenger baggage when accompanying passenger, not to exceed 20 cu. Ft.
- (d) Cargo which has gone astray or cargo which for operational purposes the vessel must discharge and reload in order to load or discharge cargo originating at, or destined for, the wharf at which the vessel is docked.

#### **8-2 RATE**

Wharfage will be charged at the following rate:

- (a) Incoming oversea cargo: \$0.25 per ton or fraction thereof.
- (b) Outgoing oversea cargo: \$0.25 per ton or fraction thereof.
- (c) Inter-island or intra-island cargo: \$0.25 per ton or fraction thereof.

#### **8-3 INSPECTION OF BILLS OF LADING OR CARGO MANIFESTS**

All bills of lading and cargo manifests shall be available for inspection by the Director of Commercial Development or designee upon request.

#### **8-4 PAYMENT**

Wharfage shall be paid by the owner of the cargo upon which the charge is assessed, and the cargo shall not be removed from the wharf until the same is paid.

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### Section 9. Free Time and Penalty (Demurrage)

#### 9-1 FREE TIME

- (a) Free time for outgoing cargo shall be ten (10) days.
- (b) Free time for incoming cargo shall be seven (7) days.
- (c) In computing free time Saturday, Sundays and Holidays shall not be counted.

#### 9-2 WAIVER

Demurrage may be waived by the Director of Commercial Development at his discretion.

#### 9-3 RATE

Demurrage will be charged at the following rate for each day or fraction thereof:

- (a) Inside storage: \$1.00 per ton or fraction thereof.
- (b) Outside storage: \$0.10 per ton thereof.

#### 9-4 COMPUTATION

- (a) Saturdays, Sundays and Holidays shall be counted in the computation of demurrage.
- [sic]
- (c) Cargo on and in trucks or any other vehicles or carriers shall be assessed demurrage in the same manner as cargo remaining directly on a wharf, pier, or terminal area.

#### 9-4 [sic]PAYMENT

Demurrage shall be paid by the owner of the cargo upon which the charge is assessed, and the cargo shall not be removed from the wharf or loaded on board a vessel until the same is paid.

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### **Section 10. Services**

#### 10-1 UTILITIES

Electricity, water and telephone, where service is available, may be furnished at cost.

#### 10-2 OTHER SERVICES

- (a) Cargo handling, the running of lines and the mooring and unmooring of vessels are services provided by private stevedoring firms and not by the government. It is recommended that arrangements be made, in advance, for such services.
- (b) Specialized handling equipment and tug services are not provided.

### **Section 11. Pilotage**

#### 11-1 PILOTS REQUIRED

No vessel, other than Palau Government vessels, of more than 65 feet in length or exceeding 200 gross tons shall during the master's first voyage enter or leave a commercial port without a pilot aboard or unless the vessel is under the control and direction of a licensed ROP pilot. The use of a pilot on subsequent voyage is optional.

#### 11-2 PRIOR NOTICE

A request for pilot service should be submitted to the Port Manager at least twelve (12) hours in advance to avoid delays in dispatching pilot.

#### 11-3 NOTICE OF AMENDMENT OF ESTIMATED TIME OF DEPARTURE OR ARRIVAL

Any amendment of estimated time of departure or arrival must be received by the Port Manager two hours prior to the previously established time to avoid delay and commencement of delay or cancellation charges.

#### 11-4 DELAY AND CANCELLATION CHARGES:

- (a) If in the performance of his duties a pilot is detained by the failure of any vessel to arrive within one hour of the estimated time of arrival or depart within thirty minutes or the estimated time of departure without being furnished as required in Section 11-3 above a charge will be made for such detention at a rate of \$t0.00 per hour or fraction thereof in excess of the allowance provided herein.

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- (b) When the services of a pilot have been requested and the vessel movement is subsequently cancelled, a charge of \$100.00 will be made unless notice is furnished as required in Section 11-3 above.

### 11-5 RATE

Pilotage will be charged at the following rate for each separate movement of a vessel:

\$.12 per gross ton with a minimum charge of \$300.00 per movement.

[sic]

- (c) Any vessel owned by ROP Government when entering, leaving or maneuvering within a harbor and while under the control and direction of the master or government employed pilot, shall be subject to one-half of the above pilotage rate unless a pilot is actually employed in which case full pilotage rates will apply.

### 11-6 DUTIES OF PILOT AND MASTER

Upon boarding a vessel it is the duty of the pilot to pilot such vessel under the control and supervision of the master thereof. It shall be the duty of the master to acquaint the pilot with the peculiarities or possible defects of his vessel or her operations. The pilot in giving orders to the vessel shall act upon the advise and with the consent of the master. If, in opinion of the master, the pilot is negligent at any time while engaged in piloting such vessel, it shall be the duty of the master to relieve such pilot and to take such steps as the master may deem necessary to insure the safety of the vessel and to prevent damage to port facilities.

### 11-7 LICENSING

1. The Director of Bureau of Commercial Development shall have the authority to license pilots. Further, the Director of Bureau of Commercial Development may revoke any license granted with or without cause.

### 11-7 OPERATING PROCEDURES

- (a) A pilot will aid and assist by every means in his power any vessel in distress.
- (b) A pilot will offer his services in the order of priority established by the Port Manager.

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- (c) A pilot will pilot the vessel along such course or in such manner as directed by the Port Manager and only after having received clearance from the Port Manager.