

Cargo - Port Facilities Rates & Tariffs

FMC Tariff No. 2

 **BACK**

SECTION VII - SECURITY CHARGES

MARITIME SECURITY

120

Issued - March 7, 2005

Effective - April 1, 2005

Maritime Transportation Security Act of 2002

This Board is acutely aware of the potential threat to the facilities and the movement of cargo posed by terrorists. The impact of a disruption or a slow down in the flow of cargo as a result of terrorist action would in all likelihood severely effect the businesses and citizens of this region and the nation. The Security Fees imposed in Section VII will assist the Board in defraying the expense of the administration and maintenance of security systems and certain capital and operating expenses incurred by the Board. The Fees are contained in SECTION VII SECURITY CHARGES.

APPLICABILITY AND PAYMENT OF SECURITY FEES

700

Issued - March 7, 2005

Effective - April 1, 2005

The fees and charges contained in this section shall be applicable to all vessels which call at either a Board owned or operated facility and which have filed an application for berth in accordance with Section III, are subject to charges contained in Section IV or berth at a leased facility where dockage and/or wharfage charges have been otherwise waived by agreement. The fees and charges contained in this Section shall also be applicable to all cargo which is handled in a manner as described in Item 430 at leased or non-leased facilities, or in the case of Passengers as described in Item 438. Failure by the responsible party to pay the charges assessed in this Section may in the sole judgment of the Board be grounds for denial of a berth in the future.

VESSEL SECURITY FEE

702

Issued - December 7, 2007

Effective - January 1, 2008

Vessels assessed dockage charges in accordance with Item 414, 422, 423, or 431 shall be subject to an additional charge equal to 5.5% (five and one-half percent) of the total invoiced amount of such dockage charges.

Vessels which are either exempt from dockage charges by virtue of the provisions of a lease agreement with this Board or which are entitled to incentive or other reduced dockage rates as provided in this tariff shall never the less be assessed and shall pay a vessel security fee equal to 5.5% (five and one-half percent) of the appropriate dockage fee calculated without regard to any waiver or alternate pricing arrangement.

Vessels assessed a Harbor Fee or Supplemental Harbor Fee in accordance with Item 400 or 402 shall be subject to a vessel security charge equal to 5.5% (five and one-half percent) of the total invoiced amount of such Harbor Fee or Supplemental Harbor Fee. Payment of the Vessel Security Fee as provided herein shall be in accordance with Item 426 of this Tariff.

CARGO SECURITY FEE

704

Issued - December 7, 2007

Effective - January 1, 2008

A Cargo Security Fee based on the following schedule shall be assessed on all cargo or freight as provided and as described in Item 433 and in Item 430 at leased or non leased facilities:

Breakbulk	\$0.12/ton
Bulk	\$0.025/ton
Liquid bulk	\$0.025/ton
Cargo Containers	\$2.30/ loaded
Rail Cars	\$2.00/loaded or empty

Exception

The charges assessed herein shall not apply to the activities described in Item 325.

PASSENGER SECURITY FEE

706

Issued - March 7, 2005

Effective - April 1, 2005

Passengers carried for compensation by vessels in foreign, coastwise or intercoastal trade or on inland water craft shall be assessed in addition to any other charge a Passenger Security Fee of \$1.00. The charge shall be assessed on passengers on one way or round trip voyages or on passengers in transit. The exceptions noted in Item 438 shall apply.

PASSENGER SECURITY FEE

706

Issued - April 27, 2006

Effective - May 1, 2006

Passengers carried for compensation by vessels in foreign, coastwise or intercoastal trade shall be assessed in addition to any other charge a Passenger Security Fee of \$1.00. The charge shall be assessed on passengers on one way or round trip voyages or on passengers in transit. The exceptions noted in Item 438 shall apply.

Passengers carried for compensation by vessels on inland water craft shall be assessed in addition to any other charge a Passenger Security fee of \$0.30. The charge shall be assessed on passengers on one way or round trip voyages or on passengers in transit. The exceptions noted in Item 438 shall apply.

COLLECTION OF FEES

708

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Vessels, their owners, charterers and agents assigned the use of Board facilities in accordance with Item 300 shall be liable for and shall collect and pay to Board the Security Fees as provided in this Section and the provisions of Item 212 shall apply. The provisions of Item 440 shall also apply.

Lessees of Board facilities shall collect and pay to the Board the applicable fees set out in Item 704 or 706 in a manner as provided in their respective lease agreements.

The Fees provided for in this Section shall be individually itemized as "Port of New Orleans Security Fees" on invoices submitted for payment to the responsible party.