PORT SERVICES FRAMEWORK – NORTH SEA PORT FLANDERS

North Sea Port Flanders nv, a public limited company

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Policy for providing port services within North Sea Port Flanders

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Policy for providing port services within North Sea Port Flanders

PART A. General

Client partnership is crucial for North Sea Port. North Sea Port views this client partnership as an essential part of the provision of port services. This has prompted North Sea Port to seek a partner for the businesses in the port area from among the service providers of port services.

Pursuant to (i) Regulation 2017/352 of the European Parliament and of the Council of 15 February 2017 establishing a framework for the provision of port services and common rules on the financial transparency of ports (Port Services Regulation) and Article 16 of the decree of 2 March 1999 on the policy and the management of the seaports, North Sea Port Flanders can establish the rules and conditions on which the port services can be provided within the port area.

This "Port Services Framework – North Sea Port Flanders" encompasses the principles within which the port services within North Sea Port Flanders can be provided by the service providers that wish to offer such services. Per port service it will be elaborated how and in what manner the service can be provided.

For reasons of readability, this document uses the term "North Sea Port" in Part B ('Port services – North Sea Port Flanders') when referring to North Sea Port Flanders.

Authority
North Sea Port Flanders has exclusive authority for the organisation of the port services within the Port of Ghent.

Geographical scope
This framework applies in the port area as referred to in Article 2 6° of the decree of 2 March 1999 and that is managed and operated by North Sea Port Flanders.

Personnel scope
Every natural person or legal entity who wishes to provide one or more categories of port services in the port area.

Determining of policy framework
North Sea Port determines the rules and conditions on which the port services can be provided within the port area. These conditions are without prejudice to (i) the other statutory obligations that apply to service providers, (ii) the provisions in the Port Police Regulation of North Sea Port, (iii) the work arrangements on integrated traffic management and (iv) the powers belonging to other public agencies.

Basic principles

1. Providers of port services can, if so required, only offer the port service included in this framework if they possess the requisite certification or licence that has been issued by North Sea Port.

2. The specific conditions and rules are established per port service.

3. North Sea Port assumes there will be collaboration between all parties involved. Notwithstanding the above, there are a number of matters that North Sea Port wishes to enforce (by police). Reference is particularly made to the articles set out in part 5 of the Port Police Regulation of North Sea Port Ghent.

PART B. Port services – North Sea Port Flanders

1. Bunkering

1.1. Who is allowed to bunker in the port area?

1. Bunkering is only allowed in the port area if the party that wishes to carry out such activities possesses a valid licence issued by North Sea Port.

2. A licence is also necessary for orders for the delivery of bunkers that are not carried out with their own means of transport.

3. A vessel can only be bunkered within the port area by a service provider who possesses a valid licence issued by North Sea Port.

4. The candidate service provider who satisfies the conditions set out under 1.4. of this framework will be issued a licence.

1.2. What form of bunkering is involved?

With the exception of the supply of onshore power, any supply and return of solid, liquid or gaseous fuels or any other energy source or carrier, including lubricants and chemicals, that are used to power vessels and for the general or specific energy supply on board of vessels falls under the obligations set out in this framework.

1.3. Procedure to acquire a licence

1. Anyone wishing to provide bunkering services within the port area of North Sea Port must submit an application to North Sea Port.

2. The application is to be addressed to Port Operations.

3. The candidate service provider must demonstrate in the application that he satisfies the conditions set out under 1.4. of this framework. The candidate service provider will do so, among others, by enclosing the necessary documents with his application, which documents show that he satisfies the conditions.

1.4. Conditions to acquire a licence - minimum requirements

1. With regard to the professional qualifications, the candidate service provider must demonstrate that the personnel to be used has an excellent command of Dutch or English. The candidate service provider must enclose proof of the professional qualification (knowledge of Dutch or English) with the application.

2. The candidate service provider must declare on his word of honour that:
   a. he will take out the necessary insurance for the activities that he wishes to carry out. It must always be possible to present these to North Sea Port upon request;
   b. he will take all necessary precautions and measures to guarantee the safety, health and well-being of all parties involved in the bunkering, and ensure safe and orderly operations at the workplace;
   c. he has knowledge of all relevant statutory and regulatory provisions and applies these provisions with due care;
   d. he will only use bunker ships that possess the necessary and valid certificates;
   e. the bunkering provider carrying out the operations possesses the necessary equipment, appropriate to the operation, to deal with spillage or overflow;
   f. he will only use trucks, tankers, containers, packaging material, …. that are suitable for the product to be transported and that have been inspected in accordance with the prevailing regulations (e.g. ADR).
   g. all meters are calibrated annually;
   h. the equipment used such as loading arms and hoses, … are certified.

3. The candidate service provider offers, with regard to the availability of the relevant port service, guarantees in his application regarding the continuity of his service provision at all locations in the port area, day and night, all year long.

4. If a candidate service provider engages sub-contractors to provide the service, he will state this in the application and will indicate for which aspects of the service he wishes to make use of the sub-contractor. The sub-contractor must satisfy the same conditions as the candidate service provider.

1.5. Decision of North Sea Port

1. North Sea Port will make a decision within 30 calendar days after receipt of the application.

2. North Sea Port can make the following decisions:
   a. Refusal to issue a licence.
   This will occur when the candidate service provider cannot demonstrate or cannot sufficiently demonstrate that he satisfies the conditions set out under 1.4. North Sea Port will give reasons for the decision.
   b. Approval to issue a licence.
   This occurs when the candidate service provider demonstrates that he satisfies the conditions.

1.6. Obligations of the service provider

1. The service provider shall carry out the bunkering activities in accordance with the conditions laid down in the licence granted to him and with the provisions of the Port Police Regulation - North Sea Port Ghent.

2. The service provider shall promptly inform North Sea Port of every change that can be relevant for the providing of his services. In any event, every change that is connected with the conditions for obtaining a licence (1.4.) is to be deemed relevant.

1.7. Term and end of the licence

1. The licence is issued for a period of three years.

2. The licence is renewable for a new period of three years if the service provider demonstrates that he satisfies the applicable conditions laid down by North Sea Port.

3. If the service provider does not comply with the modalities of the licence, the licence can be suspended or revoked by North Sea Port after having given the relevant service provider an opportunity to present his case.

4. When a service provider ends his activities, he shall promptly notify North Sea Port of this fact.

1.8. Restrictions and public service obligations

1. There is no restriction on the number of service providers in the port area.

2. The following public service obligations are linked to this port service:
   a. the service provider shall guarantee the availability of the port service for all port users, at all berths without interruptions, day and night, all year long;
   b. the service provider must at all times take the appropriate measures when providing his services in order to ensure shipping safety.

2. Tows

2.1. Who is allowed to tow in the port area?

1. Towing services can only be provided in the port area if the person who wishes to carry out such activities possesses a valid licence issued by North Sea Port.

2. Within the port area, a vessel may only make use of towing services provided by a service provider who possesses a valid licence issued by North Sea Port. Towing services refers to towing assistance for inbound or outbound navigation or movements in the port.

3. The candidate service provider who satisfies the conditions set out under 2.3. of this framework will be issued a licence.

2.2. Procedure to acquire a licence

1. Anyone who wishes to provide towing services within the port area of North Sea Port shall submit a written application to North Sea Port.

2. The application is to be addressed to Port Operations.

3. The candidate service provider must demonstrate in the application that he satisfies the conditions set out under 2.3. of this framework. The candidate service provider will do so, among others, by enclosing the necessary documents with his application, which documents show that he satisfies the conditions.

2.3. Conditions to acquire a licence - minimum requirements

1. The candidate service provider will demonstrate in his application, as regards professional qualifications, that:
   a. he has experience in a port context and has knowledge of the port area;
   b. the crew deployed in the ship-ship and shore-ship communication relating to the towing services shall have an excellent knowledge of Dutch or English.

2. The candidate service provider must declare on his word of honour that:
   a. he actively applies the principles of good governance;
   b. he will take out the necessary insurance for the activities that he wishes to carry out. It must always be possible to present these to North Sea Port upon request;
   c. he will take all necessary precautions and measures to guarantee the safety, health and well-being of all parties involved in the towing, and to ensure safe and orderly operations at the workplace;

d. he has knowledge of all relevant statutory and regulatory provisions relating to the specific services, including, among others, nautical regulations, the International Safety Management Code (ISM), … and applies these provisions carefully.

3. The candidate service provider will set out in his application, with regard to the necessary equipment, that he can carry out the requested towing activities based on his current fleet list, in accordance with best available techniques. The candidate service provider will submit the following documents with his application:

   a. the technical data sheets of the current fleet list with as a minimum accurate information regarding bollard pull and, with an eye on emergencies, the available FiFi equipment;

   b. the most up-to-date chain agreements signed by the candidate service provider.

4. The candidate service provider offers, with regard to the availability of the relevant port service, guarantees in his application regarding the continuity of his services at all locations in the port area, day and night, all year long, and in accordance with the agreements made in the chain operation.

5. If a candidate service provider engages sub-contractors to provide the service, he will state this in the application and will indicate for which aspects of the service he wishes to make use of the sub-contractor. The sub-contractor shall meet the minimum requirements set out under 2.3 of this framework.

2.4. Decision of North Sea Port

1. North Sea Port will make a decision within 30 calendar days after receipt of the application.

2. North Sea Port can make the following decisions:

   a. refuse to issue a licence.
   This will occur when the candidate service provider cannot demonstrate or cannot sufficiently demonstrate that he satisfies the conditions set out under 2.3. North Sea Port will give reasons for the decision.

   b. approve issuance of a licence.
   This occurs when the candidate service provider demonstrates that he satisfies the conditions.

2.5. Obligations of the service provider

1. The service provider shall provide the towing services in accordance with the conditions laid down in the licence granted to him and with the provisions of the Port Police Regulation North Sea Port Ghent.

2. The service provider shall promptly inform North Sea Port of every change that can be relevant for the providing of his services. In any event, every change that is connected with the conditions for obtaining a licence (2.3.) is to be deemed relevant.

2.6. Term and end of the licence

1. The licence is issued for a period of three years.

2. The licence is renewable for a new period of three years if the service provider demonstrates that he satisfies the applicable conditions laid down by North Sea Port.

3. If the service provider does not comply with the modalities of the licence, the licence can be suspended or revoked by North Sea Port after having given the service provider the opportunity to be heard.

4. When a service provider ends his activities, he shall immediately notify North Sea Port of this fact.

2.7. Restrictions and public service obligations

1. There is no restriction on the number of service providers in the port area.

2. The following public service obligations are linked to this port service:
   a. the service provider shall guarantee the availability of the port service for all port users, at all berths without interruptions, day and night, all year long, and in accordance with the agreements made in the chain operation;
   b. the service provider must at all times take the appropriate measures when providing his services in order to ensure shipping safety;
   c. with an eye to safety in the port area, the service provider will, in case of emergencies, assist the harbour master with knowledge, expertise and equipment.

3. Boatman services

3.1. Who is allowed to provide boatman services in the port area?

1. Boatman services can only be provided in the port area if the person who wishes to carry out such activities possesses a valid licence issued by North Sea Port.

2. A vessel can only make use within the port area and when sailing to and from the port area, of a boatmen organisation that possesses a valid licence issued by North Sea Port.

3. The candidate service provider who satisfies the conditions set out under 3.3. of this framework will be issued a licence.

3.2. Procedure to acquire a licence

1. Anyone who wishes to provide boatman services within the port area of North Sea Port must submit a written application to North Sea Port.

2. The application is to be addressed to Port Operations.

3. The candidate service provider must demonstrate in the application that he satisfies the conditions set out under 3.3. of this framework. The candidate service provider will do so, among others, by enclosing the necessary documents with his application, which documents show that he satisfies the conditions.

3.3. Conditions to acquire a licence - minimum requirements

1. The candidate service provider will show in his application, as regards professional qualifications, that the personnel that is used:
   a. hold a boatman certificate as referred to in Article 19bis of the Pilotage Decree;
   b. have experience in a port context and have knowledge of the port area;
   c. have an excellent knowledge of Dutch or English.

2. The candidate service provider must declare on his word of honour that:

a. he actively applies the principles of good governance;
   b. he will take out the necessary insurance for the activities that he wishes to carry out. It must always be possible to present these to North Sea Port upon request;
   c. he will take all necessary precautions and measures to guarantee the safety, health and well-being of all parties involved in the boatman services, and to ensure safe and orderly operations at the workplace;
   d. he has knowledge of all relevant statutory and regulatory provisions and applies these provisions with due care.

3. The candidate service provider will demonstrate in his application, as regards the necessary equipment, that the personnel that is used:
   a. can moor any type of vessel in a safe and smooth manner at the various types of locations (among others, but not limited to: quays, jetties, buoys);
   b. are able to use any type of mooring equipment, be such on the quay or on the water.

4. The candidate service provider offers, with regard to the availability of the relevant port service, guarantees in his application regarding the continuity of his services at all locations in the port area, day and night, all year long.

5. If a candidate service provider engages sub-contractors to provide the service, he will state this in the application and will indicate for which aspects of the service he wishes to make use of the sub-contractor. The sub-contractor must satisfy the same conditions as the candidate service provider.

3.4. Decision of North Sea Port

1. North Sea Port will make a decision within 30 calendar days after receipt of the application.

2. North Sea Port can make the following decisions:
   a. refuse to issue a licence.
      This will occur when the candidate service provider cannot demonstrate or cannot sufficiently demonstrate that he satisfies the conditions set out under 3.3. North Sea Port will give reasons for the decision.
   b. approve issuance of a licence.
      This occurs when the candidate service provider demonstrates that he satisfies the conditions.

3.5. Obligations of the service provider

1. The service provider shall provide the boatman services in accordance with the conditions laid down in the licence granted to him and with the provisions of the Port Police Regulation North Sea Port Ghent.

2. The service provider will promptly inform North Sea Port of every change that can be relevant for the providing of his services. In any event, every change that is connected with the conditions for obtaining a licence (3.3.) is to be deemed relevant.

3.6. Term and end of the licence

1. The licence is issued for a period of three years.

2. The licence is renewable for a new period of three years if the service provider demonstrates that he satisfies the applicable conditions laid down by North Sea Port.

3. If the service provider does not comply with the modalities of the licence, the licence can be suspended or revoked by North Sea Port after having given the relevant service provider an opportunity to present his case.

4. When a service provider ends his activities, he shall immediately notify North Sea Port of this fact.

3.7. Restrictions and public service obligations

1. There is no restriction on the number of service providers in the port area.

2. The following public service obligations are linked to this port service:
   a. the service provider shall guarantee the availability of the port service for all port users, at all berths without interruptions, day and night, all year long;
   b. the service provider must at all times take the appropriate measures when providing his services in order to ensure shipping safety.

4. Reception of ship-generated waste of seagoing ships: Marpol Annex V

4.1. Who is allowed to provide these services in the port area?

1. A service provider who wishes to provide reception services for ship-generated waste falling under Marpol Annex V in the port area, can only do so if the service provider was awarded the relevant public procurement contract.

2. For the delivery of ship-generated waste falling under Marpol Annex V in the port area, a seagoing vessel can only make use of the services of the service provider who was granted the relevant public procurement contract by North Sea Port.

4.2. Procedure

The procedure will take place in accordance with the applicable regulations concerning public procurement contracts, in particular those rules relating to the awarding of the public procurement contract.

4.3. Conditions that the service provider must satisfy - minimum requirements -

The conditions that the candidate service provider must satisfy will be included in the publication or in the contract documents of the relevant public procurement contract. The conditions can only relate to the following matters:

1. the professional qualifications of the candidate service provider, the service provider's staff or the natural persons who effectively and continuously manage the candidate service provider's activities;

2. the financial capacity of the candidate service provider;

3. the equipment that is necessary to provide the relevant port service in normal and safe circumstances and the ability to keep this equipment at the requisite level;

4. the availability of the relevant port service for all port users, at all berths and without interruptions, day and night, all year long;

5. compliance with requirements relating to maritime safety or the safety and security of the port or the access to the port, the installations, equipment and employees and other persons;

6. compliance with all statutory environmental requirements;

7. performance of obligations in the area of social security and employment legislation that apply in the Member State of the port in question, including the conditions of applicable collective agreements, crew regulations and requirements relating to work and rest times for sailors, and the applicable rules relating to labour inspections;

8. the reliability of the candidate service provider, as determined in accordance with applicable national laws regarding reliability, taking account of compelling reasons to doubt the reliability of the candidate port service provider.

4.4. Decision of North Sea Port

1. North Sea Port makes decisions in accordance with the applicable regulations relating to public procurement contracts.

2. North Sea Port can make the following decisions:
   a. decision to award
   b. decision to stop the public procurement contract

4.5. Obligations of the service provider

1. The service provider shall provide the services for reception of ship-generated waste falling under Marpol Annex V in accordance with the conditions laid down in the public procurement contract and the provisions of the Port Police Regulation North Sea Port Ghent.

2. The service provider will promptly inform North Sea Port of every change that can be relevant for the providing of his services. In any event, every change that is connected with the conditions as laid down in the publication or in the contract documents of the relevant government (4.3.) contract is to be deemed relevant.

4.6. End of service provision

If the service provider does not comply with the modalities of the contract documents, the contract can be terminated by North Sea Port in accordance with the provisions in the contract documents of the public procurement contract.

4.7. Restrictions and public service obligations

1. There is a restriction on the number of service providers in the port area.

2. Public service obligations can be imposed on the port service. These will be set out in the contract documents. They can in any event only relate to the following aspects:
   a. availability of the port service for all port users, at all berths and without interruptions, day and night, all year long;
   b. availability of the port service for all users on the same conditions;
   c. affordability of the service for specific categories of users;
   d. the safety, security or ecological sustainability of port activities;
   e. providing suitable transport services for the public;
   f. territorial cohesion.

5. Reception of ship-generated waste of seagoing ships: Marpol Annex I, Annex II, Annex IV and Annex VI

5.1. Who is allowed to provide these services in the port area?

1. A service provider who wishes to provide services for the reception of ship-generated waste and cargo residues falling under Marpol Annex I, Annex II, Annex IV and Annex VI in the port area can only do so if the service provider possesses a valid licence issued by North Sea Port.

2. Within the port area, a seagoing vessel can only make use for the delivery of ship-generated waste and cargo residues falling under Marpol Annexes I, II, IV and VI of a service provider who possesses a valid licence issued by North Sea Port.

3. The candidate service provider who satisfies the conditions set out under 5.3. of this framework will be issued a licence.

5.2. Procedure to acquire a licence

1. Anyone who wishes to provide services for the reception of ship-generated waste and cargo residues falling under Marpol Annex I, II, IV and VI within the port area of North Sea Port shall submit a written application to North Sea Port.

2. The application is to be addressed to Port Operations.

3. The candidate service provider must demonstrate in the application that he satisfies the conditions set out under 5.3. of this framework. The candidate service provider will do so, among others, by enclosing the necessary documents with his application, which documents show that he satisfies the conditions.

5.3. Conditions to acquire a licence - minimum requirements

1. The candidate service provider shall comply with all statutory obligations, in particular the obligations imposed by Vlarema.

2. Pursuant to Section 6 of the Vlarema, the candidate service provider shall be registered to collect and transport waste substances. The candidate service provider shall enclose the current waste collector registration issued by the OVAM with the application.

3. The candidate service provider and the personnel involved in this service provision shall be familiar with and respect the North Sea Port Flanders Waste Management Plan for Maritime Shipping. The waste management plan can be viewed on the North Sea Port website. The candidate service provider shall ensure that the personnel involved in this service at all times has access to the waste management plan, digitally or in some other manner.

4. The candidate service provider shall ensure that all personnel members receive the necessary training to gain the knowledge that is indispensable for carrying out their work in

the area of waste management, with special attention for the health and safety aspects of working with dangerous substances. The candidate service provider shall ensure that the training requirements shall be regularly updated to meet the challenges of technological innovation.

5. The candidate service provider must declare on his word of honour that:
   a. he complies with all statutory obligations, in particular the obligations imposed by Vlarema.
   b. he complies with the North Sea Port Flanders Waste Management Plan for Maritime Shipping;
   c. the personnel involved in the services at all times has access to the North Sea Port Flanders Waste Management Plan for Maritime Shipping, digitally or in some other manner;
   d. he will take out the necessary insurance for the activities that he wishes to carry out. It must always be possible to present these to North Sea Port upon request;
   e. all personnel members shall receive the necessary training to gather the knowledge that is indispensable for the carrying out of their work in the area of waste management, with special attention for the health and safety aspects of working with dangerous substances and that the training requirements are regularly updated in order to meet the challenges of technological innovation.

6. The candidate service provider offers, with regard to the availability of the relevant port service, guarantees in his application regarding the continuity of his services at all locations in the port area, day and night, all year long.

7. If a candidate service provider engages sub-contractors to provide the service, he will state this in the application and will indicate for which aspects of the service he wishes to make use of the sub-contractor. Pursuant to Section 6 of the Vlarema, the sub-contractors shall be registered to collect and/or transport waste. The candidate service provider shall enclose the current registration as waste reception facility or transporter issued by the OVAM.

5.4. Decision of North Sea Port

1. North Sea Port will make a decision within 30 calendar days after receipt of the application.

2. North Sea Port can make the following decisions:
   a. refuse to issue a licence.
      This will occur when the candidate service provider cannot demonstrate or cannot sufficiently demonstrate that he satisfies the conditions set out under 5.3. North Sea Port will give reasons for the decision.
   b. approve issuance of a licence.
      This occurs when the candidate service provider demonstrates that he satisfies the conditions.

5.5. Obligations of the service provider

1. The service provider shall provide the services for reception of ship-generated waste and cargo residues falling under Marpol Annex I, Annex II, Annex IV and Annex VI in accordance with the conditions laid down in the licence granted to him and the provisions of the Port Police Regulation North Sea Port
   Ghent

2. The service provider will promptly inform North Sea Port of every change that can be relevant for the providing of his services. In any event, every change that is connected with the conditions for obtaining a licence (5.3.) is to be deemed relevant.

5.6. Term and end of the licence

1. The licence has a maximum validity for the duration of the accreditation by OVAM.

2. The licence is renewable for a new period if the service provider demonstrates that he satisfies the applicable conditions laid down by North Sea Port.

3. If the service provider does not comply with the modalities of the licence, the licence can be suspended or revoked by North Sea Port after having given the relevant service provider an opportunity to present his case.

4. When a service provider ends his activities, he shall immediately notify North Sea Port of this fact.

5.7. Restrictions and public service obligations

1. There is no restriction on the number of service providers in the port area.

2. The following public service obligations are linked to this port service:
   a. the service provider shall guarantee the availability of the port service for all port users, at all berths without interruptions, day and night, all year long;
   b. the service provider must at all times take the appropriate measures when providing his services in order to ensure shipping safety.

6. Propeller cleaning

6.1. Introduction

The following principles have been established collectively by all Flemish ports, which means that an equal set of rules applies in all Flemish ports.

The environment and sustainability are becoming increasingly important, including in the maritime world. The Flemish ports[1] are therefore happy to welcome companies that develop new techniques that contribute to more environmentally-friendly shipping.
Companies that want to polish ([2]) [clean ([3])] propellers must, before carrying out this activity in the Flemish ports, demonstrate that they provide adequate services and that no pollution will be spread to the water environment.

6.2. Licence

1. Propeller polishing is only permitted in the Flemish ports on propellers with lime scale by companies in possession of a licence issued by the Flemish ports.

2. Microfouling ([4]) and macrofouling ([5]) cannot be treated within the framework established below, unless the candidate contractor has demonstrated beforehand by means of an ex situ and an in situ test (see point 6.2.1 or 6.2.2 respectively) that he meets the acceptance criteria described under 6.2.1.6 or 6.2.2.4.

3. A company that wishes to obtain a licence to polish propellers must be able to demonstrate that the (marine) environment is safeguarded at all times. The company will demonstrate by means of testing that their device and method meet the predefined criteria of the Flemish ports.

4. Companies that wish to apply for a licence can do so by means of the form “Application for propeller polishing licence”. The form is to be submitted digitally to the central e-mail address for authorisation applications of Port of Antwerp-Bruges: hkd.zeebrugge@portofantwerpbruges.com, cc to North Sea Port (Ghent Port): onderwaterreiniging@northseaport.com.

[1] Flemish ports means in this respect: Port of Antwerp-Bruges (port of Antwerp, port of Zeebrugge), port of Oostende and North Sea Port (port of Ghent).
[2] Polishing = smoothing out bumps and blemishes and removing deposit (lime scale, tube worms, etc.) from propellers with materials that are harder than the metal of the propeller itself.
[3] Cleaning = cleaning a propeller using a brush, the material of which is demonstrably softer than the metal of the propeller.
[4] Microfouling = a layer of micro-organisms, including bacteria, diatoms, algae, seaweeds and any slimy substance they produce. These are organisms that are usually easy to remove by hand.
[5] Macrofouling = organisms larger than 1 cm with a hard exoskeleton, such as barnacles, acorn barnacles, tube worms, mussels, and other large organisms, attached or otherwise.

6.2.1. Ex situ tests

1. The licensing procedure starts by carrying out an ex situ or laboratory test. In the test it will be reviewed whether the device meets the predefined acceptance criteria in the area of suction and filter efficiency.

2. The ex situ test shall take place during the working week from Monday to Friday and during office hours from 08:00 to 16:30. Planning for the ex situ test shall always be made in consultation with the delegates of the Flemish ports. At least one delegate of the Flemish ports must be present.

3. If the company applying for a licence intends during the operational phase, i.e. after the licence is granted, to use sanding discs with a range of grain sizes and/or compositions (e.g. diamond disc vs. sanding pad), there must be 2 ex situ tests:
   a. One with the finest grain size and/or the softest material;
   b. One with the roughest grain size and/or the hardest material.

4. During the ex situ tests, samples will also be taken and analysed by an independent accredited[6] laboratory. The company that wishes to be granted the licence will appoint the independent laboratory.

5. In case of doubt regarding the proper functioning of the device and/or the proper execution of the test, Port Operations can order additional (lab) tests (e.g. injection of colourants to make spillage visible).

6.2.1.1. Method

The following method will be applied:

- Preparation:
  - 3 tanks with *a content of a min. of 600 and a max. of 1000 litres*, will be rinsed and made ready;
  - Filter unit will be made ready;
  - Tank 1 is filled. Clean water is used for the test (mains water, rain water, dock water, ...);
  - Propeller or propeller blade is placed in tank 1. The propeller blade that is used in the ex situ tests shall be 'clean' (no visual oxidation) and the propeller blade must be at least 2 times the diameter of the polishing disc;
  - Polishing device is placed in tank 1.
- Polishing:
  - Propeller is polished for 5 minutes;
  - Suctioned water will be collected in tank 2 and kept in continuous circulation.

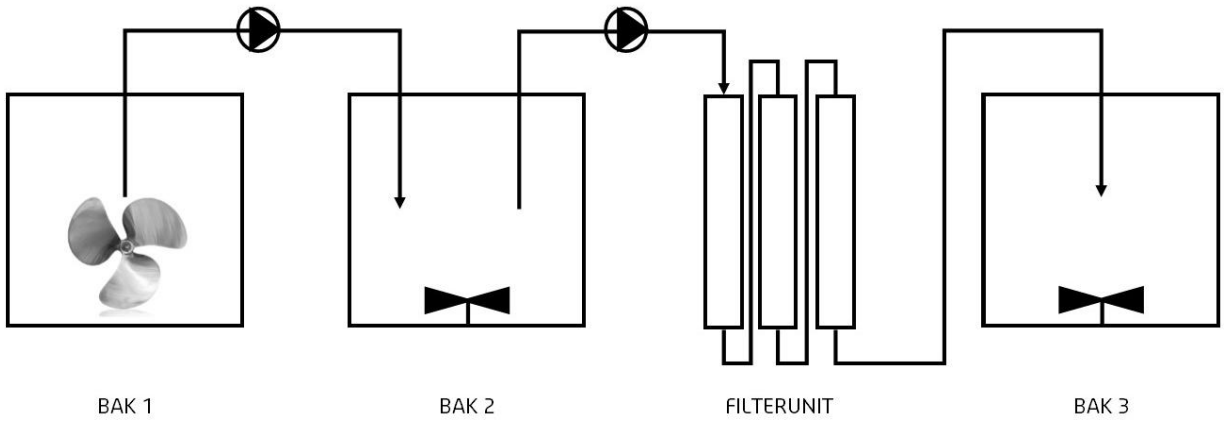
[6] https://www.lne.be/sites/default/files/atoms/files/erkende_laboratoria_water_0.pdf

- Filtering:
    - Water will be pumped from tank 2 across the filter unit and collected in tank 3. The pump that was used must be rinsed or must be different from the one that was used earlier.

Remarks:

- *The ex situ test is carried out 3 times;*
- *The employee who carries out the test will do so from the outside of the tank (not inside the tank);*
- *If there is deviation from the prescribed method, this will be discussed in advance with and approved by the delegates of the Flemish ports.*

6.2.1.2. Schematic diagram



6.2.1.3. Sampling and analysis

Samples will be taken of the homogenised water mass at the following times and places:

- After preparation (everything present in the tank except for the polishing device itself)
    - Duplicate sample from tank 1 – Baseline measurement (= C0)
- After polishing
    - Duplicate sample from tank 1 (= C1)
    - Duplicate sample from tank 2 (= C2)
- After filtering
    - Duplicate sample from tank 3 (= C3)

The following parameters will be analysed, always on the first of the two duplicate samples:

- Suspended solids
- Copper
- Aluminium
- Nickel
- Zinc
- Iron

In connection with the composition of the propeller to be treated, additional parameters can be set for analysis.

6.2.1.4. Suction efficiency

The following formula is applied to calculate efficiency:

$$\frac{(C2 * V2) - (C0 * V2)}{((C1 * V1) - (C0 * V1)) + ((C2 * V2) - (C0 * V2))} * 100\%$$

In which:

- C0: concentration of the relevant pollution parameter in tank 1 before the start of the test in mg/l (baseline measurement)
- C1: concentration of the relevant pollution parameter in tank 1 after polishing in mg/l
- V1: remaining volume in tank 1 after polishing in litres
- C2: concentration of the relevant pollution parameter in tank 2 after polishing in mg/l
- V2: volume in tank 2 after polishing in litres

6.2.1.5 Filter efficiency

The following formula is applied to calculate efficiency:

$$\frac{(C2 - C0) - (C3 - C0)}{C2 - C0} * 100\%$$

In which:

- C0: concentration of the relevant pollution parameter in tank 1 before the start of the test in mg/l (baseline measurement)
- C2: concentration of the relevant pollution parameter in tank 2 after polishing in mg/l
- C3: concentration of the relevant pollution parameter in tank 3 after filtration in mg/l

6.2.1.6. Acceptance criteria

The Flemish ports deem a technology to be sufficient if the results of the ex situ test show:

- that visually there is no pollution to the water environment;
- suction efficiency is at least 90%;
- filter efficiency is at least 90%;
- total efficiency (suction x filter efficiency) is at least 80%.

6.2.2. In situ tests

After positively coming through the ex situ test (if relevant in a foreign port with equivalent test procedure), the company will be authorised to polish a propeller one time in one of the Flemish ports in the framework of an in situ test. During this in situ test it will be reviewed whether the operational work instruction is complete and the (suction and)[7] filter efficiency is achieved.

[7] Suction efficiency will not be determined again during the in situ test; only spillage will be assessed in a qualitative manner via the concentrations in the mixed sample (as close as possible to the device)

6.2.2.1. Method

1. The in situ test shall take place during the working week from Monday to Friday and during office hours from 08:00 to 16:30. Planning for the in situ test shall always be made in consultation with the delegates of the Flemish ports. At least one delegate of the Flemish ports must be present.

2. If the company applying for a licence intends during the operational phase, i.e. after the licence is granted, to use sanding discs with a range of grain sizes and/or compositions (e.g. diamond disc vs. sanding pad), there must be 2 in situ tests:
   a. One with the finest grain size and/or the softest material
   b. One with the roughest grain size and/or the hardest material

During the in situ test various samples will be taken by an independent accredited laboratory with a cylindrical sampling device (CSD) in accordance with the description in the Compendium for Sampling and Analysis (CMA/1/A.11[8]) and analysed by an independent accredited laboratory. The company that wishes to be granted the licence will appoint the independent laboratory.

At latest 2 working days before the test the following details will be transmitted (by e-mail) to Port Operations where the in situ test takes place:

- *the ETA and berth of the relevant ship;*
- the full time window and planning of the polishing (incl. samples);
- *which laboratory is to take the samples and carry out the analyses;*
- *the work instruction that will be used to carry out the polishing.*

The company that wishes to obtain the licence is, if applicable, responsible for applying for additional authorisations (e.g. diving operations), in accordance with the application procedure that is valid in the port where the test will effectively take place.
The test can only go ahead after the relevant Port Operations have approved the application and the information that has been provided.

6.2.2.2. Sampling and analysis

Samples will be taken at the following times and places:

- During polishing, after 1/3 of the polishing work:
  - Geographical baseline measurement* - Duplicate sample of the dock water (= C0,1)
  - Mixed sample** - Duplicate sample as close as possible to the vessel (= C1,1)
  - Duplicate sampling at the inlet of the filter system (= C2,1)
  - Duplicate sampling at the outlet of the filter system (= C3,1)
- During polishing, after 2/3 of the polishing work:
  - Geographical baseline measurement*– Duplicate sample of the dock water (= C0,2)
  - Mixed sample** - Duplicate sample as close as possible to the vessel (= C1,2)

[8] https://emis.vito.be/nl/referentielabo-ovam

  - Duplicate sampling at the inlet of the filter system (= C2,2)
  - Duplicate sampling at the outlet of the filter system (= C3,2)

- After the end of the test
  - Geographical baseline measurement*– Duplicate sample of the dock water (= C0,3)
  - Mixed sample** - Duplicate sample as close as possible to the vessel (= C1,3)

Remarks:

**For the geographical baseline measurement, a sample of the dock water will be taken at a min. of 10 m and a max. of 20 m from the work;*

***For the mixed sample, a sample will be taken from both the left and the right, at a max. of 1m from the device.*

The following parameters will be analysed, always on the first of the 2 duplicate samples:

- Suspended solids
- Copper
- Aluminium
- Nickel
- Zinc
- Iron

In connection with the composition of the propeller to be treated, additional parameters can be set for analysis.

6.2.2.3. Filter efficiency

The following formula is applied to calculate efficiency:

$$\frac{(C2 - C0) - (C3 - C0)}{C2 - C0} * 100\%$$

In which:

- C0: concentration of the relevant pollution parameter in the dock water in mg/l (Geographical baseline measurement)
- C2: concentration of the relevant pollution parameter at the inlet of the filter in mg/l
- C3: concentration of the relevant pollution parameter at the outlet of the filter in mg/l

6.2.2.4. Acceptance criteria

The Flemish ports deem a technology to be sufficient if the results of the in situ test show:

- that there is no spillage (concentrations in the mixed sample (= C1), a max. of 5% may deviate from the concentrations in the geographical baseline measurement (= C0));
- that the effluent is sufficiently purified (the filter efficiency will be at least 90%);
- The total efficiency, being the product of the suction efficiency as determined in the ex situ test, and the filter efficiency will be at least 80%.
- that the work instruction is carried out completely and correctly.

6.2.2.5. Costs connected with the presence of one delegate of the ports during the tests

1. If the ex situ test and/or in situ test do not meet the acceptance criteria set out under 6.2.1.6 and/or 6.2.2.4 and the proposed device and/or method consequently cannot be accepted, the Flemish ports will pass on the costs of time to attend the test of the delegate of the Flemish ports to the company applying for the licence. The cost of attending an unsuccessful ex situ test and/or in situ test is €100 per hour that the delegate puts in, as of the departure from the delegate's office until he returns to the office. This fixed hourly rate also includes the costs of the transport means used.

2. If the ex situ test and/or in situ test do meet the acceptance criteria, no costs will be charged for a delegate of the Flemish ports to attend the tests.

6.2.3. Granting of licence

As soon as the test procedure has been successfully completed (i.e. the acceptance criteria have been met), a licence will be granted for the operational carrying out of propeller polishing, for a period of one year as of the date of signing.

6.2.4. Renewing or modifying

An application can be submitted for a **renewal** at latest one month (and at earliest 3 months) before the expiry of the licence via the form "Application for propeller polishing licence". The form is to be submitted digitally to the relevant e-mail address of the Port Authority of Antwerp-Bruges, with a copy to North Sea Port: see point 6.2.
At the next polishing after the application, only the in situ test procedure needs to be successfully completed; at that time the licence can be renewed for 2 years from the date of the test. The next (test) polishing will take place within 6 months after the expiry of the licence, if not the licence will lapse and the full test procedure will have to be followed again.

An application can be submitted for a **modification** (e.g. another pump or sanding disc, change to the device,…) at any time via the form "Application for propeller polishing licence". The form is to be submitted digitally to the relevant e-mail address of Port of Antwerp-Bruges, with a copy to North Sea Port: see point 6.2.

Based on the documents provided, the Flemish ports will or will not agree to the renewal or modification.

6.3. Operational

1. Port Operations of the Flemish port where an operation will be carried out will receive at latest 24 hours (excluding weekends and public holidays) before every operation an application/notification in accordance with the application procedure that is valid in the port where the polishing operation will effectively take place.

2. The polishing can only go ahead after the relevant Port Operations have approved the application and the information that has been provided. The information will at least encompass:
   a. the ETA and berth of the relevant ship;
   b. the full time window and planning of the polishing;

3. Every operation underwater will be filmed in its entirety with a camera attached to the diver's helmet. The images will have a date, hour and ship's name. The operator will keep the images available for the Flemish ports, until one month after the execution of the relevant operation.

4. Residues from the polishing operation are to be removed and processed in accordance with the applicable regulations regarding waste processing (Cf. VLAREMA - the waste processing certificates must be kept available).

7. Hull cleaning

7. 1. Introduction

The following principles have been established collectively by all Flemish ports, which means that an equal set of rules applies in all Flemish ports.

The environment and sustainability are becoming increasingly important, including in the maritime world. The Flemish ports[9] are therefore happy to welcome companies that develop new techniques that contribute to more environmentally-friendly shipping.

Companies that want to engage in hull cleaning must, before carrying out this activity in the Flemish ports, demonstrate that they provide adequate services and that no pollution will be spread to the water environment.

7.2. Licence

1. Hull cleaning is only permitted in the Flemish ports in relation to microfouling[10] by companies that are in possession of a licence issued by the Flemish ports.

2. Macrofouling[11] (found, among others, in/on sea chests) cannot be treated within the framework set out below, unless the candidate contractor demonstrates beforehand by means of an ex situ and in situ test (see point
   7.2.1 and 7.2.2 respectively) that he meets the acceptance criteria described under 7.2.1.5 or 7.2.2.4 respectively.

3. A company that wishes to obtain a licence for hull cleaning must be able to demonstrate that the (marine) environment is safeguarded at all times.

4. The company will demonstrate by means of testing that their device and method meet the predefined criteria of the Flemish ports.

5. Companies that wish to apply for a licence can do so by means of the form “Application for hull cleaning licence”. The form is to be submitted digitally to the central e-mail address for authorisation applications of Port of Antwerp-Bruges: hkd.zeebrugge@portofantwerpbruges.com, with copy to North Sea Port (port of Ghent): onderwaterreiniging@northseaport.com.

[9] Flemish ports means in this respect: Port of Antwerp-Bruges (port of Antwerp, port of Zeebrugge), port of Oostende and North Sea Port (port of Ghent).
[10] Microfouling = a layer of micro-organisms, including bacteria, diatoms, algae, seaweeds and any slimy substance they produce. These are organisms that are usually easy to remove by hand.
[11] Macrofouling = organisms larger than 1 cm with a hard exoskeleton, such as barnacles, acorn barnacles, tube worms, mussels, and other large organisms, attached or otherwise.

7.2.1. Ex situ tests

1. The licensing procedure starts by carrying out an ex situ or laboratory test. In the test it will be reviewed whether the device meets the predefined acceptance criteria in the area of suction efficiency.

2. The ex situ test shall take place during the working week from Monday to Friday and during office hours from 08:00 to 16:30. Planning for the ex situ test shall always be made in consultation with the delegates of the Flemish ports. At least one delegate of the Flemish ports must be present.

3. During the ex situ tests it will be determined whether the suction meets the acceptance criteria. This will take place in 2 ways:

   a. By cleaning a metal plate painted with an easily removable anti-fouling paint and that is suspended vertically in a receptacle.

   b. By introducing a colourant at 3 points around the device.

   The purpose of both tests is to demonstrate that the paint/colourant is effectively taken in by the system and not spread to the water environment.

4. During the ex situ tests, samples will also be taken and analysed by an independent accredited[12] laboratory. The company that wishes to be granted the licence will appoint the independent laboratory.

5. In case of doubt regarding the proper functioning of the device and/or the proper execution of the test, the Port Operations can order additional (lab) tests (e.g. injection of colourants to make spillage visible).

7.2.1.1. Method

The following method will be applied:

- Preparation:
  - A receptacle will be rinsed and made ready;
  - The receptacle is filled. Clean water will be used for the test (mains water, rainwater, …);
  - The metal plate will be placed in the receptacle vertically. This plate is painted with an easily removable anti-fouling paint; the length must be at least 2 times the length of the cleaning device.
  - The cleaning device will be placed in the receptacle.
  - If this method were not feasible because of the size of the device to be tested, an alternative implementation method will be established in accordance with the Flemish ports.
- Underwater cleaning:
  - The plate will be polished for 5 minutes;

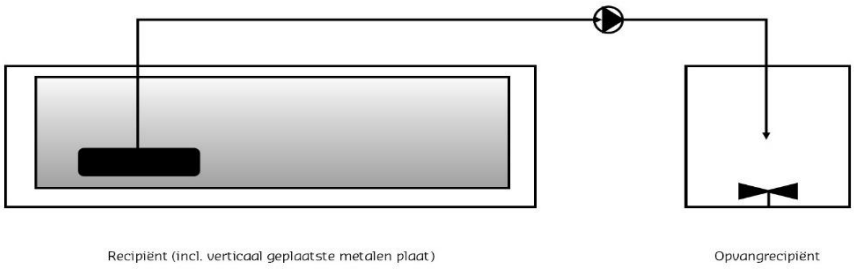
[12] https://www.lne.be/sites/default/files/atoms/files/erkende_laboratoria_water_0.pdf

- During this process a dose of colourant will be added at 3 points around the device;
- A time-proportional fraction of the suctioned water will be collected in a receptacle (e.g. cubitainer) and kept in continuous circulation;
- In order to inspect the suctioned volume of water, the volume in the receptacle will be measured 2 times: a first time at the beginning of the test (and after the cleaning device has been introduced), and a second time at the end of the cleaning trial. The height difference before and after, together with the inner surface area of the container, is decisive for the volumes before (= V1) and after (=V2).

Remarks:

- ***In principle, the ex situ test will be carried out one time; if the results are not satisfactory, the test is to be repeated until the acceptance criteria have been met.***
- ***If there is deviation from the prescribed method this will be discussed beforehand with and approved by the delegates of the Flemish ports.***

7.2.1.2. Schematic diagram



7.2.1.3. Sampling and analysis

Samples will be taken of the homogenised water mass at the following times and places:

- After preparation (everything present in the receptacle, except for the cleaning device itself)
  - Duplicate sample from the receptacle – Baseline measurement (= C0)
- After underwater cleaning:

- Duplicate sample from the receptacle (= C1);
- Duplicate sample from the receptacle with raw waste water (= C2). The samples will be analysed on the parameter of suspended solids

7.2.1.4. Suction efficiency

The following formula is applied to calculate efficiency:

$$\frac{(C2 * V2) - (C0 * V2)}{((C1 * V1) - (C0 * V1)) + ((C2 * V2) - (C0 * V2))} * 100\%$$

In which:

- C0: concentration of the undissolved components in the receptacle before the start of the test in mg/l (baseline measurement)
- C1: concentration of the undissolved components in the receptacle after cleaning in mg/l
- V1: remaining volume in the receptacle after cleaning in litres
- C2: concentration of the undissolved components in the receptacle with raw waste water in mg/l
- V2: suctioned volume after cleaning in litres

7.2.1.5. Acceptance criteria

The Flemish ports deem a technology to be sufficient if the results of the ex situ test show:

- that visually there is no pollution to the water environment;
- suction efficiency is at least 90%;

7.2.2. In situ tests

After positively coming through the ex situ test (if relevant in a foreign port with equivalent test procedure), the company will be authorised to clean a seagoing vessel's hull underwater one time in one of the Flemish ports. During this in situ test it will be reviewed whether the operational work instruction is complete and the (suction and)[13] filter efficiency is achieved.

7.2.2.1. Method

1. The in situ tests shall take place during the working week from Monday to Friday and during office hours from 08:00 to 16:30. Planning for the in situ tests shall always be made in consultation with the delegates of the Flemish ports. At least one delegate of the Flemish ports must be present.

2. During the in situ tests various samples will be taken by an independent accredited laboratory with a cylindrical sampling device (CSD) in accordance with the description in the Compendium for Sampling and Analysis (CMA/1/A.11[14], version published in BS on 22/01/2019) and analysed by an independent accredited laboratory. The company that wishes to be granted the licence will appoint the independent laboratory.

[13] Suction efficiency will not be determined again during the in situ test; only spillage will be assessed in a qualitative manner via the concentrations in the mixed sample (as close as possible to the device)

[14] https://emis.vito.be/nl/referentielabo-ovam

3. At latest 2 working days before the test the following details will be transmitted (by e-mail) to Port Operations where the in situ test takes place:
    a. the ETA and berth of the relevant ship;
    b. the full time window and planning of the cleaning (incl. samples);
    c. which laboratory is to take the samples and carry out the analyses;
    d. the Biofouling Management Record Book and/or a survey report, and the MSDS of the paint. These documents (with the exception of MSDS) may not be more than three months old. If such documents cannot be provided, the candidate contractor will objectively demonstrate in another manner that the fouling is limited to microfouling.
    e. the work instruction that will be used to carry out the cleaning.

4. The company that wishes to obtain the licence is, if applicable, responsible for applying for additional authorisations (e.g. diving operations), in accordance with the application procedure that is valid in the port where the test will effectively take place.

5. The test can only go ahead after the relevant Port Operations have approved the application and the information that has been provided.

7.2.2.2. Sampling and analysis

Samples will be taken at the following times and places:

- During cleaning, after 1/3 of the work:
    - Geographical baseline measurement* - Duplicate sample of the dock water (= C0,1)
    - Mixed sample** - Duplicate sample as close as possible to the vessel (= C1,1)
    - Duplicate sampling at the inlet of the filter system (= C2,1)
    - Duplicate sampling at the outlet of the filter system (= C3,1)
- During cleaning, after 2/3 of the work:
    - Geographical baseline measurement*– Duplicate sample of the dock water (= C0,2)
    - Mixed sample** - Duplicate sample as close as possible to the vessel (= C1,2)
    - Duplicate sampling at the inlet of the filter system (= C2,2)
    - Duplicate sampling at the outlet of the filter system (= C3,2)
- After the end of the test
    - Geographical baseline measurement*– Duplicate sample of the dock water (= C0,3)
    - Mixed sample** - Duplicate sample as close as possible to the vessel (= C1,3)

Remarks:

**For the geographical baseline measurement, a sample of the dock water will be taken at a min. of 10 m and a max. of 20 m from the work;*
For the mixed sample, a sample will be taken from both the left and the right,* ***at a max. of 1m *from the device.*

The following parameters will be analysed, always on the first of the 2 duplicate samples:

- Suspended solids
- Copper
- Aluminium
- Nickel
- Zinc
- Iron

In connection with the composition of the ship hull to be treated, additional parameters can be set for analysis.

7.2.2.3. Filter efficiency

The following formula is applied to calculate efficiency:

$$\frac{(C2 - C0) - (C3 - C0)}{C2 - C0} * 100\%$$

In which:

- C0: concentration of the undissolved components in the dock water in mg/l (Geographical baseline measurement)
- C2: concentration of the undissolved components at the inlet of the filter in mg/l
- C3: concentration of the undissolved components at the outlet of the filter in mg/l

7.2.2.4. Acceptance criteria

The Flemish ports deem a technology to be sufficient if the results of the ex situ test show:

- that there is no spillage (concentrations in the mixed sample (= C1), a max. of 5% may deviate from the concentrations in the geographical baseline measurement (= C0));
- that the effluent is sufficiently purified (the filter efficiency will be at least 90%);
- the total efficiency, being the product of the suction efficiency as determined in the ex situ test, and the filter efficiency will be at least 80%.
- that the work instruction is carried out completely and correctly.

7.2.2.5. Costs connected with the presence of one delegate of the ports during the tests

1. If the ex situ test and/or in situ test do not meet the acceptance criteria set out under 7.2.1.5 and/or 7.2.2.4 and the proposed device and/or method consequently cannot be accepted, the Flemish ports will pass on the costs of time to attend the test of the delegate of the Flemish ports to the company applying for the licence. The cost of attending an unsuccessful ex situ test and/or in situ test is €100 per hour that the delegate puts in, as of the departure from the delegate's office until he returns to the office. This fixed hourly rate also includes the costs of the transport means used.
2. If the ex situ and/or in situ tests do meet the acceptance criteria, no costs will be charged for a delegate of the Flemish ports to attend the tests.

7.2.3. Granting of licence

As soon as the test procedure has been successfully completed (i.e. the acceptance criteria have been met), a licence will be granted for the operational carrying out of hull cleaning, for a period of one year as of the date of signing by the harbour masters of all Flemish ports

7.2.4. Renewing or modifying

An application can be submitted for a **renewal** at latest one month (and at earliest 3 months) before the expiry of the licence via the form "Application for hull cleaning licence". The form is to be submitted digitally to the relevant e-mail address of Port of Antwerp-Bruges, with a copy to North Sea Port: see point 7.2.
At the next cleaning after the application, only the in situ test procedure must be successfully completed; at that time the licence can be renewed for 2 years from the date of the test. The next (test) cleaning must take place within 6 months after the expiry of the licence, if not the licence will lapse and the full test procedure will have to be followed again.

An application can be submitted for a **modification** (e.g. another pump, change to the device,…) at any time via the form "Application for hull cleaning licence". The form is to be submitted digitally to the relevant e-mail address of Port of Antwerp-Bruges, with a copy to North Sea Port: see point 7.2.

Based on the documents provided, the Flemish ports will or will not agree to the renewal or modification.

7.3. Operational

1. Port Operations of the Flemish port where an operation will be carried out will receive at latest 24 hours (excluding weekends and public holidays) before every operation an application/notification in accordance with the application procedure that is valid in the port where the cleaning operation will effectively take place.

2. The cleaning can only go ahead after the relevant Port Operations have approved the application and the information that has been provided. The information will at least encompass:
   a. the ETA and berth of the relevant ship;
   b. the full time window and planning of the cleaning;
   c. the Biofouling Management Record Book and/or a survey report. These documents may be no more than 3 months old; if such documents cannot be provided, the candidate contractor will objectively demonstrate in another manner that the fouling is limited to microfouling (slime, grass, seaweed).

3. Every operation will be filmed in its entirety with underwater cameras that are on the cleaning device.

Both the front and the rear of the device will be visible on a monitor by means of at least 2 cameras per side or an alternative method that guarantees an equivalent image, and the images will be provided with a date, hour and ship's name.

The operator will keep the images available for the Flemish ports, until one month after the execution of the relevant operation.

4. Residues from the cleaning operation are to be removed and processed in accordance with the applicable regulations regarding waste processing (Cf. VLAREMA). The waste processing certificates must be kept available.