



Regulations for Sikuki Nuuk Harbour A/S

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Part 1

Notification, entry and berthing

- Art. 1. These regulations apply to the quay installations and other land installations of Sikuki Nuuk Harbour A/S. Sikuki Nuuk Harbour A/S constitutes the direct and supreme harbour authority as far as Sikuki's installations are concerned; however, any complaints against certain decisions are to be lodged with Naalakkersuisut [Greenland Government]. cf. part 8.
- Art. 1 a. On behalf of Naalakkersuisut, Sikuki Nuuk Harbour A/S exercises the local harbour functions authority over the harbour basin which is administered in compliance with "Hjemmestyrets Bekendtgørelse" [Greenland Order] No. 1 of 4 January 2000 on harbour regulations. The Greenland Order on harbour regulations is enclosed as a schedule to these regulations for Sikuki Nuuk Harbour A/S. The provisions of the harbour regulations relating to the harbour basin have been incorporated in these regulations, however. The provisions/parts deriving from the harbour regulations are followed by "(HR)".
- (2) The harbour authority is responsible for free and unhindered access to and in the harbour to the extent this is possible. Precautions to ensure such access will be initiated at the discretion of the harbour authority. (HR).
 - (3) Prior to the arrival of a vessel in the harbour, the master of the vessel or the broker or agent for the vessel must contact the harbour authority to provide, among other things, information on the vessel's data, estimated time of arrival, purpose of entering and estimated duration of its stay in the harbour.
 - (4) When required by the harbour authority, the notifier is to produce the vessel's official documents and provide all relevant information on the vessel, its cargo and ownership.
 - (5) The harbour authority may require that the vessel's documents and certificates or part thereof are deposited with the harbour authority during the vessel's stay in the harbour.
 - (6) The harbour authority is entitled to make the vessel's entry subject to the vessel owner, user or broker/agent providing security to the satisfaction of the harbour authority for any claims against the vessel.
 - (7) The rules stipulated in article (7) apply to notification of vessels transporting dangerous goods.
- Art. 1a. The harbour authority has leased the new container terminal with buildings to Royal Arctic Line A/S. To the extent that third parties have access to the area leased, any additional rules/regulations as well as specific instructions issued by Royal Arctic Line A/S must also be complied with. The additional rules/regulations of Royal Arctic Line A/S have been approved by the harbour authority.

State of the vessel

- Art. 2. At the time of the notification and during the vessel's stay in the harbour, the vessel must be seaworthy and must hold all the necessary certificates required for the class of vessel in question as well as required under Greenland law.

Berth

- Art. 3. The harbour authority determines the rules on the vessels' berths and the details on its prioritisation of berths. First priority is given to liner vessels with a fixed berth and to vessels under an obligation to provide universal service under a licence or under a service agreement with the Greenland Self-Government authorities. In addition to this, the harbour authority decides at all times in what order a berth is allocated to the vessels.
- (2) The harbour authority may order the removal of vessels berthed in a manner inconveniencing the receipt and shipping of goods, the servicing of the fisheries sector as well as the servicing of regular passenger transport.
 - (3) In leased harbour areas, the lessee is entitled to object to vessels berthing at the leased quay if this is deemed by the lessee to constitute a major inconvenience to the lessee's activities or to entail a risk thereof.
 - (4) The harbour authority may grant a vessel a preferential right to a berth immediately next to storage facilities which the vessels is to load from or unload to.
 - (5) The loading or unloading of substances or gasses in bulk is to take place to or from lawfully designed tanks and at a berth intended for such loading and unloading.
 - (6) Vessels are to moor at the berth assigned by the harbour authority and cannot be towed from this berth without permission from the harbour authority.
 - (7) The harbour authority is entitled to order the towing of a vessel to a different berth and is entitled to have a vessel towed at the expense and risk of the vessel if such order is not complied with.
 - (8) Recreational craft must moor at the berths intended for such craft, unless the harbour authority has granted special permission to moor elsewhere.

Anchoring (HR)

- Art. 4. If not imperative, no anchoring is allowed in the harbour and the harbour fairways unless the harbour authority has granted a special permission.
- (2) Vessels anchoring in the harbour basin are obliged to keep a crew on board deemed appropriate in view of the size of the vessel and to maintain appropriate radio watch.
 - (3) The harbour authority may order the removal of any vessel anchoring in the harbour basin if the harbour authority finds that the vessel obstructs free and safe passage.
 - (4) If the anchoring has not ceased by the deadline set by the harbour authority, the harbour authority may have the vessel removed at the expense and risk of the vessel.
 - (5) No vessel is allowed to use a warp anchor or to block the harbour fairways or harbour basin with towlines without a special permission.

Navigation in the harbour (HR)

- Art. 5. Navigation in the harbour basin is to take place at a moderate and safe speed to avoid, among other things, exposing harbour installations, vessels or their moorings to damage.
- (2) The navigation rules etc. issued by the Danish Maritime Authority at any time also apply to navigation within the harbour basin.

Mooring

- Art. 6. Vessels are allowed to moor only by means of the bollards, hooks or rings designed for this purpose. On their quay side, vessels must have sufficient fenders to avoid causing damage to quay fenders, fender work or other vessels. Moreover, any mooring instructions issued by the harbour authority must be followed. The vessel is in charge of setting up a safe and illuminated gangway which must not obstruct free passage, the operation of harbour cranes etc.
- (2) When several vessels moor alongside each other, the vessels closer to the quay than the outermost vessel must ensure free, safe and illuminated passage across their decks and from vessel to vessel.
- (3) If necessary, all discharge pipes along the side of the vessel must be equipped with appropriate discharge boxes so that outflowing water is prevented from flowing onto other vessels or the quay.
- (4) Vessels assumed to have rats or other vermin on board must affix metal shields on their mooring lines to prevent such vermin from exiting the ship.

Part 2

Loading and unloading

Dangerous goods

- Art. 7. Vessels transporting, loading or unloading dangerous goods, including
- 1) explosives
 - 2) compressed and other gasses
 - 3) flammable liquids
 - 4) substances that are flammable, spontaneously combustible or develop flammable gasses when combined with water

- 5) exodizing substances
 - 6) infectious substances
 - 7) radioactive substances
 - 8) corrosive substances and
 - 9) other goods (cf. the International Maritime Dangerous Goods Code) (IMDG), are to notify the harbour authority of such goods at least 24 hours prior to arrival.
- (2) The notification is to specify the nature, volume (number and gross weight), danger class, UN no., packaging and stowing place.
 - (3) In special cases, the harbour authority may consent to notification at a shorter notice. Except in emergencies, a vessel is not allowed to enter the harbour until permission has been granted by the harbour authority.
 - (4) Dangerous goods must be packaged, labelled, stowed, kept separate and secured as prescribed or recommended in the IMDG Code and in the applicable Greenland, Danish and international rules.
 - (5) Vessels transporting, loading or unloading dangerous goods and failing to comply with the applicable environmental and safety rules, occupational safety and health rules as well as conditions for such transport may be denied access or ordered to leave by the harbour authority. The harbour authority may order such vessel to stop any loading or unloading process already commenced and to leave the harbour immediately.
 - (6) The harbour authority is entitled to:
 - 1) deny access or order vessels to leave vessels if the necessary safety precautions for handling dangerous goods cannot be established;
 - 2) order vessels to arrange for the necessary safety precautions on board or ashore and to pay the costs involved.

Fire hazard signal (HR and Sikuki/quay)

- Art. 8. While in the harbour basin, vessels carrying dangerous goods must display a fire hazard signal as long as they have such cargo on board.
- (2) The fire hazard signal which is to be displayed in the place on the vessel where it can best be seen, consists in the international signal flag B during the daytime and a red light visible all around the horizon at night.

Immediate departure

- Art. 9. A vessel displaying a fire hazard signal must at all times be ready to let go of its moorings and to depart immediately under its own power.

- (2) As for tank vessels, moorings ashore must be made of ropes and be illuminated. Hawsers must be made of non-flammable material, be fixed on board and be lowered to the waterline fore and aft. The crew necessary for the vessel's departure must be on board at all times.

Loading and unloading provisions

- Art. 10. If the loading or unloading activities on a vessel are not performed at a speed deemed standard by the harbour authority, and if consequently such activities cannot be completed within the time usually needed for the type of goods involved, the harbour authority is, upon prior notification thereof, entitled to order the vessel to be towed at the vessel's expense or to leave the harbour temporarily if another vessel is waiting for a loading or unloading berth.
- (2) Even if the activities have been initiated in due time and have continued without interruption, the vessel is to be towed to a different berth when this is deemed necessary by the harbour authority. In such case, the vessel has a right of priority to have a berth assigned where its loading or unloading can be continued.

Spillage

- Art. 11. The vessel is to take the necessary precautions to ensure that no cargo is discharged or spilled. In the event of any such discharge or spillage, the vessel must immediately stop the discharge or spillage and must itself see to efficient decontamination. The harbour authority is to be notified of the discharge or the spillage immediately, and the instructions by the harbour authority must be complied with. This also applies in case of bunkering.
- (2) The rules of environmental law apply to any spillage and discharge in all respects.
- (3) In case of accidents involving dangerous substances, the fire brigade is to be notified.

Tank vessels

- Art. 12. To the extent possible, the loading and unloading of dangerous goods must be initiated immediately upon arrival, and the pumping of such cargo must be undertaken as quickly as possible until the loading or unloading has been completed.
- (2) A tank vessel for which the loading of dangerous goods has been completed must depart from the harbour immediately, unless explicit permission to stay in the harbour has been granted by the harbour authority. A fully unloaded tank vessel that is not free from gasses or has not been secured by inert gasses must also leave the harbour immediately.

Part 3

Repair, decommissioning of vessels etc.

Repair of vessels

- Art. 13. While a vessel is berthed in the harbour, no repair of hull, engines, installations etc. is to be commenced without the harbour authority's permission.
- (2) The repair work etc. on the vessels and equipment berthed in the harbour is to be carried out in compliance with the applicable environmental provisions as well as occupational safety and health provisions.
- (3) The repair and maintenance work on a vessel is generally to be carried out in such manner that - in the opinion of the harbour authority - no inconvenience is caused to third parties and the surroundings and in such manner that the harbour area is not contaminated.

Surface treatment

- Art. 14. Any external surface treatment of vessels in the water off "Montagekajen" is prohibited.
- (2) Surface treatment is defined as high-pressure cleaning with or without the addition of a blowing agent, sandblasting with or without the addition of water as well as metal coating and spray painting.

Decommissioned or abandoned vessels (HR and Sikuki/quay installations)

- Art. 15. The decommissioning of a vessel in the harbour may take place only in compliance with the harbour authority's prior permission. If granted, such permission will specify the necessary practical instructions, conditions in respect of financial security, observance of set deadlines, duty of monitoring etc.
- (2) Vessels not in operation, including scrap vessels, boats, barges, drilling rigs and other equipment as well as goods cannot be left or kept in the harbour area or the harbour fairway without the harbour authority's explicit permission.
- (3) Decommissioned or abandoned vessels or equipment lie in the harbour at the owner's expense and risk in every respect, and the removal of such vessels or equipment may be ordered in compliance with article 17.

Wrecks etc. (HR)

Art. 16. Wrecks, vessels with fire on board, unseaworthy or badly damaged vessels etc. are not allowed to be brought into the harbour without the harbour authority's special permission to do so. If granted, the permission will stipulate the detailed conditions for bringing such vessels into the harbour, for example that the harbour authority is at all times entitled to demand the provision of security and also to request the owner to immediately take the precautions deemed necessary or requisite by the harbour authority in order to avoid danger or risks of danger. Such wreck etc. lies in the harbour at the owner's expense and risk in every respect.

Removal of decommissioned vessels etc. (HR and Sikuki/at quay installations)

Art. 17. The harbour authority has a right to order the removal of decommissioned, abandoned, sunken or wrecked vessels (as well as their equipment or gear) or other abandoned goods or equipment within reasonable time. If the harbour authority's order is not complied with, and if the harbour authority is not in a position to continue making the necessary arrangements for the objects without significant costs or inconvenience, the harbour authority is entitled to have the objects removed and sold at the owner's expense after having set yet another deadline. Prior to any sale, the harbour authority is to notify the owner, if possible.

- (2) The proceeds from a sale may be used to fully or partly cover the harbour authority's costs.
- (3) If an independent valuation expert has stated that the object in question is of no value or that the value of the object does not exceed the estimated costs of a sale, the harbour authority may remove the object after having notified the owner thereof in writing. In the event that the owner or the whereabouts of the owner is unknown to the harbour authority, notification thereof may instead be given by attaching a notice to the vessel or the goods as well as through publication in a national newspaper.
- (4) Regardless of such sale or removal, the owner remains liable for the full payment of the harbour authority's costs.

Part 4

Use of the harbour areas

Temporary storage of goods

Art. 18. Goods that are to be loaded or have been unloaded are not to be left on quays, in quay streets and connection roads or at the sites intended for temporary storage without the harbour authority's permission.

- (2) The harbour authority is entitled to issue orders and to take such precautions as the harbour authority finds necessary for the goods in question, inclusive of possibly assigning a storage site.
- (3) A storage site fee is to be paid to the harbour authority for the use of areas for storing goods in compliance with the applicable rules.

Removal of temporarily stored goods

- Art. 19. If required by the harbour authority, temporarily stored goods are to be removed or moved to an assigned site within a reasonable deadline set by the harbour authority.
- (2) If such order is not complied with or if the goods are left without the harbour authority's permission, the harbour authority is entitled to have the goods removed in compliance with article 17.

Traffic and parking

- Art. 20. The harbour authority may issue traffic instructions for the harbour area.
- (2) Parking in the harbour area is allowed only in compliance with the rules of the Highway Code in the parking bays provided and in compliance with any instructions issued by harbour authority.
 - (3) In special cases, the harbour authority may assign parking areas that may be used in connection with special loading or unloading operations.

Waste

- Art. 21. Waste is not be unloaded to or left in the harbour area. The waste containers provided are not to be used for polluting or dangerous materials. The containers are intended only for ordinary ship-generated waste and are not to be used by other parties.
- (2) As for disposal of waste from ships other than ordinary ship-generated waste, the harbour authority's rules on the reception of waste from ships and the environmental legislation apply in all respects.

Cleaning and tidying

- Art. 22. Upon completion of the loading or unloading, the vessel, the cargo owner or their representatives are to clean the harbour areas used and to remove all waste from these areas. If they fail to do so, the harbour authority is entitled to have such work carried out at the expense of the party in question.

- (2) Containers, pallets, trailers, stevedore tools, transport tools, fishing gear and fish crates etc. are not to be left on quays, quay streets, bridges and connecting roads after completion of work, unless this has been agreed with the harbour authority.
- (3) All equipment etc. left behind is left at the owner's expense and risk.

Part 5

Miscellaneous regulations (HR and Sikuki/at quay installations and other fixed installations)

Prohibited activities

Art. 23. The following activities are prohibited in the harbour area:

- 1) Throwing waste of any kind overboard, inclusive of cargo residues.
- 2) Burning, flushing, pumping or depositing of any kind of solid or fluid waste, inclusive of oil, chemicals, toilet waste, fluid waste from the bilges of the vessel etc. as well as residues or water containing such substances. In case of an accident, the harbour authority is to be notified immediately, and the substances in questions must be removed promptly, cf. also article 11 (2) and (3).
- 3) Hunting and other forms of shooting.
- 4) Activities resulting in unnecessary inconvenience from smoke, dust, smell or noise, inclusive of any unnecessary use of siren and whistle.

Activities requiring permission

Art. 24. The following activities may take place only subject to prior permission from the harbour authority:

- 1) Starting the engine. If granted, a permission to do so will require that this operation is not performed with such force that the harbour seabed conditions are altered, that harbour installations, other vessels, barges, lighters or similar are damaged, or that passing vessels are exposed to the risk of losing control owing to the screw current. During the entire operation of starting and testing the engine, a watchman must be on board so that the operation can be stopped if required by the harbour authority. The watchman must listen to the harbour's VHF channel. Prior to starting the engine, the stern is to be towed away from the quay if required by the harbour authority.
- 2) Unusual or strong light on board or illumination of the vessel. The use of strong light, for example from projectors, must be appropriate and is not to cause any inconvenience to maritime traffic, traffic on shore etc.

- 3) Open fire on board vessels outside shipyard areas. The harbour authority is entitled to demand fire watch in connection with such activity.
 - 4) Use of fireworks. The use of fireworks also requires permission from the police, however.
 - 5) Fishing.
 - 6) Extracting material or depositing material.
 - 7) Water skiing, boat racing, use of surfboards, personal water craft etc.
 - 8) Bathing from vessels or wharfs.
 - 9) Berthing of houseboats.
- (2) The blasting of ice closer than 15 metres to quay constructions may take place only subject to agreement with the harbour authority.

Lost property and salvaged goods

- Art. 25. Everything found, pulled out of the water or salvaged inside the harbour area is to be reported to the harbour authority immediately, and the harbour authority will notify the police thereof.

Access

- Art. 26. The harbour authority and the authorities that the harbour authority may authorise for such purpose are at all times entitled to access the vessel as far as issues relating to compliance with these regulations are concerned. The master of the vessel is to provide the necessary assistance in connection with inspection and review of the vessel.
- (2) If such access is denied or restricted, or if the necessary assistance is not provided, the harbour authority is entitled to order the vessel to leave the harbour area immediately.

Harbour authority

- Art. 27. The harbour authority staff monitor the maintenance of order in the harbour area.
- (2) The staff members are to identify themselves upon request.
 - (3) Everybody in the harbour area is obliged to comply with the instructions and orders issued by the harbour authority.
 - (4) The police, the municipal fire brigade and other authorities carry out tasks in the harbour area in compliance with the general rules of law.

Master of the vessel

- Art. 28. If the master of a vessel or other parties fail to comply with the provisions stipulated in these regulations or with orders issued by the harbour authority, the harbour authority is entitled to take the necessary precautions.
- (2) If the master of the vessel is not on board, an order for towing, mooring etc. of the vessel may be given to the most senior officer present or, if no officer is present, to another crew member.
- (3) If the entire crew leaves the vessel, the master of the vessel is to leave the name, address and phone number of a person skilled in seamanship and residing close to the harbour. Such person is to monitor the vessel, and the harbour authority may issue orders to this person with the same effect as orders issued to the master of the vessel himself.

Part 6

Liability

Liability of the vessel and of third parties

- Art. 29. The owner of a vessel using the harbour areas is liable for any damage (inclusive of damage to property, personal injury and consequential damage) caused by errors or negligence on the part of individuals performing their duties in the service of the vessel. This liability covers damage caused directly or indirectly in connection with entering, staying in, using or leaving the harbour.

Liability of the harbour authority

- Art. 30. The harbour authority is liable for damage to the vessel, cargo on board the vessel, its crew and passengers if the damage is caused by errors or negligence on the part of the harbour authority staff.

Part 7 (HR and Sikuki/at quay and other fixed installations)

Sanctions

- Art. 31. Any violation of the provisions in articles 1-16, 20-24, 26 and 28 may result in special charges. In aggravating circumstances, future access to the harbour and its areas may be denied for a specified period of time.

Part 8

Right to lodge complaints

Art. 32. Any complaint relating to a violation of these regulations is to be lodged with the harbour authority.

Decisions by the harbour authority must be complied with by all parties until a decision may be rendered by an arbitration tribunal, by a court of law or by Naalakkersuisut.

(2) Any complaint about the harbour authority or a lessee/operator under section 12(1) (opportunity to conduct business activities) or under sections 14 or 15 of “Inatsisartutlov” [Greenland Parliament Act] on harbours is to be lodged with Naalakkersuisut.

Art. 33. Any complaint against decisions made by the local harbour functions authority concerning the harbour basin is to be lodged with Naalakkersuisut.