REGULATION NO. 2

ECA Ports Regulations

April, 2014
Preamble

Consistent with the authority expressed in the Executive Regulation (Regulation No. 1), and in order to ensure the safe and proper functioning of the ports of the Economic Cities of the Kingdom of Saudi Arabia, the Economic Cities Authority hereby enacts and promulgates these regulations.

Part I
ECA Authority, Scope, Powers

Article 1
Definitions

<table>
<thead>
<tr>
<th>Term</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>60/24/7 Concept:</td>
<td>That all services will be delivered within a period not exceeding sixty (60) minutes, twenty-four (24) hours a day, throughout the week.</td>
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<tr>
<td>Anchorage Areas:</td>
<td>Any areas designated by the Port Rules or Manuals for the anchorage of ships and vessels while waiting to enter port or otherwise. There shall be no anchoring of ships or vessels except in such designated areas.</td>
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<tr>
<td>Dues, Fees, Tariffs:</td>
<td>Any charge made to port users, port developers, and operators.</td>
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<tr>
<td>EC Ports:</td>
<td>These include any and all ports located within the Economic Cities, or under the control or authority of the ECA.</td>
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<tr>
<td>Economic Cities Authority (“ECA”):</td>
<td>The Economic Cities Authority or its designee(s).</td>
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<tr>
<td>ECA Statute:</td>
<td>Royal Order No. (A/19) - the Economic Cities Authority Statute, as amended.</td>
</tr>
<tr>
<td>Jazan Economic City Port (“JEC Port”):</td>
<td>The port connected with the Jazan Economic City. The boundaries and map of the port are attached to these Regulations as Schedule III.</td>
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<tr>
<td>King Abdullah Economic City Port (“KAP”):</td>
<td>The port connected with the King Abdullah Economic City. The boundaries and map of the port are attached to these Regulations as Schedule II.</td>
</tr>
<tr>
<td><strong>Licensee:</strong></td>
<td>Any person or corporate body licensed to provide a specific service or work in the Economic Cities.</td>
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<tr>
<td><strong>Master Developer:</strong></td>
<td>The Master Developer is the lead, or top-level developer licensed in any of the Economic Cities.</td>
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<tr>
<td><strong>Master Plan:</strong></td>
<td>The designs, plans and other documents created by the Master Developer pursuant to the Master Developer Agreement, and approved by the ECA, which specify the design, plan, construction and development of the Economic Cities.</td>
</tr>
<tr>
<td><strong>Outsource Contractor:</strong></td>
<td>Any person or corporate body to whom the ECA outsources a particular function or responsibility to.</td>
</tr>
<tr>
<td><strong>Ports Agency:</strong></td>
<td>The Ports Agency of the ECA.</td>
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<tr>
<td><strong>Port Development Company:</strong></td>
<td>A company licensed or designated for the purpose of developing any of the EC Ports.</td>
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<tr>
<td><strong>Port Operator:</strong></td>
<td>Any operator licensed by the ECA to operate part or all of an EC Port.</td>
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<tr>
<td><strong>Port Servicer:</strong></td>
<td>A service provider (individual or company) licensed by the ECA to provide specific services within the EC Ports.</td>
</tr>
<tr>
<td><strong>Shared Container:</strong></td>
<td>Any container containing goods and cargo belonging to several individual owners.</td>
</tr>
<tr>
<td><strong>Ship(s), Vessel(s):</strong></td>
<td>Any seagoing watercraft, including ships or boats or air-cushioned vehicles or floating rigs or platforms used in any form of operations at sea, including those used for the transport of goods, cargo, containers or passengers, or any other description of vessel.</td>
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</table>

**Article 2**

**Authority of the ECA**

Consistent with the authority granted to the Economic Cities Authority by the Executive Regulation (Regulation No. 1), the Economic Cities Authority has the sole power to regulate and manage all the ports of the Economic Cities of the Kingdom of Saudi Arabia.
Article 3
60/24/7 Compliance

The EC Ports shall seek to provide all services, permissions, licenses, requests, customs clearance and other activities of the ports according to the 60/24/7 concept.

Article 4
Duties, Power Over Port

(a) Pursuant to the grant of authority, the ECA shall have all powers listed below and described within these regulations:

(i) The ECA is the authority governing the management, regulation, and operation of the EC Ports.

(ii) The ECA shall have the duty to promote the use, improvement and development of the EC Ports.

(iii) The ECA shall have the duty to maintain order, and ensure the security and safety of persons, ships, vessels, port users, the port and its facilities, and ensure the protection of the land, air and marine environment.

(iv) The ECA shall have the authority to set Rules, Policy Statements and Executive Orders, standards, procedures and requirements for the port, port facilities, port services, port operations, servicers, operators, and their employees, and those who make use of its facilities, as per the procedures specified in the Executive Regulation (Regulation No. 1).

(v) The ECA shall have the authority to set standards for the construction, repair or development of the EC Ports and any related infrastructure.

(vi) The ECA shall regulate to ensure the upkeep, maintenance, repair and construction of port facilities, infrastructure and waterways.

(vii) The ECA shall regulate and license all activities related to or carried on in the port or its waters.

(viii) The ECA shall ensure that the port has adequate and efficient marine and port services, whether provided by the Master Developer, the Port Development Company, the Port Operator, port servicers, licensees or outsourcing contractors. The Master Developer, the Port Development Company, the Port Operator, port servicers, licensees or outsourcing contractors shall satisfy all reasonable demands for port services and facilities.

(ix) The ECA shall have the authority to levy fees, dues, tariffs and other charges as appropriate for granting licenses, permits, approvals, consents, and for provision of services and facilities.
(x) The ECA shall have the power to establish, maintain and operate electronic data recording systems.

(xi) The ECA shall have authority over all disputes, dispute resolution, and conflicts pursuant to the provisions of these Regulations.

(xii) The ECA shall have the authority to establish regulations for ship mortgages and liens.

(xiii) The ECA shall have the authority to establish rules for the chartering of vessels.

(xiv) The ECA shall have the authority to establish rules for the licensing of ships.

(xv) The ECA shall have the responsibility for the investigation of violations of these Regulations, and any Rules, Policy Statements, Executive Orders or Manuals, any international treaties or conventions, and any accidents, casualties or damage in the EC Ports.

(xvi) The ECA shall have authority to set penalties for violations of these Regulations, and any Rules, Policy Statements, Executive Orders or Manuals.

(xvii) The ECA may carry on any such activities as are advantageous, necessary or convenient to discharge its duties and functions under these Regulations.

(xviii) In addition to the functions, roles, responsibilities and duties set forth in these Regulations, the ECA shall also undertake any additional responsibilities as deemed necessary by the ECA.

(b) No part of these Regulations shall be read to limit, restrict or otherwise constrain the authority of the ECA.

Article 5
Committees/Delegation

The ECA shall have the power to delegate any of its responsibilities or powers to boards, committees or sub-committees, or other similar bodies. Such delegation shall not detract in any way from the ECA’s final authority over any and all areas delegated.

Article 6
Liability and Ability to Bring Suit

(a) The ECA shall have the ability to bring claims against any and all parties, be they in negligence, tort, contract or commercial law for any harms, damages or breaches caused in and relating to the EC Ports.
(b) The ECA shall be immune from liability for any claims that the ECA has failed to fulfill any obligations under promulgated regulations; for claims based on the acts of licensees, outsource contractors, or others who retain delegated authority; or for claims for damages caused by or to vessels or other property by a vessel under the guidance, assistance or direction of the ECA or other port officials, including those caused by equipment failure.

(c) Damages for any claims made against the ECA for other acts shall be capped at 400 Saudi Riyals per ton of vessel gross tonnage.

(d) There shall be no personal liability for the officers and employees of the ECA, or those delegated, licensed or authorized to act on their behalf, for any claims based on acts done under the direction of the ECA or the Ports Agency, in good faith, or intended to be done pursuant to law.

(e) Such damage caps and limitations on liability shall be in accord with the Rules and Regulations for Seaports of the Cooperation Council for the Arab States of the Gulf.

**Article 7**

**Licensing and Outsourcing Authority**

(a) In accordance with the requirements and procedures set forth in the ECA Licensing Regulations, the ECA shall have the authority to grant licenses for port operators, port services providers or others as needed for the efficient operation of the EC Ports.

(i) No party shall provide any marine or port services or facilities without a license or exemption from the ECA.

(ii) All such licensees shall comply with these Regulations, and any Port Rules, Policy Statements, Executive Orders, Manuals, or Regulations as promulgated by the ECA or its agencies, subdivisions, or licensees.

(iii) Where certain restricted activities require special authorization, parties applying for such license or authorization shall include the following: 1) identifying information of the party; 2) information regarding the proposed activity; 3) proof of adequate insurance; 4) performance and damage security; or any requirements established in the Regulations for Seaports of the Cooperation Council for the Arab States of the Gulf.

(iv) The ECA shall oversee the provision of marine and port services and facilities to promote and safeguard competition and fair and efficient market conduct, or in the absence of a competitive market, to prevent the misuse of monopoly or market power.

(v) The ECA may withdraw or cancel special authorization for a restricted activity, as defined in the GCC Common Seaport Regulations and Schedule.
IV, at its discretion if the activity may cause damage, harm or endanger the functioning of the port. Notice of the cancellation shall be delivered without delay.

(b) In accordance with the requirements and procedures set forth in the ECA Licensing Regulations, the ECA shall have the authority to outsource some, part or all of its duties under these Regulations to any companies, institutions, or contractors as is necessary for the continued efficient operations of the EC Ports. All such outsourcing contractors shall comply with these Regulations, and any Port Rules, Policy Statements, Executive Orders, Manuals, or any other Regulations as promulgated by the ECA or its agencies, subdivisions, or licensees. Such outsourcing shall not detract in any way from the ECA’s final authority over any and all areas outsourced. The ECA shall ensure that outsource contractors are able to provide the services outsourced while maintaining independent financial viability.

(c) Where the ECA finds that a licensee, contractor or outsourcing contractor who is performing an ECA or other public function, or providing services for the ECA, has failed to discharge, or is not discharging, its obligations according to the terms of its agreement, the ECA may penalize any such licensee, contractor or outsourcing contractor, and provide any contracted, licensed or outsourced services, including necessary marine or port services, at such licensee, contractor or outsourcing contractor’s expense. Alternatively, the ECA may exercise authority to takeover and manage the licensee, contractor or outsourcing contractor to ensure that port services and operations are not interrupted. Such remedies shall be specified in the license, contract or outsource contract.

(d) All transfers, modifications, suspensions, or cancellations of licenses or outsource contracts shall be in accordance with the requirements or procedures of the ECA Licensing Regulations.

**Article 8**

**Revenue Sharing, Partnerships, Contracts**

The ECA shall have the full authority to enter into and be bound by contracts, and shall have the power to initiate or participate in activities with private, public, non-governmental and other bodies as may be necessary for the efficient operation of the EC Ports. Such activities may include, but are not limited to, revenue sharing schemes or arrangements, partnerships or other ventures. Such arrangements shall not be exempted from any competitive market rules in the ECs.

**Article 9**

**Information Gathering/Procedures**

The ECA shall have the authority to demand information, documents, records, or data from those with knowledge for the purposes of fulfilling its duties under these Regulations. The intentional
destruction of requested information or provision of false statements by any person or party shall be a violation of these Regulations.

**Article 10**  
**Procedure for Amendments**

(a) These Regulations shall be amended pursuant to the procedures set forth in the Executive Regulation (Regulation No. 1).

(b) These Regulations, and any Rules, Policy Statements, Executive Orders, and Manuals, and amendments thereto, shall be promulgated in both Arabic and English translation. Where there is ambiguity between the two versions, the Arabic version shall control as the official version.

**Article 11**  
**Property**

The ECA shall have the ability to acquire, own, hold, develop and dispose of property, both real and personal. The property of the ECA shall be exempt from attachment, execution or process in bankruptcy, whether in the possession of the ECA, its agencies, departments, or sub-divisions, a licensee or outsource contractor.

**Article 12**  
**Private Ports**

Subject to the ECA Board of Directors’ approval, the ECA shall have the full authority to exempt private ports or Port Development Companies from any and all of these regulations consistent with the best interests of the Economic Cities, and to the optimum commercial practice and viability of the ports or Port Development Companies. The ECA is authorized to delegate any and all of its powers, duties and functions under these Regulations to the Port Development Company consistent with the best interests of the Economic Cities. Such exemptions and delegations shall be specifically defined in the license and/or development agreement for such private port or Port Development Company.
Part II

Administration of the Port

Article 13

Conflicts of Law, Preemption, Treaty Recognition, Obligations

(a) These Regulations, and all Rules, Regulations and procedures promulgated by the ECA shall have force of law consistent with the ECA Statute and the Executive Regulation (Regulation No. 1).

(b) The EC Ports shall operate in compliance with all operative treaties, accords, protocols and international agreements entered into by the Kingdom of Saudi Arabia.

(c) All developers, operators, servicers, licensees, outsource contractors, employers, workers and other port users must comply with all operative treaties, accords, protocols and international agreements.

(d) The owner, agent or master of a ship must ensure that any ship entering the EC Ports meets the standards for ships, and master’s and crew’s certificates set forth in the applicable treaties, accords, protocols and international agreements.

(e) Applicable treaties include, but are not limited to, those listed in Schedule I.

Article 14

High Priority Offenses

(a) The following acts shall be forbidden in the EC Ports and all violators shall face penalties, or detention of vessels, as designated by the ECA or the Ports Agency.

(i) Willful removal, destruction, or damage to property owned, or in the custody or use of the ECA, its agencies or departments, developers, port operators, port servicers, licensees or outsource contractors.

(ii) Willful removal, destruction or damage to persons, ships, cargoes, vehicles, baggage or any other property.

(iii) Interfering with or adversely affecting port operations or the property managed by the developers, port operators, port servicers, licensees or outsource contractors.

(iv) Operation of port services or facilities without proper licenses and authorization.

(v) Evasion of dues, fees or tariffs.
(vi) Knowingly or negligently providing false information as to the draft, length, beam or height of a vessel entering or leaving the EC Ports.

(vii) Emitting agents polluting or otherwise reducing the quality of a port’s soil, water or air.

(viii) Obstruction of authority in performance of duties.

(ix) Disclosure of official confidential information.

(b) The following safety offences shall be treated as offenses, and all violators shall face penalties, or detention of vessels, as designated by the ECA or the Ports Agency.

(i) Endangering a person’s health or a person’s, port’s, ship’s or property’s security or safety.

(ii) Interfering with ship traffic, navigations, towage, maneuvering, berthing or mooring.

(iii) Setting loose ships without authorization.

(iv) Damaging, setting adrift, or fastening ships to buoys, markers or beacons.

(v) Obstructing any land or water area.

(vi) Discharge of firearms.

(vii) Engaging in hot work, or other flammable work within the port without authorization. Engaging in any acts which may cause fire on a vessel.

(viii) Using a vessel that is defective or undermanned such that it is dangerous.

(ix) Overloading a vessel with either cargo or passengers.

(c) Any other offenses as the ECA shall define, from time to time.

Article 15
Dispute Resolution

(a) All disputes shall be resolved per the Economic Cities’ dispute resolution system, as described in the relevant ECA Regulations.

(b) During any interim period, all disputes arising under these Regulations shall be adjudicated by a special board of the ECA. The special board of the ECA shall have the authority to set penalties and awards in disputes. Appeals can be made to the Secretary General directly for reconsideration. The Secretary General’s decision shall be final and binding on the parties.
Article 16

English Language

(a) Recognizing that Arabic is the official language in the Kingdom of Saudi Arabia, to facilitate and encourage foreign vessels to use the EC Ports and to make the EC Ports internationally competitive, the ECA shall allow and accept the use of English language documents and communications in connection with any and all activities or operations conducted in or through any EC Port.

(b) The ECA shall be responsible for ensuring that any Government Authority of the Kingdom of Saudi Arabia operating within any EC Port allows and accepts the use of English language documents and communications in connection with any and all activities or operations conducted in or through any EC Port.

Article 17

Finances

(a) The ECA may levy any charges, dues, fees and tariffs for services or facilities provided, as described in these Regulations, or any Rules, Executive Orders or Manuals. Such charges, dues, fees and tariffs may include, but are not limited to, license or permit issuance and renewals, maritime welfare fees, port dues, pilotage fees, and goods dues.

(b) Such charges, dues, fees and tariffs shall be published and made available upon request.

(c) Such charges, dues, fees and tariffs shall be set in consideration of the competitiveness of the EC Ports amongst peer ports.

(d) Such charges, dues, fees and tariffs shall be waivable at the sole discretion of the ECA.

(e) The ECA may license or outsource others to perform any service, and collect any associated charges, dues, fees and tariffs at its discretion, pursuant to these Regulations.

Article 18

Ships in Port - Master and Crew

(a) While berthed, moored or anchored in port, the owner, agent or master of the vessel shall ensure his or his qualified representative’s presence on board the ship, and the presence of sufficient crew for the ship’s normal course of operation, such that the ship is, at any time, kept in a state of readiness to be moved quickly.

(b) The owner, agent or master is responsible for the actions of the crew while in port. The crew shall comply with these Regulations, or any Port Rules, Policy
Statements, Executive Orders, Manuals, or Regulations as promulgated by the ECA or its agencies, subdivisions, or licensees..

(c) Crew shall only be allowed to enter EC Ports upon presentation of a valid Seaman’s Book.

(d) In the case of disputes between owner, agent or master and crew, the parties may refer to the Economic Cities’ dispute resolution system.

(e) In the case of fire, danger, accident or other emergency, any ship shall sound an alarm and notify the proper security and emergency personnel, including the Harbormaster, Port Operator, Port Development Company, Ports Agency, and the Master Developer.
Part III

Ports Agency

Article 19

Establishment of the Ports Agency

(a) The ECA shall establish an ECA Agency, to be known as the “Ports Agency of the Economic Cities Authority.”

(b) All Ports Agency officials shall be appointed by the ECA Secretary General.

(c) The Ports Agency shall administer these Regulations and shall have any and all of the ECA’s duties, powers and responsibilities as specified in these Regulations as delegated authority from the ECA.

(d) The Ports Agency shall report on its activities to the ECA Secretary General.

Article 20

Powers of the Ports Agency - Rules

(a) The Ports Agency shall issue any Rules or Policy Statements, or recommend the issuance of Executive Orders and Manuals pursuant to the procedures set forth in the Executive Regulation (Regulation No. 1) for the implementation of these Regulations and for the safe, efficient and proper operation of the EC Ports.

(b) The Ports Agency shall retain the power to exempt any individual or class from the Port Rules as may be necessary for the efficient operation of the EC Ports, subject to the approval of the Secretary General.

Article 21

Powers of the Ports Agency - Enforcement

(a) The Ports Agency shall have the authority to oversee the enforcement of the regulation of the EC Ports. Such oversight shall include these Regulations, and any Port Rules, Policy Statements, and Executive Orders issued by the ECA or the Ports Agency, and any Manuals implemented by the Harbormaster, Master Developer, Port Development Company, Port Operator, port servicers, and other licensees or outsource contractors, as approved by the Ports Agency or the ECA.

(b) The Ports Agency shall have the duty to ensure that the EC Ports comply with all applicable treaties, accords, protocols and international agreements entered into by the Kingdom of Saudi Arabia.

(c) The Ports Agency shall have the power to levy fines and penalties for violations of these Regulations, and any Port Rules, Policy Statements, Executive Orders or
Manuals, or applicable treaties, accords, protocols and international agreements entered into by the Kingdom of Saudi Arabia.

(d) The Ports Agency shall have the authority to arrange the sale or disposal of goods or materials required to be removed, and shall set the priority of any disbursements from sale proceeds.

(e) The Ports Agency shall have the power to seize, detain, and destroy goods and cargo or as necessary for the safe and efficient operation of the EC Ports.

**Article 22**

**Powers of the Ports Agency - Investigation**

The Ports Agency shall have the authority to investigate violations of these Regulations, and any Port Rules, Policy Statements, Executive Orders or Manuals, or applicable treaties, accords, protocols and international agreements entered into by the Kingdom of Saudi Arabia, or other offenses within the EC Ports. The Ports Agency shall have the authority to investigate into any case where damage has been caused to or by a vessel.
Part IV
Harbormaster

Article 23
Appointment of Harbormaster

(a) The ECA shall appoint a Harbormaster, and as many Deputy Harbormasters as necessary for the purpose of fully and effectively carrying out its functions.

(b) The ECA shall not be liable for any act, default or omission by the Harbormaster.

Article 24
Power of Harbormaster in Relation to Vessels

(a) The Harbormaster, within their authority, and subject to their discretion, shall have the power to:

(i) Direct any vessel in port, or while leaving or entering port, to provide information, including, but not limited to, the particulars of the vessel, its cargo, equipment, crew or any other information the Harbormaster may require.

(ii) Direct where any vessel shall be berthed, moored or anchored and the method of berthing, mooring or anchoring.

(iii) Order any vessel within the territorial waters of the Kingdom of Saudi Arabia to move or redirect its course to any other point in the territorial waters of the Kingdom of Saudi Arabia.

(iv) Direct, control or bar the movement of any vessel in the port, its approaches and surrounding waters.

(v) Declare the berths, locations, anchorages and fairways which may be used by vessels and the areas which are prohibited or restricted.

Article 25
Enforcement and Emergency Powers of the Harbormaster

(a) Detention of Vessels

(i) The Harbormaster may detain any vessel which has failed to comply with these Regulations, or any Port Rules, Policy Statements, Executive Orders or Manuals, or international conventions, treaties or standards, or which fails to meet safety standards, or pursuant to any law or international convention, treaty or standard, or for any emergency reasons within their discretion. Such detentions may include, but are not limited to, the failure to pay fees, for damage or injuries caused by the ship or its cargo, or for pollution.
The Harbormaster shall comply with all requirements of international law when effectuating the detention of vessels.

(b) Power to Prohibit Entry of Vessels

The Harbormaster may prohibit any vessel from entering the EC Ports, their approaches, or the territorial waters of the Kingdom of Saudi Arabia, if it would not be in the public interest for the vessel to enter such areas.

(c) Power to Order Vessels to Leave

(i) The Harbormaster may direct any vessel to leave the EC Ports, their approaches, or the territorial waters of the Kingdom of Saudi Arabia, if it would not be in the public interest for the vessel to enter such areas.

(ii) Any party seeking to appeal the directives of the Harbormaster may, within seven (7) days of receiving the directive, appeal to the Ports Agency, whose decision shall be final.

(iii) If a vessel fails to leave the EC Ports, their approaches, or the territorial waters of the Kingdom of Saudi Arabia as directed by the Harbormaster, or where an appeal has been refused, the Harbormaster may take possession of and dispose of the vessel according to these Regulations.

(d) Disobedience of Directions

It shall be a violation of these Regulations for any person who refuses or fails to obey any direction given by the Harbormaster. In the case of failure to comply, the Harbormaster may effectuate such directions as necessary to ensure the efficient operations of the port. The ECA shall set penalties for violations and continuing violations, and violators shall be liable for all costs associated with effectuating the directions of the Harbormaster.

(e) Removal of Obstructions

The Harbormaster may remove any obstruction or impediment to the navigation of the EC Ports. If such obstructions or impediments were lawfully made, the ECA shall provide reasonable compensation for any associated loss.

(f) Fire on Board Vessels

(i) In case of fire on any vessel in the port, or the approaches thereto, the Harbormaster, or an authorized party, may board and take command of the vessel. The Harbormaster or authorized party may enlist the assistance of any and all persons necessary to effectuate emergency actions. The Harbormaster or an authorized party, may give any orders necessary to prevent harm and ensure the safety of other vessels, the port, life or
property. Such orders may include, but are not limited to, the scuttling of the vessel, removal of the vessel, or removal of other vessels.

(ii) The Harbormaster or an authorized party may effectuate any emergency orders given if the master, owner or agent of a vessel refuses to carry them out.

(iii) The master or owner of any vessel effected under this section shall be liable for any costs incurred.

(g) Power to Board Vessel

(i) The Ports Agency or its authorized representative, the Harbormaster or their authorized representative, any officer of the ECA authorized by the ECA or any officer of the security services of the Kingdom of Saudi Arabia, may board any vessel when there is suspicion that a violation of these Regulations, or any Port Rules, Policy Statements, Executive Orders, Manuals, or Regulations as promulgated by the ECA or its agencies, subdivisions, or licensees, or any applicable treaties, accords, protocols and international agreements entered into by the Kingdom of Saudi Arabia, has occurred, is occurring, or will occur. Such power to board may be exercised when necessary to effectuate any duty or requirement under these Regulations, or any Port Rules, Policy Statements, Executive Orders, Manuals, or Regulations as promulgated by the ECA or its agencies, subdivisions, or licensees, or any applicable treaties, accords, protocols and international agreements entered into by the Kingdom of Saudi Arabia.

(ii) Any master of such vessel who refuses to allow the Ports Agency or its authorized representative, the Harbormaster or their authorized representative or any officer of the ECA authorized by the ECA or any officer of the security services of the Kingdom of Saudi Arabia to enter their vessel shall be in violation of these Regulations.

(h) Exemption of Vessels

This article shall not apply to vessels belonging to the armed forces and security services of the Kingdom of Saudi Arabia.
Article 26

Harbormaster as Port State Control Officer

The Harbormaster shall serve as the Port State Control Officer for the EC Ports as required under the Riyadh Memorandum of Understanding on Port State Control. The Harbormaster shall have the power and responsibility to implement and exercise all requirements and duties under the Riyadh Memorandum of Understanding on Port State Control. Such powers shall include, but are not limited to, the power to inspect vessels, the power to detain vessels, the power to exempt vessels, the power to issue decisions and provide information, and any other powers necessary to carry out the requirements of the Riyadh Memorandum of Understanding on Port State Control.
Part V

Master Developer and Masterplan

Article 27

Role of the Master Developer

(a) As described in the Developer Agreements executed between the Master Developers and SAGIA and/or the ECA, the Master Developer of each Economic City with an attached port, or the Master Developer of any individual EC Port, shall have full responsibility for the physical development, construction, maintenance and upkeep of the EC Port as per the Developer Agreement, and any ECA licenses, permits or agreements.

(b) The Master Developer shall comply with the Masterplan, as described in the Developer Agreement.

(c) The Master Developer shall comply with these Regulations, and any Port Rules, Policy Statements, Executive Orders, Manuals, or Regulations as promulgated by the ECA or its agencies, subdivisions, or licensees.

Article 28

Outsourcing and Contracting

(a) As described in the Developer Agreements executed between the Master Developers and SAGIA and/or the ECA, the Master Developer of each Economic City with an attached port, or the Master Developer of any individual EC Port, shall have the power to contract, outsource, or appoint any and all of its duties, powers, or responsibilities as permitted by the Developer Agreement.

(b) The Master Developer may appoint or contract one or more Port Development Companies as described in the Developer Agreement. All Port Development Companies shall be responsible for the development of the port as specified in their contract.

(c) The Master Developer may appoint, contract, or sub-contract one or more Port Operators as described in the Developer Agreement. All Port Operators shall operate the port, or specified portion or particular service thereof, as specified in their contract.

(d) All contractors, outsource contractors and appointees shall comply with the Masterplan.

(e) All contractors, outsource contractors and appointees shall comply with these Regulations, and any Port Rules, Policy Statements, Executive Orders, Manuals, or Regulations as promulgated by the ECA or its agencies, subdivisions, or licensees.
Article 29

**Port Design and Plans**

(a) As described in the Developer Agreement, the plans, designs and studies for the EC Ports shall be included in the relevant Masterplan.

(b) As provided for in the Developer Agreements, any changes to the Masterplan, or the plans, designs or studies for the EC Ports, whether by the Master Developer, Port Development Company, Port Operator, or any other contractor, outsource contractor or licensee, shall only be made in consultation with, and bearing the approval of the ECA.

(c) The ECA shall retain the final authority to approve or deny any and all proposed changes to the Masterplan, or to the plans, designs or studies for the EC Ports, as described in the Developer Agreement.
Part VI
Port Operator and Port Operations

Article 30
Role of the Port Operator

(a) The Port Operator shall have full responsibility for the physical maintenance and upkeep of the EC Ports as specifically delineated in its contract or license granted by the ECA, or as set by these Regulations, and any applicable Port Rules, Policy Statements, Executive Orders, Manuals, or Regulations as promulgated by the ECA or its agencies, subdivisions, or licensees.

(b) The Port Operator shall have full responsibility for managing and ensuring the efficient operations of the EC Ports as specifically delineated in its contract or license, or as set by these Regulations, and any applicable Port Rules, Policy Statements, Executive Orders, Manuals, or Regulations as promulgated by the ECA or its agencies, subdivisions, or licensees.

Article 31
Manuals

(a) Where required by the ECA, the Ports Agency, the Harbormaster, or these Regulations, the Port Operator shall have the obligation to develop detailed Manuals for the EC Ports.

(b) Any Manuals promulgated by the Port Operator are subject to the approval and consent of the Ports Agency, pursuant to the procedures in the Executive Regulation (Regulation No. 1), in consultation with the Harbormaster.

Article 32
Areas of Regulation - Navigable Functions

(a) The Port Operator shall have responsibility for the following subject areas, and the duty to draft and develop detailed Manuals for them:

(i) To regulate and control navigation within the limits of the port and in the approaches to the port.

(ii) To establish and maintain adequate and efficient navigational aids, including lighthouses, beacons, and buoys for navigation into the port.

(iii) To disseminate navigational information for the port.

(iv) To prevent and remove obstructions or impediments to navigation of the approaches to the port and within the port itself.

(v) To regulate the keeping or placing of private moorings or buoys.
(vi) To regulate the use of lights and the signals to be used in the port and steps to be taken for avoiding collision by vessels navigating in the port.

(vii) To maintain the cleanliness of the facilities of the port and its waters, and preventing oil, debris, trash, refuse or any other materials and pollutants from being thrown or entering therein.

(viii) To provide for the safe and efficient removal and disposal of waste, rubbish, trash and debris from vessels, port users, port operators and port servicers.

(ix) To supervise and qualify the manning and use of harbor craft.

(x) To ensure the provision and maintenance of efficient and satisfactory port facilities including: mooring buoys, gangways, landing states, moorings, berthing facilities, and pontoons for the landing of persons.

(xi) To regulate the navigation and places of anchoring and mooring vessels with dangerous cargos.

(xii) To regulate the loading and unloading of vessels and their cargo.

(xiii) To regulate the means of utilizing, stowing and keeping dangerous cargoes on board vessels and the movement of such cargoes within the port.

(xiv) To regulate and prohibit the movement, loading, unloading or handling of dangerous cargos in any areas or facilities where such activities pose the risk of public harm.

(xv) To maintain free passages along or near docks, wharves or moorings.

(xvi) To ensure that the loading and unloading of passengers and crew only occurs in designated areas.

(xvii) To establish special rules for ships exclusively carrying pilgrims.

(xviii) To regulate, declare and define the areas and facilities where goods may be unloaded and loaded into vessels.

(xix) To regulate and prohibit the loading and discharging of goods other than in specified areas. Dutiable goods may be loaded and unloaded at wharves, docks and places authorized by the Ports Agency. In the case of non-dutiable goods these include the wharves, docks and other places authorized.

(xx) To regulate the provision of public landing spaces as is necessary for public use.

(xxi) To regulate bunkering and the provision of fuel and water to vessels.
Article 33  
**Responsibilities of Port Users**

(a) The master, owner or person in charge of any vessel is obligated to comply with all ECA Regulations, Port Rules, Policy Statements, Executive Orders, Manuals, or any other such rules, Regulations, procedures, decisions or orders as the ECA, the Ports Agency, the Harbormaster or any other duly authorized official, licensee or contractor may issue.

(b) The master, owner or person in charge of any vessel shall:

(i) Permit all manner of inspections and respond to all requests for documents and documentation of incidents or activities made by duly authorized parties.

(ii) Comply with all enforcement and emergency provisions within these Regulations and comply with all duly authorized parties in carrying out these Regulations.

(iii) Notify the Harbormaster and any other duly authorized parties in any case of damage or malfunction of a vessel, including, but not limited to, if a ship is sinking, leaking polluting substances, is on fire, ran aground, or if the ship is unmanouverable.

(iv) Comply with all rules and directions for the movement, anchoring, waiting, berthing, or mooring of vessels.

Article 34  
**Liability of Shipowners, Operators**

The master, owner or person in charge of any vessel shall be liable to the ECA, Master Developer, the Port Development Company, the Port Operator, or others for any damage caused as a result of their actions. Such liability shall extend to the cost of inspection or survey to assess the damage done. Where damage is done to any EC Port or property of the ECA, the Harbormaster shall have the power to detain any vessel until the costs of any damage are paid, or other form of deposit or security are furnished.

Article 35  
**Insurance**

The Port Operator shall set requirements for the maintenance of insurance by vessels entering into the port, and any operators, servicers, licensees or outsource contractors operating in the port. Such requirements shall be published as a Manual.
Article 36

Information Provision

(a) The Port Operator, in consultation with the Harbormaster, shall regulate what information must be provided by masters, owners, agents and others for arriving and departing vessels, and the time and manner in which such information must be provided.

(b) The Port Operator, in consultation with the Harbormaster, shall determine the information to be supplied by the masters, owners, or agents as regards goods loaded or discharged at the port and the time and manner in which such information should be furnished.

(c) These requirements shall be published as a Manual.

Article 37

Mandatory Vessel Reporting System

(a) Pursuant to the Rules and Regulations for Seaports of the Cooperation Council for the Arab States of the Gulf, the Port Operator, in consultation with the Harbormaster, shall institute a mandatory vessel reporting system, a mandatory vessel routing system, and vessel traffic services.

(b) In compliance with GCC rules, every ship entering port shall be fitted with an Automatic Identification System, Ship Security Alert System, and requisite equipment under the Global Maritime Distress and Safety System. Such equipment shall be compliant with the International Convention for the Safety of Life at Sea (SOLAS) standards.

(c) The Port Operator, in consultation with the Harbormaster, shall ensure that all ships utilize the mandatory routing system, and that all ships are fitted with a voyage data recorder.

(d) In the event of an incident or accident, the Ports Agency shall locate the voyage data recorder data for analysis, and shall issue a report of its findings.

(e) The Port Operator, in consultation with the Harbormaster, shall ensure that the port’s vessel reporting, routing and traffic services systems are compliant with GCC requirements and allow the exchange of data and interoperability with GCC member states’ systems.

(f) The specifics of such systems shall be published as a Manual.
Article 38

Vessels to Report Arrival

(a) The Port Operator, in consultation with the Harbormaster, may require the owner, agent or master of any vessel that means to enter or leave the port to provide, before such entry or departure, any information that the Port Operator, in consultation with the Harbormaster, may require regarding the vessel, its crew and passengers, its cargo and the estimated time of entry or departure. Such information may be in addition to any other information requirements.

(b) The owner, agent or master of any vessel that will arrive in the port, regardless of purpose, shall:

(i) Report the arrival of the vessel at least 48 hours in advance of arrival.

(ii) Provide a general declaration of arrival, including clearance from the last port, a list of passengers, a list of crew, a copy of the manifest of goods to be discharged or transshipped in the port, and any further documents as may be required. This information may be presented in the form of the GCC Uniform Pre-Arrival Notification Report. An example of such report is attached hereto as Schedule IV.

(iii) Report any changes to the reported information.

(c) All vessels shall have copies of the certificate of registry and ship’s articles, and any certificates issued pursuant to international treaties and conventions ready for inspection if requested by the Port Operator, the Harbormaster or the Ports Agency.

(d) The Port Operator, Harbormaster or Ports Agency, in conjunction with ECA Security Regulations, shall have the power to require Ship Self-Security Assessments.

(e) The specifics of such procedures shall be published as a Manual.

Article 39

Hazardous Ships Under the Rules and Regulations for Seaports of the Cooperation Council for the Arab States of the Gulf

(a) Any ship which, during its voyage, was involved in an accident at sea, has failed to comply with the mandatory reporting system, has failed to comply with the mandatory routing system, has discharged oil or violated GCC environmental rules, or has violated the International Maritime Organization International Ship and Port Facility Code or the International Safety Management Code, shall be deemed hazardous.
(b) The Port Operator, in consultation with the Harbormaster, shall notify relevant authorities in GCC states on the ship’s route of the determination that the ship is hazardous.

(c) The Harbormaster has the authority to take actions, impose sanctions, or inspect the hazardous vessel, and shall report the results of their actions to any concerned GCC authorities.

(d) The specifics of such procedures shall be published as a Manual.

**Article 40**

**Vessels to Report Incidents or Accidents at Sea**

(a) Pursuant to the Rules and Regulations for Seaports of the Cooperation Council for the Arab States of the Gulf, any owner, agent or master shall immediately report to the Harbormaster:

(i) any incident or accident affecting the safety of the ship, including collision, fire, running aground, damage, malfunction, breakdown, flooding, shifting of cargo, defects in steering devices or the hull or structural failure;

(ii) any incident or accident which affects shipping safety, or which may affect the ship’s maneuverability or seaworthiness;

(iii) any incident that may cause pollution of the waters or shore; and

(iv) any oil slick or containers or debris adrift at sea.

(b) The report shall include the ship’s identity, position, ports of departure and destination, information on the dangers of any goods on board, the number of persons on board, details of the incident, and any other information required by IMO regulations.

(c) The Harbormaster shall convey such information to local maritime safety or environmental authorities.

(d) The Ports Agency may conduct an investigation into the incident or accident.

**Article 41**

**Vessel Departures - Port Clearance**

(a) No vessels shall leave port without clearance from the Harbormaster.

(b) The vessel requiring port clearance shall provide:

(i) a general declaration of departure;

(ii) a list of crew;
(iii) a list of passengers on board;

(iv) a copy of the manifest of goods on board and cargo loaded on or discharged at the port; and

(v) such other documents as may be required, including a certificate of registry or other documents pertaining to the vessel.

(c) These reporting provisions shall not apply to vessels belonging to the armed services or security services of the Kingdom of Saudi Arabia.

(d) Ships attempting to leave without clearance shall be in violation of these Regulations and may be detained or fined.

(e) Port clearance will not be granted where:

(i) the owner, agent or master has failed to comply with import or export rules; or

(ii) the owner, agent or master has failed to inform the Harbormaster of the country of origin of the ship, or, upon request, has failed to produce a certificate of registry for the vessel.

(f) Where these Regulations, or Port Rules, Policy Statements, Executive Orders or Manuals, or any other law including international obligations, permit the Harbormaster to detain a vessel, he will refuse to grant port clearance for the vessel.

(g) The Harbormaster may refuse to grant port clearance to any vessel whose owner or master has not complied with these Regulations, or Port Rules, Policy Statements, Executive Orders or Manuals, or any other law including international obligations, or has failed to pay fees, has caused damage or injuries by the ship or its cargo, or has dumped or polluted the waters.

(h) If the actions of the ship or its cargo potentially damaged port facilities, equipment, or private property, port clearance may be refused for long enough to allow inspection to ensure that no damage was caused.

(i) The owner, agent or master of any vessel which fails to leave the port within forty-eight (48) hours, or such shorter period as may be specified by the Harbormaster, after obtaining port clearance shall, within six (6) hours of the expiry of the forty-eight (48) hours or such shorter period, return to the Harbormaster the port clearance certificate and, if so required, obtain fresh port clearance.
Article 42  
Removal of Obstacles and Sunken Vessels

(a) In the case of a sunken vessel, aircraft or other obstruction, the Port Operator, in consultation with the Harbormaster, shall identify such obstruction and demand clearance by the owner.

(b) Upon a failure to clear such obstruction by the owner, the Port Operator, in consultation with the Harbormaster, shall have the authority to clear or scrap the vessel, aircraft or other obstruction, and take possession of it.

(c) Upon sale of the vessel, aircraft or obstruction, the sale proceeds shall be used to cover all expenses associated with removal. Any surplussage shall be paid to the owner, or, in the case of a deficiency, the owner shall have a duty to cure such deficiency.

(d) The specifics of such procedures shall be published as a Manual.

Article 43  
Dredging, Salvage, Underwater Construction

Any and all dredging, salvage, underwater removal, hydrographic survey, and underwater construction shall only occur upon the express grant of a specific License for such activities granted by the ECA, on such terms, conditions and requirements as it may set.

Article 44  
Harbor Craft

(a) The Port Operator shall prescribe the standards of competence to be attained by officers and crew of harbor craft in order to be qualified for the purposes of manning harbor craft.

(b) The ECA, through the licensing procedures established in the ECA Licensing Regulations, shall be responsible for the conduct of examinations, the conditions for admission, and the issue, form and recording of licenses, certificates or other documents for officers and crew of harbor craft in order to be qualified for the purposes of manning harbor craft. Such responsibilities may be outsourced or contracted by the ECA.

(c) The Port Operator, shall set standards for the construction, machinery, equipment, fittings, installations, appliances and apparatus of harbor craft, and shall determine the tests to be carried out and any maintenance to be completed, including the maintenance and stowage of life-saving and firefighting appliances and apparatus.

(d) The ECA, through the licensing procedures established in the ECA Licensing Regulations, shall be responsible for surveying harbor craft, and shall issue,
suspend, cancel or extend licenses and set the period of validity for certificates, or exemption certificates. Such responsibilities may be outsourced or contracted by the ECA.

(e) The specifics of such procedures shall be published as a Manual.

**Article 45**

**Towing, Mooring and Berthing**

(a) The Port Operator, in consultation with the Harbormaster, shall ensure the efficient provision of towing, mooring and berthing services within the EC Ports.

(b) The Ports Agency, through the ECA licensing procedures established in the ECA Licensing Regulations, shall grant licenses to qualified providers of towing assistance. Such licenses may be limited and revoked. Exemptions may be granted, subject to approval by the Secretary General.

(c) The Port Operator, in consultation with the Ports Agency, shall set standards for qualifications, reliability, equipment and other safety and efficiency requirements in order to qualify for licensing as a towing provider.

(d) All towage must be conducted by licensed towing providers.

(e) The following requirements of the Rules and Regulations for Seaports of the Cooperation Council for the Arab States of the Gulf shall be observed:

(i) The Harbormaster shall be informed before the movement of any vessel.

(ii) The owner, agent or master of a ship berthed, moored or anchored shall ensure that adequate towing lines can be attached to the ship before being moved from its berth, moor or anchorage.

(iii) Tug assistance is compulsory for all ship maneuvers in port. The movement of a vessel alongside berth may be permitted by the Harbormaster without tug assistance, however a berthed vessel may not run the propellers without written permission from the Harbormaster. Tug requirements for navigation, maneuvering, berthing or unberthing shall be decided by the master in agreement with the pilot.

(iv) The number and capacity of tugs required to berth or unberth or for any other maneuver shall be ordered by the ship's owner, agent or master, or the pilot, at the expense of the ship, with a tug operator licensed to work in the EC Ports.

(v) The master or owner of a vessel navigating in circumstances in which towing by tug is compulsory shall be answerable for any loss or damage caused by the vessel or by any fault of the navigation of the vessel in the same manner as he would if towage by tug were not compulsory.
(vi) The tug, tug provider, Port Operator, the ECA, the Ports Agency and the Harbormaster shall not be liable for any damage sustained from the use of tugs.

(vii) In case of a disagreement on the use of tugs (including both capacity and number) between the pilot and the master, the issue shall be referred to the Harbormaster whose decision shall be binding and final.

(viii) The tug or tug operator shall provide special towing lines for tankers or bulk vessels. All other vessels shall provide their own towing lines of suitable strength and in good condition.

(ix) The Harbormaster, having considered the ship’s size, type, propulsion, draught, and maneuverability, along with traffic, navigation and weather conditions, may exempt a vessel from employing tug assistance.

(f) The Port Operator, in consultation with the Harbormaster, shall set rules for mooring, including regulations on methods, water levels, inspection, and condition of equipment to ensure the safe and secure mooring of vessels.

(g) The specifics of such procedures shall be published as a Manual.
Part VII
Pilotage

Article 46
Pilotage

The Ports Agency shall ensure the provision of efficient pilotage services to the EC Ports. This function may be delegated or contracted by the Ports Agency.

Article 47
Requirement of Pilotage/Pilotage Areas

(a) The waters within the boundaries of the port, including port basins, anchorages, port approaches, channels, and other navigable areas, shall be compulsory pilotage areas.

(b) The Ports Agency shall designate the pilotage areas in the port and shall update such areas as is necessary for the safe and efficient functioning of the port.

(c) The Ports Agency shall require every vessel navigating a pilotage area or moving into a pilotage area to be under pilotage. Certain vessels or classes thereof can be exempted as necessary.

(d) The Ports Agency may exempt vessels regularly visiting the port, vessels operated by a Port Operator, or due to a vessel’s size.

(e) The Ports Agency may institute penalties for the failure of an owner, agent or master to be under pilotage while in a pilotage area.

Article 48
Pilots

All pilotage in designated pilotage areas shall be conducted by authorized pilots.

Article 49
Provision of Pilotage Services

(a) The Ports Agency may alternatively employ pilots or authorize individuals to act as pilots subject to regulation and licensing pursuant to the ECA Licensing Regulations. With approval of the Ports Agency, owners of wharfs or docks may authorize berthing masters.

(b) The Ports Agency may deny pilotage service due to inclement weather or poor navigation and traffic conditions; failures or deficiencies in the ship’s structural, safety, steering or propulsion systems; or if the master of the ship fails to provide safe boarding or disembarking for the pilot, fails to provide accommodation and
meals to a pilot on board for more than three hours, fails to complete proper forms, or fails to complete reporting requirements.

**Article 50**  
**Licensing/Certification of Pilots**

(a) No one shall be employed as a pilot unless authorized and bearing a pilotage license.

(b) The Ports Agency shall examine candidates for a pilotage license for fitness and competency, and may limit any license issued with conditions as they see fit. The Ports Agency may continue to test, or re-test, pilots as necessary to ensure their continued fitness to serve as pilots.

(c) While bearing a license, a pilot must remain medically fit, maintain and improve his competence as a pilot, hold valid certificates for the issuance of his license, and complete every month a minimum of one pilotage movement in the pilotage area.

(d) The Ports Agency shall set penalties for individuals acting as or attempting to act as pilots without the necessary authorization or licenses. The Ports Agency shall also set penalties for owners, masters or agents employing individuals as pilots who do not have the requisite authorization or licenses. There shall be no penalty when, in emergent circumstances or in distress, an owner, master or agent utilizes the best assistance possible when entering or leaving the pilotage area.

**Article 51**  
**Training of Pilots**

The Ports Agency may permit apprentice pilots to undertake shipboard training on any vessel under the supervision of a licensed pilot.

**Article 52**  
**Liability while under Pilotage.**

(a) The issuance of licenses and regulation of pilots shall not create any liability for the ECA and the Ports Agency. A pilot engaged in a pilotage act on a vessel shall be considered the employee of the master or owner of the vessel, and the ECA and the Ports Agency shall bear no liability for any harm, loss or damage caused by such pilot.

(b) The master or owner of a vessel navigating under required pilotage shall be liable for all harm, loss or damage caused by the vessel as if the vessel were not under mandatory pilotage.

(c) The Ports Agency may limit the liability of pilots, including by use of a bond to limit liability for claims of neglect, want of skill or incapacity.
Article 53
Grievances/Inquiries into Pilots

The Ports Agency shall hold inquiries into the conduct of a pilot where it appears that there has been misconduct, where they have failed in or neglected their duty, or where they have become incompetent to serve as a pilot.

Article 54
Enforcement - Removal of License

The Ports Agency may revoke the licenses of pilots who engage in corrupt practices, lend their licenses, act as pilots while suspended, act as pilots while intoxicated or otherwise impaired, refuse to pilot a vessel under order of the Ports Agency or Harbormaster, or quit their vessel before pilotage is complete. The Ports Agency may prescribe other punishments as necessary.
Part VIII
Labor, Environmental, Security Controls

Article 55
Employment of Sailors and Seamen

The employment of sailors and seamen shall be consistent with the labor and maritime laws of the Kingdom of Saudi Arabia.

Article 56
Work Permitting

Pursuant to the Executive Regulation (Regulation No. 1), the ECA Work Permitting Regulations, as promulgated by the ECA in coordination with the Ministry of Labor, shall apply in the EC Ports.

Article 57
Environmental Rules

Pursuant to the Executive Regulation (Regulation No. 1), the ECA Environmental Regulations, as promulgated by the ECA in coordination with the General Presidency of Meteorology and Environment, shall apply in the EC Ports.

Article 58
Security Controls

Pursuant to the Executive Regulation (Regulation No. 1), the ECA Security Department, in agreement with the Ministry of Interior, shall ensure ECA Security Regulations are applied in the EC Ports.

Article 59
Force Majeure, Evacuation and Emergency Powers

In the case of force majeure, public emergency, or other major threat to the safety or security of the EC Ports, the ECA, and its duly authorized agents, shall assume full emergency executive powers to take any and all actions necessary to preserve life, property and the EC Ports, and to ensure the safety and security of the EC Ports and its users. Such actions may include evacuation of the EC Ports or other measures. The ECA and its duly authorized agents shall bear no liability for actions taken in the course of such situations. Port users, licensees, permit holders and others shall not be exempt from the payment of any tariffs, charges, dues or fees as a result of such emergency actions.
Part IX
Occupational Health and Safety Standards

Article 60
Occupational Health and Safety Standards

The ECA shall ensure that all employers, employees, places of work and operations in the EC Ports meet occupational health and safety standards as set by the relevant ECA Regulations.

Article 61
Building Codes

The ECA shall ensure that all building and construction in the EC Ports meets the building and occupancy codes as set by the municipalities of the Economic Cities, as well as any other ECA Regulations.
Part X
Dues, Fees and Tariffs

Article 62
Setting of Dues, Fees and Tariffs

The Port Operator, or any port servicers, shall set dues, fees and tariffs for services provided at the EC Ports. All dues, fees and tariffs must be approved by the Ports Agency at its discretion. Such dues, fees and tariffs shall be published as Manuals.

Article 63
Review of Dues, Fees and Tariffs

(a) The Ports Agency shall review all proposed dues, fees and tariffs as submitted by the Port Operator.

(b) The Ports Agency shall ensure that the dues, fees and tariffs proposed do not abuse the Port Operator’s position as a sole provider, nor hinder the competitive provision of services within the EC Ports.

(c) The Ports Agency shall ensure that the dues, fees and tariffs proposed for any service are neither grossly below the cost for providing such service, nor grossly inflated above the cost for such service, without justifiable market reason.

(d) The Ports Agency shall ensure that the dues, fees and tariffs proposed are competitive with competing ports and other ports in the region.

Article 64
Disputes Regarding Fee Setting

In the case of dispute between the Ports Agency, the Port Operator, or any port servicers regarding the appropriate rate of dues, fees and tariffs, such dispute shall be decided by the Secretary General, whose decision shall be final. The Secretary General shall review all relevant cost accountings and business arguments in forming his decision.
Schedule I
International Treaties, Obligations and Conventions


ii. Riyadh Memorandum of Understanding on Port State Control, always as amended.


vi. International Convention ON Oil Pollution Preparedness, Response and Co-operation (OPRC), 1990 including the protocol to this convention (HNS Protocol) covering marine pollution by hazardous and noxious substances, always as amended.


ix. Convention on International Regulations and Preventing Collisions at Sea (COLREGs), 1972, always as amended.


xii. ILO Code of Practice on safety and health in ports, 2005, always as amended.

xiii. ILO Code of Practice on accident prevention on board ship at sea and in port, 2nd edition 1996, always as amended.

xiv. ILO C185 Seafarers’ Identity Documents Convention (Revised), 2003, always as amended.


xxi. Customs-Trade Partnership Against Terrorism, always as amended.


xxx. Any further Convention with respect to security, safety or environment protection adopted by the IMO or ILO or any other related International Organization, after the coming into effect of these regulations.
Schedule II

Map and Boundaries of the King Abdullah Economic City Port
Schedule III
Map and Boundaries of the Jazan Economic City Port
### Schedule IV

**GCC Uniform Pre-Arrival Notification Report**

Uniform Ship Pre-Arrival Notification Report

for Ports of the Cooperation Council for the Arab States of the Gulf

(to be e-mailed, faxed, mailed, or hand-delivered to the Port at least 48 hrs before arrival)

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#### Vessel Details

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#### Cargo Operations

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#### Environment

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<th>Place, date &amp; qty of last sludge/stop discharge</th>
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#### Other Services Required
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<td>Water</td>
</tr>
<tr>
<td>Stores</td>
<td>Repairs</td>
</tr>
<tr>
<td>Vessel Cleaning</td>
<td>Waste (specify)</td>
</tr>
<tr>
<td>Hot Work</td>
<td>Diving</td>
</tr>
<tr>
<td>Bunker</td>
<td>Others</td>
</tr>
</tbody>
</table>