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DECISIONS

No 3113.11/45595/2018 (1)

Approval of special regulations – tariff for water supply to floating means and land facilities of the Kavala Port Authority S.A. (O.L.K. S.A.).

MINISTERS

OF FINANCE –

OF MERCANTILE MARINE AND ISLAND POLICY

Under Consideration of:

1. The provisions

a) Of articles 7, 10 paragraph 3a of Act 3429/2005 «Public Corporations and Organizations (D.E.K.O.) » (A' 314) as amended and in effect.

b) Of sub-paragraph C2 of the Act 4254/07-04-2014 (A' 85) «Support and development measures of the Greek Economy in the context of application of Act 4046/2012 and other provisions» as amended and in effect.

c) Of articles 41 and 90 of the Presidential Decree 63/2005 «Codification of Legislation for the Government and the governmental bodies» (A' 98) as amended and in effect.

d) Of the twenty first article of Act 2932/2001 (A' 145) «Division of Port Authorities – Conversion of Port Authorities into S.A. », as amended and in effect.

e) Of article 6 of Act 2399/1996 «Port fees for passengers» (A'90), as amended and in effect.

f) Of the Presidential Decree 125/2016 (A'210) «Appointment of Ministers, Deputy Ministers and State Secretaries».

g) Of the Presidential Decree 73/2015 (A'116/23-9-2015) «Appointment of deputy Prime Minister, Ministers, Deputy Ministers and State Secretaries».

h) Of the Presidential Decree 142/2017 «Organization of Ministry of Finance» (A'181).

i) Of the Presidential Decree 13/2018 «Organization of Ministry of Mercantile Marine and Island Policy» (A'26).

2. Document No 672/20-03-2018 of the Kavala Port Authority S.A., with the attached decision No 2/2018 of the Board of Directors of the Kavala Port Authority S.A., concerning the approval of special regulations – tariff for water supply to floating means and land facilities of the Authority.

3. Document No 2814.2/27687/17-04-2018 of the Directorate for Budget and Financial Information of the Ministry of Mercantile Marine and Island Policy.

4. Of the fact that the provisions of the present decision cause no expense on the state budget, we decide:

A. The approval of special regulations – tariff for water supply to floating means and land facilities of the Kavala Port Authority S.A. (O.L.K. S.A.), as following:

SPECIAL REGULATIONS

FOR WATER SUPPLY TO VESSELS OR LAND FACILITIES BY THE KAVALA PORT AUTHORITY S.A.

Article 1

General Provisions

1. The water supply in the area of the ports for which the Kavala Port Authority S.A. is responsible, i.e. the supply of potable water from the network of the port, a) to vessels or floating means of any kind, b) to land facilities or to any third party, is conducted by the Kavala Port Authority S.A. and the means and bodies of the Kavala Port Authority S.A.

2. The water is provided by the competent body of the Kavala Port Authority S.A. to the above mentioned, through fixed or portable water meters.

3. The connection of water tanks, hydrants or other facilities of the one asking to obtain water, with the standpipes of the water supply system of the port, is done only by the authorized competent bodies of water intake of the Kavala Port Authority S.A. (except the automatic water supply machines which operate with a prepaid card provided by the Kavala Port Authority S.A.), the water supply is proven only by a written deed of water supply.

Article 2

Water Supply Procedure

1. For the water supply of any land facility, vessel or other floating means, a request must be filed towards the Directorate of Property and Development, along with the information of the applicant: name and type of ship, anchoring point, full name and address of owner or agent, date and time of starting of water supply, as well as the requested amount of water approximately in cubic meter orally, over the phone or/and in written.

2. This request, along with the relevant information, must also be filed by any other party that requests the provision of potable water for facilities within the area of responsibility of the Kavala Port Authority S.A., for works that are conducted by that party within the said area, with knowledge of the Kavala Port Authority S.A., as for example contractors etc.

3.a. Based on the above request, which is to be filed in time, the department schedules the water supply for the defined day and time.

b. No water supply is executed without the previous payment of the corresponding water supply fees, along with the possible surcharges, by the interested party towards the Revenue Department of the Kavala Port Authority S.A.

c. Water supply in the following cases is excluded from direct prepayment:

c.a. Warships of any Nationality and their auxiliary vessels, as well as in the public service of the Port and

c.b. Cafeterias, restaurants, coffee houses etc. established within the area of the port according to law, however in case of late repayment, after notification from the Revenue Department, the water supply is interrupted.

d.a. Instead of prepayment in cash, the interested party can submit to the competent Department of the Kavala Port Authority S.A. a letter of credit for possible upcoming obligations due to water supply.

In this case, within a period of eight (8) workdays since the water supply, the party liable for payment has to repay the corresponding fees, otherwise, starting from the next day of the water supply, there is a surcharge for payment of debts after due date per indivisible month of delay, according to the Public Revenue Collection Code.

d.b. If the party requesting the water supply of a vessel has not repaid the fees of a previous water supply of the same or other vessel, within the above mentioned period, which fees cover the amount of the submitted guarantee, the competent Department of the Kavala Port Authority S.A. will proceed to the provision of water only after prepayment of the fees by the party liable for payment.

The return of the letter of credit is conducted after application of the interested party and the assent of the Directorate of Property and Development, whereas its forfeiture in favor of the Kavala Port Authority S.A. for outstanding debts resulting from water supplies to vessels, rests with the Board of Directors of the Kavala Port Authority S.A.

4. The Kavala Port Authority S.A. has the necessary water meters, providing any accommodation for normal and fast reception of the requested amount of water and for the avoidance of any damage or accident.

5.a The party receiving water must observe the indications on the water meters when starting and ending the water supply, in order to agree with the crew on the provided water amount, and confirms the accuracy of the provided water amount as well as the time of starting and ending of water supply by signing the water supply order form, on which further observations and possible caused damages, delays etc. can be noted.

b. Possible lodged complaints about issues of water supply, which were not mentioned and were not noted as stated above, are not taken into consideration.

c. In case of denial of the party receiving water to confirm the information concerning water supply by signing, the crew states on the water supply order form the reasons of denial which is then confirmed by signing.

This confirmation prevails over any claim of the party receiving water, as resulting from its own omission.

6. This requests are filed to the Directorate of Property & Development of the Kavala Port Authority S.A. during workdays and work hours from 7:30 to 13:00 and at any case at least 2 hours before the requested time of water supply.

7. Requests for water supply that concern constant water supply to vessels or land facilities in small amounts per hour, must include the exact time of starting and ending of the water supply, and thus the corresponding fees are received by the Kavala Port Authority S.A. based on possible consumption of water by a bill for collection of prepayment, which is settled after the ending of the water supply.

8. Small vessels (sailing vessels, motor vessels) that request water supply in an area where there is no water supply system of the Kavala Port Authority S.A., have to moor to a new anchorage closer to a hydrant, after relevant suggestion of the Authority. These return to their first anchorage after completion of the water supply.

Article 3

Special Provisions

1. The water supply to any other vessel except from the one for which the order of water supply is issued, is not allowed, as well as the reception of water from the water supply system of the Kavala Port Authority S.A. without compliance with the present regulation. Also, the intervention of people not belonging to the Bodies of the Kavala Port Authority S.A. in the water supply facilities and devices of the Kavala Port Authority S.A. is not allowed for any reason.

2. The Kavala Port Authority S.A. has the right to determine the order of water supply, depending on the time of request, the determined time of starting the water supply and the capabilities and needs of the Authority.

The Authority also has no liability in case of delay or cancellation of the water supply due to damage in the water supply system or the water meters or due to force majeure.

In this case and in case of no provision of the full requested and possibly prepaid water amount, the extra received amounts of money are returned to the party requesting the water supply.

TARIFF FOR WATER SUPPLY IN THE TERRESTRIAL AND MARITIME PORT AREA OF THE KAVALA PORT AUTHORITY S.A. ACCORDING TO LAW

For the supply of potable water from the Kavala Port Authority to vessels and all types of floating constructions, domestic or not, as well as to third parties of land facilities, charges per cubic meter (m^3), in the port areas of the Kavala Port Authority S.A. (terrestrial and maritime), as defined by the contract from 15/01/2003 with the Greek Government, are defined as follows:

I. Vessels and any type of floating construction, warships of any nationality and their auxiliary vessels per m^3 4,00 €

II. Contractors responsible for construction works of the port per m^3 2,70 €

III. Public services of the port per m^3 2,70 €

IV. Land facilities of the area of the port according to law (coffee houses, cafeterias, restaurants etc.) per m^3 4,00 €

V. Automatic water supply machines per m³ 4,00 €

For the supply of potable water to any kind and type of vessel and floating construction during non-working hours (from 15:00 to 07:30) and on Sundays and other exempted days, the above mentioned fees are increased by 30%.

SPECIAL PROVISIONS

The lowest fees imposed by the Kavala Port Authority S.A. for any case of water supply, are defined as follows:

a. Water supply from hydrants of the Kavala Port Authority S.A., at least three (3) m³ for every water supply and for the land facilities (permanent water meters) at least fifteen (15) m³ per indivisible quarter of consumption.

b. For delays in starting or interruption and restarting of water supply due to the supplied vessel or facility, the following fees are charged per every hour (a fraction of time that exceeds 15 minutes is considered an hour):

- On workdays 07.30 - 15.00: 4,99 €
- On workdays 15.00 - -07.30: 6,49 €
- On public holidays 07.30 –15.00: 6,99 €
- On public holidays 15.00 07.30: 6,99 €

The above amounts are paid in addition to the fees for the supplied water.

c. Illegal water supply of vessels or constructions, as well as any illegal water intake in the areas of responsibility of the Kavala Port Authority S.A. shall be subject to an administrative fee of € 500, against anyone who conducts the illegal water intake from the water supply system of the Kavala Port Authority S.A. at any point of its terrestrial or maritime area.

d. In case of recurrence of the illegal act, the relevant administrative fee is doubled.

e. The determination of the illegal act is done by the competent body of the Kavala Port Authority S.A. or other public authority of the port and is reported to the Directorate of Property & Development of the Kavala Port Authority S.A., which proceeds to the imposition of the administrative fee.

B. The present enters into force on the day of its publication in the Official Government Gazette.

The present decision is to be published in the Official Government Gazette.

Piraeus, June 19, 2018

The Ministers

Of Finance
EFKLEIDIS TSAKALOTOS

Of Mercantile Marine and Island Policy
PANAGIOTIS KOUROYMPLIS