Port Authority of Guam

Naming Rates, Charges, Rules and Regulations

TERMINAL TARIFF #1

This Tariff can be obtained through the Port Authority's website at *www.Portguam.com*

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SECTION I – TERMS & DEFINITIONS

Terms & Definitions effective

Section I – Terms and Definitions

Term #	Term	Definitions
T-1	**Arrival & Departing Facility Service**	Shall mean a charge assessed against a passenger departing or arriving through the Port facilities for the purpose of tourism. Terminating passengers are subject to compliance with all applicable Federal Laws, Rules and Regulations.
T-2	**Authority**	Means the Port Authority of Guam.
T-3	**Board**	Means the Board of Directors of the Port Authority of Guam
T-4	**Breakbulk/ Non-unitized**	Means cargo which is not classified as bulk, unitized or containerized
T-5	**Bulk Cargo**	Bulk cargo is a cargo that is transported unpackaged in large quantities. This cargo is usually handled with a spout or shovel bucket, as a liquid or as a mass of relatively small solids.
T-6	**Bulk Scrap Metal**	Means metals classified as scrap that is handled unbundled and is not unitized or in a contained package.
T-7	**Bunker**	The loading of fuel into a vessel's bunker for its own use
T-8	**Cargo**	Goods, wares, materials, merchandise or any other object that is, or to be, transported.
T-9	**Cargo Overstow**	The single movement or single crane lift of cargo from a vessel slot or cell to another position in stowage due to faulty loading (See T-26)
T-10	**Cargo Rehandle**	The single movement or crane lift of a previously loaded container/cargo and at the request of the agent, the lift of a container/cargo from a vessel slot/storage or cell to another position in stowage or from vessel stowage to deck or dock or from deck or dock to vessel stowage.
T-11	**Cargo Shift**	The single movement or single crane lift of a container from a vessel slot or cell to another position in stowage.
T-12	**Containers**	Shall mean rigid, re-usable, dry cargo, insulated, refrigerated, flat rack, liquid tank or open top cargo container capable of being readily mounted onto or dismounted from wheels, chassis or flat bed trailer. The container shall be 8 feet wide, 20 feet, 40 feet and 45 feet long and 4 feet to 9 feet 6 inch high, subject to restrictions of shore side gantries. Except for dimensions, which are given above, it shall be constructed in conformity with the specifications for freight containers as adopted by the ISO or the ASO. Container must have top and bottom corner casting conforming to ISO/ASO specifications.

Section I – Terms and Definitions

Term #	Term	Definitions
T-13	**Container Cargo**	Shall mean cargo in a container conforming to the above definition and is stowed within the container (See T-12)
T-14	**Container Chassis Operation**	That which requires the continued utilization of a chassis for the receiving/delivering of containers to/from vessel and/or to/from customers.
T-15	**Container Grounded Operation**	That which requires the utilization of the Port's equipment (Rubber Tired Gantry or other related container handling equipment) for receiving/delivering containers to or from a grounding area.
T-16	**Container Overstow**	The single movement or single crane lift of a container from a vessel slot or cell to deck or dock to vessel storage due to faulty loading. (See T-26).
T-17	**Dock**	Any bulkhead structure, piling structure, pier, quay landing, or wharf to which a vessel may make fast to discharge or load cargo and/or passengers for any purposes.
T-18	**Dockage**	The charge assessed against a vessel for berthing or made fast to a wharf, dolphin or other structure; or lying alongside of or tied up to a vessel which is made fast to or is lying alongside of a wharf, dolphin or other structure; or, not tied up to or lying alongside of but using a wharf by means of boats, rafts, lighters, barges, or otherwise.
T-19	**Facility Maintenance Fee**	A fee assessed for use of port facilities to provide funding for the maintenance, equipment replacement and repair of the port facilities. The fee will be assessed to port users utilizing the facilities in the receipt and delivery of cargo to and from vessel and/or in connection with the receipt, delivery, checking, care, custody and control of cargo as required in the transfer of cargo. The foregoing is not included any services or facilities charges in this tariff.
T-20	**Force Majeure**	Any act of God; act of the public enemy; strike; lockout or work stoppage; riot; tumult; insurrection; disorder; epidemic; pandemic; lightning; earthquake; fire; heating, leakage, evaporating, natural shrinkage, waste or decay, dampness, discharge from fire protection system, storm; wind; flood; hurricane; water; civil disturbance; war; governmental decree; act of any governmental authority; act of terrorism; condemnation; explosion; breakdown or failure of machinery and equipment; interference by civil or military authority; collapse of any building, shed, platform or wharf; settling of any floor or foundation; breakage of any pipe; damage by the elements to goods or property stored in open or unshedded areas; loss caused by a

Section I – Terms and Definitions

Term #	Term	Definitions
		rat, mouse, moth, weevil, or other animal or insect; concealed damage; spoilage of dry or refrigerated cargo; frost or other weather related occurrence; failure or delay of any manufacturer or person from whom the Authority is obtaining machinery, equipment, materials, supplies to deliver the same; any other event or circumstance beyond the control of the PAG.
T-21	**Free Time**	The specified period of time during which cargo may occupy space assigned to it in the terminal area free of demurrage charges prior to loading to a vessel or subsequent to the discharge of such cargo from the vessel.
T-22	**Handling Services**	Services rendered for the benefit of the cargo, during the period it is in the care, custody and control of the Port, when received at the place of rest assigned to the cargo by the Port, and from which cargo may be delivered to/from consignee/shipper trucks within the Port premises
T-23	**Hazardous Cargo**	Applies to Containerized and Breakbulk Cargo, inbound, outbound, local and transshipped. Materials identified as Certain Dangerous Cargo (CDC) under the 49 CFR 176.415 (a) and 33 CFR 126.19.
T-24	**Inland Marine Floater Insurance**	Insurance on cargo "in Transit" to cover the transportation of goods over water and on land. Coverage is for the value of the cargo from origin to final destination, provided goods do not enter storage during the transit period.
T-25	**Manager**	Means the General Manager of the Jose D. Leon Guerrero Commercial Port, aka Port Authority of Guam.
T-26	**Over-Stowage**	Means faulty loading, as when cargo for another port of discharge is stowed above, next to, or around cargo for Guam and therefore the latter cannot be discharged at Guam.
T-27	**Port**	Means Jose D. Leon Guerrero Commercial Port, aka Port Authority of Guam, located in the Territory of Guam located on Cabras Island, Apra Harbor.
T-28	**Port Facilities**	Means channels, basins, sea walls, docks, piers, land areas, utilities, warehouses, cargo handling machinery and equipment, and any other works, properties, structures or other facilities necessary for the development or operation of the Port of Guam.

Section I – Terms and Definitions

Term #	Term	Definitions
T-29	**Revenue Ton**	Shall mean the revenue ton used by the carrier according to the vessel's manifest to assess the carrier's freight charges. Based on the following as appropriate: • MBM (thousand board measurement) - 1,000 board feet • LONG TON – Two thousand two hundred Forty (2240) Pounds • MEASUREMENT TON - A ton of forty (40) cubic feet. • METERED TON - Two hundred forty (240) U.S. gallons • METRIC TON – Two thousand two hundred four and six tenth (2204.60) lbs weight or 35.314 cubic feet • SHORT TON - Two thousand (2,000) lbs. weight *Note: When the basis of the freight charges is not shown on the manifest, port charges shall be assessed on the basis of weight or measurement, whichever will yield the greater revenue.*
T-30	**Roll On – Roll Off Vessels**	Shall mean vessels with adjustable ramps. Ro/Ro shall be defined as the discharge or loading of cargo without Port equipment.
T-31	**Stevedoring Services**	Services rendered by the Port in removing or handling cargo from the end of the vessel's tackle or place of rest on a pier to the vessel's hold, deck, between decks and deep tanks or to any spaces in the vessel; from any space in the vessel, remove and handle cargo, including on deck, between decks, holds, and deep tanks, and place said cargo at rest on the pier or delivered into the port's cargo yard.
T-32	**Storage**	A charge assessed on a container, bulk or breakbulk cargo when its stay on the terminal exceeds the allotted free time period.
T-33	**Transshipped Rate**	Shall mean a charge assessed against cargo(s) received from a vessel for the purpose of passing or conveyed to another vessel at Guam Port.

Section I – Terms and Definitions

Term #	Term	Definitions
T-34	**Under the Hook**	The service accorded in transferring breakbulk cargo from ships tackle or crane, between ship and, barge, lighter or other water borne vessels; onto trailer beds or bodies which are spotted directly to or from within reach of ships tackle or terminal's tackle. Or from trailer beds or bodies which are spotted directly to or from within reach of ships tackle or terminal's tackle; onto vessel's hold, dock, between decks and deep tanks or to any space in the vessel. Requirements for Breakbulk "Under the Hook Services": 1. Requested in writing five (5) working days prior to vessel arrival. **2.** A Copy of the Bill of Lading with the required original government clearance stamps on the day of vessel arrival. **3.** The cargo will not be stored in the Port Terminal yard and must leave the port immediately after discharge from the vessel or received for immediate loading. .
T-35	**Unitized Cargo**	Shall mean cargo received and/or delivered as one unit at the Port premises in unbroken unitized loads, bearing one mark consigned to one Consignee. Such cargo must be securely strapped or fastened together on pallets or skids or shipped in a manufactured re-usable cargo van, vanpac, or cargo van, or other synonymous term for van, with the exception of containers. *Note: Any single unit load which is otherwise unsuitable for a 5 ton forklift handling with the Port's cargo handling equipment will be considered as Breakbulk cargo.*
T-36	**Vehicle**	Shall mean any device for carrying passengers, goods or equipment usually one moving on wheels, i.e., passenger cars, sedans, SUVs, pick-up trucks to 3/4 ton axle weight capacity, ambulances, hearses or panel trucks to 3/4 ton axle weight capacity.
T-37	**Vessels**	Shall mean steamboats, motorboats, sailing vessels, motor vessels, barges, lighters, liners, pleasure craft or any structure(s) made to float on the water for navigation.
T-38	**Wharf**	See Dock

Section I – Terms and Definitions

Term #	Term	Definitions
T-39	**Wharfage**	A charge assessed against all cargo passing or conveyed over, onto or under any wharves or between vessels (to or from barge, lighter, or water) when berthed at a wharf or moored in any slip, channel, basin, or canal or made fast to another vessel which is made fast to a wharf or moored in any slip, channel, basin or canal. Wharfage is solely the charge for the use of the wharf, slip, channel, basin, and canal, and does not include charges for any other activity or service.

Note: Items numbered T-40-99 intentionally left blank

SECTION II – RULES & REGULATIONS

Rules & Regulations Effective

Section II – General Rules & Regulations

Rule #	Rule or Regulation
R-1	**APPLICATION OF RATES, LAWS, RULES AND REGULATIONS** (a) This tariff, published and filed by the Port after public hearings, approval of the Guam Public Utilities Commission and made effective, is notice to the public, to shippers, consignees and to carriers or their agents that the rates, charges, rules and regulations apply to all traffic without specific notice, quotation to (except as hereinafter may be specified) or arrangements with shippers or carriers. The rates, charges, rules and regulations, additions, revisions, or supplements named in this tariff, apply on all freight received at the terminal or wharves of the Port on and after the effective date of this tariff, or effective dates of additions, revisions of supplements thereto. The use of the commercial waterways and facilities under the jurisdiction of the Port Authority shall constitute a consent to the terms and conditions of these rules, and evidences an agreement on the part of all vessels, their owners and agents, and other users of such waterways and facilities to be governed by, and to pay all charges specified by, these rules. (b) If any owner, master, operator, agent, charterer, partnership, trust, corporation or individual who is duly accredited with the Port purports to act for a vessel by communicating with the Port in behalf of a vessel, thereby assumes responsibility for all sums due to the Port in accordance with the fee schedules as set forth in these rules and for timely submission of required Port reports on forms provided by the Port for that vessel and its cargo as well as for any barge and its cargo which the vessel may have in tow. For agents, this applies only for the period they are engaged as agents for the vessel. Any agent whose request through Harbor Master for "Acceptance of Agencyship" for any vessel will be responsible for all charges and until the account is satisfied financially, only then can agencyship be terminated. (c) Whenever any vessel under the terms of these rules shall become obligated to pay any sum of money for any purpose whatsoever, the owner, charterer, agent, master, operator, possessor and person in whose service the vessel is operated or maintained shall be jointly and severally liable for the payment of such sums. (d) Use of territorial harbors and harbor facilities is subject to compliance with all applicable federal or territorial laws, rules and regulations.

Section II – General Rules & Regulations

Rule #	Rule or Regulation
R-2	**VIOLATION OF REGULATION PENALTY** Any person, who violates, causes or permits to be violated, or fails or refuses to comply with any rule of regulation in this tariff is guilty under Title 12, Chapter 10, Section 10105(g) of Guam Public Law. If such violation causes the port to be assessed a monetary fine, that fine will be passed on to the violator for the total fine plus 20%.
R-3	**PAYMENT OF CHARGES** Use of the Terminal facilities or wharves of the Port shall be deemed as acceptance of this tariff and the terms, charges and conditions named herein. All invoices are due and payable thirty (30) calendar days after the invoice date. Any invoice remaining unpaid thirty (30) calendar days after the invoice date will be considered delinquent, and after thirty (30) days will be assessed an interest charge of one and one-half percent (1.5%) per month, for as long as the invoice remains delinquent. Failure to pay within this time limit may also cause the suspension of credit privileges to be imposed, as well as placing the delinquent party on a delinquent list. Continued failure to comply with the terms set forth herein may result in legal action. Any charge considered in dispute by the party which has been invoiced, the PAG will not assess an interest penalty, provided that material errors or discrepancies on an invoice have been specifically reported in writing to the PAG General Manager within thirty (30) days after receipt thereof. If not received within thirty (30) days, the invoice shall be considered valid and payable. At no time shall invoices be reduced by any monetary amount for loss and/or damage believed to have been caused by the Authority. When an invoice is in dispute, any portion which is not part of the dispute shall be paid within the 30 day period. Also, the Authority will only negotiate disputed invoices with the party to whom the invoice is issued. On all vessels calling at the PAG terminals, the carrier/agent shall be responsible for the payment of all related charges. The PAG reserves the right to hold vessels, their owners, and/or agents liable for payment of all terminal charges which have accrued, and any charges for the removal of such cargo to another part of the terminal for storage elsewhere, and other applicable charges. Formal application to the PAG Finance Division for credit must be made before incurring charges. This application will state that "all published charges are guaranteed".

Section II – General Rules & Regulations

Rule #	Rule or Regulation
	PAG may extend credit to any user of facilities upon application for credit and demonstration of financial responsibility. Credit worthiness may be established through current "certified" financial statements or other acceptable evidence of financial responsibility and by furnishing satisfactory credit references and a bank reference. If credit is not properly established, PAG reserves the right to deny the use of its facilities to carriers, cargo owners or other users of the port. When credit has not been properly established, the PAG reserves the right to estimate and collect in advance all charges which may accrue against agents or against cargo loaded or discharged by vessels or other users of the facilities of the PAG terminals. For newly incorporated steamship lines or those users not granted credit, PAG may extend credit to those customers who will post and maintain a Letter of Credit or Indemnity Bond acceptable to the port. *Note: Claims for recovery of overcharges must be filed in writing with the Port within thirty (30) days following the date of billing which such overcharge is claimed. Claims filed after the thirty day period will not be valid.*
R–4	**DELINQUENT LIST:** All carriers, vessels, their owners and/or agents, or other users of the facilities of the PAG terminals, placed on the delinquent list for reasons stated herein will be denied further use of the facilities until all charges thereon, together with any other charges due, have been paid.
R-5	**FEE FOR COLLECTION OF INVOICES** The carrier or its agent is authorized to retain one fourth of one percent (0.25%) of all charges assessed against cargos to defray the cost of collecting these charges on behalf of the Port Authority. By withholding this percentage the carrier or its agent accepts the responsibility for collection of the funds and are responsible for payment to the PAG.

Section II – General Rules & Regulations

Rule #	Rule or Regulation
R-6	**CLAIMS, LIABILITY FOR LOSS OR DAMAGE TO CARGO** The Port will not be responsible for loss or damage caused by Force Majeure as defined in this Tariff: In no circumstance shall PAG be liable for a sum in excess of $500.00 per package or non-packaged objects unless the shipper, consignee, trucker, or other inland carrier, or their representatives, prior to the commencement of such services or use of such facilities, declares a higher value and pays to PAG, in addition to the other charges for such services as herein set forth, a premium computed at one percent (1%) of the declared value of each package or non-packaged object and in such event PAG shall be liable for the full declared value of each such package or non-packaged object for damage resulting from its failure to exercise due and proper care in performing the services. The word "package" shall include any van, container or other form of cargo unitization. Claims to the Port for loss or damage to freight or merchandise occurring while in the custody of the Port, on its terminals or property, must be filed in writing within three (3) months following the final delivery of such freight or merchandise from its terminals or property. (If delivery was not made then the date that delivery would have been made.) A fee of $50 to cover administrative costs must accompany the claim. *Note: It is the responsibility of the cargo owner to supply "Inland Marine Floater" insurance on their cargo to cover loss and damage from origin to destination.*
R-7	**LIABILITY FOR DAMAGE TO PORT PROPERTY** The person, or persons, responsible for, and the person or persons to whom a wharf, facility or other Port property may be assigned, or by whom it is being used, and the master, owner, operator or agent of any vessel, vehicle or other instrumentality involved in any damage to such Port properties for facilities, in excess of fair wear and tear, shall promptly give a full report thereof to the Harbor Master, giving the date and hour the damage occurred, the names and addresses, or, if unknown, a description of witnesses and other persons, vessels or instrumentalities involved in the damage, as well as all other pertinent facts and information that may be available. Refusal, neglect or failure to make or give any such report shall subject such person to applicable penalties under these rules. In addition, the Port may refuse the use of any wharf or facility until such report has been received. Any person responsible for damage to Port property shall make repairs in accordance with Port specifications. Failure to do so, within a reasonable time, will result in the Port making such repairs at the expense of the responsible party or parties.

Rule #	Rule or Regulation
	A certificate of financial responsibility or equivalent property and indemnity or liability insurance or bond acceptable to the Port shall be required for all vessels entering the Port facilities. The certificate of financial responsibility or equivalent shall include coverage for the costs of any hazards that may be caused by the subject vessels including but not limited to oil pollution liability and property damages. Carriers shall provide, at a minimum, coverage as defined by federal and local laws, rules or regulations. Carriers either directly or through their agents shall be responsible for providing proof of such certificate of financial responsibility or equivalent to the Port Authority prior to entering territorial waters. If a carrier fails to provide the Port Authority with a certificate of financial responsibility or equivalent for a vessel it represents, then such carrier will be denied access to any and all facilities under the jurisdiction of the PAG.
R-8	**REQUEST AND AVAILABILITY OF PORT SERVICES AND FACILITIES** (a) The General Manager or his/her authorized representative must be given twenty four (24) hours advance notice during normal working hours prior to reporting time for services, in writing. For services to be performed on Saturday, Sunday or Monday, notice must be given no later than 10:00 hours on the previous Friday. Special services will be provided only upon presentation of a properly signed and approved special service request form, subject to availability of requested services of manpower and/or equipment. (b) The Port will not accept for storage frozen or chilled cargo when such storage facilities are not available or are inadequate. Written instructions from the carrier must be submitted to the General Manager, or his authorized representative, as to the disposition of such cargo before it is discharged from the vessel. (c) Stevedoring and Handling service will be provided by the Port subject to availability of longshoremen, checkers and equipment on a first-come first serviced basis (d) The Port may designate areas to be used only for specific purposes or operations. (e) Whenever another vessel is standing by, awaiting the use of a berth where handling equipment is located, the vessel on berth will be required to work until loading or discharging has been completed. Any vessel on berth which refuses to work continuously shall vacate the berth upon order of the General Manager. When a vessel loses its right to a berth by refusing to work continuously, such vessel will forfeit her turn and go to the bottom of the list of vessels scheduled for berth and manpower availability.

Section II – General Rules & Regulations

Rule #	Rule or Regulation
	(f) Any and all vessels at a berth where handling equipment is located, after completion of loading or discharging, will be required to vacate the berth. Should any vessel fail to vacate the berth, the General Manager shall have the right, authority and privilege to move the vessel at the vessel's own risk and expense. (g) The Port Authority reserves the right to refuse the handling of any commodity which, in its opinion, is not suitable for the available handling equipment. (h) No cargo will be received or issued without proper documentation and clearance from the carrier or its agent and the Port Entry. *Note: Partial clearance of any Bills of Lading will not be allowed.*
R-9	**REQUIREMENT AND CONDITIONS FOR THE EXPORT OF CARGO** Outbound cargo will be received by the Port when such cargo is firmly booked with the carrier or its agent, properly marked as to cube, weight and consignee, no less than twenty-four (24) hours in advance of the scheduled arrival based on the first Notice of Arrival (NOA) submitted to Harbor Master's Office. Charges for such cargoes will be computed on labor charge-out and equipment rental rates, in addition to the stated Tariff Rate, for the account of the shipper being serviced for cargos received less than 24 hours or on weekends, holidays and after normal working hours. An exception is given for cargoes under "Free Time Exception".

Section II – General Rules & Regulations

Rule #	Rule or Regulation
R-10	**HAZARDOUS CARGO AND EXPLOSIVES** Handling of shipments of explosives and other dangerous articles as defined by the US Coast Guard or the Interstate Commerce Commission, will be permitted only after a full compliance by the shipper, carrier, and terminal operator with all applicable rules and regulations of that Commission, and of the United States Coast Guard governing the packaging, marking, labeling, handling, and transporting of such articles.
R-11	**AMENDMENT OF TARIFF** Amendments or revisions to this tariff, its Definitions, Rules, Regulations, Cargo Services or Rates, shall be made by the Port Authority Board of Directors in accordance with formally adopted procedures consistent with requirements established under the Administrative Adjudication Act and by the Federal Maritime Commission and approved by the Guam Public Utilities Commission. *Note: Emergency measures for such amendments may be set forth by the Port Authority Board of Directors to establish measures for which there has not been established precedence. Such changes to the tariff will be submitted at the next regular meeting of the Public Utilities Commission for approval.*
R-12	**LEASES** Rates for lease or rental of any port facility, or portion thereof, shall be established and published by the Port Authority Board of Directors and approved by the Public Utilities Commission, exclusive of the Terminal Tariff, in accordance with provisions of the Administrative Adjudication Act. Any such lease or rental agreements in effect at the date of adoption of this tariff by the Board of Directors shall be continued in effect until expiration of such agreements, unless otherwise provided in the subject agreements.

Section II – General Rules & Regulations

Rule #	Rule or Regulation
R-13	**PORT AUTHORITY GENERAL MANAGER'S DUTIES AND RESPONSIBILITIES** The General Manager and such other persons as he/she may designate, may enter upon and inspect any vessel using port facilities or upon any premises rented or leased from the Port for the purposes of either ascertaining the kind and quantity of cargo thereupon or to insure the safety, welfare and health of the general public. The General Manager or authorized representative may order the suspension of any Loading or Unloading operation when in his/her opinion such suspension is necessary to insure the safety, health and welfare of the public. The provisions of this tariff and its application shall be interpreted and enforced by the General Manager or authorized representative of the Port Authority of Guam. Such interpretation shall be recorded and made available for public inspection. Requests and complaints on matters relating to these rules must be made to the General Manager in writing. Special services and interim rates can be established by the General Manager for 6 months, until sufficient cost data are available to establish a rate. Special arrangements may be made by written contract for stevedoring, bulk cement and other cargoes that are not normally handled by the Port and/or of great volume. Contracts may also be executed when vessels' characteristics or cargo stowage require special or unusual provisions for stevedoring; or when the vessel is owned by the United States Government. These arrangements will be based on estimated loading rates, man-hour and hazardous pay rates presented in this tariff.
R-14	**RESPONSIBILITY OF CLEANING OF PROPERTY BY USER** Users of Port Authority property will be required to maintain same in an orderly manner as prescribed by the General Manager. If the User does not properly clean property used, the General Manager shall order the work performed and the user will be billed at labor rates prescribed in Section VI of this Tariff.

Rule #	Rule or Regulation
R-15	**USE OF PRIVATE EQUIPMENT ON PORT** No mechanical equipment may be utilized on the terminals of the Port except as authorized by the Port. Right is reserved to refuse permission when similar equipment, in capacity or nomenclature, is available for use or when equipment does not meet with the approval of the Port. The rental cost of any equipment so hired will be borne by the requesting agent, owner, or operator.
R-16	**ARBITRATION** All disputes and controversies of any kind and nature arising out of or relating to this tariff shall be determined by final binding arbitration. Any interested party may demand such arbitration in writing within thirty (30) days after the controversy arises which demand shall include the name of the arbitrator appointed by the party demanding arbitration, together with a statement of the matter in dispute or controversy. Within twenty (20) days after such demand, the other party shall file an answer to the demand and name its arbitrator. Within thirty (30) days after the filing of the answer, the two arbitrators so selected shall name a third arbitrator. Within sixty (60) days after the third arbitrator has been named, the three arbitrators shall hold an arbitration hearing. Within thirty (30) days after conclusion of the arbitration hearing, the arbitrators shall render a final decision and/or award. The individual arbitration costs and expenses of each party shall be borne by that party; however, the fees and costs of the third arbitrator shall be borne and shared equally by both parties. The laws and rules of evidence of Guam (Title 6, Guam Code Annotated) shall govern the presentation of evidence at the arbitration hearing Any decision or award rendered by a majority of the arbitrators shall be final and binding on all parties to the proceeding, and judgment on such award may be entered and confirmed by either party in the Superior Court of Guam pursuant to 7 G.C.A Section 42107

Rule #	Rule or Regulation
R-17	**SERVICES NOT SPECIFIED IN TARIFF** If any service is requested of the PAG that is not listed in this Tariff and has not been negotiated through prior arrangements, the Labor and Equipment Rates listed in this Section VI will be applied until a rate can be established and approved by the Public Utilities Commission.
R-18	**ABANDONED CARGO & CONTAINERS** The PAG reserves the right to sell for accrued charges any cargo or merchandise which is not held by Customs or another Government Agency, is unclaimed or refused by consignees, shippers, owners, or agents after due notice has been mailed or delivered to such known parties. PAG reserves the right to charge the beneficial owner for all costs incurred in disposing of abandoned cargo. The following procedures will be initiated for disposition of such cargo. • Cargo or merchandise refused by consignee or carrier, and for which no instructions for disposition have been received, will be deemed to be unclaimed after thirty (30) days from time of refusal. • Overlanded cargo for which no instructions for disposition have been received will be deemed to be unclaimed after thirty (30) days from time of discharge of cargo from vessel. • Undelivered slack, torn and damaged cargo or merchandise for which no instructions for disposition have been received will be deemed to be unclaimed after thirty (30) days from receipt of the cargo at PAG facilities. • The PAG reserves the right to order removal of remnants and undesirable cargo by means of thirty (30) days written notice to owner or agent after which, if the order is ignored, the cargo is deemed to be unclaimed. • The PAG reserves the right to sell for accrued charges any cargo or merchandise which is unclaimed or refused as defined in this item. The thirty (30) day periods as specified in this item constitute due notice to owners or responsible agents of unclaimed and undelivered cargo. Should any funds from the sale exceed the port charges, cost of disposition or any legal claims thereon, such funds will be returned to the cargo owner if duly identified.

Section II – General Rules & Regulations

Rule #	Rule or Regulation
R-19	**WORKING DAY** A working day for the Port of Guam and application of this Tariff shall be: **Straight Time Hours:** 8 am through 5 pm (less 1 hour for lunch break) Monday through Friday each week. **Overtime Hours:** Any time Worked other than Straight Time Hours, Holidays or Non-Work days. **Holidays:** Those days defined as holidays by the Government of Guam. **Non-Work Days:** Christmas Day and New Years Day

Note: Items numbered R20-99 intentionally left blank

SECTION III - SHIP & HARBOR SERVICES TARIFF

PORT AUTHORITY OF GUAM

Section III - SHIP SERVICES TARIFF

Item #	Description
1	**PORT ENTRY FEE** *Effective :* All vessels (Except military, government-owned, non commercial fishing and pleasure boats, the home waters of which are in Guam) shall pay a port entry fee as follows: **Vessels of 1000 gross tons or less - $26.87** **Vessels between 1000 gross tons and 2000 gross tons $54.81** **Vessels over 2000 gross tons is $54.81 plus $40.84** **For each additional 2000 gross tons or fractional part thereof.**
2	**DOCKAGE - BASIS FOR CHARGES** *Effective :* Dockage charges shall be based upon the vessel's, length overall as published in "American Bureau of Shipping" or "Lloyd's Register of Ships." Length overall shall mean the linear distance, expressed in feet, from the most forward point of the stem of the vessel to the aft most part of the stern of the vessel, measured parallel to the base line of the vessel. If the length overall of the vessel does not appear on "American Bureau of Shipping" or "Lloyd's Register of Ships," the Port may obtain the length overall from the "Vessel's Register" or may measure the vessel. The following will govern the disposition of fractions: Five (5) inches or less disregard, over five (5) inches, increase to the next whole figure. Dockage shall commence against a vessel: 1) When making fast to a wharf, dolphin, or other structure 2) When occupying the berth immediately alongside a wharf. 3) When making fast to a vessel lying alongside a wharf 4) When first boat, raft, lighter, etc., reaches wharf and shall continue upon such vessel until she is completely freed from and vacates her mooring or anchoring until last boat, raft, lighter, etc., leaves the wharf.

Section III - SHIP SERVICES TARIFF

Item #	Description
3	**DOCKAGE - APPLICATION OF RATES** *Effective :* *Note: Dockage shall be assessed against all vessels at the daily dockage rates if the vessel is at berth more than 12 hours. If less than 12 hours ½ day's dockage will be billed.* *Vessels that are home ported at PAG terminals will be billed dockage in a separate agreement between the PAG and the vessel owner.* ***Vessels Anchoring in Territorial Harbors*** Vessels, other than small craft, anchoring within a port-controlled harbor shall be assessed at the rate of one-fourth (1/4th) the full dockage per day or any fraction thereof. ***Charges for Vessel Shifting*** When a vessel is shifted directly from one wharf or anchorage (berth) to another wharf or anchorage (berth) operated or utilized by the Port, the total time at such berths will be considered together in computing the dockage charge.
4	**DOCKAGE CHARGES – NON-OPERATIVE & MISC. VESSELS** *Effective :* Dockage for vessels or other floating equipment being dismantled, salvaged, repaired or rebuilt at piers not currently required for other purposes, as available only, shall be charged at the rate of 3/4th the full dockage per day, or fractional part thereof. One-Half (1/2) the full dockage rate shall be assessed against vessels subject to dockage when: (1) Vessel lying alongside of, or tied up to, any vessel made fast to or lying alongside a port wharf. (2) Vessel is a floating dry dock, floating crane or equipment barge. One-Fourth (1/4) the full dockage rate shall be assessed when a vessel is a fishing vessel home ported in Guam and is regularly fishing within the territorial waters of Guam and the Northern Marianas Islands.

Section III - SHIP SERVICES TARIFF

Item #	Description
5	**DOCKAGE CHARGES**

Effective :

Based on Length Over All (LOA) of vessel in Feet.

Over	But not Over	Charge Per 24 hr. Day		Over	But not Over	Charge Per 24 hr. Day
0	100	$39.77		550	575	$712.62
100	150	$59.11		575	600	$791.08
150	200	$77.39		600	625	$902.87
200	250	$137.58		625	650	$1,050.12
250	300	$202.07		650	675	$1,195.23
300	350	$269.78		675	700	$1,344.62
350	375	$331.05		700	725	$1,620.86
375	400	$368.67		725	750	$1,787.46
400	425	$407.37		750	775	$2,023.93
425	450	$451.43		775	800	$2,271.14
450	475	$491.21		800	850	$2,609.72
475	500	$537.42		850	900	$2,970.87
500	525	$607.28		Over 900	Per Lin. Ft.	3.66 *
525	550	$653.50				

* Per 24 hour period for each foot of overall length or fractional part thereof in excess of 900 feet in addition to rate above.

Section III - SHIP SERVICES TARIFF

Item #	Description
6	**SECURITY FEES APPLICATION** *Effective :* Security fees and charges shall be applicable to all vessels that call at the Port, and which have provided a notification of arrival. The fees and charge shall also be applicable to all cargo transiting in and out of the Port and for passengers embarking or disembarking at the Port. Failure by the responsible party to pay the charges assessed may, in the sole judgment of the Port, be grounds for denial of a berth in the future.
7	**SECURITY FEE** *Effective :* A Security Fee based on the following schedule shall be assessed on all vessels, cargo and passengers as provided.

Category	Security Fee
Vessel Fee	**5% of Dockage billed**
Loaded Containers (Inbound & Outbound)	**$2.15 per container**
Empty Containers (Inbound & Outbound)	**$0.51 per container**
Bunkering/Fuel Throughput/Waste Oil	**$0.02 per 42-US gallon barrel**
Breakbulk Cargo	**$0.10 per revenue ton**
Unitized Cargo	**$0.10 per revenue ton**
Vehicles (roll on/roll off)	**$1.07 per vehicle**
Bulk (sand, aggregate, scrap metal)	**$0.02 per revenue ton**
Passenger Vessel Crew: **Passengers** **All Other Cargo:** • **Transshipped other than Tuna** • **Transshipped Tuna** • **All Other Container Cargo**	**$1.07 Per Person (one time)** **$1.07 Per Passenger** **$2.15/per container**

7(a)	**SECURITY FEE - PASSENGERS** *Effective :* Passenger vessels will be provided security personnel while the vessel is moored at PAG Facilities in accordance with rules and regulations dictated by the US Government for such vessels. In addition and upon request escorts may be provided as established in the note below. **Fees to provide Security personnel will be assessed at Labor Charge Out Rates as set forth in Tariff Item 80.** *Note: In addition to the personnel supplied above, TWIC Escorts by Port personnel may be requested by calling (671)477-5631-4 and will be provided when suitable personnel are available, and at the sole discretion of the Port, at labor rates provided in Tariff Item 80. Port makes no representation that escorts will be available or will be able to remain with persons requesting the service for the duration of their visit.*

Section III - SHIP SERVICES TARIFF

Item #	Description
8	**FACILITY MAINTENANCE FEE** *Effective :* **Per Full Inbound/ Outbound Containers** **$25.99** **Per Full Inbound Transshipped Containers** **$25.99** **Per Revenue Ton for Breakbulk Cargo** **$ 1.40** *Exemption - Bills of lading for Breakbulk cargo will be exempted from the facility maintenance fee when the cargo is valued less than $2,500* *Note: When the basis of the freight charges for breakbulk is not shown on the manifest, Port charges shall be assessed on the basis of weight or measurement, whichever will yield the greater revenue.*
9	**LINE HANDLING** *Effective :* Line Handling is the taking, releasing or shifting of vessel's lines on terminal facilities. The Port will provide the line handlers. The charges for line handling services for vessels will be as follows: **Straight Time** / **Overtime** **Vessels (Up to 600 Feet LOA)** **$322.45** **$483.69** **Vessels (Over 600 Feet LOA)** **$429.94** **$644.90**
10	**SUPPLYING POWER TO VESSELS** *Effective :* At the request of the carrier, or their agent, electric power shall be supplied to vessels at **the Guam Power Authority rates plus 20%, plus the following service charges:** For connecting light or power circuits to vessel when shore cables, plugs or motor connections are supplied by the Port, or for the extension of light or power circuits, the service charger shall be: **Connection Charge** **$11.44 plus time at the established man hour rates.** For installation of sub-meter, where necessary, the charge shall be: **Sub-Meter Installation** **$2.70 in addition to charges provided above.** Vessels moving of their own volition from one pier to another and requiring light or power connections shall be charged for such connection as provided herein, however, vessels berthed for repairs and moved by order of the Port will not be required to pay additional service charges, but shall, in lieu thereof, pay the time at the established labor charge-out rates and materials at cost in effecting connections and/or sub-meter charges provided.

Section III - SHIP SERVICES TARIFF

Item #	Description
11	**SUPPLYING FRESH WATER TO VESSELS** *Effective :* Fresh water will be furnished to vessels at a **rate 20% over the Guam Waterworks Authority's current rate per ton or a fraction of a metered ton plus the following service charges.** In addition, a charge of **$37.62 will be levied** to connect and disconnect hoses and couplings during established straight time hours. At other than established straight time hours the **charge will be $85.99**. *Note: Requests for water service should follow Regulation R-8 as presented in this tariff.*
12	**PASSENGER ARRIVAL & DEPARTURE FEES** *Effective :* The Arrival/Departure Facility Service Charge for vessels originating outside the Port of Guam shall be: **For Each terminating or arriving passenger** **$3.76** **For Each departing or originating passenger** **$3.76** *Note: All Passengers are subject to compliance with all applicable Federal and Territorial laws, rules and regulations.* *Note: No wharfage is billed on baggage when accompanying the passenger.*

Note: Items 13 – 19 intentionally left blank

Section IV – CONTAINER TARIFF

Section IV - CONTAINER TARIFF

Item #	Description
20	**CONTAINER WHARFAGE (Other than Transshipments)** *Effective :* **Inbound Loaded Containers under 25 feet** **$ 67.29** **Outbound Loaded Containers under 25 feet** **$ 35.04** **Inbound Loaded Containers over 25 feet** **$115.55** **Outbound Loaded Containers over 25 feet** **$ 59.66** **Inbound Empty Containers:** **Under 25 feet** **$2.80** **Over 25 feet** **$3.76** *Note: Wharfage for outbound empties is included in the inbound rate.*
21	**STEVEDORING SERVICES** *Effective :* Services in connection with care, custody and control in the transfer of containers between the vessel and the container yard (CY) and other services as defined below: 1. The first opening and last closing of hatches within capacity of the container crane. Other openings and closing will be charged labor charge out rates. If hatch covers cannot be removed or replaced within 15 minutes, stand-by charges will be assessed. 2. Preplanning meeting with vessel agents. 3. Conventional lashing/unlashing in stowage. 4. Documentation for Port Operation. 5. A single sequence of sorting and stacking empty and loaded containers as may be specified by the vessel. 6. Stevedoring labor during Straight Time Hours. Overtime and other differentials will apply during other than straight time hours. 7. Providing shore side equipment utilized in discharging/loading vessel. 8. Includes Vessel Dockage while vessel is loading or unloading. Time at the dock while not loading/unloading will be at stated dockage rates. 9. Includes Line Handling (During Straight Time Hours) & Port Entry Fee.
22	**STEVEDORING RATE** *Effective :* **Stevedoring Per Container** **$112.86** This is a one-way charge for every container loaded or empty, and is subject to a minimum charge of ten (10) containers. For less than ten (10) containers, the labor and equipment charge-out rate will be applied. Once a container is discharged from the vessel to the ground, any future movements of that container while on port property will be charged through a special service request at the labor and equipment charge out rate.

Section IV - CONTAINER TARIFF

Item #	Description
23	**CONTAINER HANDLING SERVICES** *Effective :* Use of working areas, facilities at the terminal and services in connection with checking, care, custody and control to transfer containers between the CY and an over the road carrier as defined below. 1. Receiving documentation for receipt or delivery of the container. 2. Providing the CY equipment to receive or deliver the container 3. Gate Services other than surveying 4. Sorting and planning layout of containers and chassis in the CY as determined by the Port. 5. Tower Services Issuing and receiving of containers during straight-time hours, Monday through Friday, 0800 to 1200 and 1300 to 1700, except weekends, Government holidays and during normal meal times. Requests to open gates not normally open during this time will be assessed the appropriate Labor Charge Out Rate and Equipment Rate.
24	**CONTAINER HANDLING RATES IN CONTAINER YARD** *Effective :* **Containers on Chassis or Grounded in Stacks(Other than Reefers) $132.13** **Refrigerated Containers on Chassis (Incl. Power in Free Time) $232.13** This is a one way charge for every container loaded or empty and is subject to a minimum charge of ten (10) containers. For less than ten, the labor and equipment charge rates will be applied.
25	**REFRIGERATED CONTAINER CHARGES** *Effective :* The following charges are in addition to the normal handling and stevedoring charges for containers. **Plug/Unplug containers to/from power outlets – per container $ 7.50** **Power Consumption of Pre-Trip Reefer Containers – Per container $52.67**

Section IV - CONTAINER TARIFF

Item #	Description
26	**TRANSSHIPMENT CONTAINER SERVICES** *Effective :* ***Loaded Containers from 1st Carrier:*** • Discharge from 1st carrier • Load to 2nd carrier • Lashing ***Returning Transshipment Empties:*** • Discharge from 2nd carrier • Load on 1st carrier vessel • Lashing • Equipment rental • Wharfage ***Empty Transshipment Containers*** • Discharge from 1st carrier. • Load on 2nd carrier • Lashing • Equipment rental • Wharfage
27	**TRANSSHIPMENT CONTAINER RATES & PROVISIONS** *Effective :* ***Note: Rates include Wharfage, Stevedoring and Handling charges.*** **Loaded Container (Assessed to 1st Carrier) $224.08** **Empty Returning Transshipment Containers $107.48** **Empty Transshipment Containers $150.28** *Note: Provided that the cargo is declared as Transshipment by the 1st carrier and the cargo does not leave the control of the Port while awaiting transshipment and the 2nd carrier's bill of lading provided by the agent involved indicates the 1st carrier vessel's name, voyage number, and other pertinent information, freight assessed full inward charges may be transshipped by water from the same wharf where received or may be transferred direct to any other wharves or facilities owned by the Port for transshipment or delivery to an outbound carrier without being subject to wharfage, stevedoring, and handling charges for the outbound.*

Section IV - CONTAINER TARIFF

Item #	Description
28	**FREE TIME PERIODS** *Effective :* Free Time is computed from the first working day at 8:00 a.m. occurring after freight is received or unloaded on the wharf or wharf premises, or in case freight is from a vessel, from the first working day at 8:00 a.m. occurring after vessel completes discharge In the case of export, transshipment, and empties which are accruing demurrage charges, such charges shall cease on the date stevedoring services are performed.
29	**FREE TIME – IMPORT & EXPORT (I & E) LOADED CONTAINERS** *Effective :* Dry Containers will be allowed - **5 Working Days** Hazardous Containers (Class 1-8) will be allowed **2 Calendar Days**
30	**FREE TIME – EMPTY (I & E) CONTAINERS** *Effective :* Empty Containers will be allowed - **5 Working days**
31	**FREE TIME – TRANSSHIPMENT CONTAINERS (Loads & Empties)** *Effective :* Transshipped Containers will be allowed - **15 Calendar Days** Transshipped Hazardous Containers (Class 1-8) will be allowed **2 Calendar Days**
32	**FREE TIME – I & E REFRIGERATED CONTAINERS** *Effective :* I & E Operating Refrigerated containers will be allowed - **2 Working Days** Transshipped Refrigerated containers will be allowed **2 Working Days**
33	**FREE TIME – HAZARDOUS, DAMAGED OR OFFENSIVE CARGO IN CONTAINERS** *Effective:* Regulated commodities, identified as Certain Dangerous Cargo (CDC) under the 49 CFR 176.415 and CFR 126.19, shall be allowed <u>no free time</u> and shall be subject to immediate movement direct from vessels and removal from the terminal premises. Hazardous cargo classified in classes 1-8 will be allowed 2 calendar days free time. See Item #27. Salvaged freight in damaged or offensive condition or offensive freight of any nature may, at the option of the Port, be refused any free time on the terminal and shall be subject to immediate removal.
34	**FREE TIME - EXTENSION THEREOF** *Effective :* The General Manager may allow extension of free time if the request is made in writing, with proper justification from the Shipping Agent or the Cargo Owner.

Section IV - CONTAINER TARIFF

Item #	Description
35	**WHARF DEMURRAGE** *Effective :* Wharf Demurrage is a charge assessed for providing storage in or on terminal facilities after the expiration of free time. **<u>Rates are Per Calendar Day or Fractional Part thereof:</u>** **Loaded Containers – Wheeled or Stacked** **20 feet or less (Day 6-10) $22.57** **20 feet or less (Each Day Thereafter) $45.13** **Over 20 feet (Day 6-10) $45.13** **Over 20 Feet (Each Day thereafter) $90.26** **Empty Containers – Wheeled or Stacked** **20 feet or over per day $ 7.53** **Transshipped Containers:** **20 feet or less (Day 16-thereafter) $22.57** **Over 20 feet (Day 16-thereafter) $45.13** **Chassis without Containers per day $15.00** **All Operating Refrigerated Containers (Day 3-4) $75.24** **All Operating Refrigerated Containers (Each Day thereafter) $150.47** **Hazardous Containers (Class 1-8)(Other than CDC)** **20 Feet or less (Day 3-4) $22.57** **20 Feet or less (Each Day thereafter) $45.13** **Over 20 Feet (Day 3-4) $45.13** **Over 20 Feet (Each Day thereafter) $90.26**

Section IV - CONTAINER TARIFF

Item #	Description
36	**CHASSIS REGISTRATION & CERTIFICATION** *Effective :* Proof of current Guam Registration and Safety Inspection for all operational bare chassis. All safety inspection documents shall be provided to the Port Authority of Guam Port Police Division listed in alpha/numerical order by chassis number. Registration and Safety Inspection documents must be made available for inspection by Port Authority personnel from time to time but at least annually. All chassis must be clearly marked on all four sides by agent or carrier name. Bare chassis found non-operational during vessel operation will be subtracted from the original count prior to billing.
37	**REISSUE OF EMPTY CONTAINERS** *Effective :* Reissuing of empty containers for subsequent stuffing. **$53.74** *Note: If digging in stacks is required to locate specific container numbers, labor charge out rates will be in addition.*
38	**OTHER CONTAINER SERVICES** *Effective :* Any services associated with containerized cargo other than those outlined, shall be performed by the Port on the basis of its labor charge out and equipment rates, plus materials.(See Section VI of this Tariff) • Overstow container(s) per container per move **$53.74** • Shifted Container(s) per container move **$64.13** • Rehandled container(s) per container move **$74.54** • Rehandled, Overstow or shifted HAZMAT containers **$74.54** • Rehandled, Overstow or shifted Reefer Containers **$84.92** • Specialized rigging for containers which cannot be accommodated by the container crane's lifting devices. Such specialized rigging services shall be charged per container per move. **$37.62**

Section IV - CONTAINER TARIFF

Item #	Description
39	**OUT-OF GAUGE CARGO (OOG)** *Effective :* Containers containing Out of Gauge Cargo will be subject to a charge for each side of the cargo exceeding the container specification. **Charge Per Side $50.00** Specialized rigging for containers containing Out of Gauge Cargo (OOG) shall be assessed a charge per container move in addition to the Out of Gauge Cargo (OOG) rate. **Per Container $37.62**
40	**FUEL SURCHARGE – CONTAINERS** *Effective :* **Local Loaded Container (I/E) $ 6.00 Per Container Move** **Empty Inbound/Outbound $ 6.00 " "** **Loaded Transshipment Container $12.00 " "** **Empty Transshipment Container $12.00 " "** **All Other Cargo on Container Vessels $ 0.35 Per Revenue Ton** *Notes:* *Fuel Surcharges will be **adjusted quarterly** on a basis to reflect current fuel prices.* *All charges will be billed to the first carrier.* *Surcharge on Transshipment Containers are billed to the 1st carrier and includes the 2nd carrier move.*
41	**CHASSIS CHANGE** *Effective :* Removing a container from a chassis and placing it on another chassis. **Rate Per Chassis Change $32.24**

Section IV - CONTAINER TARIFF

Item #	Description
42	**HAZARDOUS CONTAINERIZED CARGO - ADDITIONAL CHARGES:** *Effective :* Additional charges are applicable over the normal container rates for import/export containers and breakbulk cargo categorized as Hazardous Cargo defined in this tariff. **Cargo Requiring Permitting Per Bill of Lading** **$52.72** **Removing Placards from Empty Containers – Per Placard** **$25.99** *Note: Any fines assessed against the port for misapplication of placards by the carrier or shipper will be billed to the Agent/Carrier.*
43	**MANIFEST - CONTAINERS** *Effective :* All inbound documentation shall be made available to the Port Authority officials two (2) working days prior to vessel operation. Vessels calling from the CNMI must submit documentation 16 hours prior to vessel arrival. Outbound dock receipt and/or load list shall be distributed to Port Authority of Guam 24 hours prior to vessel arrival stowage plan shall be submitted prior to loading of vessel. All outbound cargo and freight manifest shall be made available to the Port Authority of Guam officials three (3) working days after completion of vessel operation, in numerical order as manifested. *Note: If PAG must sort this information, the rate to provide this service is $25 per hour. If documentation is not furnished within this time schedule a penalty of $250 per day will be assessed by PAG until the documentation is furnished. In addition, the vessel will be sent to anchorage and standby time assessed by PAG.*

Note: Item Numbers 44 – 49 intentionally left blank

SECTION V - BULK and BREAKBULK TARIFF

Section V - BREAKBULK TARIFF

Item #	Description
50	**WHARFAGE - BREAKBULK CARGO** *Effective :* **In-bound Breakbulk Cargo – Per Revenue Ton** **$3.76** **Out-bound Breakbulk Cargo – Per Revenue Ton** **$1.88** **Transshipped Breakbulk Cargo – Per Revenue Ton** **$1.88** **Outbound Tuna – Per Revenue Ton** **$3.76** *Note: Minimum Billing charges per Bill of Lading will be $3.76 and $1.88 respectively.* *Note: When the basis of the freight charges is not shown on the manifest, port charges shall be assessed on the basis of weight or measurements, whichever will yield the greater revenue.*
51	**WHARFAGE SPECIALIZED** *Effective :* **Out-bound Fish – Per Revenue Ton** **$3.76** **Out-bound (Other than Fish) – Per Revenue Ton** **$1.88** **In-bound Special Containers for Fish – Per Revenue Ton** **$3.76** *Note: Minimum charges per Bill of Lading will be $3.76 or $1.88 respectively.*
52	**WHARFAGE - CONDITIONS FOR NON-ASSESSMENT OF CHARGES ON TRANSSHIPPED CARGO** *Effective :* Provided the cargo is declared as Transshipment by the first carrier and does not leave the control of the Port Authority of Guam while awaiting transshipment and the second carrier's bill-of-lading provided by the agent involved indicates the first carrier's vessel's name, voyage number, and other pertinent information, freight assessed full inward wharfage may be transshipped by water from the same wharf where received or may be transferred direct to any other wharves or facilities owned by the Port Authority for transshipment or delivery to an outbound carrier without being subject to further assessment of wharfage, stevedoring, and handling charges for the outbound.

Section V - BREAKBULK TARIFF

Item #	Description
53	**WHARFAGE – BULK PETROLEUM PRODUCTS** *Effective :* Wharfage rates for the use of Port facilities in order to import, export, or store petroleum products, **per 42-US gallon barrel** shall be: **Import** **$0.50** **Export** **$0.24** **Bunkering** **$0.66** **From truck to vessel when serviced at port piers** **$0.50** **Direct to or from vessel through privately-owned pipelines located on Port property** **$0.44** **Vessel to Vessel** **$0.50** **Storage** **$1.25** Unless otherwise provided, there will be additional charges for: • All services not specifically described in the Tariff. • Use of Port facilities and any other terminal services for which specific rates are named in the Tariff which because of unusual conditions or requirements of users not normally incidental to such use or services, precludes the use of Port facilities or performance of such services at the rates named. • Service for clearing terminals of damage or cleaning up releases of petroleum products caused by users. • Services of Bunkering or oversight of waste oil facility or for any operation delayed on account of Bunkering, or oversight of waste oil facility
54	**WHARFAGE – DRY BULK CARGO** *Effective :* Wharfage rates for the use of Port facilities in order to import and export Dry Bulk materials. **Bulk Cargo, per ton** **$3.76**
55	**WHARFAGE - ARTICLES ON WHICH NONE WILL BE CHARGED** *Effective :* • Authorized carrier or consignees' equipment taken on a wharf to move merchandise (but not for shipment). • Baggage when accompanying travelers, not including automobiles. • Cargo which a Vessel discharges and reloads prior to departure, in order to load or discharge other cargo (overstowed cargo). • Ship's stores, repair materials and dunnage lumber for use in ordinary stowage of freight, when all are intended for vessel's use, crew's consumption or repairs, unless Port Authority employees are required to account for such supplies or stores as may be received or discharged on the wharf.

Section V - BREAKBULK TARIFF

Item #	Description
56	**STEVEDORING SERVICES** *Effective :* Services in connection with care, custody and control in the transfer of cargo between the vessel and the Transit Shed or Open Terminal area: 1. The first opening and last closing of hatches within capacity of the crane. Other openings and closing will be charged labor charge out rates. If hatch covers cannot be removed or replaced within 15 minutes, stand-by charges will be assessed. 2. Preplanning meeting with vessel agents. 3. Documentation for Port Operation. 4. A single sequence of sorting and stacking as may be specified by the vessel. 5. Any shore side equipment utilized in discharging/loading vessel. 6. Rates include Dockage, Line handling & Port Entry Fee. **Breakbulk Stevedoring(Loose) - Per Revenue Ton** **$14.94** **Unitized Breakbulk- Per Revenue Ton** **$ 6.07** **Bulk Scrap Metal per Revenue Ton** **$13.44** *Note: This is a one way charge and is subject to a minimum of 50 revenue ton per hatch. For less than 50 revenue tons, the labor and equipment charge out rate will be used.* *Units which are less than forty (40) cubic feet or less than two thousand (2,000) pounds shall be assessed a minimum charge of one (1) revenue ton* *Any services associated with handling of breakbulk and unitized cargo not enumerated above shall be charged at Port labor charge-out and equipment rates plus materials.* *Stevedoring & Handling of Bulk cargo will be assessed under Port Labor Charge-out and equipment rate.* *The Port will not be responsible for accountability of contents of unitized cargo. Accountability will be for the number of units manifested only.* *Once the cargo is discharged from the vessel to the ground any future movements of that cargo will be charged through a special service request at the labor charge-out and equipment charge out rate.*
57	**STEVEDORING - ROLL ON – ROLL OFF VEHICLES** *Effective :* Services will include vehicle surveying **Vehicles Roll On – Roll-Off 6000 lbs. or less per vehicle** **$10.75** **Vehicles Roll On – Roll-Off over 6000 lbs. per revenue ton per move** **$ 6.07**

Section V - BREAKBULK TARIFF

Item #	Description
58	**HANDLING – BREAKBULK CARGO** *Effective :* Use of working areas, facilities at the terminal and services in connection with checking, care, custody and control to transfer cargo between the transit shed and outdoor storage. 1. Receiving documentation for receipt or delivery of cargo. 2. Providing the CY equipment to receive or deliver the cargo. 3. Gate Services other than surveying 4. Sorting and planning layout of cargo as determined by the Port. 5. Tower Services Issuing and receiving of cargo during straight-time hours, Monday through Friday, 0800 to 1200 and 1300 to 1700, except weekends, Government holidays and during normal meal times. Requests to open gates not normally open during this time will be assessed the appropriate Labor Charge Out Rate and Equipment Rate. **Loose Breakbulk Per Revenue Ton** **$9.03** **Unitized Breakbulk per Revenue Ton** **$7.53** *Note: Units which are less than forty (40) cubic feet or less than two thousand (2,000) pounds shall be assessed a minimum charge of one (1) ton*
59	**HANDLING - ROLL ON – ROLL OFF VEHICLES** *Effective :* **Vehicles Roll On – Roll-Off 6000 lbs. or less per vehicle** **$26.87** **Vehicles Roll On – Roll-Off over 6000 lbs. per revenue ton per move** **$ 7.53**

Section V - BREAKBULK TARIFF

Item #	Description
60	**FREE TIME PERIODS** *Effective :* Free Time is computed from the first working day at 8:00 a.m. occurring after freight is received or unloaded on the wharf or wharf premises, or in case freight is from a vessel, from the first working day at 8:00 a.m. occurring after vessel completes discharge. In the case of export and transshipment which are accruing demurrage charges, such charges shall cease on the date stevedoring services are performed.
61	**FREE TIME –BREAKBULK** *Effective :* **Breakbulk cargo is allowed** — **5 Working Days** **Transshipped Breakbulk cargo is allowed** — **15 Calendar Days** **Hazardous Breakbulk cargo (Class 1-8) is allowed** — **2 Calendar Days**
62	**FREE TIME –LIVESTOCK** *Effective :* Livestock shall be allowed no free time and are only permitted to pass over the wharf subject to immediate loading.
63	**FREE TIME - EXTENSION THEREOF** *Effective :* The General Manager may allow extension of free time if the request is made in writing, with proper justification from the Shipping Agent or the Cargo Owner.
64	**WHARF DEMURRAGE** *Effective :* Breakbulk Wharf Demurrage is assessed to provide storage in or on terminal facilities after the expiration of free time unless prior arrangements have been made for other terminal storage. **Covered Storage – Per Day Per Revenue Ton** — **$16.12** **Outside Storage – Per Day Per Revenue Ton** — **$10.75**

Section V - BREAKBULK TARIFF

Item #	Description
65	**HEAVY LIFT CHARGES** *Effective :* Any single unit of cargo, other than containers, *as* defined in this tariff over 6,000 pounds and above shall, in addition to the rates it would otherwise be assessed, be assessed as listed below, except for motorized wheeled vehicles which are driven off/on the vessel over a ramp without utilizing any lifting equipment. However, motorized equipment or vehicle in excess of 6,000 pounds, which though wheeled, must be lifted off/on the vessel. **Stevedoring Units over 6000 lbs.: Per 2000 lbs or fraction thereof** **$2.25** **Handling Units over 6000 lbs.: Per 2000 lbs or fraction thereof** **$2.25**
66	**LONG LENGTH CHARGES** *Effective :* Any single unit of cargo over 45 feet in length and above shall, in addition to rates it would otherwise be assessed, shall be assessed the following rates: **Over 45 feet and not over 50 feet** **$17.51** **Over 50 feet and not over 60 feet** **$41.01** **Over 60 feet and not over 70 feet** **$52.82** **Over 70 feet, for each 10 feet or fraction thereof** **$10.91**

Section V - BREAKBULK TARIFF

Item #	Description
67	**FUEL SURCHARGE** *Effective :* **Bulk & Breakbulk Cargo – Per Revenue Ton** **$ 0.35** *Note: The Fuel Surcharge will be* ***adjusted quarterly*** *on a basis to reflect current fuel prices.* *Fuel Surcharge above is applicable to Import, Export and Transshipments* *Fuel Surcharge is billed to the 1st carrier on Transshipments and includes the 2nd carrier*
68	**MANIFEST – BULK & BREAKBULK** *Effective :* All inbound documentation shall be made available to the Port Authority officials two (2) working days prior to vessel operation. Vessels calling from the CNMI must submit documentation 16 hours prior to vessel arrival. Outbound dock receipts and/or load lists shall be distributed to Port Authority of Guam 24 hours prior to vessel arrival stowage plan shall be submitted prior to loading of vessel. All outbound cargo and freight manifest shall be made available to the Port Authority of Guam officials three (3) working days after completion of vessel operation, in numerical order as manifested. *Note: If PAG must sort this information, the rate to provide this service is $25 per hour. If documentation is not furnished within this time schedule a penalty of $250 per day will be assessed by PAG until the documentation is furnished. In addition, the vessel will be sent to anchorage and standby time assessed by PAG.*

Note: Items numbered 69-79 intentionally left blank

SECTION VI - LABOR, EQUIPMENT, & OTHER CHARGES TARIFF

Item #	Description
80	**LABOR CHARGE-OUT RATES**

Effective :

All services billed at the labor charge out rate will be charged at the hourly rates shown below. This rate includes straight time, overtime, holiday, OT differential, holiday differential and night shift differential.

Unless otherwise provided, hourly charge out rates will be charged for:

- All services not specifically described in the tariff
- Operations involving less than 50 Revenue Tons per hatch or 10 containers loaded or unloaded in a continuous operation or unusual vessels and conditions.
- Labor rates for Special Services Request are billed at a minimum of 1 hour.
- Except as otherwise provided in individual items, charges for materials furnished in connection with services will be assessed at **actual cost plus 30%.**

(Rates below - $ Per Hour)

Personnel	Straight Time	Over Time	O/T Differ.	Holiday Differ.	Night Shift Diff.
Account Technician	33.79	50.69	16.90	22.53	2.25
Auto Mechanics	42.36	63.54	21.18	28.24	2.82
Cargo Checkers	42.78	64.17	21.39	28.52	2.85
Carpenters	33.58	50.37	16.79	22.39	2.24
Clerks	27.28	40.92	13.64	18.19	1.82
Crane Mechanic	49.08	73.62	24.54	32.72	3.27
Crane Operator	49.08	73.62	24.54	32.72	3.27
Diesel Mechanic	53.87	80.81	26.94	35.91	3.59
Electrician	44.50	66.75	22.25	29.67	2.97
Equipment Oper.	45.78	68.67	22.89	30.52	3.05
Painters	35.47	53.21	17.74	23.65	2.37
Plumbers	40.15	60.23	20.08	26.77	2.68
PM Mechanic	42.36	63.54	21.18	28.24	2.82
Riggers	38.91	58.37	19.46	25.94	2.59
Safety Officers	42.99	64.49	21.50	28.66	2.87
Security Guards	26.84	40.26	13.42	17.89	1.79
Stevedores	39.30	58.95	19.65	30.27	3.03
Welders	45.86	68.79	22.93	30.58	3.67

Item #	Description
81	**LABOR RATES - APPLICATION** *Effective :* ***Overtime & Holiday Differential Rates:*** In connection with any stevedoring function, except special services, labor shall be charged at overtime differential in addition to the regular stevedoring charges, or differential of 100 percent on employees working on legal holidays according to the schedule on Labor Charge Out Rates. Overtime hours shall be defined as any hours in excess of eight hours in a single shift of any workday. Overtime shall also include Saturdays and Sundays for operation's employees assigned to the loading and unloading of cargoes. ***Night Differential Rates:*** A surcharge will be added for all work performed between 1800 hours to 0600 hours and will be charged on the basis of rates shown in the schedule of Man-Hour Charge-Out Rates. ***Detention or Stand-by-Time:*** When employees of the Port are ordered for water carriers and are required to standby due to vessel power failure, vessel gear failure, or for any other reasons through no fault of the Port Authority, the charge-out rate will be assessed. If employees of the Port are directed to stand-by at the request of the carrier or agent the charge-out rate will be assessed. ***Guaranteed Shift Pay:*** When employees of the Port are ordered for water carriers and the vessel completes loading or discharges prior to completion of a shift or half shift, water carriers will be assessed the unused hours on the basis of the Labor Charge-Out Rate if no other port work is available. ***Meal-Time Penalty:*** When stevedores and related personnel are requested to work through their regularly scheduled meal period, the carrier will be assessed the overtime differential rate for each employee involved in addition to the regular stevedoring charges.

Item #	Description
	Cancellation Time: When a cancellation notice is given to the Port after the master vessel work schedule has been completed and the port employees has been ordered for operations, the water carrier will be assessed a minimum charge of two straight time or overtime hours at the Labor Charge Out Rate for each employee assigned to the vessel operations. When employees of the Port have reported to work and cancellation notice is given to the Port, before four hours have elapsed since the scheduled starting time, the water carriers will be assessed four hours at the Charge-Out Rate for each employee involved at straight time or overtime rate with other differentials as appropriate. When employees of the Port have reported to work and cancellation notice is given to the Port after four hours of work has been performed, but prior to the completion of a minimum eight hour shift, the water carriers will be assessed the unused hours at the charge-out rate for each employee involved. *Note: The above is based on a minimum of eight-hour shift.*
82	**LABOR - PENALTY RATES** *Effective :* Charges assessed carriers, agents or other persons responsible for stevedoring charges other than those included with the rate schedule above, in addition to the straight-time rates included in the Stevedoring and Handling Charge for inbound and outbound cargo for penalties compensated to individuals under applicable Port Personnel Rules and Regulations. Schedule of Rates Per Man Hour: **Cleaning Ship's Oil Tanks (Hatch Only) $3.76** **Reefer Cargo (Hatch & Container Work) $1.07** **Handling Noxious Cargo (Hatch Work) $5.74** **Bagged Cement (Hatch Work) $3.76** **Scrap Metal Cargo (Hatch Work) $3.76** **Ammunition or Explosive Cargo $3.76** **Bulk Cement (Hatch Work) $5.74**

Item #	Description
83	**EQUIPMENT RENTAL RULES & APPLICABILITY** *Effective :* The following charges are for use or services of the equipment in conjunction with any services not included in the Cargo Rates or for other purposes. The rates listed below are in charges per hour, or fraction thereof, and include fuel and maintenance. *Equipment operators and other necessary personnel will be charged at the applicable labor Charge-Out Rates.* ***Additional Equipment Rental Charges*** The following will be billed at regular hourly rates on equipment rental: Actual travel time to and from site of work, if site is not within Port Authority facility and Time consumed in removing crane boom for travelling and reassembling. ***Use of Port Equipment*** When equipment listed below is used in special service or other purposes is diverted to other uses at the discretion of the Port, the user shall be charged on an accumulated time basis that the equipment is used per shift, but not less than the minimum charges specified.
84	**PORTABLE LIGHT UTILIZATION CHAGES** *Effective:* Charges for Portable Lights will be as follows. *Gas price will be **adjusted quarterly** to reflect cost of gasoline plus handling:* **One Time Charge for Set up - $107.07** **Use per day or fractional part thereof - $537.42** **Gas use per gallon - $ 3.82**
85	**AUTO DEVANNING AND STUFFING** *Effective:* Services shall include blocking, unblocking, and surveying of vehicles. Blocking materials ex carrier's devanned vehicles shall be made available for stuffing export vehicles. Any and all additional materials required for the stuffing export vehicles will be for the account of the carrier. **Auto Devanning and Stuffing per vehicle $161.23**

86 **EQUIPMENT UTILIZATION CHARGES**

Effective:

Equipment	Straight - Time Per Hour ($)	Minimum Charge/Hrs.
Battery Charger	**17.20**	1
Compressor	**26.50**	1
Forklift - 20,000 lbs, but less 40,000 lbs	**53.74**	1
Forklift - Over 40,000 lbs.	**60.20**	1
Forklift - Under 20,000 lbs.	**32.25**	1
Gantry Crane, Heavy Lifts	**423.48**	2
Impact Wrench	**5.50**	1
Man Lift	**50.00**	1
Pick-up Truck - 3/4 ton or less	**21.50**	1
Side Lifter	**37.62**	1
Top Lifter	**64.49**	1
Tractor	**36.54**	1
Welding Machine	**36.54**	1

Item #	Description
87	**CARGO PALLETS - RULES AND CHARGES GOVERNING THE USE THEREOF** *Effective:* The term "Cargo Boards" and "Pallets" are understood to have the same meaning. When available, stevedore type cargo pallets, may be used directly in the transfer of waterborne cargo to and from the terminals under the terms and conditions outlined herein **Use of the Port's owned and controlled pallets**: • Return said pallets to Port terminals in like order and condition within a period of ten (10) calendar days from date of receipt and to pay a charge for the use **Per Pallet Per Day** **$0.54** *The port will issue receipt for pallets returned in good condition and order.* • Rate per pallet for any pallet **not** returned at the end of this period **Per Pallet** **$37.62** *Note: When a trucker, consignee, shipper, or other party carries a stock of pallets constructed in a manner identical to and in all other ways acceptable for interchange with the standard pallets controlled by the Port, the Port will:* • *Release cargo on pallets and accept in exchange a like number of identical pallets in like good order and condition, or* • *Release empty pallets for a like number of identical pallets received for outbound, all pallets to be in good order and condition*

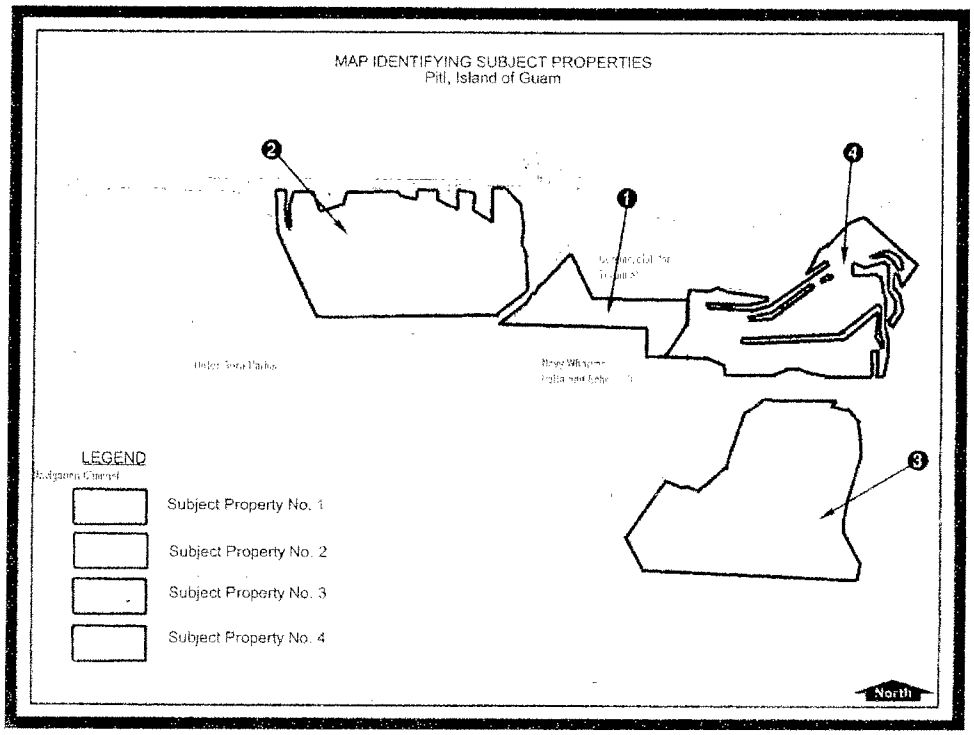
Item #	Description
88	**LEASE OF SUBMERGED LAND PARCELS**

Effective:

Lease rates are Per Sq. Foot Per Month:

Property	Zone 1	Zone 2	Zone 3
1	$0.11	$0.08	$0.04
2	$0.08	$0.05	$0.03
3A	$0.04	$0.03	$0.02
3B	$0.002	$0.001	$0.001
4	$0.04	$0.03	$0.02

Note: Rates may vary if landfill is required. Properties are defined as follows.



Item #	Description
89	**HOT WORK PERMIT** *Effective:* Tenants and customers that need to do any form of welding, cutting, grinding, chipping, or any spark-producing operations inside the Port's area of responsibility must apply for a Hot Work Permit at the Safety Office on a daily basis. To ensure that all hot work conducted in the facility complies with the requirements of 33 CFR 126.30 section Port Safety Inspectors will conduct inspections on all "Hot Work Permit" issued. Port Safety Inspectors or U.S. Coast Guard personnel may conduct random inspections for compliance and fire prevention. If a hot work permit is deemed by the Port to pose a danger when the vessel is moored to a berth, the Port reserves the right to require the work to be performed at anchorage. Any violation of the conditions of the hot work permit may result in work stoppage, suspension of the permit and/or civil penalty. **Per permit, per day** **$25.99**
90	**SUPPLYING POWER TO OTHER THAN PAG EQUIPMENT** *Effective:* Upon request the port will provide power to port users who operate with other than PAG equipment. Electric power shall be supplied at the same rates that the Guam Power Authority would charge for the service if supplied directly, plus the following service charges: For connecting light or power circuits, plugs or motor connections are supplied by the Port, or for the extension of light or power circuits, the service charger shall be: **Connection Charge** **$11.44 plus time at the established man hour rates.** For installation of sub-meter, where necessary, the charge shall be: **Sub-Meter Installation** **$2.70 in addition to charges provided above.**

Note: Items numbered 91-99 intentionally left blank