

Executive Order No. 52-4

GOVERNMENT OF GUAM
GUAM SHIPPING COMMISSION
COMMERCIAL PORT RATES AND CHARGES

Section 1. BASIS AND PURPOSE OF REGULATIONS. - By virtue of the authority vested in the Guam Shipping Commission by Public Law No. 30, First Guam Legislature, the following regulations are prescribed to govern the fees and charges made by the Commercial Port of Guam.

Section 2. DEFINITION OF TERMS. - Certain terms used in these regulations are defined as follows:

Section 2.1. Wharf means any wharf, pier, bulkhead, quay, landing, or any other structure to which a vessel may make fast, or which may be utilized in the discharge and loading of passengers and/or merchandise.

Section 2.2. Vessel means steamboats, motorboats, sailing vessels, motor vessels, barges, liners, ferryboats, pleasure craft, or any and all other structures made to float upon the water for navigation.

Section 2.3. Merchandise means goods, wares, merchandise, material, freight, cargo, or any other objects of commerce.

Section 2.4. Imported cargo means merchandise brought into the Commercial Port by water transportation.

Section 2.5. Export cargo means merchandise which is shipped from the Commercial Port by water transportation.

Section 2.6. Transshipment cargo means that cargo which is brought into the Commercial Port and transferred to another vessel for further transport, the consignee and destination of which are marked on the cargo or made known to the Marine Terminal Superintendent or his duly authorized representative prior to discharge at the Commercial Port.

Section 2.7. Revenue ton means two thousand (2,000) pounds weight or forty (40) cubic feet measurement, with all charges being computed on whichever will produce the greater revenue, unless specifically designated otherwise.

Section 2.8. Covered storage means all facilities capable of affording protection to merchandise from the elements.

Section 2.9. Outside storage or yard storage means open storage on the dock or in the port yard area without protection from the elements.

Section 2.10. Person means any natural person, group, or association of persons, firm, partnership, or corporation.

Section 2.11. Handling charges means those charges which accrue against the shipper or receiver by reason of services rendered by the Commercial Port on, or for the benefit of cargo, during the period in which the cargo is in the care and custody of the Commercial Port from receipt of the cargo to end of ship's tackle and from end of ship's tackle to issuance.

Section 2.12. Stevedore charges means those charges which accrue against the carrier by reason of services rendered by the Commercial Port, on or for the benefit of cargo, during the period in which the cargo is being moved by employees of the Commercial Port between the end of the ship's tackle and the vessel's hold or from the vessel's hold to the end of the ship's tackle.

Section 2.13. Day means 24 hours commencing at midnight and ending at midnight.

Section 2.14. Special services means checking, cleaning, shifting, lashing, shoring, removal of lashing or shoring,

or other services requested by the carrier and not ordinarily performed by the Commercial Port.

Section 3. STEVEDORING CHARGES. - The Government of Guam will provide stevedoring services to vessels loading and/or discharging at the Commercial Port of Guam.

Section 3.1. The basic rate for stevedoring services is two dollars and five cents (\$2.05) per revenue ton.

Section 3.2. The rate for stevedoring services for mail is cost plus fifteen per cent (15%).

Section 3.3. The rate for stevedoring charges for bagged copra is one dollar and five cents (\$1.05) per revenue ton.

Section 3.4. Special arrangements and rates will be made by contract when cargo, vessel characteristics or stowage require special or unusual provisions for stevedoring.

Section 3.5. Small shipments arriving irregularly or which are otherwise impractical for the order of stevedoring services may be performed by the carrier or its agent at a rate of forty-five cents (\$0.45) per revenue ton for the use of the dock; provided, however, that the advance approval of the Marine Terminal Superintendent or his duly authorized representative be obtained.

Section 3.6. All overtime work performed for the benefit of the carrier shall be charged to the account of the carrier at the overtime differential cost to the Commercial Port for personnel involved, plus an additional amount of ten per cent (10%) of cost.

Section 3.7. Current Commercial Port wage scales will be furnished upon request.

Section 3.8. Charges for special services performed for and at the request of the carrier will be at cost for personnel plus fifteen per cent (15%).

Section 3.9. Delay or detention time of stevedores on account of the carrier shall be charged at the rate of cost to the Commercial Port for personnel involved. Minimum charges for personnel cancelled by the carrier or its agent at the beginning of any one shift shall be two hour's wages and for personnel cancelled upon their return to work from a meal period, one hour's wages.

Section 4. BILLS OF HEALTH. Vessels departing from the Commercial Port may obtain a bill of health from the Department of Public Health. The fee for each such bill of health is five dollars (\$5.00).

Section 5. QUARANTINES. The fee for visits of the Quarantine Officer is five dollars (\$5.00). There is an additional charge of one dollar (\$1.00) for each one hundred (100) net registered tons or fraction thereof in excess of the first one hundred (100) tons. The maximum charge shall be fifteen dollars (\$15.00).

Section 6. SPECIAL MEDICAL VISITS. The fee for each special visit to a ship of a doctor in the employ of the Government of Guam is five dollars (\$5.00).

Section 7. DOCKAGE.

Section 7.1. Berths for vessels utilizing the facilities of the Commercial Port shall be assigned by the Marine Terminal Superintendent of his duly authorized representative.

Section 7.2. Fee for dockage shall be one and five-tenths cents (\$0.015) per net registered ton of the vessel per day or fraction thereof for the first ten (10) days, and one cent (\$0.01) per net registered ton of the vessel for each day or fraction thereof thereafter.

Section 7.3. The dockage fee for small craft berthed in the Agana Boat Basin is two cents (\$0.02) per linear foot of the registered length of the vessel per day or fraction thereof.

Section 8. LINE HANDLING FEE. The fee for line handling is one dollar and twenty-five cents (\$1.25) per man hour or fraction thereof. Number of men required shall be at the option of the vessel's agent.

Section 9. UTILITIES CHARGES. The fee for water is twenty-five cents (\$0.25) per ton or fraction thereof. Fee for each meter connection and removal is five dollars (\$5.00).

Section 10. GARBAGE AND TRASH REMOVAL.

Section 10.1 Fee for the removal of garbage from vessels is fifty cents (\$0.50) per container. Containers are furnished by the Commercial Port, but the carrier is responsible for each container while in its custody.

Section 10.2. The fee for trash removal is based upon cost of loading, transportation, and disposal.

Section 11. HANDLING CHARGES.

Section 11.1. Handling charges shall not be assessed upon shipments the declared value of which is five dollars (\$5.00) or less.

Section 11.2. Handling charges are computed on a revenue ton basis unless otherwise specified.

Section 11.3. The basic handling charge is three dollars and twenty cents (\$3.20) per revenue ton, or portion thereof.

Section 11.4. The handling charge for each unboxed automobile or truck, provided, that such vehicle is in rolling condition, is twenty dollars (\$20.00).

Section 11.5. Handling charge for United States mail is cost plus fifteen per cent (15%).

Section 12. TRANSSHIPMENT CHARGES.

Section 12.1. Transshipment charge for all merchandise except copra is four dollars and eighty cents (\$4.80) per revenue ton, which charge shall include all handling and fourteen days' free storage.

Section 12.2. Transshipment charge for copra is four dollars and eighty cents (\$4.80) per long ton, tarpaulins and pallets to be furnished by the Commercial Port when available, such charge to include handling and thirty (30) days' free storage.

Section 13. STORAGE CHARGES.

Section 13.1. Imported cargo shall be given free storage for a period of seven (7) days after landing, exclusive of Sundays, holidays, and non-working weather days, commencing on the day following the completion of discharging of vessel. Export cargo shall be given free storage for a period of ten (10) days, exclusive of Sundays, holidays, and non-working weather days, after notice of firm booking and delivery. Storage charges shall accrue only after this free period. In the event that the Commercial Port is unable to issue cargo during the free storage period, said period will be extended a length of time equal to the time cargo was unavailable.

Section 13.2. Cargo held in storage for sixty (60) days or longer, the charges on which are not paid to the Commercial Port on demand, may, after public notice, be sold at public auction.

Section 13.3. Covered storage charges are fifty cents (\$0.50) per day per revenue ton for the first fifteen (15) days after the free period and one dollar (\$1.00) per day per revenue ton for each day thereafter.

Section 13.4. Outside storage rates for paved area are twenty-five cents (\$.25) per day per revenue ton for each day after the free period.

Section 13.5. Outside storage (unpaved area or outside fenced area) charges are one cent (\$.01) per square foot per month.

Section 14. RECEIPT OF CARGO. Cargo will not be received at the Commercial Port unless firmly booked for export, and only after an agreement has been made with the Marine Terminal Superintendent as to acceptance, dates, and conditions.

Section 15. CARGO PALLETS.

Section 15.1. Cargo pallets ordinarily will not be removed from the Commercial Port area. When the nature of the cargo stacked on the pallets is such that it would be a great detriment to the importer, shipper, or other persons involved to remove said cargo from the pallets, the use of pallets outside the Commercial Port may be arranged with the Marine Terminal Superintendent. A deposit of ten dollars (\$10.00) shall be made for each pallet before removal. This deposit will be refunded upon return of the pallet; provided, that the pallet is not damaged while outside the Port, in which case a deduction shall be made from the deposit to cover repair costs.

Section 15.2. Charges for the use of cargo pallets removed from the Commercial Port are fifteen cents (\$.15) for the first twenty-four (24) hours and fifty cents (\$.50) for each twenty-four (24) hours thereafter.

Section 16. CARGO ENTRY.

Section 16.1. Entry of cargo shall be completed on all import, export and transshipment cargo, regardless of whether or not charges are applicable.

Section 16.2. Imported cargo shall be entered with the Entry Division of the Commercial Port prior to receipt by the consignee.

Section 16.3. Export cargo shall be entered with the Entry Division of the Commercial Port prior to receipt by the Commercial Port of other loading agency.

Section 16.4. Transshipment cargo shall be entered prior to loading.

Section 17. EQUIPMENT RENTAL.

Section 17.1. The rental of cargo handling equipment may be effected by the Marine Terminal Superintendent in conjunction with special services at the following rates:

- (a) Fork lift - Two ton capacity including maintenance and operator:
Straight time \$7.50 per hour.
Overtime rate \$8.50 per hour.
Minimum charge one hour.
- (b) Fork lift - Over two ton capacity including maintenance and operator:
Straight time \$10.00 per hour.
Overtime rate \$11.00 per hour.
Minimum charge one hour.
- (c) Trackson Crane (Cherry Picker) - including maintenance and operator:
Straight time \$10.00 per hour.
Overtime rate \$11.50 per hour.
Minimum charge one hour.
- (d) Dock Mule - including maintenance and operator:
Straight time \$6.50 per hour.
Overtime rate \$7.50 per hour.
Minimum charge one hour.
- (e) Dock Trailers - Straight time or overtime
\$0.50 per hour per trailer.
- (f) Roller Conveyors - Straight time or overtime,
\$.50 per hour per section.

Section 18. SURCHARGES.

Section 18.1. Surcharges on Heavy Lifts. All packages or pieces weighing over 4,000 pounds shall, in addition to the rates provided in Section 11 above, be assessed a surcharge at rates listed below on a basis of 2,000 pounds.

<u>HEAVY LIFTS</u>	<u>RATE OF CHARGES</u>
4,001 lbs. and not over 5,000 lbs.	\$ 1.00
5,001 lbs. and not over 6,000 lbs.	1.50
6,001 lbs. and not over 8,000 lbs.	2.00
8,001 lbs. and not over 10,000 lbs.	3.00
10,001 lbs. and not over 12,000 lbs.	4.00
12,001 lbs. and not over 14,000 lbs.	5.00
14,001 lbs. and not over 16,000 lbs.	6.00
16,001 lbs. and not over 18,000 lbs.	7.00
18,001 lbs. and not over 20,000 lbs.	8.00
20,001 lbs. and not over 22,000 lbs.	8.50
22,001 lbs. and not over 24,000 lbs.	9.00
24,001 lbs. and not over 26,000 lbs.	9.50
26,001 lbs. and not over 28,000 lbs.	10.00
28,001 lbs. and not over 30,000 lbs.	10.50

Section 18.2. Surcharges on Long Lengths. All packages or pieces over 40 feet in length shall, in addition to the rates provided in Section 11 above, be assessed per ton of 2,000 pounds, or 40 cubic feet, whichever creates the greater revenue, a surcharge at the rates below:


<u>LONG LENGTH</u>	<u>RATE OF CHARGES</u>
Over 40 ft. and not over 50 ft.	\$ 1.00
" 50 ft. and not over 60 ft.	2.00
" 60 ft. and not over 70 ft.	3.00
" 70 ft. and not over 75 ft.	4.00
" 75 ft. and not over 80 ft.	5.00
" 80 ft. and not over 85 ft.	6.00
" 85 ft. and not over 90 ft.	7.00
" 90 ft. and not over 95 ft.	8.00
" 95 ft. and not over 100 ft.	9.00

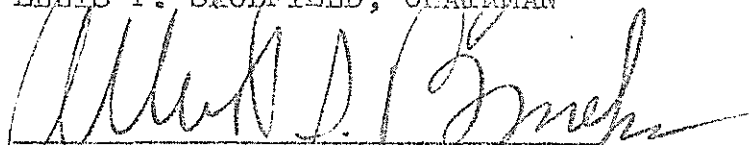
Section 19. EFFECTIVE DATE. These regulations shall be effective on the date of approval by the Governor of Guam.

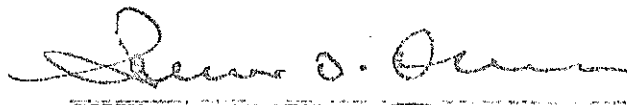
Section 20. REPEALING CLAUSE. Executive Order 5-50 and amendments thereto are repealed in their entirety.

By virtue of the authority vested in the Guam Shipping Commission by Public Law No. 30, First Guam Legislature, these Regulations entitled "Commercial Port Rates and Charges" are issued and forwarded herewith to the Governor of Guam for approval and promulgation.


Dated this 8th day of April, 1952.


ELLIS P. SKOLFIELD, CHAIRMAN


ALBERT S. BROOKS


SVEN O. OLSEN

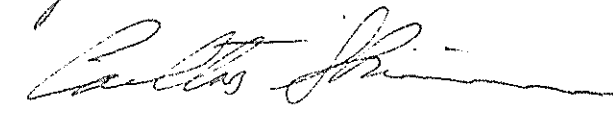

WALTER G. PEARCH


JOAQUIN A. PEREZ


By virtue of the authority vested in me as Governor of Guam by Public Law No. 30, First Guam Legislature, these Regulations entitled "Commercial Port Rates and Charges" are approved and promulgated as Government of Guam Executive Order Number 4-52.

This order shall become effective immediately.

Dated this 24th day of April, 1952.


CARETON SKINNER

COUNTERSIGNED



Acting Secretary of Guam
MANUEL F.L. GUERRERO