



SPECIFIC CONDITIONS FOR THE PROVISION OF THE COMMERCIAL SERVICE OF THE AFLOAT SHIP REPAIR ACTIVITY

Council of 23 October 2024



Approved by the Board of Directors of the Port Authority of the Bay of Algeciras at its meeting of 23 October 2024.

The Secretary of the Board of Directors

**Please be advised that only the original Spanish version has legal validity*

PLIEGO DE REPARACION DE BUQUES A FLOTE DE LA APBA

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1. GENERAL CONSIDERATIONS

CLAUSE I. PREAMBLE

The ship repair service is a commercial service as defined in Article 138 of the Revised Text of the State Ports and Merchant Navy Law, RDL 2/2011, of 5 September, hereinafter TRLPEMM, which requires the corresponding authorisation from the Port Authority of the Bay of Algeciras for its provision. In accordance with the provisions of Art. 139 of the aforementioned regulation, the provision of commercial services must comply with the specific conditions determined by each Port Authority, where applicable, as well as with other applicable regulations.

Until now, the commercial ship repair service in the ports managed by the Port Authority of the Bay of Algeciras, hereinafter APBA, was regulated by a *set of specific conditions* approved by its Board of Directors in a meeting held on 4 June 2009. This document updates and replaces the aforementioned specifications, coming into force on the day following the date of its approval by the APBA Board of Directors.

CLAUSE II. PURPOSE, TERRITORIAL SCOPE, DEFINITIONS, TYPES OF AUTHORISATIONS AND PERMITTED ACTIVITIES

1.- Purpose

The purpose of these specific conditions is to define and establish the particular conditions for the provision of the commercial repair and maintenance service for ships and vessels, platforms or other floating elements (hereinafter ships) and their equipment, either at berth, in dry dock or at anchorage in the service area of the ports of the Port Authority of the Bay of Algeciras (hereinafter APBA), as defined in Article 2 of this "Territorial Scope" Specification, making its performance compatible with the operational functioning of the port in conditions of safety and environmental quality.

This document therefore defines the conditions under which the commercial afloat ship repair service will be carried out in the service area of the APBA, both at berth and at anchor, as well as in the port facilities. The main aim is to ensure that these operations are carried out in a manner compatible with port uses, the efficient operation of the port, and in accordance with safety and environmental quality standards. These conditions are without prejudice to the obligation to comply with any other conditions that may be applicable in accordance with other provisions.

In addition, it will specify the types of ships permitted, the circumstances under which they may be repaired, the types of damage and faults that may be addressed, and the maximum lengths of stay.

The procedures and general conditions for carrying out repairs shall be established in accordance with the guidelines of the APBA and the Harbour Master's Office. Finally, the



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requirements and conditions to be fulfilled by the authorised persons in order to carry out repairs, which shall cover technical, safety, environmental and labour aspects.



2.- Territorial scope

Applies to all ships, vessels, platforms or floating structures in the service area of the ports managed by the APBA, with the exclusion of concessions for these operations, which are governed by the corresponding administrative titles.

The service area is the area established in the Plan for the Use of Port Areas of the ports dependent on the Port Authority of the Bay of Algeciras and all its possible modifications subsequent to the moment of approval of this Specification, the current one being that approved by the Ministerial Order of the Ministry of Public Works, of 12 February 1998, BOE of 27 February 1998, substantially modified by the Ministerial Order of the Ministry of Public Works of 13 February 2007, BOE of 28 February 2007.

3.- Legal foundations

- Law 14/2014, of 24 July, on Maritime Navigation.
- Law 31/1995, of 8 November, on Occupational Risk Prevention.
- Royal Decree 550/2020 of 2 June, determining the safety conditions for diving activities.
- Royal Legislative Decree 2/2011, of 5 September, approving the Consolidated Text of the Law on State Ports and the Merchant Navy.
- Royal Decree 171/2004 of 30 January 2004 on the Coordination of Business Activities.
- Royal Decree 1837/2000 of 10 November 2000, approving the Regulation on the inspection and certification of civil ships.
- Order FOM/1194/2011, of 29 April, approving the integrated procedure for the stopover of ships in ports of general interest.
- APBA VHF maritime communications procedure.
- Royal Decree 145/1989 of 20 January 1989, approving the National Regulations on the Admission, Handling and Storage of Dangerous Goods in Ports.

4.- Definitions

APC: *Control de puerto de Algeciras* (Algeciras Port Control). APBA maritime traffic control centre.

Ship: shall be interpreted in accordance with the definition set out in the Maritime Navigation Act. In addition, and specifically for the purposes of this specification, the category of 'ship' is extended to include boats, platforms and floating craft, except where expressly excluded.

Census of Ship Repair Companies: register administered by the APBA which includes companies with a permanent authorisation in force.



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Ship repair: work or operations carried out on a ship in order to keep the ship operating efficiently.

For the purposes of these specifications, and based on the provisions of Royal Decree 1837/2000, of 10 November, which approves the Regulation on Inspection and Certification of Civil Ships, three subcategories are defined. These are classified in descending order according to their degree of complexity:

1. **Conversion, refurbishment or major repair:** Any conversion, alteration or other modification made to a ship which has or is likely to have a significant influence on any aspect of maritime safety or the prevention of pollution of the marine environment.

It shall also mean those repairs to a ship or component thereof which are carried out as a result of a breakdown, accident, detected defects, malfunctions or simply as a result of regular repair practices, and which have or are likely to have a significant influence on any aspect of the safety of the ship, as well as on the prevention of pollution of the marine environment. In this sense, this concept shall include any modification that:

- a) Alters the ship's main dimensions or characteristics such as length, beam, depth, tonnage, etc.
 - b) Alters the capacity of the ship for the carriage of passengers or its capacity for the transport of cargo.
 - c) Significantly extends the service life of a ship.
 - d) Influences on the structural strength of the ship, on its stability - either in the intact or damaged state - or on its compartmentalisation.
 - e) Assumes a change in the type of ship or its group and/or class.
 - f) Affects the main characteristics of its propulsion machinery, or which
 - g) Alters the characteristics of the ship to such an extent that it would become subject to other provisions or requirements.
2. **Repairs:** shall mean any repair carried out on a ship or any part thereof as a result of a breakdown, accident, detected defects, malfunctions or simply as a result of regular maintenance practices, and which does not have and cannot have a significant influence on any aspect of the safety of the ship at sea, as well as on the prevention of pollution of the marine environment (they are normally unplanned and are carried out due to unforeseen circumstances).
 3. **Maintenance:** any repairs, not included in the previous points, scheduled actions that are part of the normal work cycle, painting work carried out by the crew and clean-up above the waterline due to contamination.



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4. **Shipbreaking operations:** Dismantling operations of ships, maritime installations and unserviceable material carried out in port waters require prior authorisation from the Harbour Master's Office. Subsequently, the Director-General of the Port Authority will grant the definitive authorisation, setting the conditions and determining the place where such operations may be carried out.

Crew member: a person who is part of the crew and has assigned duties on board, both at sea and in harbour.

Worker: a person who carries out maintenance or repair work and who is not a member of the ship's crew.

OCAE: Office for the Coordination of Business Activities of the APBA.

PCS: Port Community System (PCS), the APBA's IT platform that provides a series of services to the port community for the management of operations and services.

Dangerous goods: Any wrapped, packaged or bulk material, product or substance having the properties listed for substances of the classes listed in the IMDG Code, as well as any other substance which may pose a threat to security in or near the port area.

Tank operations:

Gas-Free Tanks/Compartments: A tank or compartment is in a "Gas Free" condition when the oxygen concentration is equal to 21% of the volume of the space, and the concentration of hydrocarbon gases is less than 1% of the minimum flammable level for toxic, flammable and inert gases.

Inerting: means filling the cargo tank and associated piping systems and, depending on the product, also the spaces around the cargo tanks, with a gas or vapour that does not support combustion or react with the cargo, and maintaining these conditions.

Tanker: means a ship constructed or adapted for the cargo of oil or oil products, the carriage in bulk of any liquid product listed in Chapter 17 of the International Chemical Code, the carriage of liquefied gases or other products listed in Chapter 19 of the International Gas Carrier Code.

Flammable Atmosphere: an atmosphere in which combustion or burning can occur.

Toxic atmosphere: an atmosphere in which there are substances or mixtures of substances that can be harmful to humans.



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Authorised competent engineer: person or company having the necessary training, qualifications and accreditation to carry out the required inspections, surveys and certifications during ship repair work. This engineer/technician or company must obtain the corresponding authorisation to carry out the activity, in accordance with the provisions of clauses XIII (permanent authorisation) and XIV (specific authorisation).



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5.- Types of authorisations

Natural or legal persons, whether of Spanish nationality, of other European Union countries or of third countries (subject to proof of reciprocity, unless the European Union's commitments with the World Trade Organisation do not require it), may obtain authorisation to provide the afloat ship repair service. To this end, they must have full capacity to act and must not be subject to any incompatibility cause.

Authorisations to carry out work subject to these specifications are classified into two types:

Permanent authorisation: Granted for a maximum period of five (5) years and is awarded to companies that regularly carry out ship repair work within the service area of the APBA. Regularity is determined according to several criteria, such as the geographical location in the port area, the annual number of repairs carried out, or any other factor that the APBA considers relevant for its granting. Obtaining this authorisation implies inclusion in the register of ship repair companies.

Specific authorisation: This is granted on a specific basis to a non-listed company for a specific ship repair activity. A maximum of up to 3 one-off authorisations per company per year.

In turn, these authorisations may be for ship repair activity or for the performance of underwater work, both of which are independent.

6.- Permitted activities

In general, the commercial afloat ship repair service includes the following activities:

- Ship repair
- Underwater work

The work may be carried out while the ship is berthed or at anchor, provided that it is compatible with the uses and operational functioning of the port.

SHIP REPAIR

1. For hot work to be carried out on tankers in any loading situation in the port service area, prior authorisation will be required from the Harbour Master's Office, through the channels determined by this Administration and in the time and manner determined by it.
2. The remaining ships will follow their own safety management system (SMS).
3. The companies carrying out the work shall be liable for all damages that may be caused to persons or things as a result of performing such works.
4. Ships undergoing repairs or berthed surveys that involve taking their propulsion or auxiliary



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manoeuvring equipment out of service, shall have bow/stern towing lines set at two metres above the water and notify Algeciras Traffic of any incident. If they are carried out at anchorage, a stand-by tug must be nominated. No repair work that involves taking the propulsion equipment out of service may be carried out at anchorage if the weather conditions exceed force 5 on the Beaufort scale or Algeciras Traffic notifies of adverse conditions. In any case, they must be authorised by the APBA.

5. The carrying out of work that requires the occupation of the quay surface must have the prior authorisation of the APBA Land Operations Area, which will designate the areas and conditions in which it will be carried out.
6. The aforementioned authorisations from the Port Authority shall not be required when the repairs are carried out in shipyards, dry docks or other specific ship repair facilities whose safety studies and emergency plans provide for situations arising from the aforementioned repairs.
7. Those who carry out naval repairs to ships will be obliged to comply with current regulations on the Prevention of Occupational Risks, guaranteeing that the necessary measures have been adopted for the planned work to guarantee adequate health and safety conditions for the personnel involved, having the appropriate means to minimise the risks and, where appropriate, the consequences of any accidents that may occur, the Port Authority not being responsible for any damage that may occur. Likewise, it must control the correct coordination of the tasks foreseen in the development of its activity, having adopted the necessary measures, in accordance with the provisions of R.D. 171/2004 on the Coordination of Business Activities.
8. No ship repair work involving a source of ignition or heat shall be carried out during the transfer of fuel or bunkering.
9. When certain repair work may affect port operations or involve particular risk or danger, the Port Authority may refuse or set conditions for carrying out such work.
10. Repairs to vessels afloat may only be carried out by companies that have the appropriate permanent authorisation to carry out the commercial activity provided for in CLAUSE XIII and are registered in the corresponding census. Such work may also be carried out by companies with the specific authorisation provided for in Clause XIV.

UNDERWATER WORKS

To carry out underwater activities, underwater hull inspections, or any other underwater work in the service area of the port, it is necessary to obtain prior authorisation from the Port Authority for any work of this type. Interested parties must present the corresponding authorisations issued by the competent administrations.



The following mandatory points are established:

1. Those who carry out professional underwater activities shall be obliged to comply with the current regulations on Occupational Risk Prevention, guaranteeing that, for the planned work, the necessary measures have been adopted to guarantee adequate health and safety conditions for the participating personnel, having the appropriate means to minimise the risks and, where appropriate, the consequences of any accidents that may occur. Likewise, it must control the correct coordination of the planned tasks when carrying out its activity, having adopted the necessary measures in accordance with the provisions of R.D. 171/2004 on the Coordination of Business Activities.
2. It is compulsory to be included in the APBA census of companies dedicated to the repair of ships afloat.
3. Companies carrying out underwater work shall be liable for all damages that may be caused by the performance of such work, and the Port Authority shall not be responsible for the performance of the activity or the results that may derive from it. To this end, prior to their inclusion in the census of companies, they shall submit their corresponding Occupational Risk Prevention Plan to the OCAE.
4. Ships and vessels engaged in underwater work shall display the markings and signals required by the International Code of Signals while engaged in such activities.
5. Work shall not commence, in the event that risks likely to affect concurrent undertakings are generated, until the control measures to be adopted have been defined.
6. For the performance of underwater work during the provisioning and/or supplying/bunkering of the ship by shore-based vessels, the coordination and management of these activities shall be carried out through the Port Community System (PCS). This system provides a secure platform for accurate user identification and efficient document management. The process will include:
 - a) The presentation of a declaration, signed by an authorised representative of the company, which assumes compliance with the obligations regarding the prevention of occupational risks and coordination of business activities for concurrent operations. This declaration will ensure the accountability and compliance of all parties involved.
 - b) The appointment of a preventive resource as a means of coordination that must be present during the course of the work. This appointment shall be recorded in the PCS by the shipping company or, in its absence, by each of the participating companies for both underwater work and barge deliveries. The PCS will facilitate the verification and monitoring of the assigned preventive resource, ensuring effective safety management and coordination.
7. On the jetties of the passenger terminal, given the high intensity of maritime traffic, underwater work is not permitted. These activities must be carried out at an alternative berth to be assigned



by the APBA depending on berth line availability.

However, in special cases requiring immediate action for reasons of urgency or safety, underwater work on jetties shall be exceptionally permissible, taking all necessary measures to ensure safety and minimise disruption to maritime traffic.

8. All professional underwater work shall require the presence of a team leader for the supervision and control of the diving operation who shall be identified as a preventive resource and have sufficient means of communication to meet the needs of coordination. In addition to their own missions, the team leader of the diving company shall pay particular attention to the coordination of movements in the dock or nearby waters, as well as the prediction and situation (propellers, intakes on/off, etc.) of the vessels adjacent to the one being worked on, being obliged to suspend the work in advance in the event of any situation where maritime traffic is approaching the vicinity to avoid any risk to the divers, being directly responsible, due to non-compliance with this instruction, for any situation of risk or damage to people or to the normal port operation that may occur.
9. These specifications do not regulate access to underwater works carried out on the water surface in concessions, works, shipyards, dry docks or other specific ship repair facilities, without prejudice to compliance with the applicable legislation, whose safety studies and emergency plans must contemplate situations derived from the aforementioned activities.
10. In order to carry out their activities, companies must:
 - Have annual authorisation from the the Harbour Master's Office to carry out hull cleaning.
 - Obtain prior authorisation for cleaning of topsides, following contamination, by the Harbour Master's Office.
 - Submit documentation after underwater work, no prior authorisation from the Harbour Master's Office is required.

CLAUSE III. OBLIGATIONS AND LIABILITY OF THE AUTHORISATION HOLDER

The authorisation does not exempt the applicant from complying with the requirements and obtaining the permits, authorisations and licences that are legally required by the competent Public Administrations or Bodies. This is granted on a personal and non-transferable basis "*inter vivos*" subject to the provisions of the TRLPEMM (Consolidated Text of the Law of State Ports and Merchant Navy).

The holder of the authorisation shall carry out the activity at his own risk and expense, strictly subject to the provisions of these specifications. The authorisation can be modified in order to adapt it to any type of recommendation or guide of conditions that may be approved by the Puertos del Estado (Spanish State Ports Authority).

The holder of the authorisation shall be liable for any damage or harm caused by him or by his personnel,



to persons or things belonging to the Port Authority or to third parties, due to his own actions or omissions.

With regard to the Coordination of Business Activities, the following shall be complied with:

- The holder of the authorisation will be obliged to comply with the provisions in force regarding Occupational Risk Prevention and Coordination of Business Activities, as well as with the "PLAN FOR THE COORDINATION OF BUSINESS ACTIVITIES OF THE PORT AUTHORITY OF THE BAY OF ALGECIRAS WITH CONCESSIONS AND AUTHORISATIONS IN THE PORT OF ALGECIRAS", and the documentation established in **Annex OCAE** "COMMUNICATION OF WORK TO BE CARRIED OUT BY AGENTS OR AUTHORISED COMPANIES IN COMMON AREAS OF THE PORT FACILITIES" and the Annex "COMMUNICATION OF WORK TO BE CARRIED OUT BY COMPANIES IN COMMON AREAS OF THE PORT FACILITIES" must be formalised.
- The holder of the authorisation shall be obliged to pass on to his personnel the information and instructions received by the Port Authority, in relation to the general risks of the port area and the corresponding protection and prevention measures, as well as the emergency measures to be applied and those being considered during the preparation of the assessment and planning of the preventive activity.
- The holder of the authorisation shall be obliged to appoint a safety interlocutor, in order to regulate the actions to be carried out with regard to the coordination of business activities from a preventive point of view.
- The interlocutor appointed by the company providing the service must immediately inform APC of any accident occurring during the performance of the activity that is covered by the service, even when no personal and/or material damage is caused, as well as any emergency situation that could affect the health or safety of the workers of the concurrent companies. A detailed report will then be drawn up for the APBA, reflecting the causes of the accident and the preventive measures implemented, as well as any risk situations that may be detected during the course of its activity that have not been detected previously.
- In the case of subcontracting to an external company, prior to the start of the work, the company providing the service must document compliance with all the requirements regarding Occupational Risk Prevention.

When any activity is carried out without due authorisation, or when the conditions established therein are not complied with, the Port Authority staff may require the person responsible for the activity to cease the activity and remove the objects, vehicles, vessels or devices used in the activity. In the event that this requirement is not complied with immediately, the Port Authority will initiate the appropriate disciplinary proceedings, and may order the removal of these items to another location, assuming the associated costs and risks on behalf of the owner. For the recovery of the removed items, the costs of removal and the charges incurred must be paid in advance.



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2. ACTIVITY PLANNING

CLAUSE IV. GENERAL INFORMATION

Any ship intending to carry out ship repair shall, through its shipping agent, provide all relevant information relating to the work to be carried out, for assessment and authorisation, if appropriate.

The formal application must be submitted through the IT platform specifically designed for this purpose in the PCS. Specifically:

- The category and subcategory of the works should be selected precisely, trying to match this selection to the maximum detail.
- Support facilities (vehicles, cranes, machinery, etc.) must be included in the application; it is not sufficient to include them in the corresponding Projected Risks (PR) document.
- The description of the work to be carried out must be clear and written in English.
- Work shall be planned taking into account and in accordance with the duration of the associated stopover as a primary factor. In the case of regular ferries, multi-scale development of these operations shall be allowed.
- As a general rule, extensions of stay shall not exceed one week in relation to the originally scheduled date.
- When repairs require access to the port area of extraordinary material, such as large parts or consumable goods (paints, cleaning products, lubricants, etc.), the request for entry to the port area must be made through the computer platform designed for this purpose (currently in use in the APBA, the TELEPORT platform in the Provisioning / Bunkering).

CLAUSE V. BASIC RULES AND RESTRICTIONS

Duration of stays and special authorisations:

As a general rule, stays of more than ten (10) days shall not be authorised. For longer periods, express authorisation from the APBA is required after an evaluative study.

Ships which, because of their particular physical or operational characteristics, require special considerations, must obtain specific authorisation from the Port Authority. Such authorisation shall be granted after an assessment that will include a review of aspects such as mooring or anchoring arrangements, fenders and stresses exerted by and on the ship, as well as other relevant factors.

In the particular case of Endesa Ports, it will be Endesa Ports that will determine the maximum vessel size allowed.

If shore occupation is required for storage of materials or repair of parts of the ship, the agent must specify the area required in square metres. The Authority The Port will authorise, where appropriate,



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the use of the space in accordance with the operational criteria in force and will establish the necessary security measures.

Manoeuvring criteria and maritime safety:

The Harbour Master shall establish the safety criteria for manoeuvres, including the berthing of vessels in exceptional or special conditions.

Specific regulations for the passenger terminal:

Repairs and maintenance work shall not be authorised at the passenger terminal unless carried out entirely during the time authorised for loading and/or unloading operations. If more time is required to complete these tasks, a change of berth must be requested from the Port Authority.

Certifications and authorisations for repairs:

The required certifications must be submitted to the Harbour Master's Office before repairs begin and, in certain cases, before the ship enters the port. The precise timing will be defined after the ship repair request has been analysed.

Use of private docks for repairs:

The Port Authority may designate private berths for repairs, provided that the owners agree.

CLAUSE VI. PROCEDURE FOR REPORTING REPAIRS. REQUEST

Where a ship intends to carry out ship repair work, its agent must, prior to commencing such work:

- Inform the APBA, providing the necessary information, in order to carry out a preliminary feasibility assessment.
- To the Harbour Master's Office, by means of the procedure and form validated by the Maritime Administration.

Once a port call request number has been assigned, the ship's agent must make the corresponding request on the PCS repair platform to initiate the formal authorisation process.

In the case of requests for extension of stay, a request should be forwarded sufficiently in advance to allow for a proper assessment for its authorisation. During this assessment period, no activities or work shall be carried out that could affect the ship's ability to leave the berth it currently occupies, in the event that the extension application is rejected.

Acceptance or authorisation of the ship's call does not imply approval of the declared work. These will be explicitly authorised through the PCS repair platform.



CLAUSE VII. CONSIDERATIONS ON REPAIRS TO SHIPS AT ANCHOR

1. APC will indicate, through the SIIGB, the anchorage positions of vessels requesting to carry out afloat ship repairs in accordance with the "Rules for the use of anchorages by vessels" and the Port Authority's anchorage management procedures.
2. Any ship planning to anchor in the Port of Algeciras Bay, or which, during its stay in its anchorages, finds its main engine(s) out of operational and efficient conditions, must obtain express authorisation from both the Port Authority and the Harbour Master's Office. If weather conditions exceed force 5 on the Beaufort scale, or Algeciras Traffic notifies adverse conditions, repairs cannot be carried out at anchorage. In the event of an emergency or unscheduled work and force 5 is not exceeded, it shall have a tug alongside.
3. Ships shall be considered gas-free or inerted when certified by an authorised competent engineer.
4. Unloaded tankers may carry out mechanical cold work. They may also carry out hot work provided that they are gas-free or inert and have the relevant certificate issued by a competent technician.
5. Loaded tankers or tankers with cargo remaining are not authorised to carry out hot work. They shall be able to carry out mechanical cold work. For hot work, express authorisation from the Harbour Master's Office is required.
6. Other ships may carry out hot work provided that they are gas-free or inerted and have, where appropriate, the relevant certificate issued by an authorised competent engineer.
7. Ships may carry out grid cleaning and/or propeller polishing work under the conditions laid down for underwater work.
8. Hull-cleaning work above the waterline, if authorised following the assessment of possible environmental damage, will be subject to the special conditions of the Harbour Master's Office and APBA.
9. It is expressly forbidden to clean ropes, hawsers or tools.
10. It is expressly forbidden to carry out any repairs from suspended scaffolding without the prior binding report of the Harbour Master's Office and the authorisation of the APBA.



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CLAUSE VIII. CONSIDERATIONS ON REPAIRS TO SHIPS BERTHED

1. The performance of hot work on loaded tankers, with cargo remaining or discharged by the Harbour Master's Office will be assessed after sending information. The handling of flammable products will not be authorised in the inner dock nor on the jetties.
2. For all other vessels, mechanical and hot ship repair work may be authorised on all quays in the Port of Algeciras Bay.
3. Hot work may be carried out provided that the ships are "gas-free" from flammable and toxic gases and that they have, where appropriate, the relevant certificate issued by a competent engineer.
4. Ships berthed may carry out grid cleaning and/or propeller polishing work under the conditions laid down for underwater work.
5. Hull-cleaning work above the waterline, if authorised following the assessment of possible environmental damage, will be subject to the special conditions of the Harbour Master's Office and APBA.
6. Testing of machinery on moorings is not authorised on any of the docks or service or private installations in the port of Algeciras Bay. Test firings shall be specifically authorised by the Port Authority on appropriate bollards.
7. The safety conditions of the land area necessary for the ship repair work will be determined by the Port Authority, and must, in any case, be delimited and signposted before the ship is berthed, and at no time will access to the delimited area be allowed to persons or vehicles not involved in the ship's stay in port, and the expenses inherent to this situation will be the responsibility of the ship's agent.
8. It is expressly forbidden to clean ropes, hawsers or tools.

CLAUSE IX. OBLIGATION TO PROTECT THE ENVIRONMENT

In accordance with Article 62 of the TRLPMM, Prevention and the fight against pollution in the public port domain: *"Discharges or emissions of pollutants, whether solid, liquid or gaseous, into the public port domain from ships or any other type of floating equipment are prohibited."*

In addition, the provisions of the "ENVIRONMENTAL ANNEX" to these specifications shall be complied with.



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3. PHASE OF OPERATION

CLAUSE X. NOTICE OF COMMENCEMENT OF WORK

Prior to the actual commencement of ship repair work, the vessel shall inform via VHF, in accordance with the APBA communications procedure, of its intention to commence such work. These works may not commence until APBA's authorisation is received by the same means through APC.

For its part, the agent must communicate through the PCS, or such alternative means as may be determined by the APBA, the date and time of commencement of the works.

CLAUSE XI. DEVELOPMENT OF SHIP REPAIRS

Experience gained in situations with adverse weather conditions has demonstrated the need to reinforce safety measures. In situations where these conditions may represent a risk to the ship, third parties or port facilities, the ship must immediately inform APC via VHF, in particular, the General Vessel Traffic Information and Instruction Service (hereinafter SIIGB) and the CCS-Algeciras "Algeciras Traffic". In addition, the master of the ship shall take all necessary measures to minimise and prevent any potential damage.

In addition to continuous monitoring of the emergency channels, vessels undergoing repairs, whether at anchor or at berth, shall keep a permanent watch on the channels established in the APBA VHF communications procedure. They shall immediately report as required any incident they may experience, with particular attention to any loss of propulsion in their main engines, and report as soon as such propulsion is recovered.

The authorised company that is carrying out the repair work on the vessel must notify the Port Authority of any accident or incident that occurs during the repair work, through the Emergency Control Centre (Tel: 956 633 640 / 956 585 436).

The Port Authority or the Harbour Master may at its discretion request updates on the status of ship repair activities at any time. This implies that ships engaged in this activity must be prepared to provide detailed and accurate reports on progress and any relevant incidents occurring during their stay in port. This measure ensures not only compliance with established procedures and regulations, but also contributes to the overall safety and efficiency of port operations.



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4. CLOSING ACTIVITY.

CLAUSE XII. PROCEDURE FOR THE COMPLETION OF THE WORK

Upon completion of the work, the vessel shall notify APC of its completion by VHF, following the communications protocol in force.

In parallel, the ship or vessel's agent shall report this situation through the platform enabled in the PCS and/or any other method or system specifically designated for this purpose by the APBA or the Harbour Master's Office. This communication should include the outcome of the ship repairs, whether satisfactory or not.

A time limit of **THREE (3) months** from the completion of the works is established for the agent to submit copies of the invoices related to the ship repair to the APBA.

5. ADMINISTRATIVE ASPECTS

CLAUSE XIII. INCLUSION IN THE CENSUS OF COMPANIES. PERMANENT AUTHORISATIONS.

In order to be included in the census of the activity and to obtain **permanent authorisation**, an application signed by the interested party, in the case of a natural person, or by a person with sufficient powers of attorney, in the case of a legal person, must be submitted, accompanied by the following documents:

- Proof of legal status of the applicant, or, where applicable, of the participants in the community or entity without legal personality.
- Proof of being up to date with tax and Social Security obligations, imposed by the provisions in force.
- Description of the activity to be carried out and, where appropriate, the timeframe.
- Economic and financial information on the activity to be carried out.
- Copy of the deed of incorporation of the company and the company's VAT number. As well as the power of attorney of the signatory of the application, if applicable.
- Registration and receipt of the last payment of the Economic Activities Tax (I.A.E.), if not exempt.
- Address of the company in the province of Cadiz, telephone number and e-mail address.
- Commitment to notify the Port Authority of any modification that affects the previous sections and occurs after the authorisation to carry out the activity.
- Proof of having lodged the deposit or guarantee specified in CLAUSE XVII and having taken out the insurance policy/s referred to in these specifications.



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- Declaration of having the remaining permits, authorisations and licences legally required to carry out the activity.
- Designation of a representative of the applicant, with sufficient powers, in the opinion of the Port Authority, and with an address in the province corresponding to the geographical area of the Port Authority of the Bay of Algeciras, for the purposes of regular communication with this entity.
- Express declaration of knowledge and acceptance of the Articles of these particular conditions.
- Number of staff on the payroll.
- Name of the person appointed for Occupational Risk Prevention (Law 31/1995, art. 30) and/or modality of the organisation of resources for preventive activities.
- The name and characteristics of the vessels belonging to the undertaking and engaged in assisting in ship repairs, stating the maximum number of passengers authorised to be carried.
- Company-owned vehicles dedicated to supporting repairs.
- Ship repairs to be carried out shall be reported in accordance with the PROCEDURE FOR REPORTING REPAIRS, CLAUSE VI.

CLAUSE XIV. SPECIFIC ACTIVITIES

In order to carry out the activity and obtain the **Specific Authorisation** , a formal application must be made to the Port Authority, which will contain the following:

- The ship's agent requiring ship repair work must submit the request in sufficient time to allow for a proper assessment prior to the commencement of such work.
- The application shall contain all the identification data concerning the repair company, as well as a report of the repair to be carried out with a detailed indication of the budget, the mechanism of action and the deadline for carrying out the repair work.
- The company carrying out the ship repair work must comply with all the conditions of the authorisation issued to the ship's agent as well as those set out in this specification.
- Declaration by the repair company that it is aware of and accepts the provisions of these Particular Conditions.
- Proof of having lodged the deposit or guarantee specified in Clause XVI.
- The repair company must be certified to have taken out the insurance policy(ies) referred to in these specifications.
- Declaration by the repairer, or the agent, that it has at its disposal



the remaining permits, authorisations and licences legally required for the exercise of the activity and to be aware of the contents of this document.

- Name of the person appointed for Occupational Risk Prevention (Law 31/1995, art. 30) and/or modality of the organisation of resources for preventive activities.
- In general, any type of documentation which, in the APBA's opinion, is necessary to grant this type of specific authorisation, and which is required by this body.

CLAUSE XV. DECISION ON APPLICATIONS FOR AUTHORISATION AND REGISTRATION

Subject to a report from the Port Authority's Director General and a hearing with the interested party, where appropriate, the Board of Directors of the Port Authority is responsible for granting, on a regulated basis, permanent authorisations with a term of more than one year, with the President responsible for those that do not exceed this term. Authorisations of a one-off nature shall be granted by the Director-General.

Petitions may be refused on the grounds of:

- Failure to comply with these specifications.
- The applicant is a debtor of the Port Authority.
- Failure to provide adequate or sufficient guarantees in relation to the intended activity, including its performance in a manner compatible with port uses and the safe operational functioning of the port and those uses necessary to cover its potential environmental risks.
- For reasons of general interest of the port operation, duly justified.

CLAUSE XVI. PERIOD

Authorisations of a permanent nature shall be granted for a maximum period of five (5) years. When the development of the service requires the occupation of port public domain assets, a single file will be processed, granting a single administrative title in which the activity and the occupation of the port public domain will be authorised for the same period ([Art. 139.3 of the TRLPEMM](#)).

The Specific Authorisations shall be granted for the period of time set forth in the application, without prejudice to the possibility of extension at the request of the interested party.

CLAUSE XVII. GUARANTEES

In order to guarantee, before the APBA, compliance with the obligations arising from the exercise of the activity regulated in these specifications, the penalties that may be imposed and the damages and losses that may arise, the holder of the authorisation must provide, before starting its activity, the following guarantees:



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- a) **For the Permanent Authorisation:** a deposit in favour of the President of the APBA, in cash, surety insurance, or unconditional bank guarantee, valid until three years after the expiry of the authorisation, and on first demand, with express waiver of the benefits of exclusion, division and order and in accordance with the model to be approved for this purpose, for an amount equal to one percent (1%) of the net turnover or, failing this, of the turnover estimated by the holder of the authorisation for the first year of the activity. Both on an annual basis and referring to the activity carried out under the authorisation. The amount of the deposit may in no case be less than TWO THOUSAND Euros (€2,000).
- b) The holder of the permanent authorisation will be obliged to present, before 31 January of each financial year, at the General Registry of the APBA or by telematic means established, a declaration of the net turnover or, failing that, of the turnover generated by the activity in the previous calendar year. In the event that one percent (1%) of the actual turnover is higher than the estimate declared with the application, the APBA may require the holder of the authorisation to revise the amount of the guarantee provided.
- c) **For the Specific Authorisation:** A deposit in favour of the President of the APBA, in cash, surety insurance, or unconditional bank guarantee, valid for three years after the expiry of the authorisation, and on first demand, with express waiver of the benefits of exclusion, division and order, and in accordance with the model to be approved for this purpose, for an amount equal to one percent (1%) of the amount to be invoiced for the specific operation in question.
- d) The guarantees of the permanent authorisations will be returned at the request of a party, once the authorisation has expired and once the payment of the pending obligations with the APBA has been satisfied, provided that the total or partial loss of the guarantee is not due to responsibilities or penalties incurred by the holder of the authorisation.

CLAUSE XVIII. PROVISION OF THE SECURITY BY THE PORT AUTHORITY

Failure by the authorisation holder to comply with the financial obligations shall result in the immediate forfeiture or disposal of the security lodged.

When, by application of the provisions of the previous paragraph, the Port Authority has to dispose of the security, in whole or in part, the holder of the authorisation will be obliged to replace or complete it within one month of the act of disposal. If the interested party fails to return or complete the deposit within the aforementioned period, it shall be understood that he/she renounces the authorisation, without prejudice to the actions that may be taken in the event that he/she becomes in default.

CLAUSE XIX. INSURANCE

The holder of the authorisation, in order to cover possible damage caused by fire to the port facilities and/or those of other users of the same in the area of influence of the activity carried out, as well as to respond for damages caused to third parties by his own actions or omissions and, in particular, those caused to the port facilities or infrastructures, shall be obliged to take out insurance for damage to



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third parties and civil liability, with a minimum cover of SIX HUNDRED THOUSAND EUROS (€ 600.000) and a scope that also covers work carried out on vessels at anchor or under way, the liability of the holder not being limited to this amount.

However, considering the inherent difficulty in establishing a precise estimate of the necessary coverage, especially in the environmental field, it is understood that the authorised party has expressly accepted, by submitting its application and being informed of these specifications, that in the future it may be necessary to extend the aforementioned insurance coverage as a result of risk studies and damage assessment carried out at a later date, experience acquired or the applicable regulations in force. In such a case, the applicant must adjust his insurance cover within a maximum period of one month from the notification, if any, expressly made by the Port Authority.

CLAUSE XX. FEES AND EXPENSES

The holder of the authorisation shall pay the Port Authority of the Bay of Algeciras the corresponding fees in accordance with the provisions of the applicable regulations.

The activity fee (TA) will be in accordance with the provisions of art. 161 of the

TRLPEMM. For this concept, the authorised person shall pay the following amount:

- The full amount of the charge will be the result of applying a tax rate of 2.5% on the taxable base fixed according to the volume of business carried out in the port. In order to determine this turnover, the final turnover (including the amount of the auxiliary machinery used which is subcontracted: cranes, compressors, etc.) of the work carried out in the port under the authorisation will be taken into account.
- For access to and stay in the berth or anchorage in the waters of the port service area for ships or floating craft, the ship's tax will be payable, according to Article 193 and following of the TRLPEMM, as well as the tax for navigational aids.

Likewise, the vessels used, where applicable, to carry out the authorised activity shall be subject to the payment of the vessel tax corresponding to the traffic they carry out and the occupation tax, where applicable.

CLAUSE XXI. TERMINATION OF THE AUTHORISATION

The following are causes for termination of the authorisation to carry out ship repairs on ships afloat:

- a) The expiry of the period for which the authorisation is granted.
- b) Unilateral revocation by the Port Authority because the authorisation is incompatible with works or plans approved after the authorisation was granted, because it hinders port operations or because it prevents the use of port space for activities of public interest.



- c) Mutual agreement between the Port Authority and the holder of the authorisation.
- d) The unilateral renunciation of the holder of the authorisation, provided that it does not contravene the public interest or public order, or harm third parties, and the Port Authority must be duly notified and its approval obtained.
- e) The death of the successful bidder, if he is a natural person and there is no request from his successors within thirty days of the death to continue the activity.
- f) The arrangement with creditors, liquidation or extinction of the legal personality if the holder is a legal person.
- g) Cancellation due to non-compliance, declared by the Port Authority, following the processing of the appropriate proceedings. In any case, the causes of expiry shall be those defined in Article 98 of the TRLPEMM, as well as non-compliance with the conditions established in these specifications and in the authorisation title.

Termination of the authorisation for any of the above reasons shall not entitle the holder to any compensation.

The procedure for the termination of the authorisation shall be initiated by resolution of the Director General of the Port Authority, except in cases of resignation. The procedure will be processed with the guarantees established for this purpose by Law 39/2015, of 1 October, on the Common Administrative Procedure of Public Administrations. The Board of Directors of the Port Authority of the Bay of Algeciras is responsible for deciding on the termination of the authorisation, unless the authorisation has been granted by the President, in which case the decision will rest with the President. The decision of the Board of Directors or the President shall be final and may be appealed against by means of an appeal for reconsideration or an administrative appeal.

CLAUSE XXII. SANCTIONING REGIME

With regard to infringements and penalties in the activity of afloat ship repairs, the provisions of Title IV, Penalties Regime, of the TRLPEMM shall apply. In particular, Article 306(2)(a) shall apply for minor infringements, Article 307(5) for serious infringements, and Article 308(5) for very serious infringements.

Penalties shall be governed by the provisions of Chapter II of the TRLPEMM, specifically Articles 312 and 313. In addition, the coercive fines described in Article 204 of the TRLPEMM, which arise from unauthorised prolonged stays of vessels, could be applied.

As regards the imposition of sanctions, appeals and precautionary suspensions of possible sanctions, the rules of the common administrative procedure shall be followed. These sanctions are subject to appeal before the competent administrative jurisdiction.



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CLAUSE XXII. SERVICE AND POLICE REGULATIONS, PORT ORDINANCES AND PORT AUTHORITY INSTRUCTIONS

The holder of the authorisation will be subject to the Service and Police Regulations in force at any given time, to the Port Ordinances and Rules approved in its development, the VHF communications procedure in force, as well as to the instructions issued by the Director General of the Port Authority in relation to the exercise of this activity.

CLAUSE XXIII. COMPLAINTS AND APPEALS

Any possible appeals on the application or interpretation of these Specifications will be resolved by the Board of Directors of the Port Authority, or by whomsoever it may delegate, and whose resolutions put an end to administrative proceedings, except those relating to port taxes, which may be appealed in economic-administrative proceedings.

CLAUSE XXIV. PROVISIONS TO BE COMPLIED WITH

In all matters not provided for in these conditions, the general regulations on the matter shall be applicable and, in particular, Royal Legislative Decree 2/2011, of 5 September, of the Consolidated Text of the Law on State Ports and the Merchant Navy and the rest of the applicable regulations in force.

CLAUSE XXV. OBLIGATION TO DEAL ELECTRONICALLY WITH THE ADMINISTRATION

Pursuant to Article 14.3 of Law 39/2015, of 1 October, on the Common Administrative Procedure of Public Administrations, all legal persons requesting authorisation for the provision of commercial ship repair services in the APBA service area must interact electronically with the APBA. This includes submitting the application, responding to requests, sending written submissions or communications, and receiving notifications. This obligation applies throughout the authorisation process, for its duration, and in procedures related to its termination.

CLAUSE XXVI. DATA PROTECTION

The processing of personal data is essential for the proper handling and processing of the request for authorisation. Failure to provide the necessary information will result in the inability to proceed with the processing of such authorisation.

In accordance with the regulations in force, the APBA is obliged to communicate the personal data obtained in the procedure for granting the authorisation to bodies and third parties that legally require it.

Furthermore, it is the responsibility of the data subjects to ensure that the information provided is accurate and up to date. In the event of relevant changes in the data provided, such as changes in contact, legal status or representation, it is essential that these are communicated immediately to the APBA. Timely updates are essential for the maintenance of effective communication and for the proper



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fulfilment of the relevant administrative and legal processes. The APBA shall make the necessary amendments to its records upon receipt of such notification.

With regard to the personal data of third parties, the person providing the data must first obtain the informed consent of the individual concerned, in compliance with the provisions of the Organic Law on the Protection of Personal Data and Guarantee of Digital Rights (LOPDGDD) and the General Data Protection Regulation (GDPR).

Where personal data of third parties are included, it is the responsibility of the data subject to inform these persons of the details of this clause and to obtain their explicit consent prior to their communication. The task of ensuring that such consent is obtained, as well as the accuracy of the data provided, rests entirely with the data subject. This process is essential to ensure compliance with data protection regulations and respect for the privacy of individuals.

In accordance with Articles 13 to 18 of the Organic Law 3/2018 on Personal Data Protection and guarantee of digital rights and Articles 15 to 22 of the EU Regulation 2016/679, personal data subjects have the right to access, rectify, delete, limit the processing, portability and opposition of their data. These rights may be exercised by means of a communication addressed to the APBA data protection delegate, located at Av. de la Hispanidad number 2, Algeciras.

In case of dissatisfaction or non-compliance with the exercise of the above rights, data subjects may lodge a complaint with the competent data protection authority.

CLAUSE XXVII. TRANSITIONAL PROVISION

Natural or legal persons who are carrying out the activity referred to in these specifications, when they enter into force, must adapt to the provisions established herein, within six months of their notification by the Port Authority. For this purpose, details of the requirements to be amended shall be provided to the APBA.

If the adaptation has not taken place within the aforementioned period, the Port Authority will proceed to unilaterally revoke the authorisation for the development of those activities in the port area without the right to compensation.



6. ANNEXES

SUSTAINABILITY DEPT.

ENVIRONMENTAL ANNEX

Obligations to protect the environment and contribute to sustainability.

The authorised companies must comply with the applicable environmental regulations and the specific environmental standards that, where appropriate, are established in the Operation and Police Regulations, in the Port Ordinances and in the instructions that may be issued by the Port Authority, as well as in the environmental management systems that may be approved by the Port Authority, in accordance with the objectives and indicators of environmental sustainability and the recommendations contained in the "Guide to Good Environmental Practices of the Ports of Algeciras Bay and Tarifa", which is published at the following link:

<https://www.apba.es/uploads/files/medio-ambiente/guia-buenas-practicas-ambientales-APBA.pdf>

The authorised undertakings shall be responsible for taking the necessary measures to prevent and mitigate the environmental effects resulting from the activity. In particular, the following environmental conditions are established:

1. Spillages:

-Based on article 62 of the TRLP of the State and Merchant Navy, polluting discharges or emissions, whether solid, liquid or gaseous, are prohibited in the public port domain, from ships or floating means of any kind.

-Wastewater and rainwater whose characteristics do not comply with the regulations shall be subjected to the necessary treatment. Dilution of the latter for this purpose is expressly prohibited.

-In work involving hazardous substances, barriers and absorbent material shall be provided in the vicinity of the work area. If necessary, the barrier shall remain deployed throughout the operation.

-Particular attention shall be paid to the establishment of measures against the risk of ballast water or sewage leaking from the ship.

-Spray painting and external blasting of ships afloat, as well as stripping and/or scraping of the ship's hull sides, are prohibited due to the high risk of accidental spillage.

-In application of Regulation (EC) No 782/2003 of the European Parliament, the application of antifouling paints based on organotin compounds (TBT) on the hull or on any external part or surface is prohibited.



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-Flushing/hosing down into the sea is prohibited, either from the quay/jetty or from the ship.

-In unfavourable weather conditions the APBA may establish special measures or postpone certain operations if there is a high risk of accidental spillages.

-General cleaning permits will not be granted in the APBA service area. The APBA will be able to study, if necessary, requests for specific and ad-hoc authorisations for cleaning below the waterline, which must be made in writing, and detailing the technology that will allow it to be carried out with the maximum guarantees of protection of the marine environment. The operations will be carried out in strict compliance with the conditions required by the Harbour Master's Office, as the competent authority in the matter and responsible for its supervision.

2. Noise:

-Outdoor machinery shall be used that complies with the established acoustic limits, with CE marking and with the regulatory inspections.

-All parts of motor vehicles liable to produce noise and vibration, and in particular the exhaust silencing device, shall be maintained in good working order.

-Compliance with regulatory noise limits shall be ensured in the development of the activity.

-No undue or unjustified practices that result in unnecessary or annoying noise shall be carried out.

-In the case of non-point operations directly affecting port users or the public, an acoustic screen or anti-noise barrier shall be installed.

-Acoustic studies requested by the competent authorities shall be carried out.

3. Ground:

-In work on the quayside or in common areas, appropriate means shall be provided to avoid environmental contingencies.

-The occupation of the quay for activities such as temporary storage or other activities must be authorised by the APBA.

-Tarpaulins or other means shall be used for the sealing of surfaces and the collection of liquid effluent or polluted rainwater.

-Drip trays and absorbent material shall be used for operations such as oil changes, fuel supply or transfer of hazardous substances (attention shall be paid to ensure that the container are closed



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when not in use).

4. Atmosphere:

-The absence of fumes and atmospheric particles in the work area shall be monitored, taking into consideration wind direction and speed, to avoid the dispersion of chemicals, dust or chips.

-Tents or other means shall be provided for work that may generate particulate emissions into the atmosphere (sanding, etc.) if required by the APBA.

-Work equipment emitting gases, vapours or dust must be fitted with suitable collection or extraction devices near the source of emission.

-Vehicles participating in dockside operations must have a valid MOT and drive at a limited speed (20 km/h).

-Work shall be carried out with the ship during a stopover whenever possible.

5. Waste:

In the event that the activity covered by this Tender generates waste whose reception is considered a port service (ship-generated waste reception service), this waste must be managed by the holder of a licence granted by the APBA for the provision of this service. Action to be taken in accordance with MARPOL 73/78(IMO).

-The waste generated will be stored in hygienic and safe conditions, segregated, packaged and labelled in the manner specified in current legislation, and delivered to authorised waste managers.

-The waste documentation and control obligations established in Law 7/2022 of 8 April on waste and contaminated soils for a circular economy will be complied with.

-The Port Authority will be provided with information on the waste that is produced and, where appropriate, it will be delivered to them, when it has special characteristics that could cause problems in transport, collection, recovery or disposal.

-The following is prohibited:

- The abandonment of waste.
- The introduction of external waste.
- Washing, cleaning, maintenance or repair of vehicles.
- The use of the Port Authority's containers, as the waste generated is the responsibility of the person concerned.



-Once operations have been completed, the area must be completely clean and free of debris.

6. Environmental emergencies:

-Fire-fighting equipment suitable for the activity shall be available and shall be maintained in accordance with the applicable regulations and, if required, the APBA shall be provided with the mandatory documentation accrediting the maintenance of this equipment.

-In order to carry out any of the operations covered by these specifications, an Accidental Pollution Contingency Plan must be submitted to the APBA, which must, following approval or rubberstamp, be disseminated among the personnel involved in the operations.

-In the event of any contingency, the operations causing the contingency must be stopped and the Emergency Control Centre must be notified.



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ANNEX REQUIREMENTS

Port security and industrial safety obligations.

Authorised companies must comply with the applicable regulations on port security, road safety and industrial safety within the port facilities, as well as the specific rules that, where appropriate, are established in these matters in the Operating and Police Regulations, in the Port Ordinances and in the instructions that may be issued by the Port Authority.

1. Follow-up of Port Police instructions

During your stay in the port, you must follow the instructions given by the Port Police. The police service may check the availability of authorisations or licences for the development of the activity, as well as other documentation required by other administrations that may be competent in each case. In turn, it may require the person responsible for the activity to cease the activity and remove the objects, vehicles, vessels or devices used in the activity, when they are not duly authorised and/or pose a serious risk to the safety of persons, property or the environment.

2. Identification of workers

The workers of the authorised company carrying out the repairs must be properly identified to carry out the work within the service area of the port.

3. Dock access

Access to the quays and traffic areas of the port is limited to duly accredited and authorised persons and vehicles of the company involved in the repair work.

4. Use of support facilities

Support facilities (cranes, machinery, vehicles, etc.) that have been declared in the application for authorisation of the repair work must stop in the port access lane provided for this purpose for verification of the authorisation by the Port Police.

5. Use of measuring equipment using radioactive sources

Authorisation by the Dangerous Goods Office is required for access to the port area for equipment using radioactive sources.

6. Industrial safety and fire-fighting equipment.

Authorised companies shall have the appropriate fire-fighting equipment for the activity to be carried out and shall carry out maintenance of this equipment in accordance with the applicable regulations.

7. Warning in case of emergency

Any accident or incident occurring during the repair work must be reported to the Port Authority, through the Emergency Control Centre (Tel: 956 633 640 / 956 585 436).



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ANNEX PROJECTED RISKS



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Statement of planned risks and protective measures for work in common areas

General Data									
Name of the company:									
Person responsible for the company that carries out the Declaration of projected risks:									
Name and surname(s):									
Tel No.:					E-mail:				
Contact available 24h during working hours									
First name and surname:						Mobile phone			
Port Precinct:									
	Algeciras		Tarifa		La Línea		Campamento		
Area / Location / Dock:									
Activity type									
	Works		Stevedoring/Unstevedoring	Ship repair (please state name):					
	Transport		Others						
Duration of work									
Planned start date:						Approx. time			
Planned completion date:						Approx. time			
Description of the works (if required, you can attach the necessary documentation and mention it here):									
<p>If the work involves the use of cranes or any other machinery that exceeds 25 m in height in the Isla Verde, Galera Sur, berth Nos. 7, 8 and 9 or in areas adjacent to the heliport, you must notify AENA in advance by telephone at 956 64 64 01 and/or e-mail ceopsaej@aena.es</p>									
Machinery and/or vehicles. Support facilities. Working tools									
Chemical products Substances used									
Definitions									
<p>Projected Risk: Risk that due to the development of the work may be projected to third parties, not involved in the activity, outside the perimeter of the activity.</p> <p>Radius of affection: Maximum reach distance of the projected risk from the perimeter of the activity.</p> <p>Preventive measures: Actions to be taken by third parties to avoid or minimise projected risks</p> <p>Control measures: Actions to be taken by the company to avoid or minimise the projected risks.</p>									

Identification of projected risks

During the activities to be carried out **no risks to the works will be generated.**

During the activities to be carried out , **risks will be generated** by the works, which are identified in the following section:



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Note: This is a hard copy of the information requested on the PCS platform,

OPERATIONS

BOAT LAUNCHING ANNEX

The agent shall inform the master of the vessel, by e-mail, that he intends to carry out the launching operation under the conditions. The captain, if he/she accepts them, will reply with another e-mail confirming that he/she has read, understands, accepts and will comply with them.

The crew member signing the declaration must always be identified by name and position. In brief, the steps are:

1. Captain asks the agent for the operation.
1. Agent responds to the captain by sending him/her instructions via e-mail. By copying to the following addresses: <mailto:comisaria@apba.es>; sm.algeciras@transportes.gob.es; mmpp.algeciras@transportes.gob.es
2. The Captain in turn replies by e-mail, copying the above e-mail addresses that: "he/she *has read, understands, accepts and will comply with the instructions*".
3. Once the Captain's reply has been received, authorisation is automatic, without further formalities.
4. Instructions to be quoted:

A) For Spanish vessels:

"In reply to your request, I would like to inform you that this Harbour Master's Office has no objection to the requested exercise being carried out provided that:

- a) *the Algeciras Maritime Rescue Centre (CLCS), (VHF channel 74), is notified of the start and end of this, as well as any incident that may arise during the same,*
- b) *at all times following the instructions given by the aforementioned centre,*
- c) *all personnel on board the lifeboat shall be provided with a lifejacket,*
the boat is not detached from the side of the vessel and at no time obstructs shipping traffic in the area.
- d) *Both lowering and hoisting shall be done without persons on board.*

Please confirm in writing your acceptance and compliance with these conditions and, once this confirmation has been received by the Harbour Master's Office, the requested works can be considered as authorised".

B) For all other vessels:



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The Secretary of the Board of Directors

"In response to your request we inform you that as far as Capitanía Marítima of Algeciras is concerned, there are no objections to carry out the lifeboat drill required if the instructions described below are met:

- a) the Algeciras Marine Rescue Center, (VTS Algeciras), (channel 74 VHF) has to be notified about the moments on which the drill will start and will be completed, also about any incident that may arise while the drill is **being** taken place._____*
- b) at all times, the instructions given by that center are to be complied with,*
- c) the use of proper lifejacket is compulsory for the whole crew engaged.*
- d) lifeboat has to be operated as close as possible to the ship's hull, in order to prevent any basin maritime traffic obstruction.*
- e) Lifeboat drills must be operated without crew.*

Please confirm in written your understanding and adherence to these requirements and once we have received your confirmation, only then you can give the permission as granted."

ANNEX PAINTING

The agent shall inform the master of the ship, via e-mail, that he intends to carry out the painting operation under the conditions. The captain, if he/she accepts them, will reply with another e-mail confirming that he/she has read, understands, accepts and will comply with them.

The crew member signing the declaration must always be identified by name and position. In brief, the steps are:

1. Captain asks the agent for the operation.
2. Agent responds to the Captain by sending him/her instructions via e-mail.
Copying to the following addresses: comisaria@apba.es; sm.algeciras@transportes.gob.es; mmpp.algeciras@transportes.gob.es
3. The Captain in turn replies by e-mail, copying the above e-mail addresses that: "he/she *has read, understands, accepts and will comply with the instructions*".
4. Once the Captain's reply has been received, authorisation is automatic, without further formalities.
5. Instructions to be quoted:

A) For Spanish vessels:

In accordance with the provisions of the current State Ports and Merchant Navy Act, the Algeciras Harbour Master's Office, without prejudice to the different authorisations that may correspond to other bodies, reports favourably on the carrying out of the requested painting work, provided that the



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following conditions are met:

- a) The Local Coordination and Rescue Centre of Algeciras (Algeciras Tráfico) will be informed of the start, end and any incident that may occur.
- b) Personnel involved in the work shall wear clothing of a visible colour.
- c) Life jackets and life rings shall be available for immediate use.
- d) The team shall consist of at least two persons.
- e) The use of helmets is compulsory.
- f) A line shall be fixed between the team and the boat to ensure rapid assistance.
- g) At least one officer shall be designated to control and monitor that the operation is carried out in compliance with safety standards.

Any introduction of a harmful or polluting substance into the marine environment is considered a serious infringement of maritime legislation and the shipowner and the master of the vessel are jointly and severally liable.

2. For all other vessels:

Regarding painting works, we have the following procedures and regulations which you have to follow up;

In view of your application, and in accordance with the present legal article 2/2011, of State Ports and the Merchant Marine, the Harbour Master in Algeciras, without prejudice of the different authorizations that may correspond to other specialized agencies, allows to carry out the asked painting works with the following condition: the Maritime Rescue Coordination Center in Algeciras (Algeciras Traffic) must be duly informed of the beginning, finalization and any incident that may occur during the stated works on channel 74 VHF.

In addition the crew members engaged in the works:

- *They must wear at all times a high visibility vest.*
- *Life vest and life ring should be available nearby.*
- *The painting team should work by groups of at least two members.*
- *Compulsory usage of helmet.*
- *A link from ship to boat must be used to assure proper assistance to painting team.*
- *At least, one officer must be designated to keep control of the full operation.*
- *Keep proper watch out at all times “*

Any harmful or pollutant substances introduced into the environment will be considered as severe infringement to the maritime legislation, being solely responsible the vessel owners



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and/or the Captain



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The Secretary of the Board of Directors