MOTUKEA INTERNATIONAL TERMINAL LIMITED (MIT)

OPERATIONAL REGULATIONS

(Appendix A)

2018

RECORD OF VARIATIONS

(Reverse Chronological)

Date Posted	Description of Variation	Page	Effective Date	Authorized

OPERATIONAL REGULATIONS
At MIT in Motukea, Papua New Guinea
("Regulations")

I. General

1. These Regulations shall apply to any and all persons involved or engaging in port and maritime trade in/with Motukea International Terminal Limited ("MIT") in Port Moresby, Papua New Guinea.

2. These Regulations shall constitute as Appendix "A" to the Terminal Services Standard Trading Conditions (hereafter referred to as "Standard Conditions") and are intended to specify the details thereof. These Regulations are not intended to change or modify the Standard Conditions and in case of conflicts between the provisions of these Regulations and the provisions contained in the Standard Conditions, the latter shall prevail, and these Regulations shall be interpreted in accordance with the provisions of the Standard Conditions.

   For the avoidance of doubt, these regulations may create additional requirements and obligations between the parties involved. Additional requirements and obligations that are specified in the Regulations and are not included in the Standard Conditions shall not be considered as discrepancies and are to be observed by the parties.

   The Operating Regulations noted herein Appendix "A" are subject to change at any time without notice as maybe required from time to time as deemed appropriate to any changes to "MIT" operating environment.

3. In the event of a conflict of interest between the contracting parties or in exceptional circumstances which could affect the performance and date of the Services, the decision of the MIT Management shall apply subject to prior notification to the User.

4. The parties involved in the Cargo handling activities and/or manipulations of Containers, semi-trailers, less-than-Container loads and vehicle in MIT shall plan the works so as to ensure efficient handling of goods, Vessels and means of land transportation.

5. All persons involved shall provide the user, within the time limits prescribed in these Regulations, with information and documents necessary to carry out the requested Services.

6. Any and all services provided by MIT shall be carried out based on the data entered by the User in the MIT TOS or a written request.

7. The User shall inform MIT of any additional services and activities to be carried out concurrently with the Services by any other institutions and companies.

8. MIT will keep in its IT system an electronic record of all the goods being subject to handling. The information in the system will show the current status of the goods and provide evidence of its acceptance/delivery.

9. MIT reserves the right to modify the implementation schedule of the requested Services at any time without notice.

10. During the submission of Containers/semi-trailers, MIT shall check their external technical condition based on a visual inspection of their lateral walls, without checking the contents, and it shall confirm/update numbers of seals.

11. In the event that full Containers are found to be without a seal, unsealed or with damaged seal during the unloading, MIT shall put on a seal in order to secure the Cargo (after conformation of Chief Officer and without checking the contents) and such seal shall be accepted by the parties.

12. MIT will offer space for Containers selected for customs inspection, physical inspection, sample taking counting, etc.

II. VESSEL HANDLING SERVICES

A. General Provisions

1. The Vessel's Cargo handling equipment must in proper technical and safe operating condition as confirmed by a valid certificate.
2. The opening and closing of the Vessel's hold as well as the provision of any necessary functional equipment for fixing Containers at the designated locations shall be the sole responsibility of the Vessel.
3. The User shall inform MIT of any technical difficulties or any other limitations which could affect Vessel operations as soon as it becomes aware of any such circumstances. Delays attributable to the User will be invoiced to the User as per Standard Conditions.
4. In case of loss of or any damage to the Cargo, the Vessel or its equipment, MIT must be able to ascertain the damage or loss at the alleged time of damage or loss. Therefore, the User is obliged to notify MIT in writing and without delay of any damage to the Vessel or Cargo. MIT reserves the right to appoint an independent expert.
5. In the event of any damage to MIT's Terminal, including its infrastructure and cargo handling equipment – caused by the Vessel, MIT will immediately

inform the Vessel. MIT reserves the right to appoint an independent expert.

B. Cargo handling operations at berths

1. The User shall inform MIT of the date of arrival of the Vessel in advance in the manner provided therein:

2.5.1.1 WEEKLY NOTICE – may provide information about the estimated time of arrival and advance information on Cargo, as well as any other information related to berthing services;

2.5.1.2 DAILY NOTICE – provides information about the estimated time of arrival as well as all information related to the arrival of the Vessel and Cargo.

2.5.1.3 Cargo handling operations are scheduled by MIT based on the information on loading and unloading operations provided in the notice which shall be submitted 48 hours in advance. Any subsequent modifications thereto must be accepted by MIT. The Vessel's agent must be responsible for updating the relevant data in MIT's TOS system in a timely manner.

2. Berthing services are scheduled by MIT in consultation with the User according to the following schedules:
   a. For Tuesdays, Wednesdays, Thursdays, Fridays, Saturdays and Sundays – port meeting at 9:30 AM on the previous day;
   b. For Mondays at 9:30 AM on THE Saturday port meeting
   c. For other non-working days – not later than at 9:30 AM on the working day immediately preceding the non-working day.

3. The requested berthing services may be cancelled as follows:

   Not within 24 hours prior to commencement of the shift when the Services would be started. Failure to notify within the prescribed time limit will be charged in accordance with the Standard Conditions.

4. The User may request a Vessel working team (gang), otherwise, MIT may, at its sole discretion, arrange the berthing services in accordance with the operational requirements.

5. Cargo must be fully ready within 12 hours before the commencement of the Services
6. The User shall provide MIT, no later than 24 hours before the commencement of the berthing services, with any and all relevant documents required by MIT both in electronic and paper format (including load/unload lists, manifest, stowage plan, etc.).

7. In the event of late arrival of the Vessel or if the Vessel is not ready for the requested Services, the User shall exclusively bear the costs of waiting and might forfeit its berthing arrangement subject to charges defined in the Standard Conditions.

8. MIT may give consent to repairs on board of the Vessel by the crew, supply of goods or bunker, provided, that, any such activities will not cause any delay in the cargo handling operations of MIT. In any event, such repairs on board of the Vessel and/or any such Services must be agreed to by MIT in advance. In case of using welding or other operation that need a hot work permit the Vessel needs to obtain written permission in accordance with the Standard Conditions.

9. Detailed operations procedures for import cycle:

   i. Baplie (EDI Bay Plan)

The Terminal requires that all customers shall provide, within the prescribed time limit, a complete "Final Baplie" message which must be acknowledged and accepted by MIT on receipt thereof. The Terminal may offer a possibility of sending the manifest data (coprar import) in an electronic file, however the baplie message takes precedence over other files should there be discrepancy between the 2 documents.

A Vessel coming from a port located outside PNG is required to send the Final Baplie message as soon as it leaves he previous port prior to 24 hours before the arrival of the Vessel at MIT.

A Vessel coming from a port located inside PNG within upto 12 navigation hours is required to send the Final Baplie message as soon as it leaves he previous port.

Every change or modification to the Final Baplie message must be sent as full corrected Baplie message within the above-specified time limit. Any delays in providing this information may result in changes in the plan of berthing services.

ii. Import Bay Plan

If User is unable to send a Baplie message, the User shall enter the data included in the Import Bay Plan to the TOS system in flat form, including any Containers in the Vessel – the Stowplan Entry window, at latest 24 hours before the arrival of the Vessel.

The information relating to the Containers may be modified or deleted in the Stowplan Entry window until the import bay plan is arranged with MIT, provided, that, any information relating to the unloaded Containers shall not be modified.

Import Container data have to be entered accurately and saved in the Container Stowplan Entry window:

- Location in the Vessel or Container Location
- Owner
- Size/Type
- Status
- Port of unloading
- Port of loading
- Seals
- Forwarding agent
- Line
- Agent
- Gross weight
- Oversize parameters

- Reefer temperature (indicate whether connected or not)
- Bill of lading
- Dangerous Cargo / according to IMDG codes (can be indicated in another window)
- Cargo reloaded / restowed (can be indicated in another window)
- Cargo in transit (can be indicated in another window): name of the exporting Vessel, number of voyage and Stowage Port of Discharge (SPOD)

The foregoing information which originate from the EDI-Coprar, EDI-Baplie input message or manually entered will be automatically transferred to the Navis N4 applications.
When the incoming Containers appear in the TOS Vessel Planning window for discharge operations, MIT's Planner may prepare an optimal unloading plan and crane usage schedule.

iii. Import Bay Plan

When a Vessel bound for MIT leaves the previous port, the Final Baplie or stowage master plan from that port must be immediately sent to MIT's Planning Services Department – as an import Bay Plan. This document must provide all information relating to the Containers to be unloaded on arrival at MIT. Within the time line of information.

The import bay plan must be provided to MIT 24 hours prior to the vessel arrival.

The document must contain a List of Dangerous Cargo, List of Refrigerated Containers (and/or Temperature Controlled Container List (TCCL), List of Containers in Transit, List of Non-Containerized Cargo, List of Special Containers, List of Over Sized Containers (including detailed dimensions), and List of Containers to Handle (on board or on a vessel-to-shore-to-vessel basis), as well as any relevant information relating to any other Containers requiring special services.

The import Bay Plan must contain the following information:

- Detailed information about the location of each Container on board
- Detailed information about the restowage location of Non-Containerized Cargo
- Prefix and number of the Container
- ISO code or detailed dimensions of the Container
- Port of loading
- Port of unloading
- Dangerous Cargo / according to IMDG code (can be indicated in another window)
- Temperature settings – for refrigerated, connected Containers
- All detailed dimensions of oversized Containers
- For international Cargo in transit: name of the exporting Vessel, number of voyage and Stowage Port of Discharge (SPOD)

10. Detailed operations procedures for export cycle:

i. Export Load List

The Final Export Load List shall be submitted by the shipping line or its agent for the specific Vessel, and it must be confirmed as ready at latest 24 hours before the Vessel arrives at MIT. The Terminal may offer a possibility of uploading an electronic file in coprar-loading format to the TOS system.

No further changer or modifications shall be made or entertained after the Export Load List is closed by MIT.

ii. Movins & Baplie (EDI – Loading Instructions)

Systems operated by MIT support Movins & Baplie formats. MIT requires that User operating these formats shall comply with the procedure of delivering messages at latest 24 hours before the arrival of the Vessel at the Terminal.

iii. Loading Stowage Plan

The User must submit the electronic Prestow Plan for a specific Vessel at latest within 24 hours before the arrival of the Vessel at the Terminal (by e-mail in PDF format if no MOVINS available)

After checking the final Export Load List and final Loading Instructions, MIT's planning department will prepare a detailed plan for each Container included in the TOS Vessel Planning application and submit it to the line's planner or to the cargo officer before the commencement of cargo handling operations. Chief Officer has to sign off on the plan before loading.

MIT planning department will not accept any changes to the Container data or loading instructions after the commencement of cargo handling operations.

v. Request for Port Services

Request for Port/Terminal Services (gangs) must be submitted to MIT in accordance with the following time restrictions as at the Port Meeting.

Extra Lashing and securing gangs shall be treated in a similar manner.

Request for Port/Terminal Services must be submitted in accordance with the prescribed procedure – a written request for such Services for each Vessel, stowage services and other requests. These documents may form part of the settlement process.

v. Final Berth Confirmation

If the Vessel is more than 2 hours late from the reported estimated time of arrival (ETA) – the permission for mooring has to be re-confirmed with MIT. The confirmation will only be sent if MIT receives all the required documents for a new berthing request.

vi. Estimated Time Completion

The Vessel will be informed of the estimated time of completion (ETC) of the berthing services during the port meeting and before the commencement of Cargo handling operations.

ii. Customer Information

Basic Data

All Shipping Lines / Agents working with the MIT shall provide the below-listed information in the Basic Data window in the TOS Pre-advices Vessel Planning System.

MIT has provided or will provide its current customers with appropriate forms and is in the process of preparing such forms for new customers.

- Partners (official co-loaders)
- Local agents
- Carriers and types of voyages
- Port rotations or line ports
- Country codes / UN Locodes
- Explained codes other than UN Locodes

Shipping Lines or Agents wishing to exchange electronic data (e.g. BAPLIE, COPRAR, MOVINS, COARRI, CODECO, etc.) must contact MIT IT Department in order to set out procedures.

Additionally, all Shipping Lines or Agents shall provide a supplement to and/or update the data in the system in advance to enable trouble-free berthing services.

Vessel Information – New Vessel

At least 7 days before the estimated time of arrive, the Shipping Line or Agent must provide MIT with the following information/documents:

- Current name of the Vessel
- Call sign
- IMO number
- Line and service codes
- Vessel scantlings
- Certificate of Vessel's compliance
- Cargo hold plan
- Cargo lashing and securing plan
- Example of loading stowage plan
- Loading/unloading stowage instructions

All the foregoing data will be used for registering the Vessel in the TOS – Vessel Class Editor Application and form an integral part of the Vessel documentation.

Arrival and Departure Reports

The User or its Agent should inform MIT, in an ongoing basis, of the positions of Vessels bound for MIT. Any additional information must be respectively sent to MIT's Operations Divisions and Berthing Services Department. This will help organize all additional Services related to the Vessel's stopover at MIT.

After the departure of the Vessel from MIT, the Master Stowage Plan or the outgoing EDI-Baplie message (in UN/EDIFACT format) will be delivered to the User and the Vessel.

In case of break-bulk cargo vessels and other non-standard Cargo, all commercial and operational details shall be provided to MIT for approval at least 48 hours before arrival of the Cargo/Vessel. This includes Vessel details, technical drawings, procedure of handling, points to attach lifting equipment, requirements about cargo stowage and all other applicable details.

C. Acceptance of vehicles from Vessels (LO/LO or RO/RO)

1. Vehicles form Vessels are accepted by MIT only after a visual inspection is conducted. The User may request MIT to carry out a detailed external and internal inspection of vehicles and to check their equipment by submitting the "A" request together with specifications. The said service will be provided after the completion of unloading operations and acceptance of vehicles in the vehicle yard.

2. Vehicles found to be damaged during the unloading should be recorded in a protocol prepared by MIT. A copy of the signed protocol will be provided to the persons in charge of the Vessel and the Customs.

3. MIT will prepare the protocol based on a computer report containing the relevant information if the unloading manifest is found to be inconsistent with the actual Cargo in the following respects:
a. missing vehicles on board of the Vessel compared to the unloading manifest;
b. Inconsistant VIN numbers, models, etc.; or
c. Additional vehicles on board of the Vessel compared to the unloading manifest.

4. The summary of discrepancies prepared by MIT will be provided to the agent who will file it with the Customs.

5. After the vehicles are accepted in the vehicle yard, MIT will give an instruction to submit the "B" request.

III. CARGO HANDLING OPERATIONS ON LAND

A. Containers and less-than-container loads (LCLs)

1. Full Containers / semi-trailers at the time of acceptance at MIT must have number seals whose construction, condition and method of installation guarantee proper security.

2. MIT will offer efficient handling services for vehicles.

3. Vehicles coming into the premises of MIT to receive/deliver a Container must have a legible number plate.

4. Companies involved in the transport of Containers by land are required to observe the absolute vehicle weight limit, proper stat of vehicle, possibility to close the twist lock on trailer. In case of any requests for delivery of Containers whose weight, together with the vehicle, exceeds legal tons, MIT may refuse to carry out loading operations.

5. If Containers / semi-trailers are found to be damaged, or insufficiencies, incompatible technical status, marking or seals, compared to the condition at the time of acceptance, are identified during their storage/delivery, the parties shall agree on how to resolve the issue. In such a case, MIT will prepare an appropriate protocol. If the Containers / semi-trailers are taken up without such prior arrangements, MIT shall be released from responsibility for any resulting consequences.

6. The User shall provide MIT with a written consent of the MIT Port Authority to the handling and storage of dangerous materials, IMO class: 1, 6.2 and 7 before taking them to MIT's premises, as well as with a container loading certificate at the time of taking dangerous materials to MIT's premises. This restriction does not apply to cisterns. The requirements regarding the documents for dangerous Cargo are set out in the International Maritime Dangerous Goods (IMDG) Code and the Instruction: Handling Containers with dangerous goods.

7. MIT reserves the right not to accept Cargo which raises serious doubts regarding the possibility of ensuring safe storage (this also applies to the sealing and closing method)

8. In the event that damaged goods and/or goods within the required marking (weight, dimensions, center of gravity, anchorage points, etc.) are accepted for storage, the User shall determine any necessary procedures and provide the missing information and marking on the goods upon MIT's request.

9. Damage of goods or Containers need to be reported directly during the delivery process.

10. Advance notices for additional request for any Cargo handling and storage operations on land shall be accepted at the latest at 11:00 AM on the day preceding the day f Services.

11. The Services of Container or goods inspection and dismantling by request of Customs will be provided within 24 hours after their acceptance.

12. The requested Services may be cancelled or modified by the User by 6:00 PM on the day preceding the day of the requested Services. If the relevant information is not provided within the specified time limit, MIT may charge the costs of reserving of the assigned working teams.

13. MIT is entitled to destroy / dispose of the Cargo / goods stored in the warehouse / storage yard for more than 6 months without customs-approved treatment – in accordance with the applicable maritime, transport and customs regulations.

14. If the User makes no claims about the performance of the Services before the end of the relevant shift, it will be considered that the Services have been accepted.

B. Vehicles

1. The User delivering / receiving a vehicle shall specify the following information:

    a. make of the vehicle, quantity and unit net weight;
    b. marking, i.e. full chassis number and the port of destination
    c. specifications of the vehicle's equipment
    d. information about customs clearance (non-EU vehicles); and
    e. scope of the requested services and the inspection company.

2. The User shall remove any items from the vehicle which do not belong to the vehicle's standard equipment (replacement parts, personal items, etc.) and deposit them in the storehouse based on a separate request.