



JADEWESERPORT
WILHELMSHAVEN

JWP-HBO en



Port rules

JadeWeserPort Realisierungs GmbH & Co. KG

Port Rules

JWP

Version of 04/2020

IMPORTANT NOTE:

This Document is a free Translation of the “Hafenbenutzungsordnung”, of JadeWeserPort Realisierungs GmbH & Co. KG. In the event of any inconsistency or conflict between the German and the English version, the German version shall prevail.

JadeWeserPort Realisierungs GmbH & Co. KG

Pazifik 1

D-26388 Wilhelmshaven

www.jadeweserport.de

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FIRST PART – General

1. Purpose of these Rules

JadeWeserPort is a public container port/common user terminal. It is administered by JadeWeserPort Realisierungs GmbH & Co. KG (hereinafter “JWP”), which is headquartered in Wilhelmshaven. In its capacity as operator of the terminal-related infrastructure close to the terminal (particularly the quay), JWP maintains and manages the installations of the port. These rules for the use of the port (hereinafter “JWP Port Rules”) must be observed when using or entering the port.

2. Definitions

2.1. Port

The port includes the water area of the JadeWeserPort, as well as the installations. A layout plan of the port is attached as Appendix 1 – Layout Plan JWP.

2.2. Use of the port

Use of the port means the use of the port and its installations.

2.3. Call

Calling at the port means a watercraft is entering the port.

2.4. Installations

Installations include the quay, the access area/berth, the Service Port, Boat Wharf, the Project Pier and all other infrastructure facilities of JadeWeserPort serving the water-side operation of the port.

2.5. Terminal operator

The terminal operator of the “Container Terminal Wilhelmshaven” at JadeWeserPort is EUROGATE Container Terminal Wilhelmshaven GmbH & Co. KG (hereinafter “EUROGATE”).

2.6. Container Terminal/CTW/terminal area

The terminal area begins on the water side at the quay area and includes the neighbouring area up to the terminal operator’s fence (ISPS-fence) as well as the area (the gate and customs area) in the southwestern section of the port.

2.7. Watercrafts

Watercrafts are ocean-going and inland waterway vessels, harbour craft, floating devices and other floats that are usually designed for transportation. Watercrafts also include non-displacement (floating) vehicles. These include floating facilities that are normally not intended for transportation, such as docks, pontoons and piers.

2.8. Watercraft operator

A watercraft operator is any operator of a watercraft or anyone who is responsible for the safety of a watercraft.

2.9. **Gross tonnage (GT)**

Gross tonnage (hereinafter “GT”) is the internal volume of a vehicle or the result of the measurement as defined by the International Convention on Tonnage Measurement of Ships (“London Convention”) of 23 June 1969 (Bundesgesetzblatt 1975 II, page 67). The GT is determined in the “International Tonnage Certificate (1969)” (hereinafter “ITC 69”). In the absence of an “ITC 69”, JWP shall determine the GT at its equitable discretion in another appropriate manner.

2.10. **Cargo handling**

Cargo handling means loading and unloading containers and project cargo onto and from a watercraft.

2.11. **Quay**

The JadeWeserPort quay encompasses the water-side concrete construction including the marine fenders, mooring bollards and other functional moving or fixed systems, with the exception of the crane way girder. The quay ends on shore where the asphalt covering begins.

2.12. **Boat Wharf**

The Boat Wharf is located at the southern end of the port between the Container Terminal and the jetty Niedersachsenbrücke (see Appendix 1 – Layout Plan JWP).

2.13. **Project Pier**

The JWP Project Pier is located at the northern end of the port between the Container Terminal and the Service Port and includes both that portion of the quay and the area behind it. The areas included therein are dedicated to handling particularly heavy cargo (see Appendix 1 – Layout Plan JWP).

2.14. **Service port**

The Service Port is located at the northern end of the port and has several berths for the watercrafts of nautical service providers (see Appendix 1 – Layout Plan JWP).

2.15. **National Single Window**

The Nation Single Window (hereinafter “NSW”) is a reporting portal used to receive and forward a notification, which must be submitted electronically via the reporting portal in accordance with a reporting rule, to the relevant competent receiving authorities. This is regulated by the Gesetz über das Verfahren für die elektronische Abgabe von Meldungen für Schiffe im Seeverkehr über das Zentrale Meldeportal des Bundes.

2.16. **JWP Portal**

The JWP Portal is a port management system used by JadeWeserPort to register watercrafts. Its main functionalities are the collection of registration, disposal and supply data.

2.17. **Bunkering**

Bunkering means refuelling or resupplying a watercraft with consumables.

3. Terminal operating rules

The terminal operator has issued terminal operation rules (hereinafter “TOR”) that govern conduct in the terminal area and must be properly observed when using the terminal. The TOR can be consulted at <http://www1.eurogate.de/en/EUROGATE/Terminals/Wilhelmshaven>.

4. Scope

4.1. The JWP Port Rules apply to the installations of JadeWeserPort and the water-side area shown in Appendix 1 – Layout Plan JWP Expressly excluded from the scope of the JWP Port Rules are:

- the jetty Niedersachsenbrücke of Niedersachsen Ports GmbH & Co. KG, as well as
- the extraction facility belonging to STORAG ETZEL GmbH, located north of said jetty, and
- the terminal area from the beginning of the asphalt covering operated by terminal operator EUROGATE Container Terminal Wilhelmshaven GmbH & Co. KG, including the water-side port crane rail and the container loading bridges.

4.2. A port layout plan including an illustration of the scope is attached as Appendix 1 – Layout Plan JWP.

5. Parties subject to these rules

5.1. The JWP Port Rules apply to anyone who simply enters the port or enters it based on an existing contractual relationship, uses its installations, or accesses it for some other purpose.

5.2. The commercial use of the port and the supply of services by JWP shall be based on contracts under private law that incorporate the Standard Terms & Conditions of Use of JWP. The Standard Terms & Conditions of Use of JWP can be consulted at www.jadeweserport.de/en. The JWP Port Rules shall apply in addition to the said terms and conditions, and in case of contradictory provisions, shall be subordinated to the provisions set forth in the Standard Terms & Conditions of Use.

5.3. Agents are required to inform the ship owner, charterer, crew, contractors and demise or bareboat charterers they represent that the JWP Port Rules must be observed. The watercraft operator or the person designated by the watercraft operator is responsible for ensuring that the JWP Port Rules are observed within his or her area of responsibility.

6. Rules and regulations under public law

- 6.1. The rules and regulations under public law respecting the use of water and land areas of ports and their access, particularly the Niedersächsisches Hafensicherheitsgesetz (hereinafter “NHSG”), the Niedersächsische Hafenordnung (hereinafter “NHO”), the Niedersächsisches Wassergesetz (hereinafter “NWG”), the Bundeswasserstraßengesetz (hereinafter “BWVG”) and the legislation based on these rules and regulations, the International Regulations for Preventing Collisions at Sea 1972 and all legislation based on these regulations, the Niedersächsische Verordnung über die Entladung von Schiffsabfällen und Ladungsrückständen in Seehäfen (hereinafter “NVESLS”), as amended, remain unaffected by the JWP Port Rules. They must be observed and complied with independently of the JWP Port Rules by the users of the port.
- 6.2. Furthermore, general decrees by the port authority in relation to JadeWeserPort and its installations, as well as the conduct of its users, remain unaffected.

7. Danger zones, terms of use of installation operators

- 7.1. The port is a particularly dangerous area. Rail traffic, industrial trucks, crane installations, unsecured quay installations, unstable cargo loads and intersecting freight transport expose port users and visitors to a potentially high risk. For that reason, port users and visitors should not only stay alert and use caution but observe and comply with the applicable terms of use of installation operators.
- 7.2. Within the area of application of these Port Rules, JWP’s safety rules (Port Safety Instruction Sheets) must be observed at all times upon entering the premises on foot or in a vehicle (see Appendix 2 – Operating instructions T-001 Inspection of the supply tunnel, Appendix 3 – Operating instruction T-002 Inspection of the relief chamber und Appendix 4 – Operating instruction T-003 Port area of the JadeWeserPort).

8. Port Office Wilhelmshaven

- 8.1. The Port Office Wilhelmshaven is a joint facility of the Division 31.1 of Niedersachsen's Ministry of Economic Affairs, Labour, Transport and Digitization, the Niedersachsen Ports GmbH & Co. KG and the JadeWeserPort Realisierungs GmbH & Co. KG. It is permanently manned, 24 hours a day, 365 days a year.
- 8.2. Address of the Port Office Wilhelmshaven:

Pazifik 1

26388 Wilhelmshaven

Telephone: +49 4421-40980-999

Telefax: +49 4221-40980-998

E-Mail: portoffice@jadeweserport.de

- 8.3. The instructions of Port Office Wilhelmshaven must be followed immediately and at all times.

9. Port authority/Harbour master

The port authority is the Ministry for the Economy, Labour and Transport of Lower Saxony, represented by its delegated harbour master on site in Wilhelmshaven. The harbour master's duties include ensuring the safety of port and vessel navigation activities in accordance with the NHSG and the NHO and the discharge of waste from ships and cargo residues in accordance with the Niedersächsisches Abfallgesetz (hereinafter "NAG").

10. Port Security

- 10.1. The JadeWeserPort security measures are based on Regulation (EC) No. 725/2004 of the European Parliament and of the Council of 31 March 2004 on enhancing ship and port facility security and the NHSG, as amended. The measures described in the hazard prevention plan are binding.
- 10.2. Only authorised access is allowed. All users must undergo the required entry inspections and controls and bear the costs.
- 10.3. By entering the port, port users and visitors give legally binding consent to controls and searches of persons, vehicles, objects and personal effects. Persons who refuse controls or searches may be refused entry.
- 10.4. Representatives of authorities and government institutions may enter at any time for the purpose of carrying out their official duties.

SECOND PART – Reporting and information requirements

11. Vessel registration

- 11.1. Watercraft operators must register their watercrafts at least 24 hours before entering JadeWeserPort via the web client of the National Single Window (NSW) or a Hafeninformati onssystem-Anbieter (see Verkehrsblatt Heft 10/2015, Seite 354 (Abschrift)). Should their travel time to the port last less than 24 hours, they must register immediately upon leaving their last port of departure. In this registration included is the registration under Section 8 NHO at the port authority.

The reporting obligation result from the legal texts currently in force such as the Anlaufbeding ungsverordnung (AnlBV), der Niedersächsischen Haf enordnung (NHafenO), the Niedersächsischen Abfallgesetz (NAbfG) an the Gesetz zur Durchführung der Internationalen Gesundheitsvorschriften (IGV-DG). In individual cases, exemptions from the reporting obligation are possible.

For watercrafts that are not obligated to be registered using the NSW, the JWP-Portal (<https://portal.jadeweserport.de>) is to be used for the registration of watercrafts under private law. All port-specific regulations for a call at the JadeWeserPort as well as all other important documents can be found under Downloads.

- 11.2. In addition to the reporting and information requirements under Section 8 NHO, the following data must be provided:
- 11.2.1. Owner, manager, charterer,
 - 11.2.2. Broker/agent,
 - 11.2.3. Invoice recipient, provided this is not the same person as the registrant,
 - 11.2.4. The features and characteristics of the watercraft that must be taken into consideration when it enters or berths, such as the presence of a bow or stern thruster, protruding vessel components or other objects,
 - 11.2.5. Defective vessel operations that may affect its docking and undocking. The activity-related requirements for reporting to the port authority under Section 7 (2) and Section 12 (1) NHO remain unaffected hereby.
- 11.3. The port user must ensure, that the Port Office Wilhelmshaven is informed by the user about the vessels working radio channel or a mobile number, to get in contact with the Watercraft operators any time. The information must be submitted until the ship is berthed at the port.

12. Reporting dangerous goods

It should be noted that dangerous goods pursuant to Section 19 NHO must be reported in accordance with the Allgemeinverfügung zur Bestimmung eines Datenverarbeitungssystem s für Melde- und Informationspflichten von Seeschiffen beim Ein- und Auslaufen (Nds. MBl. Nr. 17/2015 vom 13.05.2015, S. 441ff).

13. Reporting vessel waste

As part of their general registration in the NSW, watercrafts must report the disposal and discharge of their waste 24 hours before entering the port in accordance with the.

14. General information requirements

Port users shall report exact cargo data to the Port Office Wilhelmshaven no later than seven days after departure in accordance with Section 3 Verkehrsstatistikgesetz (hereinafter “VerkStatG”).

15. Reporting damaged installations

15.1. All damages and substantial contamination in the port must be reported immediately and explained to the Port Office Wilhelmshaven.

15.2. The general requirement of reporting incidents to the port authority or water police under Section 12 (1) NHO remain unaffected.

15.3. If the watercraft has damaged port installations or caused substantial contamination of the port, the JWP may make the departure of the Watercraft dependent on the payment of an appropriate security (deposit or bank guarantee).

16. Reporting deficient port reception facilities

Watercraft operators (or agents, owners, managers or charterers, etc.) must report cases of deficient port reception facilities (in accordance with NAG) to the Port Office Wilhelmshaven. The deficient facilities must be described.

THIRD PART – Traffic and stays in the port

17. Pilots

- 17.1. Port pilotage services are provided at JadeWeserPort by the Weser II/Jade pilotage association.
- 17.2. The requirement of using a port pilot is set out in the Verordnung über die Verwaltung and the Ordnung der Seelotsreviere Weser I und Weser II/Jade of 25 February 2003, as amended.
- 17.3. The harbour master may in special cases require the use of a pilot.

18. Operating rules, tug service

- 18.1. All land vehicles and watercrafts must be operated in such a way and at a speed that allows them to avoid obstacles without contact them and stop whenever necessary in accordance with the seaman's duty to exercise duty of care.
- 18.2. Watercrafts with operating internal combustion engines or furnaces whose smoke stacks or funnels are not equipped with effective spark arrestors must maintain a distance of 30 meters from watercrafts that bear the required visual signs indicating that they are transporting dangerous goods.
- 18.3. Propulsion systems and stern and bow thrusters should be used with particular caution when docking and undocking. Turning manoeuvres should be performed as far outside the port area as possible.
- 18.4. For safety reasons, JWP may impose a minimum water level or maximum draught on watercrafts as a condition for entering JadeWeserPort.
- 18.5. Watercraft operators must use adequate tug assistance on watercrafts that cannot safely manoeuvre or berth in the port due to their size, lack of engine power, the weather conditions or other reasons. Allgemeinverfügung des Ministeriums für Wirtschaft, Arbeit, Verkehr und Digitalisierung vom 12.06.2019 (Nds. Ministerialblatt Nr. 25/2019 vom 26.06.2019, Seite 952 ff) must be observed (see Appendix 5 – Allgemeinverfügung des MW).
- 18.6. Only service providers licensed by JWP may be commissioned and compensated for tug services. This does not apply to tug assistance that is provided in particular cases by the traffic control centre of the Wasserstraßen- und Schifffahrtsamtes Weser-Jade-

Nordsee des Bundes, which is German federal water and shipping authority in Wilhelmshaven (hereinafter “WSA”), or by the competent port authority for safety reasons.

19. Enter authorisation

It should be noted that watercrafts may require authorisation from the port authority to enter the port in specific cases. More details on that topic can be found in Section 7 (1) and (2) NHO.

20. Berths, anchoring

20.1. In principle, berths are assigned at the quay of the Container Terminal by terminal operator EUROGATE to the extent that this does not result in conflicts of interest with other stakeholders and the principles of navigational safety of all ships and smooth traffic movements are observed. JWP is responsible for assigning berths in all other areas of the port. Authorisation from the port authority to assign berths to a watercraft in JadeWeserPort in accordance with Section 9 (1) NHO remains unaffected hereby.

20.2. When a berth is not assigned by JWP, JWP must be informed of the assigned berth, the exact quay position (metres from/to), and the assigned mooring side (starboard/portside) by no later than two hours before the arrival of a watercraft.

20.3. JWP may require watercrafts not engaged in cargo handling activities to make way for other Watercraft that are ready for in cargo handling activities. In the terminal area, this will be carried out only after EUROGATE has been consulted.

20.4. It is strictly forbidden to jack up watercrafts.

21. Mooring and secured berths

21.1. Watercraft operators or the persons designated by them must ensure that mooring services are requested from a mooring firm licensed by JWP at least two hours before arriving at and leaving their berth.

21.2. Watercraft must be moored according to the rules of good seamanship. More specifically, the use of damaged or poor-quality lines is prohibited. Mixed moorings, i.e. lines made from different materials that have varying expansion behaviours within the same line group, are not permitted when the lines leading to the same mooring bollard constitute a line group. To ensure optimal load distribution, the lines in a line group must be as close in length as possible.

- 21.3. To support watercraft operators, shore-side mooring must be monitored by qualified personnel (mooring advisors) of a licensed mooring firm.
- 21.4. Mooring lines and wires must be inspected in responsibility of the watercraft operator and adjusted to changes in water level and draught during loading and unloading operations.
- 21.5. When using heaving lines, safety precautions should be taken to avoid any risk of injury.
- 21.6. The obligations to the port authority under Section 10 (1) and (2) NHO (mooring, labelling, vessel access) remain unaffected.
- 21.7. Only service providers licensed by JWP may be commissioned and compensated for vessel mooring and casting off services.

22. Equipment and condition

In the event that a vessel's mooring equipment does not meet the requirements of the JWP Port Rules or generally accepted technical standards (e.g. damaged mooring lines), obtaining additional tug services, lines and mooring equipment may be ordered by the competent authorities.

23. Special instructions for inclement weather

- 23.1. When unfavourable winds are expected during the berth period (i.e. gale-force winds of over Beaufort force 8 from the west), vessels that are longer than 350 metres should be moored on the portside so that they are positioned for the correct course in the event that the mooring lines are torn. Jetties and machines must be "clear" (ready to be manoeuvred). Upon the agreement of the port authority and the traffic control office of the WSA, watercraft operators may moor their vessels on the starboard side. Watercraft operators are responsible for securing their berths.
- 23.2. During gale-force winds from the west, the mooring lines must be inspected every hour by experienced, shore-side mooring advisors. Watercraft operators must be informed of complaints.

24. Land links to watercrafts

- 24.1. Gangways must be safe for traffic and attached in such a way to vessels so that they are parallel to the quay as possible. They may not hinder cargo handling operations

in the port. Rail and crane installations in the terminal may only be used after approval has been obtained from EUROGATE.

- 24.2. Gangways must be properly lit when it is dark.
- 24.3. When several watercrafts are moored next to each other, the watercraft moored closer to shore must allow landing stages to be placed over them, people to pass and goods required by the vessels to be transported.
- 24.4. Watercraft operators are responsible for complying with the requirements set out in the foregoing sections.

25. Manning and surveillance of watercrafts in the port

- 25.1. During a stay in the port, watercrafts must be manned so that the statutory requirements under the NHO, as amended, and the requirements set out in the JWP Port Rules can be observed. All security facilities must be ready to use, and the watercraft must be ready to warp. The Port Office Wilhelmshaven and EUROGATE must be notified of any repair or maintenance work being performed on watercrafts that may affect their readiness for warping.
- 25.2. Watercraft, floating devices and other floats must be inspected by a qualified person at their permanently assigned berths when they are not manned. The name, address and availability of the delegated person must be submitted to the Port Office Wilhelmshaven.
- 25.3. Upon request, JWP may make exceptions and determine the scope of the manning and surveillance in specific cases.
- 25.4. The watercraft operator, the owner or manager of the watercraft, and their delegated persons are responsible for manning and surveillance of the watercraft.
- 25.5. The powers of the port authority under Section 9 (2) NHO remain unaffected.

26. Operating propulsions and manoeuvring assistance

- 26.1. When a moored watercraft is granted permission by the port authority to operate the propulsion system or manoeuvring assistance in accordance with Section 11 NHO, the watercraft operator must use suitable securing procedures and make sure that other watercraft and port users are warned of its approach. In the event of danger, the engines must be stopped immediately.

26.2. Watercrafts that must run their propulsion system while they are berthed for operational reasons may do so only with the smallest possible load.

27. Road and rail traffic

27.1. The Straßenverkehrsordnung (hereinafter “StVO”) applies to the areas of land in the port that are accessible to general port traffic. It also applies to the areas that are not accessible to general port traffic.

27.2. Cargo handling and the resulting traffic, watercraft handling and rail traffic have priority over other forms of traffic.

27.3. It is forbidden to park road vehicles or deposit any objects in the vicinity of the rails.

27.4. Motor vehicles must be parked in specially designated areas. No parking is allowed in operational areas.

27.5. The GVZ-Ordnung and the car park regulations must be followed (see Downloads at www.jadeweserport.de/en).

27.6. Bollards and line paths must be kept clear.

FOURTH PART – Security and behaviour in the port

28. Smoking and handling fire and open flames

- 28.1. In addition to the areas stipulated in Section 13 (1) NHO, smoking is strictly forbidden in the port. Smoking is permitted only in specially designated smoking areas.
- 28.2. Anyone who smokes or handles fire or open flames is required to take the necessary precautions to prevent the risk of fire.

29. Hot work

Hot work is permitted only with the authorisation of the port authority in accordance with Section 13 (2) NHO. The authorisation of the port authority must be provided to JWP before the work may begin.

30. Safe distances when parking road vehicles or depositing goods

Road vehicles must be parked, and goods must be deposited at a safe distance from the quay. Unobstructed access and unhindered use of mooring equipment, lifesaving appliances, rescue ladders and fuse boxes must be ensured.

31. Bunkering of fuel and lubricants

Substances hazardous to water that are used to supply watercrafts may only be delivered by stationary installations, bunkering boats or fuel tank trucks that have proper safety equipment to protect humans and the environment. The Port Office Wilhelms-haven and the traffic control centre must be given prompt advance notification of bun-kering activity.

32. Active cathodic corrosion protection

Installations with active cathodic corrosion protection (CCP installations) and other electrochemical protection processes designed to protect metals in water may **not** be used in the port.

33. Prohibited activities

The following activities are specifically prohibited in the port:

- 33.1. contaminating the water, land and installations,
- 33.2. laying up of a watercraft,

- 33.3. unauthorised use or removal of public lifesaving appliances,
- 33.4. unauthorised loosening of lines connected to watercrafts,
- 33.5. blocking or otherwise impeding the use of equipment intended for mooring watercrafts,
- 33.6. unauthorised entry into the port and watercrafts,
- 33.7. disrupting cargo handling operations,
- 33.8. unauthorised presence in the operational area of cargo handling facilities,
- 33.9. unauthorised passing underneath extensions of container handling gantry cranes,
- 33.10. unauthorised parking of motor vehicles and depositing of other objects on quay and port operational areas and railway tracks,
- 33.11. unauthorised use and activation of the port's operational facilities,
- 33.12. docking recreational vessels and engaging in water sports,
- 33.13. unauthorised entry into frozen water areas,
- 33.14. Children under the age of 14 are prohibited from entering the port without being accompanied by an adult.

34. Other uses of the port

- 34.1. Salvage and diving operations, shipbreaking activities, the installation of floating devices, dredger activities, building activities and construction equipment as well as port activities that are unrelated to transport, cargo handling and distribution require permission from JWP. The permission and authorisation requirements under public law, particularly in accordance with applicable legislation respecting water and navigable waterways, remain unaffected hereby.

34.2. In addition to permission from the port authority under Section 15 NHO, fireworks, races, sporting events, parades and other similar events in the port also require permission from JWP.

34.3. The recipient of the permission is responsible for ensuring that all activities pursuant to the previous figures comply with the traffic safety requirement.

35. Hazard statement

Users of the Container Terminal must read EUROGATE's Safety Regulations and share them with their employees, agents and guests. The Safety Regulations can be accessed on EUROGATE's website (<http://www1.eurogate.de/en/EUROGATE/Terminals/Wilhelmshaven>).

FIFTH PART – Special rules for the Service Port and Boat Wharf

36. Landing stage rules

36.1. The Port Office Wilhelmshaven must be notified before and after the Service Port or Boat Wharf is used, as it is also responsible for assigning berths.

36.2. The following data must be provided as part of the notification:

- vessel name, size, draught, IMO number,
- number of crew members,
- 24-hour emergency number,
- approximate arrival and departure times,
- purpose of the visit to the Service Port.

36.3. The following rules must be followed when using or entering the Service Port and the Boat Wharf:

- Landing stages may be used at the own risk of the user and can be slippery,
- When performing work at the edge of the quay or pontoons in the tugboat area of the port, a life vest must be worn (see Appendix 4 – Operating instruction T-003 Port area of the JadeWeserPort),
- Unauthorised entry is prohibited,
- Visitors and guests may enter the installations only when accompanied by their host,
- Users are liable for their own colleagues and guests,
- Deficient and damaged facilities must be immediately reported to the Port Office Wilhelmshaven,
- Watercrafts must be moored with at least two bow and two stern ropes that have sufficient tenacity and sufficient stress relief,
- Bulky objects may not be deposited on the landing stage,
- Users must have documented proof of a watercraft liability insurance for their vessel,
- The storage of combustible liquids on the landing stage is prohibited,
- Waste may only be placed in the containers meant for that purpose,

- When operating a bilge pump, it must be ensured that no oil can enter the environment,
- Individual watercrafts must be moored and equipped with their own fenders so that no damage can be caused to the landing stage or neighbouring vessels and use of the landing stage is not affected,
- Landing stage changes and additions are only possible with written authorisation from JWP,
- Hazardous substances, especially substances that are hazardous to water, must not contaminate the port,
- Environmental protection requirements must be respected in particular.

36.4. For the safety and efficiency of berths and vessel traffic, the Service Port is under video surveillance. The data will be stored as evidence. In the case of rights violations, JWP is entitled to forward the video to the competent authorities. Users agree to the above-mentioned video surveillance and data processing, inform their employees, subcontractors and obtain appropriate consent from them. The onshore access roads are labelled with warning and information signs subject to the regulations of the General Data Protection Regulation (see Appendix 6 – DSGVO Hinweisschilder Videoüberwachung).

Appendices

Appendix 1 – Layout Plan JWP

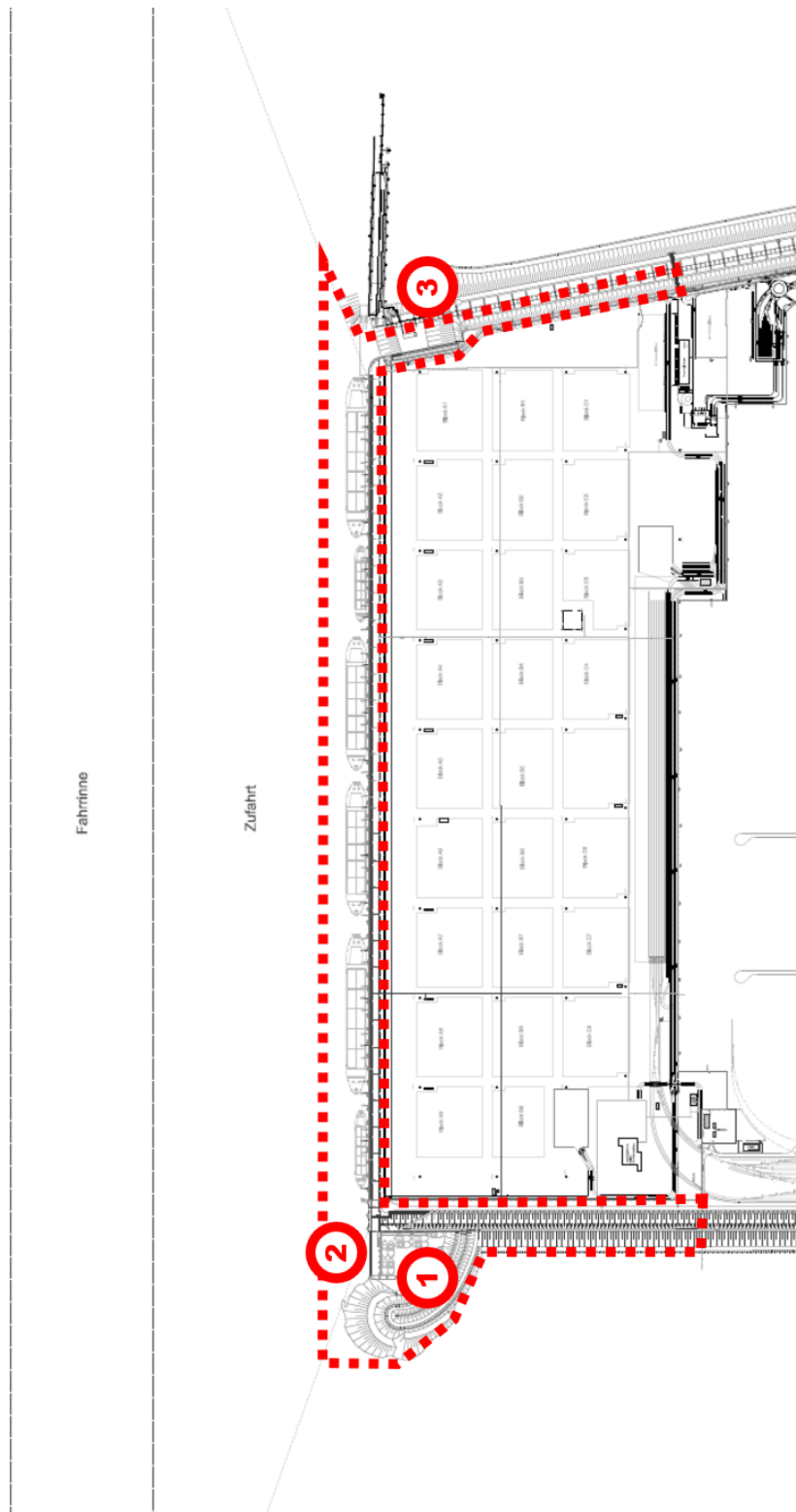


Illustration 1 – Layout Plan JWP

Source: Corporate illustration (red area = Scope)

1. Service Port
2. Project Pier (ca. 65m)
3. Brat Wharf

Appendix 2 – Operating instructions T-001 Inspection of the supply tunnel at the quay


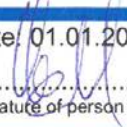



	<h3>OPERATING INSTRUCTIONS T-001</h3>	Date: 01.01.2020  Signature of person responsible
<h3>Scope of application</h3>		
Inspection of the supply tunnel at the quay		
<h3>DANGERS FOR MAN AND ENVIRONMENT</h3>		
	<ul style="list-style-type: none"> - Falling into the water, drowning (up to 6m to the quay) - Fall due to entry/exit to the supply tunnel - Bumping against fixed components, cable trays, pipes, etc. - due to oxygen deficiency - through unsecured, open shaft openings - increased hazard from electrical installations 	
<h3>PROTECTIVE MEASURES AND RULES OF CONDUCT</h3>		
	<ul style="list-style-type: none"> - Inspection of the supply tunnel only if commissioned by JWP - Life jackets must be worn in the area of the quay (up to 6m at the quay) - Wear safety vest or jacket - Wear a hard hat - Wear safety shoes - Secure the manhole and close it again after inspection - Switch on the ventilation system 2 hours before the inspection by JWP - Have the emergency call chain / rescue winch ready - No solo work / inspection (at least 2 persons) - Knowledge of the lighting system - Additionally have a flashlight ready 	
<h3>BEHAVIOUR IN CASE OF DANGER</h3>		
In case of incidents / malfunctions / dangers, the Port Office must be informed (04421/40980-999).		
<h3>FIRST AID</h3>		
	<ul style="list-style-type: none"> - Keep calm and pay attention to self-protection (self-protection has priority over the rescue of others) - In case of a fall into the water, throw a life ring, call for help, observe / rescue person - Trigger emergency call at the marked locations (every 225m) - Injured person is recovered with the aid of rescue equipment and transported to the nearest manhole - Rescue person with rescue winch if necessary - give first aid - Report accident Client / supervisor 	
<p>emergency call: Port Office 04421/409 80 - 999</p>		
<h3>CARE AND MAINTENANCE</h3>		
<ul style="list-style-type: none"> - Return activated life jackets for inspection 		

Illustration 2 – Operating instructions T-001 Inspection of the supply tunnel at the quay

Appendix 3 – Operating instruction T-002 Inspection of the relief chamber

	<h2 style="margin: 0;">OPERATING INSTRUCTIONS</h2> <h3 style="margin: 0;">T-002</h3>	<p>Date: 01.01.2020</p> <p>..... Signature of person responsible</p>
<h3 style="margin: 0;">Scope of application</h3>		
<p style="margin: 0;">Inspection of the relief chamber (on the burr web)</p> <p style="margin: 0;">Boat trip to the relief chamber</p>		
<h3 style="margin: 0;">DANGERS FOR MAN AND ENVIRONMENT</h3>		
  	<ul style="list-style-type: none"> - Falling into the water, drowning (up to 6m at the quay) - Falling into the water, drowning while sailing with the boat, as well as getting in and out of the boat. - Crash due to entry / exit to relief chamber - Crash through unsecured, open shaft openings - Risk of crushing body parts due to vibrating load (manhole cover, boat) and when opening and closing manhole covers - Danger of slipping on the gratings bridge 	
<h3 style="margin: 0;">PROTECTIVE MEASURES AND RULES OF CONDUCT</h3>		
     <div style="border: 1px solid black; padding: 2px; font-size: 8px;"> Hier gilt die SVO </div>	<ul style="list-style-type: none"> - Inspection of the discharge chamber only by order - Life jackets must be worn in the area of the quay (up to 6m from the quay) - Life jackets must be worn when travelling by boat (already when entering and leaving) at water temperatures below 10°C, always put on cold protection suits in advance - Entry and exit only with personal protective equipment against falling - wear safety jackets - wear a hard hat - wear safety shoes - Secure the manhole and close it again after inspection - Have the emergency call chain / rescue winch and tripod ready - No solo work / inspection (at least 2 persons) - Carry powerful lighting and additional flashlight (reserve) - When using the boat, pay attention to tides and corresponding low water - Inspection only by experienced and reliable employees - Mobile phone or equipment for making an emergency call must be carried 	
<h3 style="margin: 0;">BEHAVIOUR IN CASE OF DANGER</h3>		
<p style="margin: 0;">In case of incidents / malfunctions / dangers, the Port Office must be informed (04421/40980-999).</p>		
<h3 style="margin: 0;">FIRST AID</h3>		
  	<ul style="list-style-type: none"> - Keep calm and pay attention to self-protection (self-protection has priority over rescue of others) - If you fall into the water, throw life belt, call for help, observe/rescue person - Providing first aid - Report accident to client / supervisor 	
<p style="margin: 0;">emergency call: Port Office 04421/409 80 - 999</p>		
<h3 style="margin: 0;">CARE AND MAINTENANCE</h3>		
<ul style="list-style-type: none"> - Return activated life jackets for inspection 		

Illustration 3 – Operating instruction T-002 Inspection of the relief chamber

Appendix 4 – Operating instruction T-003 Port area of the JadeWeserPort


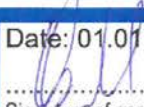














 JADEWESERPORT WILHELMSHAVEN	<h3>OPERATING INSTRUCTIONS</h3> <h3>T-003</h3>	Date: 01.01.2020  Signature of person responsible
Scope of application		
Port area of the JadeWeserPort For the area of the EUROGATE Container Terminal Wilhelmshaven the "Security Regulations for Entering and Driving in the Terminal" (www.eurogate.eu) also apply.		
DANGERS FOR MAN AND ENVIRONMENT		
  	<ul style="list-style-type: none"> - Falling into the water with the danger of drowning - Danger due to suspended loads - Danger from factory traffic - unsecured quay - Flood areas 	 
PROTECTIVE MEASURES AND RULES OF CONDUCT		
     	<ul style="list-style-type: none"> - In the area of the quay (from 6m on the quay) carry rescue equipment - Wear safety vest - wear a hard hat - wear safety shoes - Access only with permission and through the official entrances - Never step or drive under suspended loads - Observe the smoking ban in the entire port area - Mobile phone or equipment for making an emergency call must be carried - The bringing and consumption of intoxicating substances (alcohol, drugs, etc.) is prohibited - Driving in the port area is only permitted with a valid driving permit. Only the allocated parking areas / parking spaces may be used. The road traffic regulations apply in the port area. 	
BEHAVIOUR IN CASE OF DANGER		
In case of incidents / malfunctions / dangers, the Port Office must be informed (04421/40980-999).		
FIRST AID		
  	<ul style="list-style-type: none"> - Keep calm and pay attention to self-protection (self-protection has priority over the rescue of others) - In case of a fall into the water, throw a life ring, call for help, observe / rescue person - give first aid - Report accident Client / supervisor 	
emergency call: Port Office 04421/409 80 - 999		
CARE AND MAINTENANCE		
<ul style="list-style-type: none"> - Return activated life jackets for inspection 		

Illustration 4 – Operating instruction T-003 Port area of the des JadeWeserPort

Appendix 5 – Allgemeinverfügung des MW

Nds. MBl. Nr. 25/2019

A. Staatskanzlei

Honorarkonsulin in der Bundesrepublik Deutschland

Bek. d. StK v. 17. 6. 2019 – 203-11700-6 EST –

Das Auswärtige Amt teilt mit, dass die honorarkonsularische Vertretung der Republik Estland in Bremen eine neue Adresse hat:

Am Wall 199
28195 Bremen.

Die übrigen Kontaktdaten bleiben unverändert.

– Nds. MBl. Nr. 25/2019 S. 952

B. Ministerium für Inneres und Sport

Besetzung der Rettungsmittel mit Auszubildenden zur Notfallsanitäterin oder zum Notfallsanitäter

RdErl. d. MI v. 11. 6. 2019
– 35.22-41068/02 NotSanG –

– VORIS 21062 –

Bezug: RdErl. v. 28. 4. 2014 (Nds. MBl. S. 392)
– VORIS 21062 –

Der Bezugserrlass wird mit Wirkung vom 11. 6. 2019 wie folgt geändert:

In Nummer 2 wird das Datum „31. 12. 2019“ durch das Datum „31. 12. 2021“ ersetzt.

An die
Träger des Rettungsdienstes
Nachrichtlich:
An
den Niedersächsischen Landkreistag
den Niedersächsischen Städtetag
die Ausbildungsträger
die Rettungsschulen

– Nds. MBl. Nr. 25/2019 S. 952

G. Ministerium für Wirtschaft, Arbeit, Verkehr und Digitalisierung

Allgemeinverfügung zur Festlegung der notwendigen Mindestanzahl an Schleppern am Containerterminal Wilhelmshaven – JadeWeserPort –

AV d. MW v. 12. 6. 2019 – 31.1 30400-0.1 –

Bezug: AV v. 12. 11. 2015 (Nds. MBl. S. 1506)

Gemäß § 25 Abs. 2 NHafenSG i. d. F. vom 16. 2. 2009 (Nds. GVBl. S. 15), zuletzt geändert durch Artikel 3 § 23 des Gesetzes vom 20. 5. 2019 (Nds. GVBl. S. 88), werden für das Anlaufen des Containerterminals Wilhelmshaven – JadeWeserPort – sowie das Auslaufen aus dem Containerterminal Wilhelmshaven die Annahme der in der Anlage vorgeschriebenen Mindestanzahl an Schleppern angeordnet.

Die jeweilige Mindestanzahl richtet sich nach der Schiffsgröße, der Art der durchzuführenden Manöver, den Manövrierfähigkeiten des Schiffes, der jeweiligen Verkehrssituation sowie den vorherrschenden Wind- und Strömungsbedingungen entsprechend der Tabelle in der Anlage. Für bestimmte Schiffsgrößen sind in bestimmten Situationen bzw. bei bestimmten Manövern Mindestanforderungen an den Pflanzug der Schlepper geregelt, den die vorgesehenen Schlepper einzeln oder gemeinsam erreichen müssen.

Das Wasser- und Schifffahrtsamt Weser-Jade-Nordsee (Verkehrszentrale Wilhelmshaven) kann auf Antrag in Abstimmung mit der Hafenbehörde (MW, Referat 31, Dienstsitz Wilhelmshaven) Abweichungen von diesen Vorgaben zulassen.

Im Einvernehmen mit dem Wasser- und Schifffahrtsamt Weser-Jade-Nordsee gilt diese AV für den Hafen- und den Zufahrtbereich.

Die Bezugs-AV tritt mit Ablauf des 11. 6. 2019 außer Kraft.

Gründe:

Die festgelegte Mindestanzahl sowie die genannten Pflanzugleistungen der Schlepper, einzeln und/oder gesamt, sind bei den o. g. Bedingungen für den sicheren Betrieb des Containerterminals Wilhelmshaven erforderlich, um Sach-, Personen- und/oder Umweltschäden zu vermeiden. Seit Inbetriebnahme des Terminals haben die Tiefgänge der dort abgefertigten Schiffe zugenommen. Die bisherigen Erfahrungen bei den An- und Ablegemanövern haben gezeigt, dass die Bestimmung von Gesamtpflanzugleistungen bei den einzelnen Manövern nicht ausreicht. Vielmehr sind im Einzelfall auch für die jeweils eingesetzten Schlepper Mindestpflanzugleistungen zu bestimmen. Die bisher anzuwendende Bezugs-AV hat diese Anforderung nicht vollständig berücksichtigt. Sie ist daher zu widerrufen und durch diese AV mit genaueren Vorgaben zu ersetzen. Ab den festgelegten Schiffsgrößen sind die genannten Schlepperzahlen sowie Einzel- und Gesamtpflanzugleistungen notwendig, um den Bereich der Wasserstraße und des Hafens vor der Kaje nicht länger als notwendig durch manövrierende Schiffe zu blockieren.

Nebenbestimmungen:

1. Nachträglich notwendig werdende Beifügungen, Änderungen und Ergänzungen von Auflagen sowie der Widerruf der AV bleiben vorbehalten, soweit dieses für die Gefahrenabwehr im Hafenbereich erforderlich wird.

2. Diese AV ersetzt keine nach anderen Rechtsvorschriften notwendigen Erlaubnisse oder private Zustimmungen. Andere Rechtsvorschriften bleiben unberührt.

Rechtsbehelfsbelehrung:

Gegen diese AV kann innerhalb eines Monats nach Bekanntgabe schriftlich oder zur Niederschrift bei der Urkundsbeamtin oder dem Urkundsbeamten der Geschäftsstelle Klage beim Verwaltungsgericht Oldenburg, Schloßplatz 10, 26122 Oldenburg, erhoben werden.

Anordnung der sofortigen Vollziehung:

Die sofortige Vollziehung der AV wird nach § 80 Abs. 2 Nr. 4 VwGO i. d. F. vom 19. 3. 1991 (BGBl. I S. 686), zuletzt geändert durch Artikel 7 des Gesetzes vom 12. 7. 2018 (BGBl. I S. 1151), hiermit angeordnet.

Begründung:

Die Anordnung der sofortigen Vollziehung liegt im öffentlichen Interesse.

Die sofortige Vollziehung ist notwendig, da das Verkehrsaufkommen im Containerterminal Wilhelmshaven seit Anfang 2015 erheblich zugenommen hat. Jahreszeitbedingte nehmen ungünstige Witterungsbedingungen zu. Deshalb ist diese Regelung zur Aufrechterhaltung der Sicherheit und Leichtigkeit des Schiffsverkehrs im Hafen- und Zufahrtbereich unmittelbar erforderlich und kann nicht aufgeschoben werden. Unfälle und Havarien mit Personenschäden und Beschädigungen der Hafenanlagen sind ohne die Annahme von Schleppern in der genannten Anzahl sowie der Festlegung von Einzel- und Gesamtpflanzugleistungen nach den bisherigen Erfahrungen beim Betrieb des Containerterminals Wilhelmshaven nicht auszuschließen. In diesen Fällen muss auch mit erheblichen Gefährdungen des Gewässers durch austretende Betriebsstoffe gerechnet werden.

Rechtsbehelfsbelehrung:

Gegen die Anordnung der sofortigen Vollziehung kann gemäß § 80 Abs. 5 VwGO der Antrag auf Wiederherstellung der aufschiebenden Wirkung einer Klage beim Verwaltungsgericht Oldenburg, Schloßplatz 10, 26122 Oldenburg, gestellt werden.

– Nds. MBl. Nr. 25/2019 S. 952

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Illustration 5 – Allgemeinverfügung zur Festlegung der notwendigen Mindestanzahl an Schleppern am Containerterminal Wilhelmshaven - JadeWeserPort –

Nds. MBL. Nr. 25/2019

Anlage

Schiffslängen	Mindestanzahl von Schleppern für An- und Ablegemanöver			bei ungünstiger Windrichtung oder ungünstigen Verkehrsbedingungen	ab Windstärke 8
	ohne Drehmanöver	mit Drehmanöver	bei ungünstiger Windrichtung oder ungünstigen Verkehrsbedingungen		
bis 179,99 m	kein/ein ¹⁾	kein/ein ¹⁾	kein/ein ^{1)/zwei²⁾}	zwei	
180 m bis 299,99 m	kein ^{3)/ein}	ein	zwei	drei mit zusammen mindestens 120 t Pfaflzug	
300 m bis 349,99 m ⁴⁾	ein mit mindestens 60 t Pfaflzug	zwei mit zusammen mindestens 120 t Pfaflzug	zwei mit zusammen mindestens 120 t Pfaflzug	drei mit zusammen mindestens 180 t Pfaflzug	
ab 350 m ⁴⁾	Anlegen: zwei mit zusammen mindestens 120 t Pfaflzug Ablegen: ein mit mindestens 60 t Pfaflzug	zwei mit zusammen mindestens 120 t Pfaflzug	Anlegen: drei mit zusammen mindestens 180 t Pfaflzug Ablegen: zwei mit zusammen mindestens 120 t Pfaflzug	Anlegen: vier mit zusammen mindestens 310 t Pfaflzug Ablegen: drei mit zusammen mindestens 270 t Pfaflzug	

¹⁾ Ein Schlepper bei achterlichem Strom während des Anlegemanövers.

²⁾ Zwei Schlepper für Anlegemanöver bei ablandigem Wind und achterlichem Strom und/oder beim Anlegen zwischen zwei an der Kaje liegenden Schiffen.

³⁾ Nur wenn das Schiff mit Bug und Heckstrahlruder ausgerüstet und in technisch einwandfreiem Zustand ist.

⁴⁾ Die geforderten Schlepper müssen jeweils mindestens 60 t Pfaflzug haben.

In Abstimmung mit dem Wasser- und Schifffahrtsamt Weser-Jade-Nordsee (Verkehrszentrale Wilhelmshaven) und der Hafenebehörde (MW, Referat 31, Dienstszitz Wilhelmshaven) sind Abweichungen von diesen Vorgaben möglich.

Appendix 6 – DSGVO Hinweisschilder Videoüberwachung

<p>Name und Kontaktdaten des Verantwortlichen: Container Terminal Wilhelmshaven & JadeWeserPort Realisierungs GmbH & Co. KG JadeWeserPort-Marketing GmbH & Co. KG Pazifik 1 Pazifik 1 26388 Wilhelmshaven</p>	<p>Kontaktdaten des externen Datenschutzbeauftragten: Externer Datenschutzbeauftragter der JWP Gesellschaften c/o Datenschutz nord GmbH Konsul-Smidt-Straße 88 28217 Bremen</p>	<p>Zwecke und Rechtsgrundlage der Datenverarbeitung, berechnigte Interessen: Die Datenverarbeitung erfolgt auf Grundlage von § 4 BDSG bzw. Art. 6 Abs. 1 lit. f DSGVO zu folgenden Zwecken und Interessen:</p> <ul style="list-style-type: none"> - Wahrnehmung des Hausrechts - Schutz des Eigentums - Verhinderung und Aufklärung von Straftaten (insbesondere Diebstahl und Vandalismus) 	<p>Speicherdauer und Datenempfänger: Im Falle der Aufzeichnung werden die Daten maximal 72 Stunden gespeichert. Eine längere Speicherdauer erfolgt nur, sofern dies zur Durchsetzung von Rechtsansprüchen oder zur Verfolgung von Straftaten im konkreten Einzelfall erforderlich ist. Eine Datenübermittlung der Aufzeichnungen an Dritte (z. B. die Polizei) findet nur statt, wenn dies zur Aufklärung von Straftaten erforderlich ist.</p>	<p>Ihre Rechte: Nach den gesetzlichen Vorschriften haben Sie das Recht auf Auskunft seitens des Verantwortlichen über die Sie betreffenden personenbezogenen Daten (Art. 15 DSGVO) und in bestimmten Fällen das Recht auf Berichtigung (Art. 16 DSGVO) oder Löschung (Art. 17 DSGVO) oder auf Einschränkung der Verarbeitung (Art. 18 DSGVO) sowie auf Widerspruch (Art. 21 DSGVO). Sie haben zudem das Recht auf Beschwerde bei einer Aufsichtsbehörde für den Datenschutz (Art. 77 DSGVO). Ausführliche Informationen zu Ihren Rechten, sowie einen Ausdruck dieser Informationen erhalten Sie auf Anfrage unter oben genannter Adresse des Verantwortlichen.</p>
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Illustration 7 – DSGVO Hinweisschilder Videoüberwachung