

# Marine Services, Rules and Regulations: The case of the Port of Barcelona

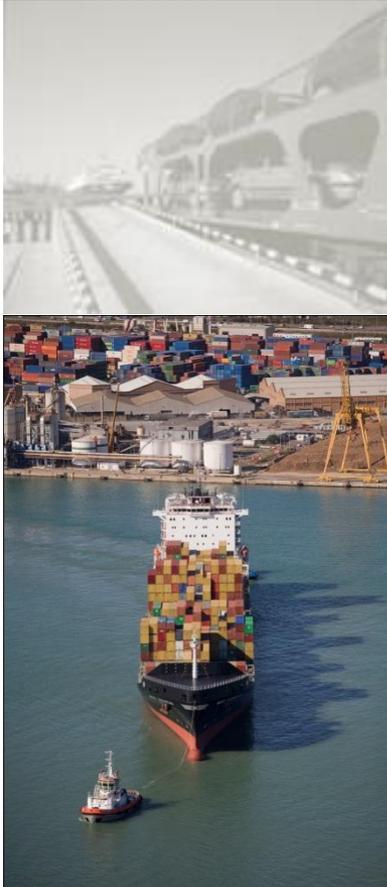
**José Alberto Carbonell**

Managing Director, Barcelona Port Authority

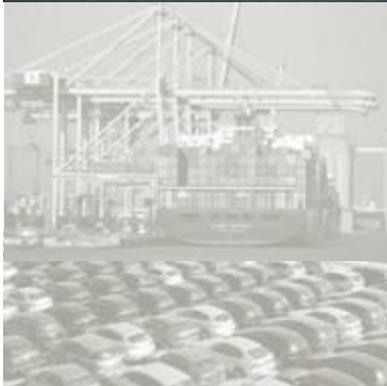


Port de Barcelona

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# Port service regulations

## Must be provided by private companies

- The Law establishes that port services (technical-nautical services, passengers, Marpol waste and handling) must be **provided by competing private companies** authorised by the Port Authority
- The **Port Authority must set the conditions** for granting the authorisation
- The Port Authority can **limit the number of providers** only in exceptional circumstances
  - **Special cases:** self-handling and pilotage



# Port service regulations

## Conditions for granting authorisation

Conditions must be **transparent, non-discriminatory, objective, relevant** and **proportional**

- Professional **qualifications**
- Sound **financial situation**
- Cap on **fees**
  - ✓ No charge for overtime
  - ✓ Fees depend only on GT, with a limit
- **Minimum resources**
  - ✓ The provider must have the resources to provide the most complex regular service and public service obligations
- **Duration** of the authorisation:
  - ✓ Towage: 10 years maximum, renewable
  - ✓ Mooring and pilotage: 6 years maximum, renewable
- Public service **obligations**
  - ✓ Regular, continuous and universal

All criteria are public and **published** on the Port's website  
[www.portdebarcelona.es](http://www.portdebarcelona.es)





# Towage in the Port of Barcelona

## Specific requirements for towage companies operating in the Port

- ✓ **Professional qualifications:**
  - Proven experience in this service in a port with a throughput > 20 M Tn.
- ✓ **Sound financial situation**
  - Equity of 4 Million €
  - Equity must be > 20% of total assets
- ✓ **Minimum resources**
  - 5 tugboats in service 90% of the time with the following features:
    - Maximum age: 15 years
    - Bollard pull: 60 Tn.
- ✓ **Duration**
  - 10 years maximum. Renewable
- ✓ **Public service obligations**
  - Local training cooperation
  - 2 tugboats must have FF1
  - Resources to fight environmental pollution



# Limitation of providers

Limited in exceptional cases

The number of providers of each service can be limited by the Port Authority only due to **capacity of facilities, safety or environmental reasons**

In this case, the Port Authority must call for a **tender with a limited duration** (7.5 years in towage and 4.5 years in mooring and pilotage)





# Pilotage

## Only one pilotage company

For safety reasons, there must be only **one pilotage company** per port.

If the port area is divided in different zones, **only one** pilotage company **can operate** in each zone

The law foresees exemptions to the obligation to use pilotage (P.E.C). These **exemptions** are common in ferries and regular maritime services.





# Self-handling

## Only in private terminals

The law establishes that port services can be self-handling only if they are provided by the owner of a **private terminal**

In that case, the self-handling companies will not have public service obligations but they must **provide financial compensation to other providers** through the Port Authority.



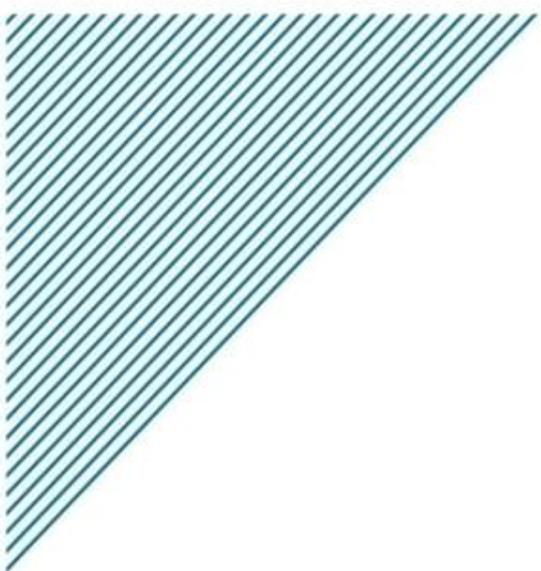


# Lessons learnt

## The experience of the Port of Barcelona

- ✓ There is **no competition in pilotage** services
- ✓ There are **no self-handling** cases in Spain: conditions are not very favourable
- ✓ The real amount of competition depends on the **size of the port**:
  - The key issue is the **minimum resources**: sometimes the most complex regular service requires a great deal of resources
  - In case of more than one provider, **coordination and safety conditions** become more complex for the Port Authority





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**Thank you.**





**Port de Barcelona**