

Upcoming Changes To Rates & Tariffs

FMC Tariff No. 2

 [BACK](#)

SECTION II - GENERAL RULES AND REGULATIONS

AUDIT OF MANIFESTS AND OTHER DOCUMENTS

228

Issued -
~~September 23, 1993~~
March 27, 2008

Effective -
~~September 27, 1993~~
May 1, 2008

The vessel, her owners, charterers and agents, Grantees of a First Call on Berth Privilege, Assignees of a Berth, and those persons using facilities for purposes of performing cargo operations with the permission of such vessel, Grantee or Assignee and licensed independent lift operators, shall permit Board access to all cargo documents including, but not limited to, cargo manifests, delivery tickets, dray receipts, hatch lists, or invoices for services and furnish to Board such other documentation, reports or information as it may require, for purposes of audit so as to secure necessary data to permit correct billing for charges incurred under this tariff **or to permit and facilitate the collection of cargo data and statistical information. The cargo data and statistical information shall be furnished to Board in a form and manner acceptable to Board as provided in Item 300 of this tariff.** Failure to provide such information upon request will constitute cause for denial of use of the Board's facilities.

SECTION III - USE OF BOARD PROPERTY

APPLICATION FOR BERTH

300

~~Issued - January 26, 1999~~
March 27, 2008

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May 1, 2008

To accommodate the shipping and commerce through this port, this Board merely provides and makes available wharves and other facilities to vessels or other persons for their use and performs no services of any kind. the parties assigned the use of such facilities shall per-form any and all services and conduct all operations necessary in connection with the berth-ing of vessels, the handling of cargo or property, or other use by the assignee. In all cases, the care, custody and control of such vessels, cargo or other property shall at all times be and remain in the vessel, her owners, charterers and agents, and in no case shall the assignment of a berth, wharf or other facility be deemed or construed as placing such vessel, cargo or property, in the care, custody or control of this Board.

Vessels, their owners, charterers and agents desiring a berth at any public wharf or facility must apply to the Marine Terminal Superintendent on forms furnished by his office, or in electronic form approved in advance by the President-Chief Executive Officer, prior to the date for receiving cargo for outbound movement or not less than forty-eight (48) hours in advance of date for discharging inbound cargo onto or at such public wharf or facility. The Marine Terminal

Superintendent will notify the applicant of a berth assignment by returning a signed copy of said form.

The signed application form, or a properly authenticated electronic application, and grant of berth assignment shall constitute a contract, subject to the rates, rules and regulations and provisions contained in this tariff and the ordinances of this Board, by and between the Board of Commissioners of the Port of New Orleans and the vessel, her owner, charterer and agents, jointly, severally and in solido. The grant of berth assignment does not convey absolute control of the facility assigned.

Within seven(7) working days following the completion of cargo operations, the vessel, her owner, charterers, or agent who has filed an application as provided above and been granted an assignment shall furnish to Board, in a form and manner acceptable to Board, cargo and statistical information relating to the operations conducted pursuant to such assignment.

Exception - Inland Barge Carriers

Inland barge carriers regularly operating at this port may be relieved of filing an "Application for Berth" by entering into a written contract with this Board providing for their submission, within five days following the close of each calendar month, of a list of all barges docked or berthed at any of the public wharves or facilities during the said calendar month, indicating the name or number of each inland watercraft (including barges), the length thereof, the name or location of the public wharf, the date and hour of the arrival and departure of each, sheddage and/or marginal track usage, and such other information necessary to assist the Board in assessing charges. Such barge carriers shall be billed monthly for all applicable dockage, sheddage and/or marginal track usage charges.

Inland barge carriers entering into such contracts shall nevertheless obtain oral permission from the Marine Terminal Superintendent for, and prior to, the berthing of any barge at a public wharf.