

**Port regulations for
traffic and goods
handling in the ports
and transhipment
centres of Saarland**

From

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PART ONE

General regulations

§ 1

Applicability

(1) These port regulations apply to all ports and transshipment centres in Saarland whose spatially defined areas are identified in the Saarland official register.

(2) Transshipment centres not identified in accordance with clause 1 are also subject to the provisions of these regulations.

(3) These regulations do not apply to:

1. Federally owned shelter and safety ports which do not perform any goods handling, or federal construction yards
2. Ports and landing stages used solely for passenger shipping or sport and sport and recreational boating

(4) The port area of the individual ports is illustrated in overview maps established by the Ministry for Economic Affairs. The port area is delimited in red on the overview map and water is shown as solid blue. The port overview map is kept by the relevant port operator. A further copy is held by the port authority. The maps can be viewed at these premises during standard office hours.

(5) The borders of the port area are marked with signposts at the entrance points.

§ 2

Application of other regulations

(1) Unless otherwise indicated below, the following federal maritime police regulations apply in their current version:

1. For ports on the Saar federal waterway, the German Inland Waterway Regulations (BinSchStro) implemented by the directive introducing the Inland Waterway Regulations dated 8 October 1998 (BGBl. I p. 3148).
2. For ports on the Mosel federal waterway, the Mosel Waterway Police Regulations (Mosel SchPv) implemented by the directive introducing the Mosel Waterway Police Regulations dated 3 September 1997 (BGBl. II p. 1670).
3. In ports on the Saar and Mosel federal waterways:
 - a) The Rhine Waterway Examination Regulations (RheinSchUO) implemented by the directive introducing the Rhine Waterway Examination Regulations dated 19 December 1994 (BGBl. II p. 3822)

b) The regulation regarding ship safety for inland waterways (Regulation introducing Inland Waterway Examination) dated 19 December 2005 (BGBl. I p. 2868)

c) The Inland Waterway Patent Regulations dated 17 December 1977 (BGBl. I p. 3066)

d) The Inland Sport Boat Licence Regulations dated 22 March 1989 (BGBl. pp. 536, 1102)

e) The Inland Waterway Voice Radio Regulations dated 22 February 1980 (BGBl. I p. 169)

f) The regulations on domestic and international carriage of hazardous goods by road, rail or inland waterway (Regulations for the Conveyance of Hazardous Goods by Road, Rail and Inland Waterway – GGVSEB) dated 17 June 2009 (BGBl. year 2009 part I no. 33)

g) The European Agreement on the International Carriage of Dangerous Goods by Inland Waterways (ADN)

h) The regulations on the carriage of dangerous goods on the Mosel

i) The regulations limiting the emission of volatile organic compounds when filling and storing gasoline dated 27 May 1998 (BGBl. I p. 1174)

j) The implementation law dated 13 December 2003 for the convention dated 9 September 1996 on the Collection, Discharge and Reception of Waste on the Rhine and Inland Waterways (BGBl. year 2003 part I no. 62)

k) The European Agreement on the International Carriage of Dangerous Goods by Road (ADR)

(2) The regulations adopted for specific inland waterways only apply to the ports located on said waterway.

§ 3

Port authority, responsibilities

(1) The port authority is the German Ministry of Economic Affairs. It may draw on the services of the port company in the performance of duties in accordance with these regulations. In the event of imminent danger, the port company is permitted to take the necessary measures. The port authority and the waterway police must be immediately informed.

(2) The port authority is responsible for averting dangers threatening public safety or traffic and operational organisation in the port, and where possible for preventing water contamination. It is also responsible for averting dangers which are the result of the condition of port facilities or which compromise their proper condition.

(3) The port company, as the owner of the port facility, is commissioned to execute these regulations in accordance with the following provisions. In this respect they stand as a publically and legally appointed entrepreneur. The port company is subject to the legal supervision of the port authority.

(4) As regards the transport of dangerous goods, their responsibilities are based on the legislation adopted on the basis of the Carriage of Hazardous Goods Act in the version dated 7 July 2009 (BGBl. I pp. 1774, 3975).

§ 4

Performance of sovereign tasks

Those with sovereign tasks to perform in the port area are exempted from the provisions of these port regulations insofar as serves their sovereign purpose.

PART TWO

Common rules for all ports

Section 1

§ 5 Basic rules for port behaviour

(1) Everyone in the port shall behave in such a way so as to not disrupt the safety and proper operation of the port and port facilities or the environment, and to avoid harming, endangering others or impeding or inconveniencing them more than is inevitable under the circumstances.

(2) Unauthorised persons require permission from the port company to enter or use the port area.

§ 6

Access to vessels and floating structures by officials

(1) Employees of the port authority, law enforcement and other authorities and of the port company are entitled to inspect and ride with vessels and floating structures as part of their official activities. § 40 section 2 clause 2 SWG correspondingly applies. Upon request, skippers and those in charge of vessels and floating structures must provide the employees mentioned in clause 1 with information on the design, equipment, cargo and any special circumstances on board. They must allow the employees to view the ship's papers and cargo documents and hand them over for inspection. If the papers have to be taken ashore, skippers and individuals in charge may request a receipt.

(2) Upon request, the skipper or individual in charge and their representatives must assist with embarking and disembarking as is standard for shipping.

§ 7 Installations hampering traffic

No light sources, advertising structures, large boards or signs, or any other installations which could disrupt port operations, port traffic or continuous shipping are permitted in port facilities, vessels or floating structures.

§ 8

Port closure, stay limits

(1) The port authority or the port company may close all or part of the port if the available berths are occupied or if it is necessary for safety reasons. They can restrict the closure to specific types of vessel which are expected to disrupt the safety and order of the port.

(2) The port authority or the port company may prescribe a time limit on the stay of a vessel or floating structure. The statutory maximum working time and minimum rest period for crew members shall not be compromised.

§ 9

Port clearance for handling hazardous goods and water-polluting substances

(1) The port authorities may clear the port or part of the port for the handling and storage of hazardous goods and water-polluting substances.

(2) Clearance as per section 1 is only permitted subject to relevant regulations, in particular the Water Resources Act (WHG) and the Saarland Water Act (SWG). Clearance of all or part of the port will be announced if needed.

§ 10

Other use of the port waters

Without the permission of the port company, it is forbidden in the port area to:

1. Swim, sail or surf
2. Operate sports or recreational boats
3. Access frozen water surfaces
4. Fish or cast nets or fish cages
5. Operate passenger transport or sport or recreational boats or lower corresponding vessels into the water
6. Set off fireworks or organise races, parades or similar events

§ 11

Reporting specific incidents, behaviour in the event of a fire

(1) If a person, vessel or floating structure in the port comes to harm involving danger to life and limb, safety or order, contamination of the water or another adverse change to its properties occurs, or one of the circumstances set out in § 16 section 1 nos. 1, 2 or 5 occurs in the port, then law enforcement or the port company must be immediately informed. The obligation to provide notification of an insurance claim made to the accident insurer by the company under § 193 of the seventh volume of the Social Security Code (SGB VII) remains unaffected.

(2) The fire brigade, law enforcement or port company must be immediately informed if a fire is seen to have developed. However, this does not exempt the observer from taking emergency measures such as warning vessels or transshipment facilities in the immediate vicinity or extinguishing incipient fires using suitable fire-extinguishing appliances (e.g. portable fire extinguishers).

§ 12 Keeping the port clean

(1) Contamination of the port is prohibited. Bilge, ballast, tank washing or waste water containing water-contaminating substances may not be drained into the port waters.

(2) If any water-contaminating substances reach the port waters, watercourse or the bank, then the operator of the transshipment facility, the skipper or the supervisor must immediately inform the port company or law enforcement. Regardless of any immediate measures to be taken by the perpetrator, said perpetrator is responsible for removing the spilled substances on the instructions of the competent authority.

(3) The operators of transshipment facilities are obligated to receive cargo residues and washing water if said cargo residues and washing water are for substances which are being handled in the relevant facility.

(4) The port company or the operator of the transshipment facility must accept domestic refuse from ships loading or unloading on its premises.

§ 13

Removal of sunken vessels and items

If a vessel, floating structure or other item which could impede port traffic or shipping has sunk, then the responsible party, skipper or individual in charge must immediately inform the port authority, port company or law enforcement. Upon request by the port authority, those responsible must ensure that the vessel, floating structure or item is raised within a reasonable timeframe. If this poses a water hazard, then the responsible party must immediately implement measures to prevent it.

Section 2

Reporting requirements, permissions

§ 14 Signing in and out

(1) Vessels or floating structures must be signed in by their skippers, owners or outfitters immediately upon arrival either electronically or in the form prescribed by the port company, and then signed out immediately before leaving the port. The port company can universally waive this requirement for signing in and out. If such as waiver is in place it will be stated at suitable points within the port.

(2) The following are not required to sign in and out:

1. Public service and port management vessels
2. Rescue and fire-fighting vessels
3. Passenger ships operating to a schedule agreed with the port management
4. Vessels which have been exempted from the requirement to sign in and out by the port management

§ 15 Reporting requirement for vessels subject to ADN

(1) Skippers of vessels subject to ADN must report to the operator of the transshipment facility immediately before entering the port and provide the following written particulars:

- a) Type of ship
- b) Name of ship
- c) Location
- d) Official ship number (IMO number for seagoing vessels)
- e) Load capacity
- f) Length and width of vessel
- g) Type, length and width of convoy
- h) Depth
- i) Type of cargo (substance name, substance quantity) and class, number and substance number where relevant or class and UN number
- j) 0, 1, 2, 3 blue lights, blue cones
- k) Number of people on board

(2) The operator of the transshipment facility must immediately inform the waterway police. The port company may require the operator of the transshipment facility to include them in the registration procedure.

(3) The information given in this section with the exception of letters c and h may also be communicated to the operator of the transshipment facility by other bodies or individuals in writing or by telephone, provided that this is done in good time.

§ 16 Permission to enter

(1) Before entering a port, the skipper or owner of a vessel or floating structure must obtain permission from the port company if the vessel or the structure:

1. Is in danger of sinking
2. Is burning or has a suspected fire
3. Could endanger or impede port operations due to its design, drive type or dimensions
4. Is destined to be scrapped
5. Could entail a health risk for humans, animals or plants
6. Is designed for sport and recreational boating

(2) Unless all or part of the port has been cleared as per § 9 clause 1, then the skipper or owner of a vessel subject to ADN must obtain the permission of the port company before entering.

§ 17 Inoperative vessels, special use

(1) If a vessel or a floating structure is to be made inoperative in the port, the owner must obtain prior permission from the port management. They must keep the inoperative vessel or floating structure in a good condition. They must also give the port company the name of a supervisor who must be able to be reached at any time.

(2) If a vessel or a floating structure is being used to store goods or as a residential ship in the port, the owner must obtain prior permission from the port company.

(3) Before any scrapping work or repairs are performed on vessels or floating structures outside of the areas designated for this purpose within the port, the owner or skipper must obtain permission from the port company.

(4) The permissions described in clauses 1 and 2 may be revoked with a reasonable period of notice. The permissions described in clauses 1 and 3 may be furnished with auxiliary conditions. They may be revoked with immediate effect if skippers, owners or their representatives fail to meet their obligations properly or in good time. The port company may by way of a substitute performance restore safe conditions or remove the named items from the port, an action performed either by themselves or a third party, at the expense of the skipper, owner or their representatives.

Section 3

Movement and residence

§ 18

Towing and pushing traffic

(1) Except for in emergency situations, vessels may only use tows or pushes if they have been authorised to tow or push by a ship investigation committee. This does not apply to small vessels towing each other.

(2) Towing and pushing convoys must be measured so that they are able to complete all required manoeuvres taking into account the port's spatial and traffic conditions; the same applied to linked vessels.

(3) Vessels which are not able to safely manoeuvre within the port must make use of towing assistance. Vessels without working rudders must be secured to prevent yawing (swerving) when being towed.

(4) Collections of vessels must be broken up at the port company's request.

§ 19 Assignment of berths

(1) Particular berths must be occupied or left at the port company's request. Assigned berths may not be exchanged without permission from the port company. Vessels must shift their position if instructed to do so by the port company.

(2) Ship's crew on vessels in their berths assigned as per clause 1 part 1 may only be called upon to move or change berths during their statutory rest period in the event of imminent danger.

§ 20 Mooring and anchoring

(1) Vessels and floating structures must be moored to the equipment provided for the purpose or to vessels or floating structures which have been correspondingly moored. The fastening must be monitored if necessary and adjusted to water levels and entering and exiting when loading and unloading. Halting at mooring facilities is prohibited.

(2) Anchoring in the port is prohibited. Vessels and floating structures may only drop anchor in the port if they have gained prior permission to do so from the port company.

(3) Skippers of a vessels carrying liquid cargo must ensure that the vessel is moored with the bow facing towards the port exit, unless permitted to do otherwise by the port authority.

(4) Mooring or anchoring may not impede transshipment or traffic on the water, bank routes, steps or fixed ladders any more than is inevitable under the circumstances. Mooring over tracks is prohibited.

(5) Dinghies may only be moored right by or behind vessels or on the land site except for in the circumstances given in §33.

(6) The port company must regularly check that the facilities provided for mooring are in safe operational condition. Damaged or unusable equipment must be repaired or replaced with safe equipment.

§ 21

Occupancy and supervision of vessels

(1) Skippers or those in charge must engage a suitable representative in their absence. The representative must be reachable at short notice and able to provide information about the vessel, its cargo or the floating structure. For vessels or floating structures which are continuously unoccupied, the port company must be given the name of a supervisor (§ 6).

(2) Clause 1 does not apply to port company or public service vessels, rescue or fire-fighting vessels, or sport and recreational boating. The port authority may stipulate otherwise in individual cases.

(3) For changes of place, vessels or floating structures must be sufficiently staffed to enable them to be moved safely.

(4) Inoperative passenger ships with passengers remaining on board must have an on-board guard posted. This on-board guard must perform regular patrols.

§ 22

Gangways

(1) Gangways such as bridges, walkways, steps, ladders or quay walls must be safe for traffic. Vessels may only berth in areas where the bank formation enables the bank route to be safely reached.

(2) If multiple vessels or floating structures are next to each other, the skipper or individual in charge of the vessel next to the bank must allow walkways to be laid, goods to be brought over and people to cross.

§ 23

Use of propulsion systems by moored vessels

(1) Moored vessels may not start up propulsion systems or bow thrusters. This does not apply:

1. Shortly before casting off
2. For a short period for repair and maintenance work

3. To prevent ice from forming on the propeller and steering gear
4. During dock trials with the permission of the port management

(2) The use of propulsion systems or bow thrusters must not damage the port floor or hydraulic installations or endanger other vessels.

(3) If propulsion or bow thruster systems are being used, a member of the crew must warn approaching vessels and if necessary, arrange for operation of their vessel's propulsion or bow thruster system to cease.

§ 24

Safety regulations to prevent the risk of fire on board

Vessels and floating structures may only maintain fires in areas separated from the cargo hold by bulkheads. Fires may only be lit in secure fireplaces and must be constantly monitored. Sealing and preserving agents may only be heated on board for maintenance work and must be on the open deck in containers made of non-flammable materials. Suitable fire extinguishing equipment must be kept next to the fire. The corresponding provisions of the ADNR also apply.

§ 25 Safety regulations to prevent the risk of fire onshore

(1) Smoking and the lighting and maintenance of open fires is prohibited in warehouses, on their ramps and access routes, and in locations where inflammable or explosive goods are stored, loaded or unloaded. The facility operators shall indicate this by posting prohibition signs.

(2) No smoking, soldering, welding or other work involving a fire hazard may be completed near to inflammable or explosive goods or transport containers. Any activity which could produce sparks is prohibited.

(3) Vehicles moving, working equipment being used, and any light sources in the danger zone identified in clause 1 must comply with recognised technical regulations and may only be used if they are designed to be explosion proof.

§ 26 Own supply of fuel

(1) Liquid fuel for supplying a vessel's own needs may only be handed over or accepted by fixed installations or bunker boats.

(2) Refuelling from mobile filling stations is only permitted if authorised by the port company and if the provisions of the Technical Regulations for Flammable Liquids (TRbF 280) are met.

Section 4

Transshipment

§ 27 Use of port facilities

(1) Loading and unloading is only permitted in areas provided for the purpose.

(2) If loading and unloading in the dark, the operator of the transshipment facility must ensure that the transshipment area is sufficiently well lit. If transshipment points are able to be used as berths, traffic routes in the transshipment area must be sufficiently lit even outside of transshipment times.

(3) The skipper or individual in charge must ensure that when in the berth, the ship or floating structure is supplied with electrical power from onshore, if the ship or floating structure is equipped with the relevant facilities and corresponding facilities are available in the berth. Alternatively, power may also be supplied using on-board means provided that no corresponding on-board gensets need to be used during the time in berth.

(4) It is prohibited to pass over scales, linger within the working area of the loading facility, or access railway lines without authorisation. Adverse operation and unauthorised use or start-up of operational facilities is also prohibited.

(5) Vessels may not impede handling or train and road traffic in the port. If a vessel is loaded or unloaded by rail-bound vehicles within the driving area, then the operator of the transshipment area must ensure that the track area is sufficiently safe. The driver may not leave the vehicle.

(6) Damage to port facilities must be immediately reported to the port company or law enforcement by the person who caused the damage.

(7) The port authority, in agreement with the port company, may permit exceptions to the regulations stated in clauses 1 and 3 if this does not pose any danger to public safety or order.

§ 28

Removal of obstructions

Items which have fallen into the port waters during loading or unloading and which could endanger or impede shipping must be immediately cleared by the operator of the transshipment facility. If immediate removal is not possible, then the operator must warn transport users and immediately inform the port authority, port management or law enforcement.

§ 29 Positioning goods

(1) Goods must be stored in such a way that they cannot move or pose any risk to individuals, property or the environment.

(2) If goods are positioned near railway tracks, they must be at least 2.5 m away from the centre of the rails. A path 0.8 m wide (calculated from the front edge of the ramp) must be left by ramps which have railroad tracks running past them. A safe distance of 0.5 m must be maintained in working and traffic areas between positioned goods and powered, moving external sections of rail-bound, rail-borne or stationary cranes.

(3) Landing stages, bank routes, steps and track systems must be kept free.

PART THREE

Additional provisions for ports where hazardous goods or water-polluting substances are transported and handled

§ 30 Emergency arrangements

Skippers of ships carrying hazardous goods or water-contaminating substances must immediately ascertain upon entering the port area what facilities are in place for alerting the port authority, port company, law enforcement, fire department and rescue service in the event of any danger.

§ 31 Berths for ships carrying hazardous goods

(1) Berths for ships carrying hazardous goods under ADN must be identified according to the provisions set out in § 2 section 1 nos. 1 and 2.

(2) Vessels which must display 1, 2 or 3 blue cones or blue lights at night in accordance with ADN may shut down in the berths described in clause 1 only. If no such berths are available, they are only permitted to shut down in the port if the port management has provided them with a specific berth for the purpose.

(3) Vessels not described in clause 2 are not permitted to use these berths. This does not apply to vessels which are not required to display any blue cones but which are authorised to carry hazardous goods and meet the relevant safety conditions.

§ 32

Securing vessels

Skippers of vessels carrying hazardous goods must ensure that the vessel is moored with the bow facing towards the port exit, unless permitted to do otherwise by the port authority.

§ 33 Emergency exit routes

(1) The operator of the transshipment facility must provide two fixed emergency exit routes for the handling of hazardous goods. If an equivalent level of safety cannot be ensured by other means, for example via recognised safety systems combined with safe transfer, then the emergency exit routes must be positioned at the forecastle and stern.

(2) The skipper must ensure that the emergency exit routes named in clause 1 are properly established and can be used when loading and unloading.

§ 34

Loading and unloading

(1) Vessels may not be alongside or immediately behind each other when loading and unloading. Loading and unloading using mobile cables across a vessel is prohibited.

(2) Vessels which are not loading or unloading must remain a safe distance of 10 m away from vessels handling hazardous goods. For vessels handling gases under ADN, this safe distance is 50 m. This does not apply to vessels which are mooring for or casting off after transshipment.

(3) For vessels loading or unloading hazardous goods, there must be a safe zone of 10 m around the vessel containing no sources of ignition. No unauthorised individuals may enter the safe zone during loading or unloading. Other provisions regarding the safe zone remain unaffected.

(4) The port authority may permit smaller safe distances or zones than those stated in clauses 2 and 3, or alternatively impose larger ones to protect public safety and order.

§ 35

Remaining on board

(1) No-one is permitted to remain on board when loading or unloading hazardous goods.

(2) This does not apply to people who:

1. Are required for vessel handling or control
2. Need to remain on board for business reasons
3. Live on board

§ 36 Supervision

(1) When loading or unloading vessels with hazardous goods or water-polluting substances, the operator of the transshipment facility must appoint and inform the port company of a suitable supervisor, who may not be a member of the vessel's crew. The supervisor is responsible for ensuring that the safety provisions regarding the transshipment are adhered to. This only enters the skipper's area of responsibility if the supervisor identifies a safety deficiency.

(2) The supervisor may only permit loading or unloading if all the safety precautions required for transshipment have been completed both on board and onshore.

(3) For transshipments of hazardous goods on tankers, in addition to compliance with safety precautions on board and in the transshipment facility, an ADN checklist is also used which must be completed independently and signed by both the skipper and the supervisor. A properly completed and signed checklist serves as sufficient proof for the supervisor that the any safety precautions detailed by just the skipper only in the checklist have been completed, unless the supervisor discerns that the skipper's information is incorrect.

(4) The checklist must be stored by the operator of the transshipment facility for three months, and handed to the port authority, port company or law enforcement upon request.

§ 37

Guards and alarms

(1) When loading or unloading hazardous goods or water-polluting substances on tankers, a guard must be placed on each of on board and onshore, both of whom constantly monitor the transshipment lines and connectors in particular and ensure that the transshipment process is interrupted if necessary in the event of a danger. The guard on board must also monitor the fill level of the ship's tank during loading. If transshipment lines are broken and transshipment goods are released, the guard must immediately trigger the alarm and warn the skippers and crews of nearby vessels. The guard on board must be provided by the skipper, and the guard onshore is the responsibility of the transshipment facility operator.

(2) Communication between the guard on board and the guard onshore must be possible at all times from both a technical and a linguistic perspective.

(3) With the consent of the port company, the guards may use suitable technical equipment if it is ensured that this is being used to complete their tasks as described in clause 1.

(4) Under the conditions laid down by the waterway police specifications as per § 2 section 1 nos. 1 and 2, the representative correspondingly commissioned by the operator of the transshipment facility must also trigger the stay-away signal at the transshipment facility.

§ 38 Transshipment lines

(1) When loading or unloading hazardous goods or water-polluting substances, only reliable movable transshipment lines with a nominal pressure higher than the maximum operating pressure may be used to connect to the fixed pipelines on land and on the ship. If a technical safety issue is identified, then the pipe or joint may not continue to be used.

(2) Pipes must undergo an external check every six months and a pressure check at 1.5 times the nominal pressure every twelve months. Joints must undergo an external check every two years and a pressure check at 1.3 times the nominal pressure every four years. Both external and pressure checks must be completed by a qualified individual. Proof must be provided which should then be stored until the next check. Evidence of qualification must be provided to the port authority upon request.

§ 39

Electrical protection measures when handling hazardous liquid goods

(1) The electrical connections produced as per ADN may not be disconnected before the transshipment lines have been severed.

(2) Electrical cable connections to vessels, including communication cables, may not be established during loading or unloading inflammable liquid goods and may only be disconnected using quick release connectors.

(3) It is prohibited to load or unload inflammable liquid goods during a storm.

§ 40 Protection of port waters and onshore facilities

(1) The transshipment facility operator and the skipper or person in charge must take suitable measures to prevent hazardous goods or water-polluting substances from reaching the port waters, watercourse or onshore facilities. The operator of the transshipment facility must ensure that suitable technical installations such as booms, oil catchpans or binding agents are kept ready to prevent hazardous goods or water-polluting substances in the port waters, watercourse or onshore facilities from spreading.

(2) If hazardous goods or water-polluting substances reach the port waters, watercourse or bank during transshipment, then the operator of the transshipment facility must immediately inform the port company, fire department or law enforcement. Regardless of any immediate measures to be taken by the operator, they are responsible for removing the spilled substances on the instructions of the competent authority.

(3) Once the unloading process is complete, the operator of the transshipment facility must take the cargo residue if the vessel is due to have a change of cargo or to undergo customs handling. Suitable technical facilities must be made available on board and by the vessel for this purpose.

(4) The operator of the loaded transshipment facility must take any water-polluting ballast or tank washing water or ensure that it is otherwise taken away.

§ 41

Conduct after transshipment

(1) For vessels which must display 1 or 2 blue cones during the day or 1 or 2 blue lights at night in accordance with ADN, a gas concentration measurement must be completed in all living and operating areas after loading or unloading. The measurement results must be recorded in writing by the skipper. If a gas-air mix of 10% or more of the lower explosive limit for the substance being handled is recorded during a gas concentration measurement, then on-board operations may not commence. The port authority, port company and law enforcement must be immediately informed.

(2) If gas-air mixes as per clause 1 are not authorised, then the vessel must immediately leave the transshipment point and move to their assigned berth where relevant.

(3) By derogation from clause 2, vessels may remain at the transshipment point if all facilities for the handling of liquid goods in the port basin are disabled.

PART FOUR

Regulations regarding harmonised inland waterway information services in inland ports

§ 42

Applicability

The provisions of Part Four apply to ports as described in § 1 section 1 which:

1. Are located on the Saar and Mosel federal waterways
2. are open to commercial traffic
3. Are equipped with transshipment facilities for intermodal transport or have an annual goods transshipment volume of at least 500,000 tonnes

§ 43

Definitions

(1) Inland waterway information services are harmonised information services designed to support traffic and transport management in inland waterways, including interfaces with other modes of transport insofar as is technically feasible.

(2) Users of inland waterway information services are all user groups such as skippers, inland waterway information service staff, operators of locks and/or bridges, waterway management, operators of ports, transshipment facilities and terminals, staff in rescue service calamity abatement centres, fleet managers, shippers, senders, recipients, freight brokers and suppliers.

§ 44

Obligations

(1) The port company shall ensure that:

1. All the information required for navigation and travel planning as per appendix I of the 2005/44/EC guidelines is available in electronic format to all users of inland waterway information services
2. Users of inland waterway information services have access to electronic navigational shipping maps
3. Electronic notifications regarding the information required can be received by ships if international, federal or state provisions provide for a ship notification procedure
4. Notices for inland waterway transport are available in standardised, coded and retrievable form, with the standardised notices having to contain at least the information required for safe navigation and must be available in electronic format as a minimum for inland waterway transport

(2) The obligations set out in clause 1 must be met in accordance with the relevant technical guidelines and specifications as per article 5 of the 2005/44/EC guidelines and implemented within 30 months of the relevant technical guidelines or specifications entering into force. The technical guidelines and specifications enter into force on the day after their publication in the European Union gazette.

PART FIVE

Infringements and concluding provisions

§ 45

Posting of regulations

The port company must ensure that these regulations are continuously displayed in a location accessible to all port users.

§ 46

Infringements

(1) Infringements as per § 141 section 1 no. 5 point c) of the Saarland Water Act (SWG) mean with anyone who intentionally or negligently:

1. in contravention of:

- a) § 5 compromises or otherwise endangers, harms or adversely affects the safety or proper operation of the port and port facilities or the environment or enters or uses the port area without authorisation
- b) § 7 introduces a facility hampering traffic
- c) § 8 fails to comply with the instructions of the port authority or port company
- d) § 10 uses the port waters for a different purpose
- e) § 11 neglects a notification
- f) § 12 section 1 contaminates the port, or in contravention of § 12 section 2 neglects a notification or fails to comply with the instructions of the responsible authority
- g) § 13 neglects a notification or action to be taken
- h) § 14 section 1 neglects to sign in or out
- i) § 18 uses a tow or push or refuses suitable assistance or fails to comply with the instructions of the port company
- j) § 20 section 5 does not check and repair or replace fixing systems
- k) § 23 section 1 or 2 starts up propulsion systems or bow thrusters improperly or in contravention of § 23 section 3 neglects the required safety measures
- l) § 24 maintains a fire improperly or disregards corresponding safety measures
- m) § 25 breaches safety regulations to prevent the risk of fire onshore
- n) § 26 breaches regulations for supplying a vessel's own liquid fuel needs
- o) § 27 sections 1, 4 and 5 breaches regulations regarding the use of port facilities or in contravention of § 27 section 7 neglects a notification
- p) § 29 improperly positions goods or otherwise blocks facilities or routes
- q) § 34 fails to comply with safety precautions for loading and unloading hazardous goods
- r) § 35 remains on board without authorisation during the loading or unloading of hazardous goods
- s) § 36 section 2 permits loading or unloading without the safety precautions required on board and onshore having been complied with
- t) § 37 section 4 fails to trigger the stay-away signal
- u) § 45 fails to display the state port regulations

2. as a skipper or person in charge of a vessel or floating structure in contravention of:

- a) § 6 section 1 fails to provide information to staff or refuses to grant access to or hand over papers, or contravention of § 6 section 2 does not assist with embarking and disembarking
- b) § 15 section 1 neglects a notification
- c) § 16 does not obtain permission
- d) § 17 section 3 does not obtain permission from the port company
- e) § 19 section 1 does not take or leaves their assigned berth, or switches without permission from the port company
- f) § 20 sections 1 to 4 does not securely moor or sufficiently monitor the mooring of vessels or floating structures, or halts at mooring facilities, or lays anchor in the port without authorisation, or moors over rails, or moors over dinghies
- g) § 21 section 1 clause 1 fails to engage a suitable representative
- h) § 21 section 1 clause 4 fails to name a supervisor
- i) § 22 section 1 improperly berth or in contravention of §

- j) § 30 does not gather the required information
- k) § 31 flouts the regulations regarding the use of berths
- l) § 32 fails to comply with mooring requirements
- m) § 33 section 2 does not ensure that emergency exit routes can be used in accordance with § 33 section 1
- n) § 37 section 1 does not deploy suitable guards on board
- o) § 40 section 1 clause 1 fails to introduce suitable measures to prevent hazardous goods or water-polluting substances from reaching the water
- p) § 41 fails to comply with special regulations on conduct after transhipment

Continuity of port areas

Port areas set out in the expired port regulations shall continue to apply.

§ 48

Entry into force, termination

(1) These regulations enter into force on the day after they are announced.

(2) The port regulations dated 15 July 1988 shall be terminated at this same point.

3. as the operator of a transhipment facility in contravention of:

- a) § 12 section 3 does not take cargo residues and washing water
- b) § 27 section 2 does not provide sufficient lighting for the transhipment area
- c) § 28 clause 1 does not immediately remove obstructions, or in contravention of § 28 clause 2 neglects to provide warning and notification
- d) § 33 section 1 does not provide emergency exit routes
- e) § 36 section 1 does not provide a suitable supervisor or in contravention of § 36 section 3 does not complete the checklist or in contravention of § 36 section 4 does not store or hand over the checklist
- f) § 37 section 1 does not deploy suitable guards onshore
- g) § 38 section 1 does not use reliable transhipment lines or in contravention of § 38 section 2 fails to complete the required pressure checks or provide proof of said checks or provide proof of relevant qualification
- h) § 39 neglects the required electrical protective measures or loads or unloads during a storm
- i) § 40 section 1 clause 1 fails to employ suitable measures to prevent hazardous goods or water-polluting substances from entering the port waters or watercourse or in contravention of § 40 section 1 clause 2 does not provide suitable technical facilities or in contravention of § 40 section 2 clause 1 neglects a notification or in contravention of § 40 section 2 clause 2 does not remove spilled substances

4. as the owner of a vessel or floating structure in contravention of:

- a) § 16 does not obtain permission
- b) § 17 does not obtain permission or fails to keep the structure in a good condition or does not name a supervisor
- c) § 20 sections 1 and 4 does not securely moor or sufficiently monitor the mooring of vessels or floating structures, or halts at mooring facilities, or lays anchor in the port without authorisation, or moors over rails, or moors over dinghies

(2) Infringements as per § 141 section 1 no. 5 point c) of the Saarland Water Act (SWG) also mean anyone who intentionally or negligently contravenes regulations applicable in Saarland ports as per § 2 of these provisions, insofar as this non-compliance with the commands and prohibitions contained in said regulations can be pursued and punished as an infringement.