



NOTICE N-2

“Wharfage Fees Tariff”

Effective Date: **February 1, 2020**

*This Notice is issued pursuant to section 49 of
Part I of the Canada Marine Act, Chapter 10,
46-47 Elizabeth II, 1997-98.*

NOTICE N-2
“Wharfage Fees Tariff
for Montreal Port Authority Facilities”
Effective on February 1, 2020

1. General

- (1) This Notice can be cited as the **Wharfage Fees Tariff Notice**.
- (2) This Notice is subject to the definitions given under Section 9.

2. Extent and Exceptions

- (1) Wharfage is a fee applicable on all goods that:
 - (a) pass over, onto or under Authority property;
 - (b) are transshipped between vessels at the harbour;
 - (c) are unloaded overside from a vessel to the water or loaded overside to a vessel from the water at the harbour; or
 - (d) are landed from or placed in the water at Authority property.
- (2) Wharfage is payable only once on goods re-shipped from the harbour except if they are removed from Authority property or altered in form or composition prior to re-shipment.
- (3) Wharfage is not payable on cargo containers, pallets or skids, as well as for cargo handling equipment carried aboard a vessel and to be used solely on the Authority facilities. The same is true of unmanifested vessel's parts, equipments and supplies other than bunker fuel.
- (4) The fees prescribed by this notice are not payable in respect of goods loaded or unloaded from:
 - (a) a vessel that is of a non-commercial type or design and belongs to Her Majesty in right of Canada or a province;
 - (b) a Canadian warship, naval auxiliary ship or other ship under the command of the Canadian Forces or of the Royal Canadian Mounted Police, neither in respect of a warship of a visiting foreign force.

3. Fees

- (1) The standard wharfage fees are as set out in Schedule I.
- (2) The owner of a vessel carrying goods between the harbour and other Canadian ports, without leaving Canadian waters, may elect to pay wharfage at the special rate listed in Schedule II.
- (3) The minimum wharfage fees are as set out in Schedule II.

4. Calculation of Wharfage Fees

- (1) Wharfage fees shall be calculated as specified in the Schedules on a weight, measurement or unit basis.
- (2) In the Schedules:
“tonne M” means a tonne measured by volume;
“tonne W” means a tonne measured by weight.
- (3) When two bases for calculation are given for a same item, fees shall be calculated on the basis yielding the greater revenue.
- (4) When calculated on a measurement basis, wharfage fees shall never exceed five (5) times what they would have been if calculated on a weight basis.
- (5) When the owner of a vessel may and elect to pay wharfage at the special fee, such fee shall be paid in respect of all goods carried on such vessel between the harbour and other Canadian ports.
- (6) There shall be no corrector invoice for amounts of less than five (5) dollars.

5. Accrual and Payment of Fees

- (1) Wharfage fees are incurred :
 - (a) on incoming goods upon completion of vessel unloading;
 - (b) on outgoing goods upon the sailing of the vessel;
 - (c) in all other cases, upon rendering of the service.
- (2) Payment of all fees referred to in subsection (1) and all amounts due must be received within 30 days of the date of the invoice. Where fees are not paid within the said period, a monthly compound interest of 1½% (18% per year) will be added to past due amounts and will be payable immediately.

5. **Accrual and Payment of Fees (Cont'd)**

- (3) Fees prescribed by this notice are in addition to any fees prescribed in any other notice or that may be owing to the Authority.
- (4) Fees prescribed by this notice are claimable from the owner of the vessel as defined under section 9.
- (5) Prescribed fees are payable to the Authority.

6. **Removal of Goods**

- (1)
 - (a) Goods on which fees are owing shall not be removed from the harbour until the fees have been paid or security for payment of the fees has been accepted by the Authority.
 - (b) When goods on which fees are owing are removed and no security for payment of the fees has been accepted by the Authority, there shall be paid in addition to the fees owing an amount equivalent to twenty-five per cent (25%) of those fees.
- (2)
 - (a) The Authority may require the removal from its property of goods unloaded from a vessel once the time allotted by permit has elapsed in the case of dangerous goods and, twenty (20) days after unloading in the case of all other cargo. Removal shall then be carried out by and at the expense of the owner of the goods or any other party legally responsible for the goods.

In order to do so, the Authority must inform in writing the owner or legally responsible party of the goods about its intentions.

- (b) Upon receipt of a notice given under the preceding paragraph, the owner or legally responsible party of the goods shall remove them from Authority property within five (5) working days.
- (c) On failure by the owner or legally responsible party of the goods to comply with a notice given under subsection 6 (2)(a), the Authority may, at the risk and expense of the owner or legally responsible party, remove, store or re-pile the goods.
- (d) A charge of fifty (50) dollars shall be assessed against the owner or legally responsible party of the goods in respect of every notice under subsection 6 (2)(a) when removal, storage or re-piling is effected by the Authority pursuant to subsection 6 (2)(c).

7. Demurrage

Without prejudice to the stevedoring companies' rights to impose demurrage fees after the expiration of free time, the Authority no longer assesses such fees.

8. Free Time

- (1) Free time shall be eight (8) working days commencing on the day following completion of unloading of each vessel at each berth.
- (2) Where one of the parties considers that goods will not be removed from Authority property within the free time period, it is strongly recommended that such party raises the matter with other interested parties prior to the unloading of the goods.

9. Definitions

In this Notice,

- (1) “*Authority*” means the Montreal Port Authority as defined under Sections 2 and 8 of Part I of the Canada Marine Act and letters patent issued on March 1, 1999;
- (2) “*Authority property*” means any property under the administration, management or control of or under lease from or to the Authority;
- (3) “*cargo container*” means a standard, permanent type container twenty (20) foot long and over used for the movement of cargo as a unit;
- (4) “*demurrage*” means a fee that could be applied by stevedoring companies on goods in transit remaining on Authority property after the expiration of free time;
- (5) “*free time*” means the period within which goods can be removed from Authority property with no demurrage fee being incurred;
- (6) “*harbour*” or “*Port of Montreal*” legal and physical designation of all real properties that the Montreal Port Authority manages, holds or occupies as set out in Appendix A entitled “Description of Navigable Waters” and Appendix B entitled “Description of Federal Real Property” of its Letters Patent issued on March 1, 1999, as stipulated in the Canada Marine Act;
- (7) “*owner*” designates, in the case of a vessel, the ship agent, the vessel owner, charterer by demise or master of the vessel and, in the case of goods, the shipper agent, shipper, consignee or bailee of the goods, as well as the carrier of such goods to, upon, over or from Authority property;

9. Definitions (Cont'd)

- (8) “*pallets*” or “*skids*” means small portable platforms on which goods may be consolidated into individual loads for transportation and storage;
- (9) “*prescribed*” means prescribed by this Notice;
- (10) “*tonne*” means:
 - (a) where used as a measurement of weight, 1,000 kilograms; and
 - (b) where used as a measurement of volume, one (1) cubic metre.

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SCHEDULE I
Wharfage Fees Tariff

Item	Description	Fee \$
1.	CONTAINERIZED CARGO Goods in standard cargo containers, per tonne (w)	4.58
2.	BREAKBULK All goods N.E.S., per tonne (w) per tonne (m)	4.58 3.72
3.	Asbestos, per tonne (w)	1.85
4.	Fruits, vegetables and meat, fresh or processed, per tonne (w)	2.08
5.	Cocoa beans, grain and grain products N.E.S. (excluding cooked cereals), per tonne (w)	1.23
6.	Lumber and logs, rough or dressed, per tonne (w)	1.23
7.	Fluorspar, fertilizer, feldspathic materials, scrap metal, per tonne (w)	2.08
8.	Basic metallic products or in primary forms (excluding scrap), ores and concentrates, per tonne (w)	2.03
9.	Alcoholic beverages, per tonne (w)	8.72
10.	Newsprint, woodpulp and basic or primary paper products, per tonne (w)	1.85
11.	Building board, veneers, plywoods, wallboard and wall panelling, per tonne (w)	2.08
12.	Self-propelled four wheel motor vehicles: (a) 1,815 kg or under, each (b) over 1,815 kg to 2,725 kg, each (c) over 2,725 kg, per tonne (w) per tonne (m) Minimum wharfage per vehicle	13.71 27.70 4.58 3.72 93.00
13.	Sand, gravel and stone, per tonne (w)	1.15

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SCHEDULE I (Cont'd)
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Item	Description	Fee \$
14.	DRY BULK COMMODITIES Dry bulk commodities N.E.S., per tonne (w)	1.52
15.	Grain and grain products N.E.S., per tonne (w)	2.08
16.	Raw sugar, per tonne (w)	1.52
17.	Fluorspar, fertilizer, feldspathic, scrap metal, per tonne (w)	2.08
18.	Coal, coke, sand, gravel, stone, gypsum, bauxite, manganese ores and nepheline syenite, per tonne (w)	1.14
19.	Grain and grain products handled through elevators, per tonne (w)	0.51
20.	LIQUID BULK COMMODITIES Liquid products N.E.S., per tonne (w)	2.77
21.	Petroleum oil, crude or refined including gasoline and similar products, per tonne (w)	0.98
22.	Alcoholic beverages, per tonne (w)	8.80
23.	Additive products mixed with gasoline and other fuels including methanol and biodiesel B100, per tonne (w)	1.85
24.	Ethanol, per tonne (w)	1.33

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SCHEDULE II

Wharfage Fees Tariff

Description	Fee \$
Special wharfage per tonne (w)	2.40
Minimum wharfage per bill of lading	7.97
Minimum wharfage per invoice	93.00

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