Index

The entries refer to paragraphs, not pages.

A Abuse of a dominant position 2, 13, 45, 55(fn.), 109, 135, 136, 139, 154, 195, 202, 206, 227, 282, 286, 293, 297, 313, 314, 318, 321, 337, 342 Access for ships 2, 136, 139, 245 Access to port facilities, installations and equipment 134-138 Activities directly exposed to competition (competitive market derogation) 207, 221 Affordability (public service obligation) 240 Airport 13, 30, 57(fn.), 58(fn.), 63(fn.), 65(fn.), 66, 76, 81(fn.), 92, 99(fn.), 100(fn.), 106(fn.), 112, 135, 138, 140, 144, 151(fn.), 152(fn.), 154, 188, 196, 202, 203, 206, 207, 215, 217, 227(fn.), 229, 233(fn.), 245(fn.), 246(fn.), 257, 263,	see also Airport charges, Airport groundhandling Airport charges 58(fn.), 92, 112(fn.), 144, 152(fn.), 154, 290, 292(fn.), 301, 305(fn.), 308, 309, 311(fn.), 312, 313(fn.), 314, 315 (fn.), 317, 318, 319(fn.), 320, 322(fn.), 328, 330(fn.), 333, 334, 335(fn.), 336(fn.), 337, 341(fn.), 342, 347(fn.), 350, 357(fn.), 362(fn.), 367, 371, 373(fn.), 388 Airport groundhandling 57(fn.), 28(fn.), 76, 81(fn.), 92, 99(fn.), 112, 140, 144, 151(fn.), 152(fn.), 188, 196, 202, 203, 206, 215, 217, 227(fn.), 246(fn.), 257, 263, 266(fn.), 273, 279, 282, 291(fn.), 301, 347(fn.), 350(fn.), 362, 380 Altmark case 228(fn.), 248	duty to give reasons 386 review by courts 387 Applicability (temporal) see EU Seaports Regulation (entry into force and applicability) Assessment of Regulation 395-404 Authorization 6, 8, 15, 17, 31, 41, 46, 65, 66, 76, 97, 112, 133, 135, 137, 138, 140, 142, 151, 153, 156, 159, 160, 162, 163, 164, 166, 169, 170, 173, 174, 175, 176, 178, 179, 180, 183, 184, 185, 187, 188, 189, 191, 192, 193, 196, 198, 217, 218, 220, 221, 226, 227 Authorization procedure 183-193 Authorized service provision 46, 133, 142, 156, 158, 159, 160, 162, 163, 166, 168, 170, 172, 174, 182, 193, 195, 196, 198, 206, 225, 257, 263,
246(fi.), 257, 265, 266(fi.), 273, 279, 280, 282, 290, 291(fi.), 292(fi.), 301, 305(fi.), 308, 309, 311(fi.), 312, 313(fi.), 314, 315(fi.), 317, 318, 319(fi.), 320, 322(fi.), 328, 330(fi.), 333, 334, 335(fi.), 336(fi.), 337, 341(fi.), 342, 346, 347, 350, 356, 357(fi.), 362, 367, 371, 373(fi.), 388, 396, 400, 401	Amendment (of contracts) need for new selection procedure 224 as transitional measure 45, 48-52 Anchorage charge 322 Appeal 2, 34, 39, 47, 50, 65, 67, 74, 145, 183, 192, 212(fn.), 214, 218, 257, 306, 311, 344, 372, 374, 380, 385-387, 389	286 Automatism principle (minimum requirements) 187 Autonomous interpretation 46, 61, 261, 313 Autonomy of port managing bodies 25, 26, 27, 28, 29, 31, 35, 42, 58, 183, 147, 202, 254, 256, 295, 300, 302, 304, 305, 306, 309, 310, 311, 313,

317, 321, 322, 323, 324, 330, 363	excluded activities 88-89	cargo residues 65, 74, 75, 93 , 110, 150, 229, 294, 295
Availability of service	exemption from	Collective action 67, 251
163, 238, 239 Award criteria (selection	market access Chapter 2, 34, 53,	Collective bargaining 67, 251(fn.)
procedure) 65, 159, 160, 198, 215, 216, 217, 218,	118, 126 , 131, 137, 162, 195, 214, 235, 245, 253, 267, 283,	Commercial discounts 2, 339, 342
221, 286 B	350, 364, 401 extension of market access Chapter 42,	Commercial strategy 1, 2, 31, 299, 300, 304, 305 , 306 , 307, 308, 310, 311 ,
Berthing due 322	90, 118, 128 , 135, 149,	313, 319, 325, 332
Blue Angel 330	162, 165, 166, 206,	Commercialization 2, 11
Blue Belt 358	257	Compensation (for parties to amended port
Brexit 2, 101, 109, 124	financial transparency 272	service contracts) 52
Bunkering 2, 4, 27, 47,	own-account port	Competent authority
50, 54, 57, 74, 75, 76 , 78(fn.), 112, 114, 126, 133,	112	appeal 385
135, 137, 144, 150, 151, 156, 162, 164, 165, 188,	by port authority 254	complaints against 377
196, 197, 206, 214, 229, 232, 242, 258, 283, 401	public service obligations 232, 233	consultation of users and stakeholders
Burden of proof	terminal contract	348, 376, 352
limitations 195, 204, 205, 209, 211	196-197, 220, 226-227	definition 145
minimum	transitional regime 53	duty to separate accounts 273
requirements 181,	waterway access 75	general 2, 39, 143,
190	Change of service provider 263-265	144, 146, 147, 149, 170, 282, 295
C	Channel fee 322	opinions 383
Cabotage 13(fn.), 57(fn.), 83, 111, 168(fn.), 233(fn.), 236(fn.), 237, 242,	Characteristics of port infrastructure (reason to limit number of	power to act as relevant authority 278, 296
246(fn.), 248(fn.), 251(fn.), 260(fn.), 329,	providers) 206 Charging policy 29, 37,	power to set good repute criteria 167
Cargo 78 Cargo-handling 2, 4, 8,	39, 47, 305, 306, 310, 311 , 318, 319, 321, 332, 345,	power to handle complaints 372
13, 27, 29, 37, 46, 50, 57, 58, 66, 74, 92, 114, 120,	347, 350, 355, 362, 364, 390	power to grant authorization 186
163, 196, 197, 206, 208, 297, 300, 314, 329 change of provider	Charter of Fundamental Rights 67 , 251(fn.), 375, 386, 387	power to impose public service
265	Circular 35	obligations 234, 249
charges 282, 283, 295, 298 , 300, 365	Clean Shipping Index 330	power to introduce limitations 199
definition 61, 77-90 , 130	Collection of ship- generated waste and	power to introduce minimum requirements 143

power to set, control or collect port	capacity of complainant 374	295, 296, 301, 210, 310, 321, 327(fn.), 330, 350
infrastructure charges 299, 302, 303, 305-306, 310 , 311 , 341, 342	complaint handler 372 consultation of users	Concessions Directive see EU Concessions Directive
right to act as internal operator 254	384 effectiveness 370	Confidentiality of commercial arrangements 342, 365
Competition for the market 11, 25, 133, 195, 254, 282, 286	impartiality 366, 369, 373, 385 independence 366, 367, 371, 372	Confinement (geographical) 46, 65, 207, 252, 253, 254, 255, 257, 258, 272
Competition in the market 11, 25, 286	information for	257, 258 , 273 Conflicts of interest
Competition authority	European Commission 381	complaint handling
and internal operator 255, 257 as competition authority 145 as complaint	information for users and stakeholders 376 international	371 internal operator 2, 15, 46, 133, 195, 222, 223, 253, 254, 255, 256, 257, 390
handler 372, 379	cooperation and exchange 378, 382	Congestion 30, 81, 202 , 328 , 329
as price regulator 282, 283, 309, 314, 348	opinions 383 power to request information 379	Consultation in preparation of EU port
as relevant authority 278, 296	rationale of regime 367	policy and Regulation 16, 19 , 20, 29, 40, 59, 76, 270, 280, 282, 297, 300,
as sanctioning authority 392	obligation to put in	313, 344, 402
Competition law	place 368 subject-matter 369	Consultation of port users and stakeholders
port infrastructure charges 313-314	territorial competence 377	2, 28, 31, 37, 39, 50, 71, 74, 93, 112, 144, 212, 245, 250, 204, 222, 245, 265
port service charges 282, 293, 297	transparency 373	259, 294, 333, 345-365 , 390, 402
see also Abuse of a dominant position	Comprehensive network ports 101, 102, 105	on charges 47, 257, 283, 286, 310, 311,
Competitive market derogation see Activities	see also Outermost regions, Small ports	332, 341, 347-352 , 390, 400
directly exposed to competition	Comprehensive port management see	on complaints 384 on labour matters
Competitive procedure	Integrated port Concession 2, 6, 8, 10, 39,	67, 267
see Open selection procedure Competitive test	45, 46 , 47, 51, 65 , 66 , 93, 94, 112, 115, 126 , 130,	on limitations 194, 196, 197, 202, 208, 210, 211 , 222, 257
(selection procedure) 215	133, 135, 137, 138, 144, 151, 154, 162, 182, 188,	on port
Complaint handling 2, 366-384	195, 196 , 198, 207, 214, 218 220 , 221, 224, 225,	management-related matters 351-361
binding decisions	226 , 227 , 228, 229, 230, 240, 246, 255, 263, 293.	procedure 212, 362- 363

E rationale of regime Differentiation of port infrastructure charges 2, **EC** Seaports 268, 300, 305, 311, 314, Consultation with third Communication 16, 26 318, 319, 321, 322, 324countries 154 Economic importance of 343, 350, 401 Continuity of service 8, ports 12 Direct applicability 35 159, 163, 232, 236, 238, Economic strategy 242, 247, 250, 251, 254, Direct effect 35 (differentiation of port 292 Discretion (and infrastructure charges) Contract 46, 188, 220 minimum requirements) 299, 305, 307, 311, 324, 325, 327, 331, 332 158, 162, 167, 174, 176, see also 179, 187, 196, 197, 214 Authorization. Economic value criterion Concession. Discrimination see Non-(charging) 293, 314 Amendment (of discrimination EEA 2, 101, 123, 168 contracts) Disruption (and Effective competition Contract renewal 225 emergency measures) (pilotage) 286 Coordination Effectiveness (penalties) Dissuasive character of of operators/services 388 penalties 388 26, 27, 28, 29, 144, Effectiveness principle 346, 351, 354, 356 Distribution of traffic 30 (interpretation) see Effet of port investments Dock labour see Port and planning 30, 300 labour Effet utile (effectiveness Docking and undocking principle) 31, 46, 51, 62, of reporting formalities 358 91 65, 82, 92, 98, 111, 112, 117, 125, 132, 144, 149, Core network ports 101, Docklands 150, 160, 168, 172, 102, 105 redevelopment 125 196(fn.), 197, 202(fn.), Dredging 27, 38, 39, 74, Criminal penalties 391 206, 220, 222, 236, 242, 75, 98, 118, 120, 126, **130**, Cross-border complaints 254, 258, 263, 273, 283, 149, 168, 229, 258 378, 382 303, 313, 317, 343, 350, financial 353, 356, 362, 363, 388, Cross-border element 33, transparency 269, 401 83, 111, 153, 196, 227, **272**, **273**, 275 301, 399 Efficiency of port infrastructure administrative labour relations 261 charge 301, 310, 321 procedures Cruise 4, 12, 92, 99, 105, (consultation) 358 Duration 151, 163, 222, 315, 327 e-Freight 358 of market access CTV 92 right 17, 41, 65, 66, EFTA 2, 101, 123 137, 138, 250, 398 Electricity 76 D of pre-existing port e-maritime 358 Deadline for service contract 45, submissions (selection Emergency measures (in 47, 48, 50, 51, 53 the case of disruptions) procedure) 218 under limitation 251 Dedicated terminal 8, scheme 196, 213, 214, 112, 149, 154(fn.) Entry into force see EU 219, 221, 224, 225, Seaports Regulation 229, 257, 286 Deep sea pilotage 96 (entry into force and under minimum Delegated powers 34, 40, applicability) requirements 330 scheme 193 Development plan 202

Environment 20, 26, 28, 29, 400	definition of 'maritime port' 108,	255, 261, 262, 263, 286, 401
authorities 4, 156	114	see also Activities
Birds and Habitats Directives 16, 403	definition of 'port infrastructure	directly exposed to competition
consultations 112, 351, 353, 354, 355, 359	charge' 301 differentiation of port infrastructure	(competitive market derogation), Teckal case
flag requirement 168 internal operator	charges 327, 328 floating equipment 162, 327	EU seaport policy (history of) 13-17 , 395-396
112, 257, 258	limitations 206	EU Seaports Regulation
limitations 2, 196, 200, 205 , 208	minimum	critical assessment 395-404
minimum requirements 157, 158, 159, 165 , 167,	requirements 157, 161, 162 , 163, 164, 175	entry into force and applicability 44
168, 172, 180	operation by port	interpretation 59-63
pilotage 126	managing body 8	legal basis 54-58
port area 117	ownership of 46 port workers 266,	legislative process 18-24
port infrastructure charges 2, 29,40, 71,	267	objectives 25-31
302, 324, 325, 327,	public service	policy packages 29
329, 330, 333	obligations 241	transitional
protection (by port	single-user port 112	measures 45-53
managing body) 8, 108	subcontracting 140, 151	see also Direct applicability, Direct
public service obligations 2, 232,	Employee rights 56, 259- 267	effect, Supremacy of Regulation
233, 236, 239, 241	Essential facilities 46,	EU Services Directive 42
public service obligations and	112, 135 , 136, 202, 227, 301	51, 54 , 58, 65 , 111, 142 , 149, 153, 156, 159, 172,
charging 285, 292	EU Concessions	173, 174, 175, 176, 178,
regulation 156	Directive 8, 23, 29, 45, 51,	180, 186, 187, 188, 189, 191, 192, 193, 195, 196 ,
Environmental Ship Index 330	65, 66, 93, 115, 126, 133, 144, 154, 159, 160, 161,	197 , 198, 206, 208, 215, 216, 219, 225, 388, 399
Equipment	162, 167, 168, 188 , 207, 211, 214 , 215, 217, 218,	passenger terminal
access to 2, 50, 51, 57, 132, 133, 134, 135 ,	220 , 221, 225, 226 , 227 , 230, 253, 255, 261, 262,	services 92
136, 137, 138, 172,	286, 401	EU TEN-T Regulation 1, 26, 38, 100 , 101 , 102 , 104 ,
189, 193, 196, 198,	EU Public Procurement	105 , 106 , 107 , 108, 110 ,
216, 225, 257, 390	Directives 28, 65, 66, 93,	112, 113, 114, 115, 116,
cargo-handling 78, 82	115, 124, 130, 140, 144,	117, 123, 125, 136, 222,
definition of	149, 154, 159, 160, 161, 167, 168, 195, 211, 214,	245, 275, 298
'managing body of the port' 144	215, 217, 218, 220 , 221, 226, 227 , 228, 229, 254,	European Commission Q&A guidance 64

Frequently Asked tasks and powers of Ouestions 2 Fair, reasonable and European Ports Forum non-discriminatory port French Seamen's case 13 **70**, 330 access 138 Full service port see Eurostat 12, 92, 100, 101, Ferry Integrated port 104, 105, 110, 113, 114, port 13, 101, 106, Functional separation 116, 117, 125, 222, 117, 163, 166, 202, (complaint handling) 329(fn.) 206, 222 371, 372 Exclusive right port infrastructure exclusive land use charges 314, 327, 337 G right 2, 46, 136, 137, see also Port of GBER 2, 144, 162, 220, 188, 195, 196, 197, Helsingborg case 229, 280, 301, 403 198, 202, 206, 221, services 242, 245 General Block 229 terminal 74, 92, 112, **Exemption Regulation** financial 149 see GBER transparency 271 traffic 13 General port access general 2, 26, 27, 43, Fidelity discount 337 paragraph 51, 132, 134-66, 91, 94, 96, 135, 138, 140, 155, 156, 160, Financial capacity of 138, 139, 144, 166, 162, 168, 172, 175, 189, service provider 157, 161 195, 196, 203, 204, 193, 196, 197, 198, 202, 206, 229, 230, 240, Financial objectives of 216, 225, 257 241, 245, 247, 257, port managing bodies General ports policy 267, 396, 401 307 (port infrastructure internal operator Financial transparency charges) 304, 305, 306, **257**, 285 see Transparency (public 309, 311, 324, 327, 332, funding) port infrastructure 390 charges 313, 314 Fishing port 113, 125 Geographical port service charges Flag requirement 38, 65, confinement see 282, 285, 286, 297, 156, 166, 168, 256 Confinement 314 (geographical) Floating equipment 162, public service 327 Gold-plating 42, 65, 254 obligation 204, 240, Formalities (consultation Good repute 167 245, 247 on) 358 Green Award Certificate Exhaustive character of FRAND 138 330 Regulation 42, 219 Freedom of association Green Paper on Seaports Extension to other ports 67 and Maritime 122 Infrastructure 14, 17, 31, Freedom of Extension to other 63, 160, 267, 270, 282, establishment 2, 47, 48, services 127, 128, 129 286, 289, 297, 300, 302, 52, **54**, 55, 57, 58, 67, 73, see also Cargo-318, 321, 398 111, 112, **132**, 139, 140, handling (extension 179, 206, 258 Groundhandling see of market access Airport groundhandling Freedom to provide Chapter) services 2, 25, 26, 29, 43, External costs 2, 299, 54-58, 62, 66, 67, 83, 112, 300, 317, **321**, **338** 123, 132, 134, 139, 140, Harbour Master 4, 8, 149, 152, 168, 179, 180, External supply see 126, 144, 356, 361 206, 258, 399, 401 Subcontractor

F

Hinterland connections (consultation) 357	Internal service provision	open selection procedure 195, 221,
Hoffmann-La Roche	Inland port 110	222, 223 , 253, 257 ,
case 337	Institutional autonomy	286
Human rights 67 , 267,	145, 147, 278, 372	penalties 390
380, 385	Integrated port 8, 74, 124, 201, 245, 253, 254,	port service contract 46, 50, 51
I	257, 258	public service
Ice(breaking) dues 301, 322	Integration of charges 281, 290, 295 , 299, 303 ,	obligations 239, 241, 245
Ideology 57	305, 310, 311, 318, 390	rationale of regime 253
ILO Dock Work Convention 267	Internal operator 1, 2, 8, 37, 46, 111, 131, 132, 133 , 135, 138, 140, 144, 170,	right to act 252, 254
Impact Assessment 20,	252-258	single-user port 112
27-28	appeal 385	subcontracting 65,
Impartiality	charges 239, 253,	140, 151
cargo and passenger terminal contracts 227	281, 282 , 284, 285 , 286, 292, 293, 303, 317, 347, 348, 350,	see also Confinement (geographical), Open port duty
general 67	364	Internal service provision 46, 65, 133 ,
internal operator 253, 257	combination with minimum	170, 223 , 232, 252-258 , 390
minimum	requirements 256	rationale of regime
requirements 189	conflicts of interest 252, 257	253
selection procedure	consultation on	Internal taxation 301,
216, 218	charges 347, 348, 350	304, 313, 316 , 320, 321, 335
see also Complaint handling	control criterion 255	
(impartiality)	definition 252, 254	International law 2, 68, 93, 139, 152, 245, 327
Implementation Plan 69	disruption 251	International Statute of
Import and export	dredging 130, 273	Maritime Ports 110, 124,
(cargo-handling) 82, 83	essential facilities	139, 318, 320, 364
Independence (of	135	Inter-port competition
complaint handler) see	financial	25, 29, 30, 31, 46, 124,
Complaint handling	transparency 272	126, 202, 207, 222, 257, 258, 270, 318, 400
(independence)	information on	Interpretation see EU
Independent supervisory body 34,	charges 364	Seaports Regulation
253, 282, 285, 321, 367	legally distinct entity	(interpretation)
Industrial port 8, 112,	255	Intra-port competition
117	military port 115	25, 31 , 46, 124, 126, 257,
Infrastructure (notion)	minimum	270
135, 144, 229, 301	requirements 170, 175	Investment plan 2
In-house services see Internal operator,	monopoly 182, 203, 206, 207, 252, 257	port infrastructure charges 31, 299, 300, 304, 305, 306, 308.

niuex		
310, 311 , 312, 313, 319, 325, 332, 392 Island traffic 119, 242,	Legal basis <i>see</i> EU Seaports Regulation (legal basis)	public service obligations 204, 233, 237, 240, 241, 246
243, 315	Legislative process <i>see</i> EU Seaports Regulation (legislative process)	rationale of regime 195
K Klaipėda (State Seaport of Klaipėda) case 46, 47,	Legitimate interest (complainant) 374	small ports 120, 222 substantive requirements 208
48, 50, 52, 66, 195, 224, 225	Leipzig-Halle case 280 Liberalization 2, 11 , 13, 14, 56-57 , 62, 76, 111, 114, 124, 126, 135, 152, 182,	transitional measure 51 Literal interpretation 59
L Labour 2, 9, 15, 16, 19, 26, 29, 39, 67, 117, 126,	232, 236, 253, 267, 396, 400, 401	Local knowledge 126, 182
151, 259-267 , 354, 361, 390, 403	Licence 8, 10, 43, 46, 54, 65, 66, 76, 96, 112, 126(fn.), 133 , 137, 138,	M Managing body of the
minimum requirements 157, 158, 159, 164, 166 , 167, 168, 180	142, 144, 150, 151, 156, 160, 162, 169, 178, 179, 185, 187, 188 , 196, 198, 206, 217, 220 , 227, 246,	port 2, 7, 8, 144 , 145, 147 financial autonomy 305-306, 309, 311
public service obligations 244, 251	247, 255, 301 see also	financial objectives 307
Labour Inspectorate 4, 166, 354, 361 Labour law see Social	Authorization Licensed subservices see Subcontractor	minimum requirements for port managing
and labour law Labour pool 2, 9, 67, 267	Light dues 301, 303, 322 Limitation on the	bodies 170 see also Consultation of port users and
Land, legal status of 6 Landlord port 2, 8 , 11, 31, 66 , 144, 147, 188, 196, 254, 301, 305	number of providers 2, 51, 56, 57, 65, 145, 187, 193, 194-230 combination with	stakeholders, Internal operator, Transparency (public funding)
Land use <i>see</i> Exclusive right (exclusive land use	minimum requirements 198	Manning requirements 133, 157, 166 , 168
right) Language versions 59	internal operator 257 notion 196-197	Marginal cost pricing 300, 312, 321
Lashing (cargo- handling) 84, 86, 87	permissible reasons 200-207	Marina see Recreational port
Lease 2, 6, 8, 46 , 47 , 48 , 50, 52, 65, 66 , 112, 135,	period of validity 213	Maritime policy (Treaty basis) 54, 55, 58
137, 140, 144, 188, 195, 196, 198, 214, 217, 220, 221, 227, 228, 246, 263	port service charges 286, 287	Maritime port (definition) 108
land lease rates 301, 350	power to introduce 199 procedure 210-212,	see also Inland port Maritime ports covered 2, 73, 101
	214-224	Market access 1, 2, 11, 15-17, 25-29, 31, 35, 36,

37, 38, 42, 54-57 , 58, 62,	port regulations 156	consultation on
132 , 133 , 396, 399	port service contract	coordination 356
Market organization	46	definition 10, 91
models 2, 133 Market size criterion	power to introduce 143	equipment requirements 162
(limitations) 206	procedure 185-193	flag requirement 38,
May v. shall provisions	publication 183	65, 166, 168
Member State liability	rationale of regime 142	general 2, 4, 8, 15, 27, 37, 54, 57, 98, 144
393 Member States	sub-contracting 169	geographical confinement 258
decisions left up to	subject-matter 157- 168	inland vessels 91,
38, 39, 146	substantive	110
non-maritime 103	requirements 171-	integrated ports 207
notion 146	177	knowledge of local conditions 182
Merci case 13(fn.), 233(fn.), 297(fn.), 314(fn.)	see also Territorial validity (minimum	locks 91, 149, 295,
Military port see Naval	requirements)	301
port Minimum of two	Monopoly 16(fn.), 29, 182, 195, 204, 206	monopoly 91, 133, 195, 196, 206, 207,
providers 203 , 206, 255,	bunkering 133, 206	267
257 Minimum requirements	cargo-handling 206, 233	port infrastructure charges 327
1, 2, 37, 39, 132, 133 , 141 - 193	incumbent 162	professional
burden of proof 181,	internal operator 256, 257, 258	qualifications 160 public service
190	mooring 10, 195	obligations 133, 204 , 232, 233, 241, 242
changes 184	pilotage 10, 286	safety aspect 91 , 94,
combination with internal service	port labour 9, 67, 267, 314	97, 133, 164 , 241
provision 256	pricing 282, 286, 293,	self-employed
combination with limitations 198	297	mooring men 148, 160
combination with	towage 10, 195	self-handling 112,
public service obligations 247	<i>see also</i> Exclusive right	149 service of general
discretion of port	Mooring	economic interest
managing body 158	access to facilities	204, 233
exhaustive character	135	shifting 91 , 97
of list 159	authorization 133,	shipyard 91
general	187	single-user port 112,
requirements 156	compulsory	144
local knowledge 182	mooring 10, 43, 91 concession 65, 224	subject to market access Chapter 74,
non-duplication 180	consultation on	126, 137, 197, 401
optional character 155	charges 350	

tariffs 204, 286, 295, 301, 317	minimum requirements 175,	Directives on public procurement and
traffic rules 156	189	concession 65
training 160 transitional measures 47, 50	port infrastructure charges 317, 320, 335, 342	exemptions 221-223 , 251, 253, 254, 255, 256, 257
waterway access 75, 91, 98	port service charges 292	minimum requirements 198
Mortgage (ship) 168	public service obligations 239, 248	national rules 219 penalties 391
Museum harbour 125 Mutual recognition 158, 160, 164, 166, 179 , 180	selection procedure 216	pricing 282, 286, 287, 288, 350
	Non-duplication (minimum	transitional regime 51
N National law (matters	requirements) 158, 164, 165, 166, 176, 180 , 190 Non-EU providers 152,	Openness (selection procedure) 216
left to) 37 National parliament see Parliament (power to set	154, 248 NUTS 105	Outermost regions 105, 118, 119 , 120, 242, 243,
Parliament (power to set port infrastructure charges), Subsidiarity	0	329 Outsourcing see Subcontracting
principle National ports authority 145, 178, 308	Objectives <i>see</i> EU Seaports Regulation	Own-account port 8, 46, 112, 149, 254
National ports policy <i>see</i> General ports policy	(objectives) Objectivity	Ownership <i>see</i> Property (right of)
(port infrastructure charges)	minimum requirements 158, 162, 163, 167, 168,	P
Nationality of service provider 152	174, 189 port infrastructure	Parliament (power to set port infrastructure
Nationality of service recipient 152	charges 319, 334 port service charges	charges) 302, 305, 306, 309, 311
Nature of port traffic (reason to limit number	291	Passenger charge 301, 322
of providers) 206	Official Journal 212, 217 Open port duty 235, 245	Passenger services
Naval port 115, 125, 254, 327	Open selection	charges 283, 295
Naval ship 115, 327	procedure 2, 31, 42, 133,	definition 92 EU Services
Negotiations (selection procedure) 138, 214, 218	135, 138, 160, 188, 194, 195, 196, 197, 202, 206,	Directive 92 exemption from
Non-commercial subareas 115, 118, 125	207, 210, 211, 214-225 , 257, 272, 398, 400, 401	market access Chaper 17, 41, 55, 57
Non-discrimination	amendments to existing contracts	112, 115, 118, 126 ,
access 138	224	131 , 137, 149, 195, 196, 202, 214, 226 ,
internal operator 256, 257	competitive test 215	229, 235, 242, 245,

Pilotage Exemption 251, 253, 265, 267, 289, 290, 292, 293, Certificate 126, 329 350, 364, 401 297, 301, 303, 317, 337, 350, 364 extension of market Place of establishment access Chapter 42, compulsory pilotage (of service provider) 152 128, 135, 166, 196 10, 43, 94 Place of refuge see Port general 2, 4, 8, 9, 15, coordination 144, of refuge 27, 29, 37, 66, 208, 356 Policy Packages see EU 301, 317 definition 61, 94-96 Seaports Regulation public service (policy packages) exemption from obligations 232, 245 market access Port see Economic subcontractors 151 Chapter of 53, 118, importance of ports, Inland Port, Maritime **126**, 131, 137, 195, subject to Regulation 214, 235, 245, 251, Port, Maritime ports 74 253, 265, 350, 364, covered transitional regime 401 Port access see Access for 46, 50, 53 extension of market ships, Access to port waterway access 75, access Chapter 127 facilities, installations 98 and equipment, General financial Passenger tax 315, 327 port access paragraph, transparency 272 Open port duty Passenger terminal general 4, 8, 10, 74 contract 66, 188, 195, 196, Port area 74, 75, 76, 82, inland vessel 94, 110 197, 220, 226-227, 401 91, 92, 93, 95, 97, 98, 108, internal operator 254 112, 113, 114, 115, 116, Penalties 1, 2, 37, 38, 42, local knowledge 126, 117, 125, 130, 144, 163, 43, 47, 49, 65, 74, 133, 196, 206, 258, 301, 327, 138, 183, 191, 218, 257, 154, **182** 356, 357 258, 266, 296, 343, 388pilot boats 150, 151 393 Port authority see pilot helicopter 150, Managing body of the duty to introduce 151 port 388 port area 117 Port dues see Port good repute privacy 394 infrastructure charge (minimum public service requirements) 167 Port governance models obligations 232 **5-11**, 109, 147 infringements 390 qualifications 126, see also Toolbox offenders 389 160 Port group 104 pilotage (port selection of service charges) 290 Port infrastructure providers 197, 230 (notion) see port infrastructure self-employed 148 Infrastructure (notion) charges 323, 326 single-user port 112 Port infrastructure sanctioning training 126, 160 charge 1, 2, 8, 28, 29, 31, authorities 392 268, 282, 299-343 transitional regime types 391 46, 50, 53 carbon efficiency 330 Permission 188, 198, 220 waterway access 75, categories of users P&I cover 161 95, 98 327 Pilotage 2, 5, 8, 10, 15, 17, see also Exclusive collection 310, 323 27, 38, 42, 43, 74, 110, 401 right, Monopoly commercial practices charges 281, 282, (pilotage) 138, 229, 292, 339 283, 284, 286, 287,

Port policy see EU commercial strategy persons liable for seaport policy (history payment 301, 302, 311 323 of), General ports policy competition law 58, (port infrastructure 293, 313, 314, 337 power to set tariff charges) 147, 305-306 confidentiality 342 Port reception facilities pre-financing 312 consultation 245, 350 93, 126, 294 procedural and differentiations 324see also Collection of substantive 342 ship-generated requirements 304direct effect of waste and cargo 321, 340 Regulation 35 residues progress indicators economic strategy Port regulations 4, 8, 43, 71 327 112, 133, 137, 140, 155, rationale of regime 156, 160, 162, 164, 167, efficient use of 282, 300 168, 184, 186, 198, 219, infrastructure 328 short sea shipping 246 energy efficiency 330 Port service charges 1, 2, environment 330 single-user port 112 268, **281-298** exemption from 115, spatial planning 327 competition law 293, 116 297 State aid law 280, exhaustive list of 313, 314, 337 consultation 245, 350 differentiations 324. structure and level direct effect of 325 322 Regulation 35 external costs 321, supervision 309 information 338 provision to tax 301, 311 fiscal character 34, authorities 296 301, 311 terms & Conditions information 323 free movement 315 provision to users zero rates 327 incentives 326 364 see also Investment individual integration into plan (port negotiations 339, 342 other payments 39, infrastructure information 149, 283, 290, 295 charges) provision to relevant notion 283 Port labour 2, 9, 16, 19, authorities 39, 343 public procurement 67, 267, 297, 314, 403 information Port management provision to users rationale of regime models 7, 8, 34, 109, 147 39, 341 282 Port managing body see integration in other scope of regime 284-Managing body of the payments 39, 283, 287 port 303 Port of Helsingborg case sector-specific internal taxation 316 regulation 297 293, 314, 318 notion 301 single-user port 112 Port of refuge 116, 125, obligation to levy 327 subcontracting 151 charge 37, 38, 302 Port Package I 15 substantive penalties 323, 326 requirements 31, Port Package II 15 288-294, 298 Port Package III 17

TEN-T cargo terminals 298	Property (right of) 6, 37, 47, 48, 50, 52, 67, 147,	5, 109, 147
transitional regime	195, 221, 253	see also Privatization
47, 50 waterway access 98	<i>see also</i> Public domain	Public contract 39, 50, 65, 66, 140, 149, 188, 217,
Port service contract	Proportionality	220 , 224, 226 , 227, 263
(definition) 46 Port services	EU law-making 32- 34 , 102, 106, 126	Public domain 6, 46, 220, 305
categories 74, 150	internal operator 257	Public procurement see
general explanation 4	limitations 195, 205, 206, 208 , 218, 222,	EU Public Procurement Directives
outside the scope 73	229 measures to ensure	Public quay 135, 188, 196, 202
services covered 2,	free movement of goods 251	Public service compensation 248, 250
Port State Control 10, 126, 354, 361	minimum requirements 158,	financial transparency 235,
Port user 136, 349, 353	160, 161, 162, 163,	245, 269, 270, 273,
Port users' committee 34, 346, 362	164, 167, 168, 176 , 189 , 191, 193, 256,	279 , 280 Public service obligation
Port Working Group 13	390	1, 2, 5, 8, 10, 29, 37, 38,
PPP see Public-private partnership	national implementation measures 35	39, 65, 66, 111, 131, 132, 133, 163, 204, 231-251 , 398, 401
Pre-emptive effect of	penalties 49, 138,	combination with
Regulation 41	388 , 389	minimum
Pre-financing 312 pressetext case 224	port infrastructure charges 300, 304,	requirements 158, 162, 163 , 247
Price regulation 159, 204,	305, 312, 314, 317 ,	consultation 348, 350
250, 254, 282, 284, 285, 286, 297 , 300, 309	321, 336 port service charges	emergency measure 221, 251
Privacy 394	2, 47, 245, 268, 281,	exhaustive character
Private port 5, 6, 8, 109 ,	282, 283, 284, 286, 288, 289 , 293 , 295,	of list 42, 237
112, 121, 124, 144, 145, 147, 196, 207 , 227, 245,	296, 297, 390	general port access paragraph 137, 138
253, 254, 258, 272, 300, 308, 389	public service obligations 238, 248	general public service principles
Privatization 2, 6, 11	restrictions on free	233
Processing (cargo- handling) 85	movement 54, transitional regime	internal operator 254 , 255, 285 , 257,
Professional	47, 52	258
qualifications 157, 160 , 163, 179 , 180, 182, 260,	Provider of port services (notion) 148-151	limitation on number of providers
267(fn.), 398	see also Internal	200, 201, 204 , 206,
Progress reporting 71	operator, Port services	287
Promoimpresa case 188, 196, 197	Services	nationwide 249 notion 233

penatures 390 port regulations 43, 246 power to impose 234 price regulation 159, 240, 281, 282, 284, 285, 286, 287, 292, 293, 301, 317, 364 procedure 246 rationale of regime 232 single-user port 112 subject-matters 236- 243 substantive requirements 248 transitional regime partnership 6, 11, 154, 258 Public service partnership 6, 11, 154, 258 Public service rompensation, Public service robligation limitations 211-212 minimum limitations 211-215 minimum limitations 211-215 minimum limitations 211-216 minimum limitations 211-217 minimum limitations 211-218 minimum limitations 211-219 minimum limitations 211-212 minimum limitations 211-215 minimum limitations 211-215 minimum limitations 211-216 minimum limitations 211-217 minimum limitations 211-218 minimum limitations 211-212 mi	obligors 235	Internal service provision	Right to strike 251
246 power to impose 234 port infrastructure charges 301, 317, 321 133, 140, 164, 176 power to impose 234 price regulation 159, 240, 281, 282, 284, 289 S 285, 286, 287, 292, 293, 301, 317, 364 R 232 procedure 246 Rail access fees 108, 301 procedure 246 rationale of regime Reciprocity with non-EU countries 154 rationale of regime Reciprocity with non-EU single-user port 112 requirements 236 procedure 243 requirements 243 requirements 191, 192 requirements 248 regulated service requirements 248 regulated service provision 133, 155, 156, 50 public-private partnership 6, 11, 154, 258 regulation of ports (drivers of) 3 provision 133, 247 regulation of ports (drivers of) 3 port infrastructure compensation, requirements) 177 republic service requirements 183 port infrastructure charges 318, 342 right of access 138 port infrastructure charges 318, 342 right of access 138 port infrastructure charges 290, 364 selection procedure 217, 218 republic of access for ships see Access for ships see Access for ships see Internal operator, business 57, 67, 375 list, 154, 157, 158, 159, 150, 151, 154, 157, 158, 159, 154, 157, 158, 159, 154, 157, 158, 159, 154, 157, 158, 159, 154, 157, 158, 159, 154, 157, 158, 159, 154, 157, 158, 159, 154, 157, 158, 159, 154, 157, 158, 159, 154, 157, 158, 159, 154, 157, 158, 159, 154, 157, 158, 159, 154, 157, 158,	penalties 390	1	Road tolls 108, 138(fn.), 301
price regulation 159, 240, 281, 282, 284, 289 S 240, 281, 282, 284, 289 S 285, 286, 287, 292, 293, 301, 317, 364 R procedure 246 Rail access fees 108, 301 Fig. 112, 117, 126, 130, 133, 138, 230, 398, 401 232 countries 154 consultation 353, 361 internal operator 257, 258, 285 limitation 196, 202, 204, 205, 206, 208 minimum requirements 248 Regulated service provision 133, 155, 156, 50 160, 164, 168, 176, 186, 160, 164, 168, 176, 186, 258 Regulation of ports partnership 6, 11, 154, 258 Regulation of ports service obligation generation, requirements 177 Regulation (choice of) 3 Relevant authorities 277, 278, 296, 343 Relevant authorities 277, 278, 296, 343 Public service obligation generation limitations 211-212 element of service obligation generation limitations 211-212 element of service obligation generation limitations 211-212 element of service obligation generation generation limitations 211-212 element of service obligation generation limitations 211-212 element of service obligation generation generation limitations 211-212 element of service obligation generation generation limitations 211-212 element of service obligation generation generat	246	port infrastructure	
240, 281, 282, 284, 289 285, 286, 287, 292, 293, 301, 317, 364	1	_	133, 140, 104, 170
293, 301, 317, 364 procedure 246 Rail access fees 108, 301 rationale of regime 232 single-user port 112 subject-matters 236- 243 Refusal (minimum requirements 248 Regulated service transitional regime partnership 6, 11, 154, 258 Regulation (choice of) 36 partnership 6, 11, 154, see also Public service compensation, Public service obligation Public service obligation Publication Iminimum provision 46, 48, 112, requirements 183 port infrastructure charges 318, 342 port service charges 290, 364 290, 364 290 301, 317, 364 Reill access fees 108, 301 77, 108, 112, 117, 126, 130, 133, 138, 230, 398, 401 consultation 353, 361 internal operator 257, 258, 285 limitation 196, 202, 204, 205, 206, 208 minimum requirements 155, 157, 158, 159, 160, 160, 164, 168, 176, 186, 163, 164, 167, 168, 163, 164, 167, 168, 163, 164, 167, 168, 163, 164, 167, 168, 163, 164, 167, 168, 164, 167, 168, 163, 164, 167, 168, 164, 167, 168, 165, 164, 166, 165, 176, 186, 160, 164, 168, 176, 186, 160, 164, 168, 176, 186, 160, 164, 168, 176, 186, 160, 164, 168, 176, 186, 160, 164, 168, 176, 186, 160, 164, 168, 176, 186, 160, 164, 168, 176, 186, 160, 164, 168, 176, 186, 167, 188, 189, 196, 167, 168, 160, 164, 168, 176, 186, 163, 164, 167, 168, 167, 168, 163, 164, 167, 168, 163, 164, 167, 168, 163, 164, 167, 168, 163, 164, 167, 168, 163, 164, 167, 168, 163, 164, 167, 168, 163, 164, 167, 168, 164, 167, 168, 163, 164, 167, 168, 163, 164, 167, 168, 163, 164, 167, 168, 163, 164, 167, 168, 163, 164, 167, 168, 160, 164, 168, 176, 186, 160, 164, 168, 176, 186, 160, 164, 168, 176, 186, 160, 164, 168, 176, 186, 160, 164, 168, 176, 186, 160, 164, 168, 176, 186, 160, 164, 168, 176, 186, 160, 164, 168, 176, 186,	240 , 281, 282, 284,		S
rationale of regime 232		R	
single-user port 112 subject-matters 236- 243 substantive requirements 191, 192 requirements 248 transitional regime from 160, 164, 168, 176, 186, 163, 164, 167, 158, 159, 160, 164, 168, 176, 186, 163, 164, 167, 188, 189, 181, 182, 184 partnership 6, 11, 154, Regulation (choice of) 36 public service provision service compensation, Public service compensation, Public service obligation limitations 211-212 minimum requirements 183 port infrastructure charges 318, 342 port service charges 290, 364 selection procedure 217, 218 regulator, to Public service ser land of ports charges 18, 43, 42 port service charges 290, 364 selection procedure 217, 218 subject-matters 236	procedure 246	Rail access fees 108, 301	
subject-matters 236- 243 Refusal (minimum subject-matters 236- 243 Refusal (minimum requirements) 191, 192 limitation 196, 202, 204, 205, 206, 208 requirements 248 Regulated service provision 133, 155, 156, 160, 164, 168, 176, 186, 157, 158, 159, 160, 163, 164, 167, 168, 180, 181, 182, 184 180, 18	_	1 2	
243 Refusal (minimum requirements) 191, 192 limitation 196, 202, 204, 205, 206, 208 substantive requirements 248 Regulated service provision 133, 155, 156, 160, 164, 168, 176, 186, 196, 286 minimum requirements 155, 157, 158, 159, 160, 163, 164, 167, 168, 180, 181, 182, 184 Public-private partnership 6, 11, 154, 258 Regulation (choice of) 36 163, 164, 167, 168, 180, 181, 182, 184 Regulation of ports (drivers of) 3 penalties 390 Public service provision 133, 247 Regulatory toolbox see compensation, Public service obligation Relevance (minimum requirements) 177 port infrastructure charges 321 Public service obligation Relevante authorities 277, 278, 296, 343 polic service obligations 232, 233, 233, 236, 239, 241, 244, 250, 285, 292 Publication Remuneration 250, 285, 292 Iminimum requirements 183 port infrastructure charges 318, 342 right of access 138 port service charges 290, 364 225 social clauses 259, 260, 266, 267 290, 364 selection procedure 217, 218 Renewal (of contract) 201, 202, 206, 211, 214, 220, 225, 229, 257, 258, 286 286 Q&As (European Right of access for ships Commission) 64 Repackaging (cargo-handling) 88 ransitional regime 46, 47, 48, 50, 51 Face transport (and EU port policy) 54, 55, 58 Quasi in-house services Right to freely conduct port policy) 54, 55, 58 Security 2, 3, 5, 28, 43, 99, 115, 117, 126, 130,		-	
requirements 248 transitional regime provision 133, 155, 156, 160, 164, 168, 176, 186, 157, 158, 159, 160, 169, 286 163, 164, 167, 168, 157, 158, 159, 160, 163, 164, 167, 168, 180, 181, 182, 184 180, 180, 181, 182, 184 180, 181, 182, 184 180, 181, 182, 184 180, 180, 181, 182, 184 180, 181, 182, 184 180, 181, 182, 184 180, 181, 182, 184 180, 181, 182, 184 180, 181, 182, 184 180, 180, 181, 182, 184 180, 180, 180, 180, 180 180, 180, 180, 180, 180 180, 180, 180, 180 180, 180, 180, 180 180, 180, 180, 180 180, 180, 180, 180 180, 180, 180, 180 180, 180, 180, 180 180, 180, 180, 180 18	243	Refusal (minimum	
transitional regime 50 160, 164, 168, 176, 186, requirements 155, 150 160, 164, 168, 176, 186, 157, 158, 159, 160, 164, 168, 176, 186, 157, 158, 159, 160, 163, 164, 167, 168, 163, 164, 167, 168, 180, 181, 182, 184 258 Regulation (choice of) 36 180, 181, 182, 184 258 Regulation of ports (drivers of) 3 port infrastructure charges 390 (drivers of) 3 port infrastructure charges 321 see also Public service Relevance (minimum requirements) 177 public service obligation 278, 296, 343 236, 239, 241, 244, 244, 250, 266, 267 278, 296, 343 236, 239, 241, 244, 244, 250, 285, 299 2 provision 46, 48, 112, requirements 183 114, 115, 126, 130, port infrastructure charges 318, 342 right of access 138 representation procedure 290, 364 225 220, 225, 229, 257, 258, selection procedure Repackaging (cargohandling) 88 reprovision 140, 48, 149, 151 Sea transitional regime 46, 47, 48, 50, 51 Q&AS (European Right of access for ships Security 2, 3, 5, 28, 43, Quasi in-house services Right to freely conduct Pounding 151, 154, 157, 158, 159, 159, 151, 154, 157, 158, 159, 159, 151, 154, 157, 158, 159, 159, 151, 154, 157, 158, 159, 159, 151, 154, 157, 158, 159, 159, 151, 154, 157, 158, 159, 159, 151, 154, 157, 158, 159, 156, 157, 158, 159, 156, 157, 158, 159, 151, 154, 157, 158, 159, 156, 157, 15			
Public-private partnership 6, 11, 154, 258 Regulation (choice of) 36 Regulation of ports Public service provision 133, 247 Regulatory toolbox see see also Public service compensation, Public service obligation Public service obligation Relevance (minimum requirements) 177 Public service obligation Relevant authorities 277, Publication Remuneration Remuneration Remuneration Provision 46, 48, 112, requirements 183 Port infrastructure charges 318, 342 Port infrastructure charges 318, 342 Port service charges 290, 364 Renewal (of contract) 290, 364 Repackaging (cargo- handling) 88 Report (to Parliament Report (parliament Report (to Parliament Report (to Parliament)	50	provision 133 , 155, 156, 160, 164, 168, 176, 186,	requirements 155,
Public service provision 133, 247 Regulatory toolbox see see also Public service Compensation, Public service obligation 136, 247 Regulatory toolbox see Relevance (minimum requirements) 177 Public service obligation 137, 248 Regulatory toolbox see Relevance (minimum requirements) 177 Public service obligation 138, 296, 343 Publication Remuneration Remuneration Remuneration Remuneration Remuneration Remuneration 148, 149, 151 Scarcity 2, 37, 124, 135, 188, 195, 196, 197, 200, 225, 229, 257, 258, 220 Report (to Parliament Act, 48, 50, 51 Report (to Parliament Act, 47, 48, 50, 51 Regulation of ports port service charges Report (to Parliament Act, 47, 48, 50, 51 Regulation of ports port service charges Report (to Parliament Act, 47, 48, 50, 51 Regulation of ports Report (to Parliament Act, 47, 48, 50, 51 Regulation of ports Report (to Parliament Act, 47, 48, 50, 51 Regulation of ports Report (to Parliament Act, 47, 48, 50, 51 Report (to Parliament Act,	•		
Public service provision 133, 247 Regulatory toolbox see see also Public service compensation, Public service obligation Publication Remuneration Iimitations 211-212 minimum requirements 183 port infrastructure charges 318, 342 port service sobligation 3278, 296, 343 236, 239, 241, 244, 250, 285, 292 social clauses 259, 260, 266, 267 Salvage 97, 130 Salvage 97, 130 Salvage 97, 130 Scarcity 2, 37, 124, 135, 188, 195, 196, 197, 200, 278, 296, 364 225 Renewal (of contract) 290, 364 225 selection procedure 217, 218 Report (to Parliament A6, 47, 48, 50, 51 Q Q&As (European Right of access for ships Commission) 64 see Access for ships Security 2, 3, 5, 28, 43, Quasi in-house services Right to freely conduct See Internal operator, Sulvage 97, 150 port service charges charges 211 port infrastructure charges 286 charges 218 port infrastructure charges 229, 225, 229, 257, 258, 220, 225, 229, 257, 258, 286 transitional regime 46, 47, 48, 50, 51 See a transport (and EU Q&As (European Right of access for ships Security 2, 3, 5, 28, 43, Quasi in-house services Right to freely conduct Sulvage 97, 151, 154, 157, 158, 159, See Internal operator, Sulvage 97, 130 See Internal operator, See Internal operator, Sulvage 97, 130 Sea transport (and EU 99, 115, 117, 126, 130, 151, 154, 157, 158, 159,			
Regulatory toolbox see charges 321 see also Public Toolbox Relevance (minimum 285, 289, 292 Public service obligation Relevant authorities 277, obligations 232, 233, 236, 239, 241, 244, 244, 241, 241	Public service provision	0 1	1
Relevance (minimum 285, 289, 292 requirements) 177 Public service obligation Relevant authorities 277, obligations 232, 233, 278, 296, 343 236, 239, 241, 244, 250, 285, 292 requirements 183 250, 285, 292 requirements 183 211-212 element of service provision 46, 48, 112, 260, 266, 267 requirements 183 214, 114, 115, 126, 130, port infrastructure 248, 149, 151 26, 130, port service charges 318, 342 right of access 138 290, 364 225 220, 225, 229, 257, 258, selection procedure 217, 218 Report (to Parliament 46, 47, 48, 50, 51 Q and Council) 71 Sea transport (and EU Q&As (European Right of access for ships Security 2, 3, 5, 28, 43, Quasi in-house services Right to freely conduct see Internal operator, business 57, 67, 375 151, 154, 157, 158, 159,	,		charges 321
Public service obligation Relevant authorities 277, 278, 296, 343 public service obligations 232, 233, 233, 236, 239, 241, 244, 236, 239, 241, 244, 250, 285, 292 Publication Remuneration 250, 285, 292 limitations 211-212 element of service social clauses 259, 260, 266, 267 minimum requirements 183 114, 115, 126, 130, 260, 266, 267 port infrastructure charges 318, 342 148, 149, 151 26, 130, 188, 195, 196, 197, 200, 200, 200, 201, 202, 206, 211, 214, 229, 200, 364 port service charges 290, 364 Renewal (of contract) 201, 202, 206, 211, 214, 225, 220, 225, 229, 257, 258, 220, 225			
Publication Remuneration 250, 285, 292		Relevant authorities 277,	*
limitations 211-212 minimum requirements 183 port infrastructure charges 318, 342 port service charges 290, 364 225 selection procedure 217, 218 Report (to Parliament Report (to Parliament Report (to Parliament Report (to Parliament Report (and EU Q&As (European Right of access for ships Commission) 64 Report (by See Access for ships Report (to freely conduct See Internal operator, Relement of service social clauses 259, social clauses 259, 260, 266, 267 Salvage 97, 130 Scarcity 2, 37, 124, 135, 188, 195, 196, 197, 200, 201, 202, 206, 211, 214, 220, 225, 229, 257, 258, 220, 225, 229, 257, 258, 286 transitional regime 46, 47, 48, 50, 51 Q Q&As (European Right of access for ships Recurity 2, 3, 5, 28, 43, Quasi in-house services Right to freely conduct See Internal operator, Social clauses 259, 260, 266, 267 Salvage 97, 130 Scarcity 2, 37, 124, 135, 188, 195, 196, 197, 200, 201, 202, 206, 211, 214, 220, 225, 229, 257, 258, 220, 225, 229, 257, 258, 286 transitional regime 46, 47, 48, 50, 51 Sea transport (and EU Q&As (European Right of access for ships Security 2, 3, 5, 28, 43, 201, 151, 151, 151, 151, 151, 151, 151, 1	Publication		
minimum requirements 183 114, 115, 126, 130, port infrastructure charges 318, 342 right of access 138 selection procedure 217, 218 Report (to Parliament Report (to Parliament Access for ships Commission) 64 Rege Access for ships Commission) 64 Report (so feely conduct Right of access for ships Record (so feely conduct Report (to feely conduct See Internal operator, Right of feely conduct Salvage 97, 130 Salvage 97, 130 Scarcity 2, 37, 124, 135, 188, 195, 196, 197, 200, 201, 202, 206, 211, 214, 220, 364 Report (contract) 201, 202, 206, 211, 214, 220, 225, 229, 257, 258, 220, 225, 229, 257, 258, 220, 225, 229, 257, 258, 211, 214, 225 Report (to Parliament 46, 47, 48, 50, 51 Right of access for ships Security 2, 3, 5, 28, 43, 204 (see Internal operator, business 57, 67, 375 Security 2, 3, 5, 28, 43, 151, 154, 157, 158, 159, 159, 151, 154, 157, 158, 159, 159, 151, 154, 157, 158, 159, 159, 151, 154, 157, 158, 159, 159, 151, 154, 157, 158, 159, 159, 151, 154, 157, 158, 151, 154, 157, 158	limitations 211-212	element of service	
port infrastructure charges 318, 342 right of access 138 188, 195, 196, 197, 200, port service charges Renewal (of contract) 201, 202, 206, 211, 214, 290, 364 225 220, 225, 229, 257, 258, selection procedure Repackaging (cargohandling) 88 transitional regime Report (to Parliament 46, 47, 48, 50, 51 Q and Council) 71 Sea transport (and EU Q&As (European Right of access for ships Port policy) 54, 55, 58 Commission) 64 see Access for ships Security 2, 3, 5, 28, 43, Quasi in-house services Right to freely conduct 99, 115, 117, 126, 130, see Internal operator, business 57, 67, 375 151, 154, 157, 158, 159,		*	
right of access 138 188, 195, 196, 197, 200, port service charges 290, 364 225 220, 225, 229, 257, 258, selection procedure 217, 218 Repackaging (cargo- handling) 88 Report (to Parliament 46, 47, 48, 50, 51 Q As (European Right of access for ships Commission) 64 See Access for ships Commission) 64 Report (to receive the port policy) 54, 55, 58 Right of access for ships Security 2, 3, 5, 28, 43, Quasi in-house services Right to freely conduct See Internal operator, Substituting 188, 195, 196, 197, 200, 188, 195, 196, 197, 200, 188, 195, 196, 197, 200, 190, 202, 206, 211, 214, 220, 225, 229, 257, 258, 286 transitional regime 46, 47, 48, 50, 51 Sea transport (and EU 99, 115, 117, 126, 130, 151, 154, 157, 158, 159, 151, 154, 157, 158, 159,			9
port service charges Renewal (of contract) 201, 202, 206, 211, 214, 290, 364 225 220, 225, 229, 257, 258, selection procedure Repackaging (cargo-handling) 88 286 217, 218 Report (to Parliament 46, 47, 48, 50, 51 Q and Council) 71 Sea transport (and EU Q&As (European Right of access for ships port policy) 54, 55, 58 Commission) 64 see Access for ships Security 2, 3, 5, 28, 43, Quasi in-house services Right to freely conduct 99, 115, 117, 126, 130, see Internal operator, business 57, 67, 375 151, 154, 157, 158, 159,		right of access 138	
handling) 88 transitional regime Report (to Parliament 46, 47, 48, 50, 51) Q and Council) 71 Sea transport (and EU) Q&As (European Right of access for ships port policy) 54, 55, 58 Commission) 64 see Access for ships Security 2, 3, 5, 28, 43, Quasi in-house services Right to freely conduct 99, 115, 117, 126, 130, see Internal operator, business 57, 67, 375 151, 154, 157, 158, 159,		,	201, 202 , 206 , 211, 214,
Report (to Parliament 46, 47, 48, 50, 51 Q and Council) 71 Sea transport (and EU Q&As (European Right of access for ships port policy) 54, 55, 58 Commission) 64 see Access for ships Security 2, 3, 5, 28, 43, Quasi in-house services Right to freely conduct 99, 115, 117, 126, 130, see Internal operator, business 57, 67, 375 151, 154, 157, 158, 159,	•		
Q&As (EuropeanRight of access for shipsport policy) 54, 55, 58Commission) 64see Access for shipsSecurity 2, 3, 5, 28, 43,Quasi in-house servicesRight to freely conduct99, 115, 117, 126, 130,see Internal operator,business 57, 67, 375151, 154, 157, 158, 159,	0		
Commission) 64 see Access for ships Security 2, 3, 5, 28, 43, Quasi in-house services Right to freely conduct 99, 115, 117, 126, 130, see Internal operator, business 57, 67, 375 151, 154, 157, 158, 159,			* '
see Internal operator, business 57, 67, 375 151, 154, 157, 158, 159,	_		
	·-	,	151, 154, 157, 158, 159,

221, 232, 233, 236, 239, 241, 257, 258, 280, 285, 289, 292, 317, 361	Storage (cargo-handling) 87 Stowing (cargo-	selection procedure, Selection criteria (selection procedure)
Selected service	handling) 84, 87	TEN-T 1, 26, 27, 28, 29,
provision 46, 133 , 135,	Strike 238, 251, 267, 401	42, 55, 71, 100, 101, 102,
142, 188, 195, 196, 197,	Stripping 88	103 , 104 , 105 , 106 , 107 , 108, 110 , 111, 112, 113,
198, 213, 222, 225, 232, 237, 253, 256, 257	Stuffing 88	114, 115, 116, 117, 120,
Selection criteria (selection procedure)	Subcontracting 65, 140 , 151 , 162, 169	122, 123, 125, 136, 154, 221, 222, 227, 267, 270, 271, 275, 300, 396
159, 198, 215, 218	Subsidiarity principle	see also EU TEN-T
Service of general	32-34	Regulation
economic interest 11, 42, 67, 195, 204, 221, 230,	Supervision	Terminal contract 66,
232 , 233 , 240, 243, 250 , 253, 271, 279, 282, 289,	competent authority 145	226, 227
293, 297, 313, 337, 401	port infrastructure charges 309	Termination (minimum requirements) 193
Service port see Integrated port Shifting (of vessels) 91,	see also Independent supervisory body	Terms of access (general port access paragraph) 134, 137
94, 97	Supremacy of	Territorial cohesion
Short sea shipping 2, 16, 25, 111, 126, 267, 282, 300, 324, 325, 327, 329 ,	Regulation 35	(public service obligations) 232, 233, 236, 424, 243
335, 358	Tariff	Territorial validity
Single-user port 8, 112,	consultation 350, 355	(minimum
254, 257 Small contracts (open	port infrastructure charges 318, 319, 320	requirements) 163(fn.), 175, 178
selection procedure) 221, 222	port service charges 283, 290, 291, 292,	Time limit for decision (minimum
Small ports 118, 120 , 221,	364, 365	requirements) 191
222, 275	Tariff differentiations	TiSA 154
Social and labour law 39, 158, 159, 164, 166 , 167,	(port infrastructure charges) 324-342	Tool port 8, 11 Toolbox 38, 39, 124, 147,
168, 244, 260, 261 , 262 , 390	Technical-nautical	163, 196, 238, 263, 400
Social dialogue 267	services 4, 10	Towage
Solidarity principle (port service charges) 293		1 .
service enarges) =>0	Teckal case 255(fn.) Telaustria case 216(fn.),	access to the port 135, 155
Spanish Strawborries	,	*
Spanish Strawberries case 251	Telaustria case 216(fn.),	135, 155
-	Telaustria case 216(fn.), 226-227 Teleological interpretation 62 Tendering (cruise) 75,	135, 155 authorization 133 charges 282, 286, 301, 317, 350 complaint 377
case 251 Spatial planning	Telaustria case 216(fn.), 226-227 Teleological interpretation 62 Tendering (cruise) 75, 92, 99, 151 Tendering (selection	135, 155 authorization 133 charges 282, 286, 301, 317, 350
case 251 Spatial planning (consultation) 360 Spatial planning (policy)	Telaustria case 216(fn.), 226-227 Teleological interpretation 62 Tendering (cruise) 75, 92, 99, 151	authorization 133 charges 282, 286, 301, 317, 350 complaint 377 compulsory towage

United Brands case 293. equipment Transit (cargo-handling) 82, 83 requirements 162 Transitional measures Universal service flag requirement 38, see EU Seaports obligation 232, 236, 237 Regulation (transitional see also Public service general 2, 4, 8, 10, 15, measures) obligation 27, 43, 54, 57, 197 Universality (public Transparency free market access service obligations) 238 155 complaint handling 373 Unlashing (cargogeographical handling) 86, 87 confinement 258 minimum requirements 31, Unregulated service inland vessel 97, 110 provision 133, 155, 156, 158, 162, 167, 168, local knowledge 182 173, 189 176, 196, 286 monopoly 10, 133, port infrastructure Urgency (open selection 195, 196, 206, 207, charges 317, 318, 333 procedure) 221 267 User-pays 300, 301, 302, port service charges port area 117 290, 298 321 public service public funding 58, obligations 163, 232, 269-279 V 239, 240, 241, 245 public service Value-added services safety 91, 94, 97, 133, obligations 248 (cargo-handling) 88 164 selection procedure Vessel Traffic Service 4, self-handling 149 216 8, 94, 144, 354, 356 service of general Transparent (port) VTS charge 301, 313(fn.), economic interest competition 31, 48, 62, 322, 336, 337 233 195, 197, 257, 300, 311 shifting 91 Transporting (cargosingle-user port 112, handling) 87 144, 214 Warehousing (cargo-Transport services handling) 88 subject to Regulation (public service 74, 126, 137, 401 Waste reception facilities obligations) 242 see Collection of shiptraffic rules 156 see also Sea transport generated waste and (and EU port policy) transitional regime cargo residues 47,50 Travaux Préparatoires Waterborne vessels 61, 63 waterway access 75, 76, 77, 79, 82, 85, 91, 92, 97,98 Treaty-consistent 94, 97, 108, 110, 113, 114, interpretation 57, 60 sse also Salvage 115, 116, 130(fn.), 302 Treaty exceptions 42 Training 2, 19, 47, 56, Waterway access 74, 75, 126, 164, 179, 182, 244, see also Rule of 76, 79, 82, 91, 92, 93, 94, 259, 260, **266**, 267 95, 97, 98, 110, 117, 127, reason 130, 182, 301, 310, 356 TRAN Report 23 Trilogue (meaning) 18, 23 Wharfage 322 Trans-European transport network see Works concession 6, 8, TEN-T 66, 130, 154, 220, 295, 310 U Transfer of undertaking World Ports Climate Unbundling 2, 147, 273 263, 264, 265 Initiative 330

Wreck removal 130

Y

Yachting harbour see Recreational port