

"By which the updating of the Regulation of Technical Conditions for the Port Operation of REGIONAL PORT SOCIETY OF SANTA MARTA INC. is approved by virtue of Port Concession Contract No. 006 of 1993"

REPUBLIC OF COLOMBIA



TRANSPORT MINISTRY
NATIONAL INFRASTRUCTURE AGENCY

RESOLUTION No. -317, 2020

(FEB 28, 2020)

"By which the updating of the Regulation of Technical Conditions for the Port Operation of the REGIONAL PORT SOCIETY OF SANTA MARTA INC. is approved by virtue of Port Concession Contract No. 006, 1993"

THE VICE PRESIDENT OF CONTRACT MANAGEMENT OF THE NATIONAL
INFRASTRUCTURE AGENCY

In compliance with Law 1, 1991 and its regulatory decrees, Resolution No. 850, April 6, 2017, and in exercise of its legal powers and competences, in particular those contained in clause 9, Article 15, Decree 4165, November 3, 2011 and Resolutions No. 1096, June 25, 2018 and 1628, August 31, 2018 and

CONSIDERING:

1. That in accordance with the provisions of Article 3, Law 1, 1991, the General Superintendent of Ports was responsible for *"(...) defining the technical conditions for the operation of the ports, in matters such as nomenclature; procedures for the inspection of port facilities and vessels; regarding warehouses, loading and stowage; cargo handling; invoicing; receipt, storage and delivery of cargo; services to vessels; priorities and rules regarding shifts, berthing and unberthing of vessels; periods of stay; time of use of services; documentation; industrial safety, and others that have been subject to the Colombian Ports Company, insofar as it does not oppose the provisions of this Law."*
2. That, likewise, Article 27 of said Law 1, 1991, when enunciating the functions of the General Superintendent of Ports, in clause 27.3 it is assigned to *"Issue by means of resolution, the technical conditions for the operation of Colombian ports."*
3. On June 24, 1993, the Port Concession Contract No. 006, 1993 was subscribed between the General Superintendent of Ports and the Regional Port Society of Santa Marta Inc., *today administered by the National Agency of Infrastructure, whose object "is to grant to the Regional Port Society of Santa Marta Inc., the port concession and to temporarily and exclusively occupy and use the beaches, the low tide lands and accessory areas to these, described in the second clause of said contract, in exchange for an economic compensation referred to in the Eleventh Clause of this contract, in favor of the Nation, and the Municipality of Santa Marta, where the aforementioned will operate. The port shall serve all types of cargo;*

(Signature illegible)

(Signature illegible)

"By which the updating of the Regulation of Technical Conditions for the Port Operation of the REGIONAL PORT SOCIETY of SANTA MARTA Inc. is approved by virtue of Port Concession Contract No. 006, 1993"

likewise, it is granted that the concessionaire has the right to temporarily use the docks, yards, roads, warehouses and other assets related in the Third and Fifth clauses of the aforementioned contract".

4. That by virtue of the foregoing, the General Superintendent of Ports by Resolution No. 071, February 11, 1997 determined the Technical Regulation of Ports Operation.
5. That by means of Amendment No. 001, August 5, 1993 the parties agreed to modify clauses 7.1, thirteenth and twentieth, eighth clause 28.1 of the Port Concession Contract No. 006, 1993.
6. That through Amendment No. 002, September 8, 1993 the parties agreed to modify clauses 11.2.2, 11.3 and 12.20 of the Port Concession Contract No. 006 of 1993.
7. That by means of Amendment No. 003, September 9, 2010 the parties agreed to modify clause 7.1 referring to the end of the term of the guarantee to carry out environmental impact and protection studies and against pollution of Port Concession Contract No. 006, 1993.
8. That by means of Amendment No. 004, September 30, 1993, a paragraph is added to the seventh clause that contemplates the constitution and approval of the guarantees of law, modifying 11.2.2. of the eleventh clause of the Port Concession Contract No. 006, 1993.
9. That by Decree 101, 2000 *"By which the structure of the Ministry of Transport is modified and other provisions are issued"*, as amended by Decree 2741, 2001, the competencies in matters of Port Concessions were transferred to the Ministry of Transport, and in its article 30, clause 16, the function of issuing the regulations containing the technical conditions for the operation of Colombian public ports was delegated to the Commission for the Regulation of Transport, CRTR.
10. That through Decree 1800, June 26, 2003, the National Institute of Concessions was created, with the purpose of *"planning, structuring, contracting, executing and managing transport infrastructure businesses that are developed with the participation of private capital and especially concessions, in road, river, maritime, rail and port modes"*.
11. That by means of Amendment No. 005, January 3, 2005 the parties of the Port Concession Contract No. 006, 1993 specified that as from the issuance of Decree 1800, 2003 the National Institute of Concessions, INCO, corresponds to the contracting entity.
12. That by means of Amendment No. 006, May 30, 2008 the parties, after advancing the procedure established for that purpose, and in accordance with the background and considerations set forth in Resolution No. 245, May 30, 2008, agreed to the extension and modification of the conditions of Port Concession Contract No. 006, 1993.
13. That through Amendment No. 007, February 23, 2010, the parties agreed to modify the schedule for the execution of the master investment plan agreed to in the amendment modification No. 6 of Port Concession Contract No. 006, 1993.
14. That Decree No. 087, 2011, *"Whereby the structure of the Ministry of Transport is modified, and the functions of its departments are determined"*, as amended by Decrees 2189, 2016 and 1773, 2018, in Article 2 clause 2.4, and Article 6, clause 6.3, assigns to the Ministry of Transport

(Signature illegible)

“By which the updating of the Regulation of Technical Conditions for the Port Operation of the REGIONAL PORT SOCIETY OF SANTA MARTA Inc. is approved by virtue of Port Concession Contract No. 006, 1993”

the functions of formulating the technical regulations in the field of transit and transport of road, port and rail modes.

- 15. That by Decree 4165, November 3, 2011 the legal nature and name of the National Institute of Concessions, INCO, was changed from a Public Establishment to a National State Agency of a Special Nature called the National Infrastructure Agency (ANI), attached to the Ministry of Transport, which expressly provides in Article 25 that the rights and obligations that the National Institute of Concessions, INCO, has at the date of issuance of the aforementioned decree, will continue in favor of and in charge of the National Infrastructure Agency.
- 16. That the Ministry of Transport issued Resolution No. 850, April 6, 2017, *"By means of which the content of the Regulations on Technical Conditions for the Operation of Maritime Ports is established and other provisions are issued"*, a provision that revoked Resolution No. 071, 1997, of the former General Superintendent of Ports.
- 17. That in accordance with Article 2, Resolution No. 850, April 6, 2017, the Regulation on Technical Conditions for Operation *"(...) shall apply to holders of port concessions, approvals, temporary authorizations, permissions, port licenses or any other type of port permission established in Law 1, 1991 and Laws 1242, 2008 and their Regulatory Decrees."*
- 18. That Resolution No. 850, April 06, 2017, in its article 15, provides:

Content. The Regulation of Technical Conditions of Operation of each port, should at least contain a detailed description of the following general aspects:

- 1. *Port services provided.*
- 2. *Conditions for the provision of services.*
- 3. *Quality and access policies.*
- 4. *Verification of information and documents.*
- 5. *Security for the handling of the load, responsibilities due to accidents, damages, and failures related to load management, infrastructure and port equipment.*
- 6. *Industrial Safety Regulations.*
- 7. *Provisions for the physical protection of port facilities and other aspects covered by the International Ship and Port Facility Security Code (ISPS), for facilities serving vessels engaged in international maritime traffic.*
- 8. *Requirements of technical capacity and professional suitability appropriate to each service.*
- 9. *Quantification of cargoes, criteria for reviewing such quantification, as well as objective, transparent, proportional, equitable and non-discriminatory distribution criteria between service providers.*
- 10. *Material elements for the provision of services and their characteristics.*
- 11. *Minimum human resources for the provision of services and their qualification.*
- 12. *Requirements for access and stay of persons, vehicles and equipment to port facilities.*
- 13. *Tariff structure in accordance with the regulations in force.*
- 14. *Period of validity of port concessions, approvals, temporary authorizations, permits, port licenses or any other type of port permission granted by the competent authority.*
- 15. *Documentation required for admission and service provision.*
- 16. *Reservations for the provision of services and access to port facilities, including those relating to non-compliance with public service obligations, safety requirements for the provision of the service and relevant environmental protection obligations.*

(Signature illegible)

(Signature illegible)

“By which the updating of the Regulation of Technical Conditions for the Port Operation of the REGIONAL PORT SOCIETY OF SANTA MARTA Inc. is approved by virtue of Port Concession Contract No. 006, 1993”

17. *Systems for the handling of cargo determined by type of cargo and modality of operation of foreign trade carried out (import, export, etc.)*
18. *Hours of operation, procedures and requirements to be met by those authorized and those carrying out port activities, in accordance with the provisions of this resolution.*
19. *Obligations of port operators and port terminal users.”.*

19. That also Resolution No. 850, April 6, 2017, in its article 18 establishes that:

"The Regulation of Technical Conditions of Operation of each port terminal must contain at least a detailed description of the following aspects related to the port:

1. *Maritime and/or river accesses with a maritime vocation.*
2. *Description of the public use area given in concession, maneuvering, mooring and unmooring areas, maintenance programs and bathymetry information according to the port concession contract.*
3. *Access channels, navigation aids, navigation hazards in the maneuvering area, and information regarding the width, length, turning diameter, maximum, minimum and average depth of the private access channel and its maneuvering basin, which shall be referred to in geographical coordinates WGS-84.*
4. *Access to anchoring and maneuvering areas.*
5. *Vehicle, rail and pedestrian accesses, which must have adequate signaling.*
6. *Description of the physical characteristics of the quays available at the port terminal, indicating their number, mooring bollards, dimensions, depth and specialty of cargo handled, class of quay, type of material of its structure, length, width and strength of the slab, depth at the side of the quay, pine cones and mooring buoys, which shall be referred to in geographical coordinates WGS- 84.*
7. *Description of the physical characteristics of the yards and existing warehouses, type of cargo handled; capacity and location within the terminal.*
8. *Facilities for receipt, storage of cargo, description, dimensions, capacity.*
9. *Equipment for port operation. List of the equipment and its technical characteristics that the port terminal has to serve the ships and the types of cargo received.*
10. *Description of the reception facilities for waste, garbage and other contaminating products.”.*

20. That Resolution No. 850, April 06, 2017, in article 20, provides:

"Application. *Those authorized shall submit the application for approval of the Technical Conditions of Operation Regulations to the granting entity on paper and electronic versions incorporating all the requirements and prior approvals addressed by this Resolution.*

Paragraph 1. *The prior favorable opinion of the content of the Regulations on Technical Conditions of Operation shall be obtained from the maritime authority in aspects related to integral maritime and port safety in accordance with its competencies.*

Paragraph 2. *The previous concept must be favorable with respect to the content of the Regulation of Technical Conditions of Operation, of the Superintendent of Ports and Transportation, or whoever acts as such, in aspects related to the provision of the service, according to their competencies.*

(Signature Illegible)

“By which the updating of the Regulation of Technical Conditions for the Port Operation of the REGIONAL PORT SOCIETY OF SANTA MARTA Inc. is approved by virtue of Port Concession Contract No. 006, 1993”

Paragraph 3. *In the case of approval of an amendment to the Regulations on Technical Conditions of Operation, a port concession contract in execution and other forms of authorization, the granting entity must request the concept from the environmental authority that has approved the environmental management plan or issued the environmental license for the port project prior to signing the respective concession contract.*

Paragraph 4. *The prior approvals referred to in this resolution must be issued within fifteen (15) working days from the date of the application for approval by the interested parties, under penalty of positive administrative silence. (Underlined and highlighted outside the text).*

21. That Resolution No. 850, April 6, 2017, in its article 21 establishes:

“Approval and Term. Granting entities shall approve by means of a reasoned resolution the Regulations on Technical Conditions of Operation, provided that they comply with the requirements indicated in this administrative act.”.

22. That together with the above considerations, said Resolution No. 850, April 6, 2017, in its article 22 states:

"Article 22. Requirements and time limits for adoption of the rules of procedure. *No port facility may operate or provide services without having the Technical Conditions of Operation Regulations, duly approved by the competent entity. Paragraph. If the authorized parties do not comply with the provisions of the present article, the Superintendent of Ports and Transportation, SUPERTRANSPORTE, shall exercise the actions of control and surveillance and shall initiate the necessary administrative investigations".*

23. That by means of Resolution No. 0004159, October 6, 2017¹, the Ministry of Transportation established new deadlines for the adjustment of the Technical Regulations on Operations of Maritime Ports, based on the following considerations:

"That paragraph 1, Article 21, Resolution 850, 2017, establishes the deadlines for adjustment, submission of documentation and subsequent approval of the Regulations on Technical Conditions for the Operation of Seaports by the granting entity.

That through official documents 2017409103986-2, 2017, 2017409102015-2, 2017, and 2017409103699-2, 2017, sent by e-mail on October 3, 2017, Petróleos y Derivados de Colombia S.A., Coremar Shorebase S.A., Ecopetrol S.A., Cenit Tumaco, requested to the National Infrastructure Agency to extend the deadline for the presentation of the Regulation on Technical Conditions for the Operation of Ports.

That also by e-mail on September 28, 2017, AtunaMar Ltda. requested to the Superintendent of Ports and Transportation, the extension of the term for the presentation of the Regulation of Technical Conditions for the Operation of Ports.

That the Superintendent of Ports and Transportation and the General Maritime Directorate, DIMAR, competent to issue the concepts to the regulations, through letters 20176001 16931 1, September 28, 2017 and 29201705985 MD-DIMAR-SUBMERC September 29, 2017, respectively, propose to modify the terms established in paragraph 1, Article 21, Resolution 850, 2017, defining

¹ *"Establishing new deadlines for the adjustment of the Technical Regulations on Operating Conditions in Sea Ports"*

(Signature illegible)

(Signature illegible)

new ranges of years and months to avoid congestion of documents for review and prevent expiration of terms, taking into account the availability of personnel available to the entity for review of regulations, adjustments requested and issuance of concept.

That the Interim Infrastructure Director of the Ministry of Transport, through memoranda 20175000164323, October 4, 2017, 20175000165403, October 6, 2017 and 20175000166093, October 6, 2017, issued technical justification of viability for the establishment of new positions for the adjustment of the Technical Regulations of Operating Conditions of Maritime Ports and presented the new terms to be granted, adjusting the ranges of years.

That in accordance with the above, it is deemed pertinent to establish new deadlines for the adjustment of the Technical Regulations on Operating Conditions of Maritime Ports in accordance with the provisions of Resolution 0850, 2017".

24. That Article 1, Resolution 0004159, 2017 established that "Authorized persons whose Regulation on Technical Conditions for the Operation of Maritime Ports and must adjust it to the operating conditions referred to in Resolution 0850, 2017, must file the required documentation with the competent entity, according to the years in which the concession was granted, within the following terms."

Concessions granted in the following years: (From-to)	Maximum time for the filing of documentation by the authorized
2017	5 months from the day following the publication of this resolution in the Official Journal.
2012-2016	7 months from the day following the publication of this resolution in the Official Journal.
2010-2011	9 months from the day following the publication of this resolution in the Official Journal.
2007-2009	11 months from the day following the publication of this resolution in the Official Journal.
2002-2006	13 months from the day following the publication of this resolution in the Official Journal.
1996-2001	15 months from the day following the publication of this resolution in the Official Journal.
1992-1995	17 months from the day following the publication of this resolution in the Official Journal.

25. That the port terminal under concession to the Regional Port Society of Santa Marta Inc. through Port Concession Contract No. 006, 1993 has an Environmental Management Plan established by Resolution No. 354, May 6, 1997, modified by Resolutions No. 1103, October 20, 2003 and 794, May 16, 2008 of the then Ministry of the Environment, and 176, February 21, 2013 and 331 of April 12, 2013 of the National Authority for Environmental Licenses, ANLA.

26. That in accordance with the legal and contractual provisions mentioned above, and in response to the requirements made by the National Agency of Infrastructure, on March 7, 2019, by means of a communication registered with the entity under No. 2019-409- 023548-2, the Regional Port Society of Santa Marta Inc. requested the approval of the updating of the Technical Conditions of Operation of the port that was granted to it, indicating the following:

"By means of this communication, we allow ourselves to send the Regulations of Technical Conditions of Port Operation of the Regional Port Society of Santa Marta Inc., SPSM, with its respective

(Signature illegible)

annexes and we also request your approval in accordance with the provisions of Resolution 71, 1997 issued by the General Superintendent of Ports and Resolution 0850 of 2017 of the Ministry of Transport.

It is important to mention that this document was sent to the Directorate General of Maritime Affairs, DIMAR, and the Superintendent of Transport to issue their concept in this regard.

On March 5, 2019, the Superintendent of Transport stated that the regulation sent is in accordance with the provisions of Resolution No. 0850, April 6, 2017, issued by the Ministry of Transport and the table of contents guide to the Regulation prepared by the DIMAR and the Superintendent of Transport". It was also recommended that adjustments be made to Chapter IX, which were applied in the document.

The DIMAR did not make any pronouncement on this matter, which is why it is understood that the positive administrative silence established in Article 85 of the CPACA operates.”

27. That by means of official communication No 2019-303-009397-1, March 26, 2019 the National Infrastructure Agency responded to the communication referred to in the previous consideration, in the following terms:

"In response to the communication of the matter, by which the Concessionaire, based on the provisions of paragraph 4, Resolution 850, 2017, requests the Agency's approval of the Technical Operations Regulations, considering that there has been positive administrative silence, in view of the aforementioned lack of response from the MARITIME DIRECTION, DIMAR, on the occasion of the updating of the Regulations on Technical Conditions for Port Operations, presented by the Regional Port Society of Santa Marta Inc., this Agency issues a response to the same in the following terms:

I. PROCEDURE FOR APPROVAL OF THE RULES OF TECHNICAL CONDITIONS OF PORT OPERATIONS

Resolution 850, April 06, 2017, establishes the minimum requirements that the Technical Regulation of Technical Conditions of Port Operation of the port concessions in force must contain, as well as the pertinent procedure for its approval ...

(...)

... for the purposes of the approval of the Technical Regulation of Operations (RTO) it is necessary that actions are advanced in two steps, the first referred to the procedure that the interested party must carry out before the Maritime Directorate and the Superintendent of Ports and Transportation for the purposes of the viability, or not, of the update of the RTO presented, and the second to the procedure before the Agency which can only be advanced once the Entity has the concepts in which the corresponding authority manifests, in an express or tacit form, to give viability for its approval.

The above was put forward by the Vice-presidency of Contractual Management to the Concessionaire by means of the communications listed below:

File No.	Date
20173030128671	02/05/2017
20183030041891	12/02/2018
20183030180261	13/06/2018

(Signature illegible)

(Signature illegible)

“By which the updating of the Regulation of Technical Conditions for the Port Operation of the REGIONAL PORT SOCIETY OF SANTA MARTA Inc. is approved by virtue of Port Concession Contract No. 006, 1993”

II. ON THE OPERATION OF ADMINISTRATIVE SILENCE AND PROCEDURE TO INVOKE IT

(...)

...in order to invoke positive administrative silence, it is not only necessary to indicate, for those interested, the configuration of said silence based on the calculation of dates that lead to the inference of its occurrence, but it is also required to take the necessary steps to have the deed notarized, which, in the terms of Article 85 already referred to, will produce "all the legal effects of the favorable decision that was requested".

As the document that materializes the corresponding protocol is not observed, it is not viable to give continuity to the request for approval of the Technical Regulations of Port Operation presented by Regional Port Society of Santa Marta Inc., until the corresponding regulatory instances are exhausted so that the Entity can analyze the origin and eventual approval of the RTO".

28. That by means of a communication filed with the ANI on April 26, 2019 under No. 2019- 409-030755-2, the Superintendent of Transportation sent a favorable response to the National Infrastructure Agency regarding the updating of the Regulation of Technical Conditions of Operation presented by Regional Port Society of Santa Marta Inc., indicating:

"Regional Port Society of Santa Marta Inc. has made the adjustments required by this Superintendent with official communication 20196000053401, February 27, 2019 and has presented again for approval the RCTO through its President, Mr. Domingo S. Chinea Barrera, by means of a written document, N°20195605211892, March 07, 2019, on file at this Superintendence:

After reviewing the contents of the aforementioned regulations, particularly those related to the provision of port services, in accordance with the provisions of article 20, paragraph 2, of resolution 0000850, April 6, 2017, this office issues a favorable concept to continue with the approval process".

29. That through communication COE-0-20190791 filed on May 14, 2019 under No. 2019-409-048596-2, the Regional Port Society of Santa Marta Inc. insisted on its request for approval of the updating of the Regulations on Technical Conditions of Operation, indicating:

"On March 7, 2019, the Regional Port Society of Santa Marta filed in the Superintendent's Office a request for the approval of the Regulation of Technical Conditions of Operation, taking into account the requirements demanded by Resolution No. 850, 2017.

In the aforementioned communication, SPSM stated that the requirement for DIMAR's approval had been met, taking into account that there was positive administrative silence, considering that (15) days after the request was submitted to this entity, it did not make any statement on the matter, which ANI did. In its communication dated April 2, 2019, which is attached, it states that in order for the administrative silence to be established, not only is it necessary to comply with the term established for the respective authority to make a decision, but also that this term must remain in force, which is legitimate as of the day following its registration.

(Signature illegible)

“By which the updating of the Regulation of Technical Conditions for the Port Operation of the REGIONAL PORT SOCIETY OF SANTA MARTA Inc. is approved by virtue of Port Concession Contract No. 006, 1993”

Thus, we attach notarization of the administrative silence, elevated to a public deed.”

30. That by means of official communication No. 2019-303-016241-1 of May 27, 2019, the National Infrastructure Agency responded to the communication referred to in the previous consideration, as transcribed below:

"In view of the communication indicated in the matter, filed with the entity under No. 2019-409-048596-2, May 14, 2019, we take the liberty of indicating that the Agency has taken cognizance of communication No. 29201901811 MD-DIMAR-ASIMPO, March 15, 2019, by which the General Maritime Directorate informed the society you represent about the NON FAVORABLE evaluation of the Technical Conditions of Operation Regulation presented by the Regional Port Society of Santa Marta, and required you to make the adjustments and present again the regulation for evaluation of said authority. (Annexed copy)

Pursuant to Article 21 of Resolution No. 000850, April 6, 2017 of the Ministry of Transportation² and taking into account that your request for approval of the regulations on technical conditions of operation does not meet the requirements established in Article 20 of the aforementioned Resolution, you are required to complete your request within a maximum period of one (1) month with the concepts established in the aforementioned regulation.

On the other hand, it should be pointed out that in compliance with the provisions of the third paragraph of Article 20 of the aforementioned Resolution No. 000850, 2017, since it is a matter of approving an amendment to the Regulation on Technical Conditions of Operation of a port concession contract in execution, the Agency must request the concept from the corresponding environmental authority for the purpose of approving the Regulation".

31. By means of official communication No. 20193030310851 dated September 10, 2019, the National Infrastructure Agency requested to the National Environmental Licensing Agency to issue a pronouncement regarding the text of the update of the Regulations on Technical Conditions of Operation submitted for consideration by Regional Port Society of Santa Marta Inc. This request was also submitted by means of official communication No. 20193030312991 dated September 11, 2019.

32. That on August 26, 2019 the Directorate General of Maritime Affairs - DIMAR sent the Company a favorable opinion with regard to the Regulations on Technical Conditions of Operation presented by Regional Port Society of Santa Marta Inc. by filing ANI No. 2019-409-088830-2:

"With reference to the draft Regulation of Technical Conditions of Operation with SGDA DIMAR N°292019105635, by which the Regional Port Society of Santa Marta presents for the concept of the Maritime Authority in the aspects related to Integral Maritime and Port Security, in accordance with the provisions of Resolution 850, April 6, 2017 issued by the Ministry of Transport, I am pleased to inform you that the Maritime Authority once reviewed the document finds that it is adjusted according to the recommendations proposed in the first revision.

Based on the foregoing, I submit the draft Regulation on Technical Conditions of Operation and Technical Evaluation, with a favorable concept.

²Article 21. Approval and deadline. The granting entities shall approve, by means of a reasoned resolution, the Regulations on Technical Conditions of Operation, provided that they comply with the requirements indicated in this administrative act

(Signature illegible)

(Signature illegible)

“By which the updating of the Regulation of Technical Conditions for the Port Operation of the REGIONAL PORT SOCIETY OF SANTA MARTA Inc. is approved by virtue of Port Concession Contract No. 006, 1993”

The Regulation of Technical Conditions of Operation favorably considered by the Directorate General of Maritime Affairs, in no case can be understood as an authorization for the modification of the port concession granted by the National Agency of Infrastructure or whoever acts as such.

In case of contradiction between any of the provisions of these regulations and the port concession contract, the provisions of the concession contract shall prevail.”

- 33.** That according to the concepts of favorability issued by the Superintendent of Transport and the General Maritime Direction - DIMAR, through communication filed in the entity on August 30, 2019 under No. 2019-409-090884-2, the Regional Port Society of Santa Marta Inc. requested the approval of the updating of the Technical Conditions of Operation Regulation of the port that was granted to it.
- 34.** That by means of communication ANLA No. 2019150170-2-000, September 30, 2019, with entry ANI No. 2019-409-103224-2, October 1, 2019, the National Environmental Licensing sent the observations derived from the review of the document.
- 35.** That by means of official communication No. 20193030366961, October 24, 2019, the National Infrastructure Agency again requested the National Environmental Licensing Agency to issue a pronouncement in relation to the text of the update of the Regulation of Technical Conditions of Operation put under consideration by the Regional Port Society of Santa Marta Inc. once the observations of the ANLA were taken into account.
- 36.** That through communication ANLA No. 2019165628-2-000, October 24, 2019, with entry filing ANI No. 2019-409-112812-2, October 25, 2019 the National Environmental Licensing Agency informed ANI that through entry ANLA No. 2019150170-2-000, September 30, 2019 it issued a pronouncement in relation to the text of the update of the Regulation of Technical Conditions of Operation proposed by the Regional Port Society of Santa Marta Inc., recommending its complementation in some points.
- 37.** That through the filing of ANI No. 2019-303-038121-1, November 08, 2019 the National Infrastructure Agency - ANI requested to the Regional Port Society of Santa Marta Inc. to attend the recommendations given by the Environmental Authority.
- 38.** That by means of a communication filed with the ANI under No. 2019-409-107607-2, October 11, 2019, the Regional Port Society of Santa Marta Inc. sent to the National Infrastructure Agency the updated version of the Regulations on Technical Conditions for the Operation of the port terminal granted to that company through Port Concession Contract No. 006, 1993, as required by the National Environmental Licensing Agency.
- 39.** That by means of official communication ANLA No. 2019175660-2-000-, November 12, 2019, filed with ANI under No. 2019-409-118558-2, November 13 of the same year, the National Environmental Licensing Authority - ANLA issued a final pronouncement in relation to the adjusted text of the update of the Regulation of Technical Conditions of Operation proposed by the Regional Port Society of Santa Marta Inc., finding that the adjustment made to the Technical Conditions of Operation included what was requested by said Environmental Authority and that no new adjustments to the regulation are necessary.
- 40.** That being an eminently technical and operational document, it corresponds to the Management of Port Projects of the Vice-presidency of Contractual Management , in the exercise of its functions

(Signature Illegible)

established in provision 3 and 16 of Resolution No. 1096 of June 25, 2018³, to carry out the evaluation and verification of the regulation of technical conditions of operation presented by the concessionaire and to verify that it complies with the special regulations in force, in this case the provisions contained in Resolution No. 850 and 0004159, 2017 of the Ministry of Transport.

41. That ANI’s Port Project Management of the Vice-Presidency of Contractual Management, through memorandum No. 2020-303-002615-3, February 6, 2019 issued a favorable technical concept regarding the Regulation of Technical Conditions of Operation presented by the concessionaire, in the following terms:

“(…)

5. CONCLUSION

From the technical point of view, this Management considers it viable to proceed with the approval of the Regulations of Technical Conditions of Operation corresponding to port concession contract 006, 1993 signed with the Regional Port Society of Santa Marta Inc. presented by means of communication with filed ANI No. 2019-409-107607-2, November 20, 2019, since it complies with the requirements demanded in the applicable technical regulations and is in accordance with the provisions of the contract".

42. That taking into account that the pertinent verification and technical study of the Rules of Technical Conditions of Operation presented by Regional Port Society of Santa Marta Inc. has been carried out and it has been certified that it complies with the regulations in force, it should be approved.

On the basis of the above,

RESOLVES:

ARTICLE ONE. To approve the updating of the Regulations of Technical Conditions of Port Operation of Regional Port Society of Santa Marta Inc. by virtue of Port Concession Contract No. 006, 1993, the text of which is attached to this administrative act, making it a fundamental and integral part of it.

PARAGRAPH ONE: The operation regulated through the Technical Operation Conditions Regulations, whose updating is approved by this administrative act, is limited to the object, scope and technical specifications established in Port Concession Contract No. 006, 1993 and its other agreements.

PARAGRAPH TWO. - The approval of the updating of the Technical Conditions of Port Operation Regulation of the Regional Port Society of Santa Marta Inc., which is the subject of this resolution, in no case can be understood as an authorization to modify the terms and conditions of Port Concession Contract No. 006, 1993 and its amendments.

³ Resolution No. 1096, 2018, "By which the Specific Manual of Labor Functions and Competencies is adopted for the jobs of the personnel plant of the National Infrastructure Agency and other provisions are issued". Vice-presidency of Contractual Management - Manager of Port Projects. Essential Functions. "(...) 3. To evaluate, control and follow up the technical and operational aspects of the concession contracts and other forms of public-private partnership of the port mode, in accordance with the stipulations of the contracts (...) 16. To follow up the application by the concessionaires of the technical appendices of the manuals and regulations in force corresponding to the operation of the transport infrastructure concessions of the port mode, without prejudice to the obligations and responsibilities of the Comptroller's Office". (Page 31-32)

(Signature illegible)

(Signature illegible)

“By which the updating of the Regulation of Technical Conditions for the Port Operation of the REGIONAL PORT SOCIETY OF SANTA MARTA Inc. is approved by virtue of Port Concession Contract No. 006, 1993”

PARAGRAPH THREE: In case of contradiction between any of the provisions of the approved Regulation of Technical Conditions for Port Operations and Port Concession Contract No. 006, 1993, the provisions of the concession contract and its others shall prevail.

ARTICLE TWO: In accordance with the provisions of article 6 of Resolution No. 000850, 2017 issued by the Ministry of Transport, the Regional Port Society of Santa Marta Inc. must post a physical copy of this resolution and of the approved Technical Conditions of Port Operation Regulation in a place visible to the public at the port terminal and guarantee free access to the electronic version of the same via the web. The information of reserved use by the Regional Port Society of Santa Marta Inc. in accordance with the normative framework in force is exempt from this obligation.

ARTICLE THREE: Notify the Regional Port Society of Santa Marta Inc. of this resolution, through its legal representative or special proxy, under the terms established in Articles 67 and following of the Code of Administrative Procedure and Contentious-Administrative Proceedings.

ARTICLE FOUR: This resolution shall be communicated to the Superintendent of Transport, the National Environmental Licensing Authority- ANLA, and the General Maritime Directorate - DIMAR, for the purposes of their competencies.

ARTICLE FIFTH: This resolution shall be effective as of the date of its issuance.

ARTICLE SIX: An appeal for reconsideration of this resolution is admissible.

TO BE NOTIFIED, REGISTERED, AND ENFORCED

Given in Bogota. D.C., on **FEB 28, 2020**

(Signature Illegible)
LUIS EDUARDO GUTIÉRREZ DÍAZ
Vice President, Contractual Management
National Infrastructure Agency

Legal Project: Diego José Monroy Núñez - Lawyer GAGC1 - V (Signature Illegible)
Technical Project: Jesús Alberto Florez - G3 Expert - 07 - GPP – VGC (Signature Illegible)
Environmental Project: Verónica Villalba Campos - Environmental Support - GGITA- VPRE (Signature Illegible)
Juridical approval: José Román Pacheco Gallego- Manager Contractual Management Consultancy 1 - VJ (Signature Illegible)
Technical approval: Fernando Alberto Hoyos Escobar - Port Project Manager – VGC (Signature Illegible)
Environmental approval: Luisa Fernanda Tamayo Arias - Internal Environmental Working Group Manager (A)-VPRE (Signature Illegible)

“By which the updating of the Regulation of Technical Conditions for the Port Operation of the REGIONAL PORT SOCIETY OF SANTA MARTA Inc. is approved by virtue of Port Concession Contract No. 006, 1993”

REGULATION OF TECHNICAL CONDITIONS OF PORT OPERATION OF THE REGIONAL PORT SOCIETY OF SANTA MARTA INC.
Table of Contents
CHAPTER I. GENERAL ASPECTS
1.1 OBJECT
1.2 ON THE APPLICATION OF THIS REGULATION
1.3 DEFINITIONS
1.4 TECHNICAL CAPACITY AND PROFESSIONAL SUITABILITY REQUIREMENTS APPROPRIATE TO EACH SERVICE
1.5 MANDATORY NATURE OF THE REGULATION
1.5.1 Compliance with International Regulations and Conventions
1.5.2 Publicity of the Regulations on Technical Conditions of Operation
1.5.3 Obligations of the Port Society and those who carry out port activities.
1.5.4 Obligations of Port Operators
1.5.5 Obligations of Shipping Agencies.
1.5.6 Obligations of Port Terminal Users
1.5.7 Physical Protection Provision of Port Facilities -PBIP
CHAPTER II. PORT TERMINAL MANAGEMENT AND ORGANIZATION
2.2 Organization.
2.2.2 Functions of the Regional Port Society of Santa Marta Inc.
2.3.1 Management and operation model of the Port Facility
2.3.2 Relationship with the port users
2.3.3 Tariff structure
2.3.4 Billing Protocol
2.3.5 Quality management system.
2.3.6 Quality and access policies
2.3.7 Communication and information system.
2.3.8 Code of Good Corporate Governance
CHAPTER III. INFRASTRUCTURE AND ACCESS
3.1 ACCESS CHANNEL
3.2 MANEUVERING DOCK
3.2.1 Use of the maneuvering dock and access channels
3.3 DOCKING AREA
3.4 BERTHS
3.5 NAVIGATION AIDS

“By which the updating of the Regulation of Technical Conditions for the Port Operation of the REGIONAL PORT SOCIETY OF SANTA MARTA Inc. is approved by virtue of Port Concession Contract No. 006, 1993”

3.6 DANGERS TO NAVIGATION

3.7 ANCHORING AREAS

3.8 UKC AND OPERATIONAL DRAFT

3.9 MAINTENANCE PROGRAMME AND BATHYMETRIC INFORMATION

3.10 VEHICLE, RAIL, PEDESTRIAN AND MARITIME ACCESS

3.11 YARDS AND WAREHOUSES FOR CARGO STORAGE

3.12 PORT OPERATION EQUIPMENT

3.13 RECEPTION FACILITIES

CHAPTER IV. GENERAL SERVICES TO SHIPS, PASSENGERS AND CARGO

4.1 SCHEDULES

4.1.1 Business hours

4.1.2 Working hours

4.2 CONDITIONS FOR THE PROVISION OF SERVICES

4.3 DOCUMENTATION REQUIRED FOR ADMISSION AND SERVICE PROVISION

4.4 INFORMATION AND DOCUMENT VERIFICATION PROTOCOL

4.5 GENERAL SERVICES

4.5.1 Control of port, maritime, land and rail operations

4.5.2 Surveillance for security in the port areas

4.5.3 Lighting conditions in all areas of the port

4.5.4 General cleanliness conditions of the terminal

4.5.5 berth designation

4.6 SERVICES TO THE SHIP:

4.6.2 Pilotage service

4.6.3 Tug Service.

4.6.4 Mooring and unmooring of vessels.

4.6.5 Wharfage

4.6.6 Crane and Rigging Conditioning

4.6.7 Minor repairs

4.6.8 Procurement and Usage

4.6.9 Receipt and/or supply of ballast

4.6.10 Fuel supply

4.6.11 Boat service

4.6.12 Reception of liquid waste, solid residues and dumping

4.6.13 Surveillance service

4.6.14 Utilities

4.6.15 Fumigation

4.6.16 Rental of equipment and rigging.

4.7 Passenger services.

4.8 Services to cargo.

CHAPTER V. PROTOCOLS, PROCEDURES AND SAFETY STANDARDS

5.1 MANEUVERING PROTOCOL

5.1.1 Approaching and entering the Port Terminal channel.

5.1.2 Docking maneuver.

5.1.3 Mooring maneuver.

5.1.4 Sailing maneuvers

5.1.5 Reversal maneuver

5.1.6 Anchoring maneuver

5.2 SAFETY PROTOCOL IN OPERATIONS IN THE TERMINAL MOORING LINES

5.3 TRAFFIC CONTROL PROTOCOL IN THE NAVIGATION CHANNEL

5.4 EMERGENCY DEPARTURE PROTOCOL (FIRE, BAD WEATHER, TERRORISM, ETC.)

5.5 PROTOCOL FOR OPENING THE HOLD

5.6 PROTOCOL FOR ESTABLISHING VESSEL PERFORMANCE AND LOSS OF RIGHT TO DOCK

5.7 DIRECT LOAD SHEDDING PROTOCOL

5.8 PROTOCOL FOR SIMULTANEOUS INSPECTION OF GOODS

5.9 INTRUSIVE AND NON-INTRUSIVE CARGO INSPECTION PROTOCOL

5.10 PROTOCOL FOR DOWNLOADING WITH RAIN

5.11 UNCOVERED STORAGE PROTOCOL

5.12 PROTOCOL FOR CARGO DELIVERY

5.13 PROTOCOL FOR HANDLING CONTAMINATED CARGO

5.15 PROTOCOL ON OBJECTIONABLE LOADS

5.16 PROTOCOL FOR THE REMOVAL OF OBJECTIONABLE LOADS

5.17 PROTOCOL FOR HANDLING CARGO FOR OTHER PORTS, TRANSIT CARGO

5.18 PROTOCOL FOR THE RESCUE OF LOADS, GOODS AND OBJECTS THAT FALL INTO THE WATER

5.19 PROTOCOL FOR AVOIDING THE PRESENCE OF ANIMALS

5.20 EQUIPMENT OPERATION PROTOCOL

5.21 CONTROL PROTOCOL FOR ENTRY AND EXIT OF PERSONS

5.22 VEHICLE ENTRY AND EXIT CONTROL PROTOCOL

5.23 CONTROL PROTOCOL FOR ENTRY AND EXIT OF MACHINERY AND PORT EQUIPMENT

5.24 PROTOCOLS FOR HANDLING ALL TYPES OF CARGO

5.24.1 Entry Protocol and Cargo Receipt

5.24.2 Cargo storage protocol.

5.25 PROTOCOL FOR THE HANDLING OF DANGEROUS GOODS -IMDG-

5.26 PROTOCOL TO FACILITATE THE IMPLEMENTATION OF INTERNATIONAL HEALTH REGULATIONS (ISR 2005)

5.27 PROTOCOL FOR DEALING WITH EMERGENCIES AND CONTINGENCIES

5.27.1 Oil spill protocol (bunkering).

5.27.3 Liquid Bulk Spill Protocol

5.27.4 Protocol for handling spills of solid bulks

5.28 PROTOCOL FOR CIRCULATION WITHIN THE TERMINAL

5.29 PROTOCOL FOR THE IDENTIFICATION OF PERSONS, EQUIPMENT AND CHARGES

5.30 SAFETY PROTOCOL IN ACCIDENT PREVENTION AND INDUSTRIAL SAFETY FOR FACILITIES UNDER CONSTRUCTION

5.31 CARGO HANDLING SAFETY, LIABILITY FOR ACCIDENTS, DAMAGE AND FAILURES TO CARGO AND PORT INFRASTRUCTURE AND EQUIPMENT

5.32 LIABILITY FOR DAMAGE TO PORT FACILITIES

5.33 INDUSTRIAL SAFETY STANDARDS FOR BUILDINGS

5.34 SAFETY STANDARDS FOR DANGEROUS CARGOES

5.35 ENVIRONMENTAL PROTECTION

CHAPTER VI. RULES ON DOCKING AND UNDOCKING OF SHIPS AND ORDER OF PRECEDENCES

6.1.1 Programming and coordination of operations

6.2 BERTHING PRIORITIES

6.2.11 LOSS OF BERTHING TURN

6.3 PRECEDENCE AND ALLOCATION OF SLIDING WINDOWS FOR CLEAN BULK VESSELS ON SPECIALISED BAY No 4

6.3.1 Quarterly Shipping Plan.

6.3.2 Nomination of vessels.

6.5 ASSIGNMENT OF DOCK

6.7 UNLOADING

6.8 UNDOCKING ORDER

6.9 REQUIREMENTS FOR DEPARTURE

CHAPTER VII. RISK CONTROL AND ENVIRONMENT

“By which the updating of the Regulation of Technical Conditions for the Port Operation of the REGIONAL PORT SOCIETY OF SANTA MARTA Inc. is approved by virtue of Port Concession Contract No. 006, 1993”

7.1 OCCUPATIONAL HEALTH AND SAFETY

7.3 FUMIGATION

7.4 POLLUTANT WASTE FROM SHIPS

7.5 ANIMAL AND PLANT CARGO

7.6 LOADING OF EXPLOSIVE OR RADIOACTIVE MATERIAL

CHAPTER VIII. DOCUMENTATION AND COORDINATION ACTIVITIES

8.1 DOCUMENTATION

8.2 FACILITATION OF MARITIME TRAFFIC

8.3 OFFICIAL VISIT

8.4 FREE PRATIQUE

8.5 RESERVATIONS AND RIGHTS IN THE PROVISION OF SERVICES CHAPTER IX. COMMITTEE FOR PORT CO-EXISTENCE

9.1 RESPONSIBILITIES

9.2 DEFINITIONS

9.3 PROCEDURES

9.4 CORRECTIVE MEASURES

CHAPTER I. GENERAL ASPECTS

1.1 OBJECT

Establish the basic rules to operate efficiently and safely at the Santa Marta Maritime Terminal, based on international maritime and port operation standards, on the regulations established by the Colombian State and the applicable international standards.

1.2 OF THE APPLICATION OF THIS REGULATION

1.2.1 The provisions contained in these Regulations are in accordance with Law 1st, 1991 and Resolution 0850, April 06, 2017, issued by the Ministry of Transport, which constitute an integral part of these Regulations.

1.2.2 The provisions and rules contained in these Regulations are mandatory and apply to all natural or legal persons that use the facilities of the Santa Marta Maritime Terminal ("Terminal") granted in concession by the Colombian State to Regional Port Society of Santa Marta Inc. (Sociedad Portuaria Regional de Santa Marta S. A.) ("Port Society")

1.2.3 By the mere fact of entering the facilities of the Regional Port Society of Santa Marta Inc., as well as for the use of its services, the Owner, Captain of the ship, Crew, Shipping Agents, Port Operators, Customs Agencies, Transporters, Contractors, State Authorities and other users in general, declare that they know and accept the terms and conditions stipulated in these regulations, taking into account that the Port Society has made them known not only through the personalized integral security inductions, but also through the Port Society's web page www.spsm.com.co physically at the request of the interested party.

1.2.4 No person may disembark or embark on the quays or any other place in the terminal, goods, provisions, materials, luggage or other elements, whatever their type or form, without prior compliance with the requirements of these regulations by the Port Society and the competent authorities.

1.2.5 Regional Port Society of Santa Marta Inc. (Sociedad Portuaria Regional de Santa Marta S. A.) is responsible for the management of the waste generated by any activity carried out within its installations, its collection, treatment and final disposal, taking into account the terms of the license and/or Environmental Management Plan and the administrative acts derived from it.

1.2.6 Compliance with the standards established in these regulations does not exempt or exonerate terminal users from the requirements and compliance with the provisions in force issued by the Ministry of Transport, the Superintendence of Transport, the National Infrastructure Agency -ANI-, the General Maritime Directorate -DIMAR-, the National Tax and Customs Directorate -DIAN- and other competent authorities that exercise specific functions in port activities in accordance with the law, such as immigration, anti-drug, sanitary, phytosanitary, environmental, etc.

1.2.7 The Port Society will allow free access to its facilities, to officials of the Ministry of Transport and the Superintendence of Transport and will present in due time the routine reports that these Port Authorities require and those requested by them for their activity.

1.3 DEFINITIONS

For the correct interpretation and application of this regulation, the following definitions shall be taken into account:

1.3.1 Port Activity: Construction, administration, commercial and industrial exploitation of a Maritime Terminal, on its own account or on behalf of third parties with the purpose of offering port services, in the processes of imports, exports and intermodal in the development of the activities of national or international trade, for the different maritime and land operations, storage, surveys, inspections, actions, to the different types of cargoes that make transfer by the facilities and the attention of the motor vessels, equipment, facilities and people.

1.3.2 Customs Agencies: Legal persons authorized by the National Tax and Customs Directorate to exercise customs agency, an auxiliary activity of the public customs function of a commercial and service nature, aimed at ensuring that foreign trade users who use their services comply with the existing legal regulations on imports, exports and customs transit and any customs operation or procedure inherent to such activities.

1.3.3 Customs Agent: Natural or legal person, authorized by DIAN, who performs customs inspection activities in operations and procedures related to the import, export, transit and storage of goods, on behalf and by mandate of third parties.

1.3.4 Shipping Agent: Natural or legal person who represents the Shipowner on land for all purposes related to the vessel.

1.3.5 Maneuvering area: The maritime space adjacent to the quays, used for the mooring, unmooring and departure of vessels.

1.3.6 Owner: A natural or legal person who, whether or not he owns the vessel, rigs, equips, and operates it in his own name and at his own risk, receives the profits it produces and bears all the responsibilities that affect it (Article 1473 of the Commercial Code).

1.3.7 Customs Authority: Public official or official entity that in virtue of the Law and in exercise of its functions has the power to demand or control compliance with customs regulations.

1.3.8 Environmental Authority: State entity that, within the framework of the National Environmental System, exercises environmental competencies for the integral management of the Port Facility Environmental Management Plan. The Regional Port Society of Santa Marta S. A., in relation to environmental obligations, is responsible before the National Environmental Licensing Authority -ANLA- (or whoever acts as such), which is the grantor of the license and/or environmental management plan for its port operations.

1.3.9 Maritime Authority: An entity which, on behalf of the State, executes the Government's policy on maritime matters; authorizes, directs, coordinates, controls and monitors the development of maritime and riverine activities within its jurisdiction and determines the requirements for registration, granting and renewal of licenses for natural and legal persons engaged in such activities. It is currently constituted by the General Maritime Directorate, represented in Santa Marta by the Port Captain, which executes the adopted policies in its jurisdiction.

1.3.10 Port Authority: Entity designated by law for the definition of policies, surveillance and control of port processes in the country. Within the scope of their respective competencies, the Ministry of Transport is responsible for the policies, regulation and regulation of the sector, the Superintendence of Transport is responsible for the inspection, surveillance and control of the provision of services, and the National Infrastructure Agency (ANI) is responsible for port concession contracts.

1.3.11 Health Authority: Entity in charge of surveillance, control, and compliance with standards related to health aspects, exercised by the Ministry of Health and its different agencies, such as the Port Health Committee INVIMA and the participation of the Colombian Agricultural Institute -ICA-.

1.3.12 Authorized: Holders of port concessions, approvals, temporary authorizations, port licenses, port service providers, port operators or any other type of port permit established in Law 1 of 1991, Law 1242, 2008 and its regulatory decrees. Defined in Resolution 0850, April 6, 2017.

1.3.13 Bollardpull: This is the pulling force, which is used to measure the total horizontal force generated by a heavy machinery such as a tug, which in this case is an indicator of its pulling or towing capacity, allowing the proper assignment of the tug depending on the size of the vessel to be towed or pushed.

1.3.14 Port Capitan’s Office: Local maritime authority, which implements the policies adopted by the National Maritime Authority in its jurisdiction.

1.3.15 Cargo: Goods or merchandise that are moved using different means of transport according to their nature, presentation, condition and packaging.

1.3.16 Bulk Cargo: Any solid, liquid or gaseous cargo, transported in bulk, homogeneous, without packaging, whose usual handling must not be done by units. It is normally loaded or unloaded using buckets, mechanical suction and transport equipment, or piping in the case of liquids and gases.

1.3.17 Contained Cargo: Any type of unit load, product or bulk merchandise that is deposited or consolidated in containers that are interchanged between modes of transport.

1.3.18 Transshipment Cargo: Goods that are moved under customs control of the same customs office, from the same transport unit to another, or to the same in a different journey, including their unloading on land, in order to continue to their place of destination.

1.3.19 General Cargo: It is the cargo that is handled in bags, boxes, packages, bundles, bales, pieces, machinery, etc., loose or grouped in stowage units.

1.3.20 Indivisible Cargo: Cargo that, due to its characteristics, cannot be fractioned for transportation.

1.3.21 Cargo in Transit: Mode under which goods subject to customs control are transported from one customs office to another or from one country to another.

1.3.22 Extra Dimensional Cargo: That indivisible cargo that exceeds the dimensions of the bodywork of conventional vehicles approved by the Ministry of Transport for the mobilization of cargo in normal transit on public roads.

1.3.23 Extra Heavy Load: Indivisible load that, once mounted on conventional vehicles approved by the Ministry of Transport, exceeds the limits of gross vehicle weight or weight per axle authorized, according to the regulations in force for normal transit on public roads.

1.3.24 Objectionable Cargo: Those that at the time of arrival of the vessel or barge show notoriously different physical conditions than those observed at the time of embarkation and that do not comply with its technical characterization at the time of disembarkation shall be considered. As a consequence of the above, claims have been filed as a result of the occurrence of any hazard in navigation, including collision, fire, explosion, sinking, or spillage of products when transferring oil from or to ports.

1.3.25 Dangerous Cargo: All goods or objects that present a risk to health, safety or that may cause damage to the environment, property or persons. All dangerous goods are classified by the International Maritime Organization - IMO, according to their chemical characteristics and degree of danger.

1.3.26 Direct Loading or Unloading: Operation mode of loading or unloading whose goods require immediate evacuation or loading without storage or pre-storage in the Port Facility.

1.3.27 IMDG (International Maritime Dangerous Goods) Code: The International Maritime Dangerous Goods Code is a publication of the International Maritime Organization (IMO) that compiles all the provisions in force that regulate transport

of dangerous goods by sea and lays down provisions applicable to each substance, material or article that may be transported.

1.3.28 International Ship and Port Facility Security Code (ISPS): International Code forming part of Chapter XI-2 of the SOLAS-74 Convention, approved by the Colombian State through Law 8, 1980, and partially regulated by Decree 730, 2004, with application in the national territory, where there are port facilities dedicated to foreign trade and international voyages, as well as to passenger and cargo ships of international transport with gross tonnage equal to or greater than 500 tons calling at such facilities, and to mobile offshore drilling units.

1.3.29 Consignee: A person, entity or company to whom goods are consigned in the bill of lading, and in particular that which in ports represents the owner of a vessel for administrative matters relating to its cargo.

1.3.30 Contractor: Persons or companies that carry out an activity or provide a service, in compliance with the principles and requirements established in the Technical Operations Regulations.

1.3.31 Regional Administrative Environmental Corporation (CORPAMAG): This is a public corporate entity in charge of administering, controlling and managing the environment and promoting sustainable development in Magdalena.

1.3.32 National Tax and Customs Directorate (DIAN): Special administrative unit of a technical nature attached to the Ministry of Finance and Public Credit that assumes the functions of statistics and doctrine regarding territorial taxes and has the functions of control and surveillance over compliance with the exchange regime in matters of import and export of goods and services. (Decree 2117, 1992).

1.3.33 General Maritime Directorate (DIMAR): This is the Colombian Maritime Authority attached to the National Defense Ministry and is responsible for executing the government's policy in this area, with a structure that contributes to strengthening the national maritime power, ensuring comprehensive maritime security, protection of human life at sea, promotion of maritime activities and the scientific and technological development of the nation. It exercises its functions throughout the Colombian maritime jurisdiction.

1.3.34 Non-intrusive inspection: Non-intrusive cargo scanning and inspection technology. Non-intrusive inspection consists of using state-of-the-art technology, such as X-ray or gamma-ray scanners, to inspect containers or other packaged goods without having to open or damage the contents or affect the health of personnel using this technology.

1.3.35 Port Facility: Area composed of docks, approaches, yards, storage warehouses, maneuvering areas, office areas for administrative services and other infrastructure for the care of vessels and cargo services.

1.3.36 Colombian Agricultural Institute (ICA): A national public entity with legal status, administrative autonomy and independent assets, belonging to the national science and technology division, attached to the Ministry of Agriculture and Rural Development.

1.3.37 Free Pratique: Authorization in the case of a vessel to enter a port, embark or disembark, unload or load supplies or cargo, allowing the vessel to initiate activities for embarking and/or disembarking passengers and crew, as well as to initiate operations for loading or unloading supplies or cargo.

1.3.38 Advance Authorization for the Start of Operations of a vessel: This is the permission granted by the Free Trade Authorities to a vessel or craft (except for cruises or any other means of maritime transport that includes the transfer of passengers), to start loading and unloading operations of goods, prior to the completion of the Official Arrival Visit and in compliance with the conditions given by the Free Trade Authorities in this title.

1.3.39 Environment: Environment focused on the biodiversity of species where natural and artificial elements that are related to each other are included.

1.3.40 Nature of the customs obligation: The customs obligation is of a personal nature, without prejudice to its enforcement on the goods, through abandonment, seizure and confiscation, with preference over any other guarantee or obligation incumbent on it, and regardless of who the owner or holder is.

1.3.41 Regular line vessels: Those that provide a public service in regular traffic, on a continuous basis, according to fixed and pre-established routes and itineraries.

1.3.42 Occasional line vessels: Craft that do not meet the above requirements shall be considered as occasional vessels, providing a public service in irregular traffic and in a discontinuous manner.

1.3.43 Customs Obligation on Import: Obligation derived from the introduction of foreign goods into the national territory and includes the presentation of the import declaration, the payment of customs duties and any corrective measures that may be required, as well as the obligation to keep the documents that support the operation, to attend to requests for information and evidence, and in general, to comply with the demands, requirements and conditions established in the corresponding regulations.

1.3.44 Port Operator: Entity that provides services in the ports, directly related to the port activity such as, loading and unloading, storage, pilotage, towing, stowage and un-stowage, land handling, cargo carrying, dredging, emptying and filling of containers, classification, recognition and use services, sampling, mooring and unmooring, boat service, opening and closing of warehouses, minor repairs, tare, lashing, equipment rental and any other activity carried out in a Terminal. (Article 5, Paragraph 5.9, Law 01, 1991 and Article 1, Decree 2091, 1992 or the regulations that apply.

1.3.45 International Maritime Organization (IMO): A United Nations consultative body with global coverage, bringing together all countries under international conventions, which regulates or establishes activities related to the sea.

1.3.46 Gross Vehicle Weight: Weight of a vehicle with fuel, usual auxiliary equipment and maximum load.

1.3.47 Portage: The activity of moving cargo from the side of the vessel to the storage area and vice versa, within port facilities.

1.3.48 Protocol: It is the set of processes and/or procedures that make up the specific execution of a port operation and/or provision of a service in the Port Terminal.

1.3.49 LNG Project: Development of port projects involving the loading type of Liquid Natural Gas.

1.3.50 HUB Project: Central or cargo redistribution port to which long-distance shipping lines arrive with the aim of unloading goods to be redistributed on short-distance maritime routes.

1.3.51 Port: Defined in Article 5, Paragraph 5.11, Law 1, 1991 as "A group of physical elements that include access channels, installations and services that allow the use of an area in front of the coast or river bank in favorable conditions to carry out operations of loading and unloading of all kinds of vessels, exchange of

“By which the updating of the Regulation of Technical Conditions for the Port Operation of The Regional Port Society of Santa Marta Inc. is approved by virtue of Port Concession Contract No. 006, 1993”

goods between land, sea and river traffic. Inside the Port are the Port Terminals, docks and wharves" and the rule that defines it.

1.3.52 Restowage: Operation of relocating cargo, whether it is containerized or loose, within the means of transport or cargo units where it has arrived in the country.

1.3.53 Health Regulations (IHR 2005): Document adopted by Colombia as a member country of the World Health Organization (WHO) and approved at the 58th World Health Assembly in May 2005, describing the procedures that the country must follow in terms of exchanging information on possible Public Health Emergencies of International Importance (PHIEs), jointly assessing them, and responding appropriately.

1.3.54 Regional Port Society: Defined in Article 5.20, Law 1, 1991 as "Corporations, constituted with private, public, or mixed capital, whose corporate purpose shall be investment in the construction and maintenance of ports and their administration. The port companies may also provide services of loading and unloading of storage in ports and other services directly related to port activity".

1.3.55 Terminal: Made up of the facilities and accessory areas given in concession to The Regional Port Society of Santa Marta Inc., and stipulated in Concession Contract No. 006 dated June 24, 1993 and any others that may modify it.

1.3.56 Users: Owners, shipping lines, shipping agents, cargo owners, customs agencies, cargo transporters or natural or legal persons, port operators, suppliers, contractors and in general all persons who use, provide or receive services at the port facility.

1.3.57 Time Window: The period of time within which a vessel and/or naval device must arrive at the port terminal and receive certain port services, with a start and end time previously established between the parties.

1.3.58 Tonnage: Determination of the cargo on board the vessel, through reading of drafts, calculation of the vessel's displacement and measurement of the different weights on board.

1.3.59 Specialized Unloading: Unloading with specialized equipment such as pneumatic suction at high speeds with yields in excess of 8,000 tons per day per service for certain types of clean solid bulk (in general, grain).

1.3.60 Stay: Time during which the vessel remains berthed at the quay, from when it is declared ready to start clean solid bulk operation until unloading is completed.

1.3.61 ETA: An acronym for Estimated Time of Arrival of the vessel at the Terminal.

1.3.62 ETD: Abbreviation for Estimated Time of Departure of the ship from the Terminal.

1.3.63 Air draft. Distance between the waterline and the top of the hatch cover of the ship's hold.

1.3.64 Silos: Special infrastructure for mechanized vertical storage of clean solid bulk.

1.3.65 Mechanized Holdings: Special infrastructure for mechanized storage of clean solid bulk within the terminal.

1.3.66 Holidays: These are the periods between 12 noon on 24 December and 6 a.m. on 26 December; and between 12 noon on 31 December and 6 a.m. on 2 January.

1.3.67 MT. Metric tons of 1,000 kilograms.

1.3.68 Sliding window. Period available for users to present the vessel to the operator at the terminal in a condition for unloading and which is adjusted to confirm the update of their arrivals.

1.3.69 Electronic invoicing. A document that supports sales transactions, goods and/or services and that operationally takes place through computer systems and/or IT solutions allowing for compliance with characteristics and conditions regarding dispatch, receipt, rejection and conservation (electronic format). (Decree 2242, 2015) or other rules that apply to it.

1.3.70 UKC (Under Keel Clearance). The minimum vertical distance between the lowest part of the ship's hull and the seabed or river, as the case may be.

1.4 TECHNICAL CAPACITY AND PROFESSIONAL SUITABILITY REQUIREMENTS APPROPRIATE TO EACH SERVICE

a) All the Port Operators who intend to develop activities in the Santa Marta Maritime Terminal, must fill in the form established by the Port Society and attach the following documents, as well:

b) Certificate of Existence and Legal Representation of the Chamber of Commerce.

c) List of the personnel who will be in charge of port operations, indicating: Full name, citizenship card number, date of entry, average monthly income, labor risk manager, EPS, and pension fund manager, accompanied by the copy of affiliation and last proof of payment of their employees to the Social Security System. In case of using external personnel, copy of the contract or promise of agreement signed with the contractor company or indication of the name of the contractor company to be used, in which case it must be indicated under what title the services will be contracted, the Certificate of Existence and Legal Representation of this company. This information must be updated for each of the port operations carried out in the Terminal.

d) Authorization from the Ministry of Labor for minors to work and for overtime, if required.

e) Compliance with Decree No. 1067, 2015 for foreign workers or those replacing or modifying them.

f) List of the equipment to be used in its operations with their corresponding ownership cards and current inspection certificates issued by an internationally recognized classification agency.

g) In the case of companies dedicated to the service of tugboats, registration, navigation patent and operating permit in force.

h) In the case of companies providing pilotage services, a valid license for the pilots who will provide the service.

i) Environmental license (for companies that carry out activities that require it).

j) ICA registration (for companies that carry out activities that require it).

k) Certificate from the District Health Department (for companies that carry out activities that require it)

l) Every Port Operator must constitute and have in force the guarantees or insurance policies that cover the risks for contractual and extra-contractual civil responsibility that cover and guarantee the payment of damages that may be caused to third parties, users, the State, Ministry of Transport, Superintendence of Transport and the National Agency of Infrastructure, in the development of the port activity. The value and other conditions of the policies will be those indicated by the Port Society, which will be previously informed in writing before starting the development of the activity.

1.5 MANDATORY NATURE OF THE REGULATION

The Port Society, the service providers and the users in general of the Maritime Terminal will have the obligation to comply with the dispositions contemplated in these regulations.

1.5.1 Compliance with International Regulations and Conventions

The Port Society and the service providers in the port terminal shall apply the established rules dealt with in this regulation of technical conditions of operations in its numeral 2.6.

1.5.2 Publicity of the Regulation of Technical Conditions of Operations

The Port Society will inform its users of the information covered by these regulations through the Port Society's website www.spsm.com.co or will provide a hard copy at the request of the interested party.

1.5.3 Obligations of the Port Society and those who carry out port activities.

The Port and the service providers must:

a) Attend to all requests for port services, related to port security, rescue, salvage and the fight against pollution, made by users at the cost of the applicant and subject to the availability of port terminal resources.

b) Maintain, preserve, and develop the port infrastructure.

c) Provide the competent authorities with the information required for the performance of their duties and powers.

d) Acquire and maintain in force the guarantees that ensure compliance with the obligations and responsibilities arising from the activities they perform, as well as the services provided in the Port in accordance with the regulations.

e) Guarantee the continuity and regularity in the provision of services 24 hours a day, every day of the year, according to the demand for services.

f) Guarantee free competition in the access to the authorized port services, without prejudice to the provisions of the Law for the pilotage service, maintaining the balance between the demand of the services, the capacity of the port infrastructure and the efficiency in the use of the resources.

g) To adopt and comply with the Regulation of Technical Conditions of Operation of the port facilities.

h) To ensure safety, quality and efficiency in operations, in the handling of cargo and the use of port facilities, as well as in the control of access of people, vehicles and goods in the land area of the port enclosure and its storage areas, without prejudice to the actions and activities that the authorities must carry out in the development of their functions.

“By which the updating of the Regulation of Technical Conditions for the Port Operation of The Regional Port Society of Santa Marta Inc. is approved by virtue of Port Concession Contract No. 006, 1993”

i) Ensure the integrated management of ship-generated waste and residues, in order to ensure compliance with MARPOL 73/78, for the implementation of reception facilities and/or the capacity to receive waste/waste from ships arriving at the port terminal located in the local maritime jurisdiction and thus prevent pollution of the marine environment. Authorizers and providers of port services at port terminals shall allow for the disposal of waste from ships in an appropriate manner until its final disposal to prevent pollution of the marine and/or terrestrial environment.

The management of waste and residues generated by ships must take into account the provisions of the environmental management sheets on wastewater control, transfer and integral management of solid waste, as well as the obligations of the environmental management and control instrument in force, established by Resolution 794, May 16, 2008, or the one that modifies or replaces it.

j) To ensure that all the services provided in the port facility are subject to the regulations in force and are paid by the users according to the tariff structure of the Santa Marta Port Society.

k) To ensure that the persons or entities that request or use its services comply with the provisions contained in the regulations.

l) Adapt appropriate spaces for the parking and stay of cargo transport vehicles by land and their crew, prior to entering the port terminal for the respective loading and unloading, whenever the operational model implemented by the port terminal requires it.

m) Develop service areas prior to entry to the port terminal in order to improve productivity, competitiveness and working conditions. The Santa Marta Port Society must ensure that free access is provided to the platforms for scheduling appointments and for the assignment of turns that guarantee free competition and quality standards in rest areas, loading and unloading areas and yards. The concessionaire must guarantee direct access to the information on the assignment of turns and scheduled appointments, making use of information and communication technologies in the spaces indicated above, with the objective of minimizing the time that the cargo remains in the port areas.

n) To periodically report to the Ministry of Transport and the Superintendent of Transport or the entity that takes its place, the port indicators and port capacity in accordance with the regulations in force on this matter.

o) To coordinate with the competent authorities so that in the exercise of their functions and legal powers, such as health, maritime, human, animal and plant regulations, migration, customs requirements, Port Authority controls, among others, there are no delays in operations.

Paragraph. When the provision of services has to be interrupted due to force majeure or a fortuitous event, the Port Society will adopt the emergency measures necessary to re-establish the service in the shortest time possible.

The Regional Port Society of Santa Marta Inc., holder of the environmental management plan, is the only responsible before the Authority for Environmental Licenses for any incident, accident or event that may occur and generate environmental affectations. The port operators shall take into account the obligations defined in the environmental management plan and the administrative acts issued by that Authority.

1.5.4 Obligations of Port Operators

1.5.4.1 In relation to the fulfilment of General Obligations.

- a) To have and keep the Port Operator's certificate in force in accordance with the activities it intends to carry out, complying with the provisions of Resolution 7726, March 2016 or the regulations that apply to it, which regulate the registration and recording of Port Operators, as well as complying with the applicable procedures established by the Regional Port Society of Santa Marta.
- b) To carry out only those operations for which it has received authorization from the Port Society in accordance with the meetings of the Operations Committee, being consistent with the activities authorized by the Superintendent of Transport in its respective certificate.
- c) To register through the platform of the Regional Port Society of Santa Marta, the application for entry of all the dependent personnel and/or service provider required for its operations and to immediately inform the withdrawal or detachment of the personnel, proceeding in the same way to deactivate the worker from the system in a proactive manner.
- d) To inform the Port Society of the acceptance or withdrawal of an operation in the Terminal.
- e) To comply with all the rules and instructions established by the Vice President of Operations and Vice President of Security of the Port Society, for the development of the operations in the different operational areas of the Terminal.
- f) To inform the Port Society of any irregularity it detects in the development of its activities and of those observed in the provision of services by other operators that affect the safety and efficiency conditions of the Terminal.
- g) To keep statistics of the operations carried out in the Terminal and to provide the Port Society, when required, with the information considered relevant for the analysis of its operations such as yields, volumes managed, hours of operation, equipment, etc.
- h) To comply with the other obligations contemplated throughout these regulations and in accordance with the instructions given by the Port Society.
- i) Port Operators who provide services to vessels must be registered with DIMAR as a company providing maritime services.

1.5.4.2 In relation to obligations towards personnel recruited for operations:

- a) All workers must carry out the induction and re-induction of Integral Security and comply with the requirements demanded by the Port Society for entry and stay within its installations.
- b) Employ technically qualified personnel to carry out their tasks and prove to the Port Authority the suitability of any person in their charge.
- c) To have the personnel and/or equipment available for the programmed operation in the quantities, classes and capacities, on the agreed dates and times, as well as to carry out the operations with the performance and efficiency determined by the Port Society.
- d) To train, coach and evaluate its personnel regarding their specific work and the safety and health regulations at work in accordance with the standards established in the Terminal and the regulations in force.
- e) Make a technical and adequate selection of its operational personnel and practice all relevant occupational examinations. For drivers and/or equipment operators, it will give special attention to those stipulated in the strategic plan for road safety (PESV), both its own and that of the Regional Port Society of Santa Marta.

“By which the updating of the Regulation of Technical Conditions for the Port Operation of The Regional Port Society of Santa Marta Inc. is approved by virtue of Port Concession Contract No. 006, 1993”

- f) To provide their personnel with education programs oriented towards personal growth, commitment to their company and improvement of the port sector.
- g) Assign a permanent supervisor who is responsible for the security of all its operations in the Terminal.
- h) Respond to the Port Society and third parties for the conduct and performance of the personnel under their charge within the Terminal, whether they are direct employees or provided by other operators. Likewise, it will respond for the damages caused by its personnel to people, vessels, cargo, equipment and facilities of the Terminal.
- i) Control the permanence of the workers in the Terminal, which must be exclusively due to operative activities authorized by the Port Society.
- j) Comply with the Health and Safety at Work standards regarding the prohibition of smoking in the Terminal and not to work under the effects of liquor or drugs that cause dependence and alterations in the psychomotor capacity of people.
- k) Respond to the salaries, social benefits, integral social security, tax contributions and other legal and extralegal labor benefits of the personnel used to carry out the activities in the Terminal. In no case shall there be any link or labor solidarity between the Port Society and the operator's personnel.
- l) Maintain the protection of all its workers or dependents under the Integral Social Security System, as ordered by Law 100, 1993, Resolution 1083, 1994 issued by the Superintendent of Transport, and other regulations in force that regulate the matter. Labor Risk Manager (ARL), Health Insurance Company (EPS) and Pension Fund Manager (AFP) must be accredited before the Port Society with regard to the validity of the contributions made to all its personnel under the Integral Social Security System.
- m) The Port Society can demand the payment vouchers and certifications that demonstrate the fulfilment of these obligations and determine the suspension of the admission to the Port Facility in case irregularities or non-fulfilment are found. In no case is there any link or labor solidarity between the Port Society and the operator's staff.
- n) The port operator must immediately notify the removal or disengagement of the registered personnel, or other developments regarding its workers or personnel under its charge or responsibility.
- o) Concurring and collaborating effectively in the defense of the Port Society if the latter is sued or receives any claim, whether judicial or extrajudicial, by a direct or indirect worker of the Port Operator and responding to the Port Society for any damage caused by these events.

1.5.4.3 In relation to social security and occupational health and safety obligations:

- a) To comply with and enforce within the Port Terminal facilities all the rules and determinations established by the Port Society in its Management System Procedures on Safety and Health at Work (PESV) and in any other means by which instructions are given in this regard.
- b) To maintain its own Occupational Safety and Health Procedure in accordance with its economic activity and the Port Society's risk factors.
- c) To provide their personnel with all the necessary personal protection elements for the port activity, such as helmet, industrial boots, gloves, reflective vest, as well as their respective uniform with the identification of their company. When the activity requires it, also provide special elements of protection such as goggles, hearing

“By which the updating of the Regulation of Technical Conditions for the Port Operation of The Regional Port Society of Santa Marta Inc. is approved by virtue of Port Concession Contract No. 006, 1993”

protectors, life jackets, etc., in accordance with the provisions of the Port Society's Safety Procedure.

d) To respond to the obligations that are not covered by the integral system of social security, in the terms indicated by the law.

e) Demand the same conditions as those of its own workers for the personnel of the operators or contractors who provide services, without prejudice to its direct responsibility as the Port Operator in charge of the operation.

f) To respond to the environmental authorities and the Port Society, for the spillage of hydrocarbons or any other material that contaminates the environment or is harmful to the health of people that may occur in the development of its activity. It must develop all the necessary controls to minimize the risk of this type of accident, as well as to dispose of the barriers and/or material for containment or collection if its activity as an operator so merits, or specialized systems for the neutralization of spills that occur. In case of spills, the Port Operator shall respond civilly for the damages caused to the nation and/or third parties and assume the total costs generated by the presentation of the incident.

g) To comply with the established Procedures of Security and Health in the Workplace of the Port Society as far as the prevention of accidents is concerned, and if an accident happens it proceeds according to the standard of report of investigation of accidents.

h) Take immediate corrective measures, in harmony with the provisions of these Regulations and other relevant provisions, when an accident occurs that causes personal injury or damage to facilities, vessels, equipment, machinery or cargo. The supervisor or other representative of the Port Operator in conjunction with representatives of the Port Society will immediately take the pertinent actions. The same procedure will be carried out in case of theft, looting, contamination or any other anomaly within the development of the activity.

1.5.4.4 In relation to the obligations regarding equipment and work tools:

a) To use materials, tools, equipment and rigs in perfect condition and suitable for each particular activity. Likewise, the respective periodic tests must be carried out on these elements in accordance with the codes and standards established by their manufacturers.

b) Establish a preventive maintenance program for its equipment in order to optimize its safety and correct operation. The Operator shall require the same conditions for the equipment they wish to supply from their contractors without prejudice to their responsibility as direct operators.

c) Maintain current certificates for all its equipment. The certification shall be done by a nationally and/or internationally recognized classification and certification agency registered with the Superintendent of Transport. Any equipment rented by the operator must also be certified under the same conditions, including trucks for internal transportation that are considered port equipment. Equipment with deficiencies in lifting capacity, accessories and safety devices may not be operated.

d) Maintain identification of all its equipment used in the operations according to the instructions given by the Port Society.

e) Strictly comply with standards for work considered high risk such as work at heights, hot work, confined spaces, excavations, lifting of critical cargo, underwater activities, handling of hazardous materials and fuel transfers.

f) Refrain from making major repairs to equipment within the facilities. For the purpose of determining the type of repair that may be carried out, the Port Operator shall inform in writing to the Vice President of Operations and the Vice President of Security of the Port Society all the details of the work to be done

“By which the updating of the Regulation of Technical Conditions for the Port Operation of The Regional Port Society of Santa Marta Inc. is approved by virtue of Port Concession Contract No. 006, 1993”

and will wait until it is approved. The hot work to be done to the motorboats moored in the docks must have the previous approval of the Port Captaincy.

These activities are carried out based on the environmental management sheets of Wastewater Control, Management of Chemicals and Hazardous Substances, and Integrated Solid Waste Management, as well as the obligations of the environmental management and control instrument in force, established by Resolution 794, May 16, 2008, or the one that modifies or replaces it.

g) In the event of requiring drivers for their operations, they must have a driver's license in the category established by national authorities for the assigned class of vehicle.

h) Respect the maximum speed allowed for any vehicle, equipment or machinery performing activities within the Terminal, in accordance with the provisions of the Integral Security Procedures of the Port Society and the EPSP.

1.5.4.5 With regard to guarantee and insurance obligations:

a) For registration in the Port Society, all port operators must constitute insurance policies in accordance with the risk classification and study carried out by the Port Society for the activities previously authorized in the certificate issued by the Superintendence and Transport. The Port Operator that changes activity must modify the policies according to its new classification.

- Insurance policy for contractual and extra-contractual civil liability that covers and guarantees the payment of damages that may be caused to third parties, users, the State, Ministry of Transport, Superintendent of Transport, National Environmental Agency (ANLA) in the development of port activity and in relation to personal injuries, death and environmental pollution.

b) The port operators that provide their services in the Port Society or carry out works within the Port Facility must constitute insurance policies according to the type of contract and the classification and study of risks that the Port Society carries out for the activities to be developed. Among these, the following:

- Policy of compliance in the payment of salaries and social benefits in favor of the Port Society and/or third parties, when there is a contractual type of relationship.

c) To keep up to date with the payment of compensation that the Port Society has covered for damages or claims from affected third parties, where the internal investigation of the Port Society shows that the user has been responsible.

1.5.4.6 In relation to the obligations regarding invoicing and payments to the Port Society:

a) To pay the Port Society the invoices generated by the services provided in the terminal facilities. The corresponding proof of payment shall be sent in accordance with the instructions given by the Port Society.

b) Keep up to date with payments for any concept owed to the Port Society. Failure to pay the invoice on time will generate interest in arrears at the maximum usury rate in force by law.

1.5.4.7 Obligations regarding the use of installations and public services.

a) To be located in the site assigned by the Port Society. Its equipment may only circulate in the operational area when it is destined to comply with a specific operation, previously programmed by the Vice President of Operations. Once the operation is finished, all its equipment must return to the area temporarily assigned or make effective the withdrawal of the equipment from the terminal.

b) The entrance of the equipment must be done according to the date and time of the operations programming, established by the Operations Vice-presidency.

c) Withdraw the equipment or vehicles at the request of the Vice-presidency of Operations, when they are out of service, are not necessary for the operation of the Terminal or do not meet the requirements of these Regulations. The operator's equipment remaining in the Terminal shall only be those authorized by the Vice-presidency of Operations according to the capacity of the Terminal's operational area and the existing cargo volume for the operation. The facilities shall not be used as a parking lot for equipment that does not provide services in the Terminal.

d) Collect the waste produced in the operation it carries out, if not, the Port Society will invoice the operator as per the penalty established in the tariff in force for this case and will recover the cost of the collection.

The waste generated during port operations is handled based on the environmental management sheet for integral solid waste management, of the Environmental Management Plan in force established by Resolution 794, May 16, 2008, which may modify or replace it.

e) To pay the Port Society for the areas assigned for office use or similar purposes, equipment parking areas, as agreed between the parties.

1.5.5 Obligations of Shipping Agencies.

1.5.5.1 Shipping Agents are required to coordinate, attend to and supervise all services requested by the vessels or shipping lines they represent throughout their stay at the port facility.

1.5.5.2 Shipping Agents must contract the different services to the vessel and/or the passenger with port operating companies duly registered in the Port Society.

1.5.5.3 The Shipping Agent must comply and enforce the safety and security rules established in the port facility and those contained in these regulations.

1.5.5.4 Announce the ships he represents, through the Port Society's virtual platform.

1.5.5.5 The Shipping Agent must indicate the vessel's ETA and keep it updated as it changes.

1.5.5.6 The Shipping Agent must present to the Port Society through our virtual services, the announcement and confirmation of the arrival of vessels, which contains the following information:

a) Name and Flag.

b) Net Registry Tonnage (NRT). and Gross Registry Tonnage (GRT).

c) Arrival draft, length and beam.

d) Names of the Ship-owner or Charterer and the Shipping Agent.

e) Last port and next port of arrival.

(f) The estimated time of arrival (ETA) and the estimated time of departure (ETD)

(g) The tonnage from loading to unloading.

(h) List of dangerous cargo on board and its classification based on the International Dangerous Goods Code (IMO code).

i) The number of passengers to be loaded or unloaded.

j) Name of the Port Operators nominated to provide the services of piloting, tugging, stowage and un-stowage or loading and unloading, cargo transfer, and any other service that the vessel will require.

(k) Any other information of importance relating to the handling of the cargo or the safety of the ship at the terminal.

1.5.5.7 They must provide, at the times defined by the Port Society, all the information required by it for the programming, coordination, provision and supervision of the services requested, and attend to these services in accordance with the established schedule. Likewise, Shipping Agents are responsible before the Port Society and/or third parties for the damages derived from their negligence in the timely attention of the services required by the vessels or shipping lines.

In accordance with the provisions of Article 1492 of the Colombian Commercial Code, which deals with the obligations of the Shipping Agent, this shall comply with the established duties.

1.5.6 Obligations of Port Terminal Users

“By which the updating of the Regulation of Technical Conditions for the Port Operation of The Regional Port Society of Santa Marta Inc. is approved by virtue of Port Concession Contract No. 006, 1993”

- a) Comply with the rules and instructions established by the Port Society for the normal development of activities in the port facility.
- b) Users requesting permission to enter the port facilities are obliged to submit the respective social security contributions in accordance with current Colombian legislation. The Port Society can demand at any time the contributions and certifications that demonstrate the fulfillment of these obligations and determine the suspension of the entrance of the users to the port installation in case of finding irregularities or noncompliance. In no case is there any link or labor solidarity between the Port Society and the user's staff.
- c) In order to carry out activities in the port facility, all users must have the Port Authority's approval after completing their registration in accordance with the established requirements and, if it is applicable, to the particular case. The registration of a user does not imply the Port Society's assumption of responsibility towards third parties regarding the suitability of the registered person, nor regarding damage caused in the activities carried out by the user in the port installation.
- d) For the development of its activities, the user must request the entry to the port facility of all the personnel required for their work in accordance with the established procedures and systems.
- e) To update the information supplied to the Port Society on the stipulated date and when required.
- f) Immediately inform of the withdrawal or disengagement of the registered personnel, or of other news regarding its workers or personnel in its charge or under its responsibility.
- g) To only carry out the activities and work for which they have received authorization from the Port Society.
- h) Comply with the timetable defined by the Port Society for the provision of services in the port facility.
- i) Control the permanence of personnel in the port installation, which must be exclusively for activities authorized by the Port Society.
- j) Inform the Port Society of any irregularity it detects in the development of its activities and those observed in the provision of services, which affect the safety and efficiency conditions of the port installation.
- k) To respond to the Port Society and to third parties for the conduct and performance of the personnel under their charge within the port installation, whether they are direct employees, suppliers or independent contractors. Likewise, to respond for damages caused by such personnel.
- l) Concur and collaborate effectively in the defense of the Port Society, if it is sued or receives any claim, judicial or extrajudicial, by a worker or associate, directly or indirectly in charge of it and respond to the Port Society for any damage caused by these events.
- m) To keep up to date with the payment of compensation that the Port Society has covered for damages or claims from affected third parties, where the internal investigation of the Port Society shows that the user has been responsible.
- n) To respect the assignment of space or areas of the port installation that the Port Society has authorized.
- o) To drive in the port facility, drivers must have a driving license in the category established by the national authorities for the class of vehicle assigned.

“By which the updating of the Regulation of Technical Conditions for the Port Operation of The Regional Port Society of Santa Marta Inc. is approved by virtue of Port Concession Contract No. 006, 1993”

p) Respect the maximum speed allowed by the Port Society, in accordance with PESV, for any vehicle, equipment or machinery carrying out activities within the port facility.

q) To comply with the instructions given by the Port Society to fulfil the obligations and requirements derived from special customs and tax concepts granted by the DIAN, such as the Free Trade Zone regime.

r) To pay in due time to the Port Society the invoices generated by the services rendered, areas assigned and obligations acquired directly by its activity in the port facility or by the third parties it represents. The Port Society can make the necessary compensations to guarantee effective payment, with the credit to the accounts payable that the Port Society has with the user, being legally authorized by the user to do so. Not paying the invoice on time would generate interests in arrears at the maximum legal usury rate. Likewise, the Port Society reserves the right to suspend the service to these users when they are in dispute with the Port Society regarding the payment of their bills.

s) The Shipping Agencies are jointly responsible for the payment of the invoices generated by the services rendered to the goods entered or withdrawn by them acting on behalf of their clients. The Port Society reserves the right to suspend services to these users when they are in dispute with the Port Society regarding the payment of their invoices.

t) The customs agencies must present the appropriate documentation that allows them to prove the authority of the DIAN and the client they represent. They will be responsible for compliance with the obligations established in the customs legislation and in force and other rules that regulate it.

u) Users who provide services or carry out works within the port facility must constitute insurance policies in accordance with the type of contract and the classification and study of risks that the Port Society carries out for the activities to be developed. Among these, the following:

- Policy of compliance in the payment of salaries and social benefits in favor of the Port Society and/or third parties, when there is a relationship of a contractual type.

- To pay premiums in due time, extend or modify them if necessary and keep them in force for the time indicated by the Port Society.

1.5.7 Physical Protection Provision of Port Facilities (PBIP)

1.5.7.1 The security of port facilities is subject to the legal, technical and security standards in force, both national and international; the SOLAS (Law 8, 1980), MARPOL (Law 12, 1981) and BASILEA (Law 253, 1996) Conventions; those adopted in the International Ship and Port Facility Security (ISPS) and the provisions that the Colombian Government, through the competent authorities, implements in the port facilities authorized for international transport services and passengers.

1.5.7.2 The Port Society's manuals, procedures, standards, instructions, matrices and technical data sheets dealing with comprehensive security, made known through information systems that are easily accessible to users, are part of these regulations.

1.5.7.3 The Terminal has a Port Facility Security Plan approved by the Colombian Maritime Authority, which is based on an evaluation of this and in turn was done through the results of a risk matrix evidenced at the port facility.

CHAPTER II. PORT TERMINAL ADMINISTRATION AND ORGANIZATION

2.1 Background.

1. The Regional Port Society of Santa Marta (SPSM) and the State – Superintendence of Ports (today administered by the National Infrastructure Agency (ANI), signed the Port Concession Contract No. 006, 1993, which has been modified through 7 amendments.
2. This concession was granted to the Regional Port Society of Santa Marta, prior to the procedure set forth in Resolution No. 0113, November 5, 1992, with the purpose of occupying and using, on its own account and risk, temporarily and exclusively, the public use area that includes the beach sector, low tide lands and areas attached to them, as well as the infrastructure and constructions located in them for the initial term of twenty (20) years or in exchange for an economic consideration in favor of the State or the municipalities or districts where said port operates.
3. SPSM requested the National Infrastructure Agency (ANI) to extend the concession for a term equal to the initial one, that is, 20 more years, which were granted until 2033.
4. By means of Resolution No. 006, 2008 and based on Resolution No. 245, May 30, 2008, some areas were incorporated within the assets under concession, among which is the maneuvering area necessary for the proper operation of the Terminal with the modifications of area indicated in the same resolution.
5. In addition, an investment plan was established in Amendment 006, in which SPSM as co-concessionaire was obliged to execute a Master Investment Plan in port infrastructure and equipment, divided by sub terminals as follows: container sub terminal, bulk sub terminal and port repowering, until the end of the concession term.

Clause Ten of Amendment No. 006 establishes the responsibility for the management of the Port for the concessionaire, which reads: "In accordance with the Technical Operations Regulations, the Concessionaire shall be responsible for the supervision and control of all port activities that take place within the Terminal under concession and shall ensure that these are carried out in such a way as to guarantee the safety of people and goods and the efficiency of the operations carried out there.

2.2 Organization.

For the functioning, administration and operation of the terminal, the Port Society of Santa Marta has an organizational scheme that allows it to maintain the company's relations with clients, authorities, associations and the provision of an efficient service.

2.2.1 The company Port Society Santa Marta

The Port Society of Santa Marta and its subsidiaries provide multipurpose port and logistics services, committed to the satisfaction of our clients and the attention of the expectations of shareholders, employees

and the community in general, promoting social responsibility and respect for human rights. Likewise, they are committed to the implementation and continuous improvement of our integral management system.

The Port Society and its subsidiaries work on the identification of hazards and aspects, evaluation and assessment of risks and impacts of their processes, implementing controls to maintain standards in quality, health and safety at work and environment, promotion of quality of life at work, minimization of air emissions, reduction of water and energy consumption, as well as prevention of personal injury, accidents, occupational diseases, property damage and socio-environmental impact. Therefore, the measures aimed at providing safe and adequate working environments are aimed at the organization's employees, regardless of their form of employment or connection and other stakeholders.

Safe trade is promoted by complying with BASC standards and the ISPS Code, thus preventing illegal activities. They comply with legislation and other requirements applicable to our activities, with the commitment of senior management in management and budget.

2.2.2 Functions of The Regional Port Society of Santa Marta Inc.

The main functions of Regional Port Society of Santa Marta S. A. are:

- a) To manage, maintain and develop the port infrastructure.
- b) To plan, develop and control the expansion process of the port infrastructure under concession, subject to the approval of the Ministry of Transport.
- c) To market and promote the services provided by the Maritime Terminal.
- d) Plan, coordinate, provide and supervise the services of the port facility.
- e) To define the policies, procedures and instructions for the operation and storage in the port facility, in compliance with legal requirements.
- f) To generate conditions of comprehensive security for the operations and activities in the port facility.
- g) To have a procedure to receive and process complaints, claims and/or suggestions submitted by users.
- h) To provide an efficient and safe public service, covering all port activities defined in these regulations and those foreseen in the corporate purpose of the Port Society.
- i) To promote, within the port community, the implementation of quality, integral security, health, environmental and social responsibility standards in all services provided in the port facility.
- j) Comply and enforce environmental regulations, the terms of the License and/or Environmental Management Plan and the administrative acts derived from them.
- k) Comply and enforce the Integral Security regulations in the terms of the Contingency Plan.

2.3 Administration

2.3.1 Port Facility Management and Operation Model.

For the functioning and operation of the Terminal, the Port Society has an organizational scheme that allows it to provide an efficient and safe service in accordance with international regulations.

2.3.2 Relationship with the port users:

The President of the Port Society or whoever he may delegate will be in charge of the relations between the Port Society and the users.

A representative of the users must always be present in the Port Society's installations, with sufficient authority and decision-making power to resolve the difficulties that arise during the development of the operations in which they are involved.

The Regional Port Society of Santa Marta Inc., holder of the environmental management plan, is the only entity responsible before the National Authority of Environmental Licenses for any incident, accident or event that may occur and generate environmental affectations.

2.3.3 Tariff structure.

The tariffs will correspond to those regulated by the Superintendence of Ports and Transport and published in the tariff of the Regional Port Society of Santa Marta, Inc. which are applied according to the following structure:

2.3.3.1 Use of Facilities to the Vessels.

a) Wharfage for Ships in Transit. (National, International or in Cabotage). Corresponds to the time the vessel is docked or moored.

The periods of stay of the vessels in the dock will be counted in indivisible increments of an hour, that begin to be counted from the date and hour in which the first cape is assured to the dock or mooring buoy and the date and hour in which the last mooring rope is released.

The rate is the fee charged to the Shipping Agent, per meter of length, per hour or fraction thereof for using the dock or port structure or for joining another vessel that is berthed in one of these ways. The rates applied are those approved by the Superintendent of Transport, for all services related to port activity.

b) Wharfage for ships and permanent naval devices. Corresponds to the time spent by ships or naval devices that remain in the port area in service of port operations.

The periods are per month or fraction thereof.

The rate is the fee charged to the company that represents the naval device, for the permanence of the same one during the month or part of it.

The naval devices that arrive in Santa Marta's port to be nationalized, will cause wharfage, (according to the activity to be developed), depending on their nationalization.

2.3.3.2 Use of Cargo Facilities

“By which the updating of the Regulation of Technical Conditions for the Port Operation of The Regional Port Society of Santa Marta Inc. is approved by virtue of Port Concession Contract No. 006, 1993”

It is the use of the facilities that the Port Society has, for the handling of the loads that are transferred within the port.

a) Import, Export and Cabotage.

Import cargoes are all those coming from other countries that are going to be nationalized.

The import cargoes in national transit are those that once they arrive at the port, they leave by land to be nationalized in another city of the national territory.

Export cargoes are those that leave legally for foreign countries.

Domestic or nationalized cargoes are those that are transported from or to another Colombian port.

The rate is the charge that is collected, from the consignee or the owner of the cargo, for using the port infrastructure for its mobilization and depending on the type of cargo mobilized:

- Solid Bulk (per ton moved)
- Liquid bulk (per ton mobilized)
- Bulk coal (per ton mobilized)
- General cargo (per ton mobilized)
- Empty 20' or 40' containers (per unit mobilized)
- Full 20' or 40' containers (per unit mobilized)
- Vehicles (per unit mobilized and according to their volume)

(b) Vehicles:

Motorcycles, tricycles, quad-cycles, cars, buses, vans, trucks, chassis, trailers, tractor-trailers, wagons, with capacity to carry passengers or cargo, provided it is not contained within a transport unit (container), or packaging.

The towing units that have their respective axles and tires that allow them to be pulled for their displacement, are considered as vehicles regardless of the load they have: van, tank, crane, compressors, equipment, boats, marine motorcycles, etc. Any other type of vehicle or a machine or self-propelled equipment that is not included in this definition will be considered as general cargo and its rate will be applied.

Vessels and naval devices: tugboats, floating cranes, barges, bongos, slabs, etc., that arrive at the port in a motor vessel or by their own means, as cargo to be nationalized, will be charged the general cargo rate.

c) International Transshipment.

Cargo that is destined to another port, is unloaded in the port to be reshipped later in a different vessel to its final destination. If the port of origin and the port of destination are within the national territory, this constitutes a domestic transshipment.

The rate is the charge that is made to the Shipping Agent or the owner of the cargo, for using the port infrastructure for its mobilization and depending on the type of cargo mobilized:

- General Cargo (per ton)
- Empty 20' or 40' containers (per unit mobilized)

- Full 20' or 40' containers (per unit mobilized)
- Vehicles (per unit mobilized and according to their volume)

2.3.3.3 Use of Facilities by the Port Operator.

This is the use of facilities available to the Port Society to assist in the various operations in the care of the motor vessels and cargo.

a) To the Maritime Port Operator. It corresponds to the loading or unloading and carrying of the loading units from or to the motor vessels.

The rate is the fee that is charged to the port operator or its representative to use the port infrastructure for the unloading or loading of a motor vessel and depending on the type of cargo handled as:

- Solid Bulk (per ton moved)
- Liquid bulk (per ton mobilized)
- General Cargo (per ton unloaded or loaded)
- Empty 20' or 40' containers (per unit mobilized)
- Full ·20' or 40' containers (per unit moved)
- Vehicles (per unit mobilized and according to their volume)

b) The Land Port Operator. Is in charge of the development of the activity of mobilization of the cargo unit, or loading/unloading of the goods in a means of land transport within the port facilities.

In cases where the transport is carried out by a port operator other than the designated maritime port operator, the land port operator or the person who carries out this activity will be charged.

The rate is the fee charged to the port operator or its representative for using the port infrastructure to carry out the activity, depending on the type of cargo unloaded or loaded.

- General Cargo (per ton unloaded or loaded)
- Empty 20' or 40' containers (per unit mobilized)
- Full ·20' or 40' containers (per unit moved)

c) The Pilot Port Operator and Tugboat. corresponds the development of their own activity in the operation of docking and undocking of vessels.

The rate is the fee fixed per maneuver, to the piloting company or the tugboat company, in the operations of driving of the vessels in the port area, for the mooring, unmooring, sailing and maneuvering within the dock.

2.3.3.4 Other Services.

This corresponds to additional services that are provided within the facilities available to the Port Society and which refer to complementary activities in the transfer of cargo.

The rate is the fee set to whoever requests or relates to the service depending on the activities performed.

2.3.3.5 Use of Facilities for Storage.

This corresponds to the use of the covered or uncovered storage areas that the Port Society has at its disposal for the provision of this service.

The rate is the fixed fee set for the user of the service and depends on the type of cargo and its storage site.

2.3.4 Invoicing Protocol.

The Port Society carries out the invoicing of the port services with the tariffs regulated by the Superintendent of Ports and Transportation. These rates are available to all clients and users through publication on the Company's website.

The port operation services and other services are invoiced at the rates defined by the Port Society in consideration of the freedom of rates defined in Law 1, 1991, Law 723, 1993 and the commercial and port provisions on the subject.

The Port Society issues the invoice in the name of the user or client, consignee or total endorsee of the cargo or the exporter who announces it.

Invoicing is done electronically and is sent to the registered mail and/or authorized by the client in accordance with the provisions of Decree 2242, 2015 or the rules that regulate it, modify it or add to it. The term and conditions for its payment will be those stipulated by the Port Society according to the procedures established for this purpose.

The invoice is considered to be tacitly accepted by the client who is the beneficiary of the service if within three days of its acceptance, receipt and/or filing, there is no written request to correct, claim or return it.

2.3.4.1 Wharfage Invoicing

This service is automatically billed to permanent vessels or vessels in national, international or coastal transit according to their stay at the Maritime Terminal facilities.

Vessels in national or international transit or cabotage stay at the dock for a period of one hour or fraction thereof, which starts counting from the date and time when the first mooring rope is secured to the dock or mooring buoy until the date and time when the last mooring rope is released. Dockage for vessels that are considered permanent such as boats, tugs, barges, pontoons or slabs, floating cranes and bongos, are charged by periods of a month or fraction thereof at the end of each month. The TRM used will be that of the date the motor vessel departs.

2.3.4.2 Invoicing of the use of facilities for the load.

The invoices are made once the B/Ls (Bill of Lading) have been entered and the ship is berthed, using the TRM (Market Representative Rate) of the day of arrival of the motor vessel. However, and by request of the clients, advance invoices can be made, that is, before the arrival of the motor vessel. The preparation of invoices for the use of facilities for the export cargo is made based on the information in the export B/L, which is received from the Shipping Agent after the departure of the vessel. If the cargo does not correspond to a client with special agreements, the invoice is prepared in advance using TRM from the date of preparation of the invoice.

2.3.4.3 Storage Invoicing.

Storage is invoiced to those loads that exceed the free days granted to the client, which corresponds to a minimum of three (3) days of stay in the facilities of the Maritime Terminal, depending on the type of commercial agreement agreed with the client and in the units previously established, such as: tons, unit, square meter, among others. The TRM used will be that of the day the invoice is prepared.

2.3.4.4. Miscellaneous Operator Billing.

It corresponds to the Port Operators that carry out inspection tasks, to the adjusters, certifiers, fumigators and supply of provisions and fuels, which provide their services within the port facilities to the companies or persons that request it for a particular port activity or directly to the cargo. The TRM used shall be that of the day of the invoice, unless the parties agree on another date.

2.3.4.5 Pilot and Trailer Operator Billing.

Each time a docking, undocking, sailing or maneuvers inside the dock are carried out, the times and dates are entered based on the Maneuvering Ticket received from the Practical Pilot who executed it, as established. The TRM used is that of the day the invoice was prepared.

2.3.4.6 Invoicing the Port Operator for the Use of Facilities.

Maritime Port Operator: This type of operator is billed a fixed charge for using the port infrastructure for the unloading or loading of each unit of cargo, from or to a motor vessel, depending on the type of cargo such as: general cargo, bulk (solid or liquid), vehicles and according to its origin and destination (import/export, transshipment, reloading, cabotage, international transit). The TRM used will be that of the date of departure of the vessel.

Land Port Operator: This type of operator is billed a fixed charge for using the port infrastructure in the storage area of loading or unloading of land transport of general cargo.

2.3.4.7 Miscellaneous Services Billing

This service is charged according to the client's previous request, depending on the type of service: drinking water or energy. The TRM used will be that of the date of preparation of the invoice or that agreed by the parties.

2.3.5 Quality management system.

The Port Society has adopted a management system by processes under the standards of ISO 9001 and ISO 14001 in force, which establishes that quality management and environmental management of port, maritime and land services begin and ends with the client and compliance with legal requirements, creating a shared vision and identifying and communicating at all levels of the organization its strategy related to customer service and environmental preservation.

2.3.5.1 Access to services.

The services related to the port activity will be provided by The Port Society and by Port Operators authorized by resolution and registered with the Terminal, and will be carried out at the request of the Port users, in accordance with the regulations. However, the use of the services of pilotage, port towing, mooring and unmooring of vessels or naval devices, will be done in accordance with the provisions of the national and/or international regulations in force that govern the activity, but always observing free competition.

2.3.5.2 Conditions for access to the service.

To ensure the provision of services in terms of efficiency, effectiveness and competitiveness, the following objectives are set:

- a) The adequate provision of the service in accordance with the technical, environmental, safety and quality requirements established in the respective Concession Contract.
- b) The development of port planning.
- c) The adequate behavior within the practices of free competition, of the port service operators.
- d) The protection of users.
- e) Free participation in the provision of basic services.

2.3.6 Quality and access policies.

2.3.6.1 With the objective of promoting and improving the competitiveness of the services provided in the ports, the Port Society of Santa Marta establishes a policy of quality and access that must be complied with by the port operators and other service providers in the port terminal, in order to achieve the following objectives, in accordance with article 12, Resolution 0850, April 06, 2017:

1. To offer port facility clients services that meet national and international quality standards.
2. To implement the quality management policy.
3. To improve competitiveness against other competing ports.
4. To offer a policy of accessibility to the ports, with clear safety rules for the use of infrastructure, efficient operation and financial viability.

2.3.6.2 The Port Society and subsidiaries provide multipurpose port and logistics services in line with the organization's strategic planning and context, seeking the satisfaction of its clients, stakeholders, the preservation of the environment and the promotion of a safe working environment for our workers, users and clients, encouraging corporate social responsibility through the implementation of integrated management systems.

ISO 9001 - ISO 14001 - BASC – PBIP

In line with the above, the Port Society declares its commitment to:

- The continuous improvement of the Management Systems and their performance.
- The satisfaction of the clients by means of the fulfillment of the predefined requirements, reviewed and approved under international quality standards.
- The increase of competitiveness with the optimization of infrastructure, increase the capacity of storage, better rates in the handling of loads and incursion in new businesses.
- Identification and assessment of risks, hazards, environmental aspects and impacts associated with the processes and the determination of their controls.
- Protection of the environment, including pollution prevention, minimization of atmospheric emissions, reduction of water and energy consumption and of the generation of solid waste.
- Ensuring safe working environments through the prevention of personal injury, accidents, occupational diseases, property damage and socio-environmental impact; for which reason, employees, contractors and port users must comply with industrial safety standards.
- Promotion of safe trade in compliance with BASC and ISPS Code standards.
- Prevention of illicit activities and continuous improvement of the security conditions of the port facility and its storage areas.
- Develop the competencies of the employees and promote an adequate organizational climate in order to have Human Talent oriented to the fulfillment of organizational objectives.
- The fulfillment of legal requirements, regulations in security and health in the work and environment, and other normative aspects that the organization subscribes as necessary for the development of an operation.
- The economic support of the organization, to meet the proposed objectives in terms of quality, safety and health at work, environment and social responsibility.

2.3.6.3 This policy shall be communicated, understood and applied within the organization and shall be available to relevant stakeholders, compliance with which is a commitment acquired by all the workers

and/or users of the organization independently of their form of contracting or linkage.

2.3.7 Communication and information system.

2.3.7.1 The Port Society has a port information system that allows for the traceability and management of the complete loading cycle through the platform, each actor in the logistics chain registers, validates and monitors the corresponding processes through the internet.

2.3.7.2 Shipping agents announce and confirm online the arrival of vessels, send cargo documentation through the information systems. Customs agencies act on the platform making withdrawal requests and obtaining, after verification of compliance with the requirements, the authorizations that will be assigned to the transport companies duly registered on the computer platform. The registration of vehicles is carried out through the channels available on the internet by the transporter. This process, which consists of registering on the virtual platform the vehicle's registration number, the identification of the driver and the description of the cargo to be delivered or withdrawn, allows for the efficient management of the entry and exit points of the port facilities, warehouses and underlying yards.

2.3.7.3 Information systems are equipped with the ability to warn of adverse operating conditions or non-compliance with requirements: overweight vehicles, oversized loads, minimum performance, vehicle congestion, non-regulatory permanence of the load, shortages, surpluses, among others. The weighing mechanisms are directly linked to the port information system, thus guaranteeing that the registered data will not be manipulated and making the process transparent and straightforward for the client.

2.3.7.4 The Port Society, has a video surveillance system managed from a control center equipped with a data center, workstations, IP cameras and related equipment that allow to have a video registry in the operative areas of the port installation.

2.3.7.5 The maritime terminal has a non-intrusive inspection (SINI) system consisting of a container scanner, a pallet and package scanner, and portable equipment for detecting multiple threats, all of which are available to the port control authorities in their work of inspecting import and export cargo.

2.3.7.6 In order to achieve greater efficiency and performance of the people in charge of operating this equipment, the Port Society created the "SINI Analyst and Operator Training Centre", where training and retraining are provided in the handling of the equipment, the use of its tools, routine protocols, and the analysis of situations that occur during the performance of work and the use of the equipment.

2.3.8 Good Corporate Governance Code.

2.3.8.1 The Regional Port Society of Santa Marta Inc., within its discretion, adopted a Corporate Governance Code approved by the Board of Directors in a meeting held in March 2009, committed to the quality of the port service, the environment and the community. The Port Society frames its activities under the standards of ISO 9.001 and ISO 14.001 in an Integrated Management System that is certified.

2.3.8.2 The purpose of the Good Corporate Governance Code, together with the Articles of Association, is to establish the main rules on how the Society will be governed and how a public port service will be provided in accordance with the best practices in the market, guaranteeing uniform and equal procedures for all users of the Maritime Terminal.

2.3.8.3 In accordance with the Integral Quality and Environmental Policy, we work on the provision of integral port and logistics services committed to satisfying the needs of our clients, through the continuous improvement of processes, committed to minimizing atmospheric emissions, reducing the consumption of natural resources and handling waste by incorporating environmentally clean technologies and processes, promoting the profitability of the partners, ensuring physical integrity, with a high sense of social responsibility and based on the Integrated Management System, complying with the objectives, regulations and other applicable requirements.

CHAPTER III. INFRASTRUCTURE AND ACCESS

3.1 ACCESS CHANNEL

3.1.1 The access channel to the Port of Santa Marta is described in the navigation charts COL804 of the Oceanography and Hydrographic Research Centre (CIOH) of the General Maritime Directorate (DIMAR).

3.1.2 This channel is public and under the responsibility of the nation. The corresponding depths are those certified by DIMAR through the Captaincy of the Port of Santa Marta.

3.1.3 The minimum navigable depth of the access channel is 22 meters and 553 meters wide at the bottom and a length of 1,528 meters.

3.2 MANEUVERING BASIN

The Maritime Terminal, contains a 500-meter diameter maneuvering basin with a depth of 22 meters.

The maneuvering basin and the turnaround area are located between buoys B1, B3 and buoys B2, B4. See numeral 3.5.2 Location of Buoys.

3.2.1 Use of the maneuvering basin and access channels.

3.2.1.1 The user who requires to use the maritime maneuvering area must submit a request to the Port Society, which, after a study, will respond based on the measures and safety conditions of the area and the maritime operations program.

3.2.1.2 During navigation and the vessel's stay in the Port Authority's maritime maneuvering area, the user must:

- Follow the instructions given by the Port Society in accordance with the legal provisions of the Maritime Authority.
- Observe all the Port Facility's integral security measures.
- Maintain communication via maritime VHF radio with the Port Society.

3.2.1.3 The transit or innocent passage of vessels through the maritime maneuvering area is controlled by the Port Society in accordance with integral security.

3.2.1.4 The Port Authority has the security schemes and procedures for the verification and control of vessel movements in its maritime maneuvering area and will inform the Port Authority of any vessel entering or leaving the area or carrying out internal transfers without due authorization from the Port Authority.

3.2.1.5 The movement of any vessel or naval device within the maneuvering area without the due permission of the Port Society is considered a serious offence that warrants the application of the Improvement Committee procedure referred to in these regulations.

3.3 BERTHING AREA

3.3.1 The berthing area of the Port Society is the space delimited in the northwest by quays 6 and 7 with a width of 210 meters, in the southwest by quays 2 and 3 with a width of 210 meters, in the northeast by quay 4 with a width of 190 meters, in the north by quay 5 with a width of 180 meters, in the west by the line that joins quay 6 with quay 5 and in the south by the line that joins quay 7 with quay 2. In addition to the above, the front area of pier 1 has a width of 45 meters.

3.3.2 Bottom type: the berthing areas of quays 1 to 5: their bottom type is medium to coarse grained sand. The berthing areas of quays 6 and 7 are made of amphibole rock. The depths and lengths are described in section 3.4

“By which the updating of the Regulation of Technical Conditions for the Port Operation of the REGIONAL PORT SOCIETY OF SANTA MARTA Inc. is approved by virtue of Port Concession Contract No. 006, 1993”

3.4 BERTHING QUAYS

WHARF CLASS TYPE OF STRUCTURE LENGTH (m) WIDTH (m) DEPTH (m) OPERATIONAL DRAFT (m) SPECIAL CAPACITY PARTS BITTS AND FENDER MOUNTING

- 1 Marginal Reinforced concrete top slab 0.50m thick, supported on a system of main beams, 4.5 m apart. This entire assembly is supported by concrete piles with a square section. 105 15 8,00 7,67 5 Ton/m2 GENERAL CHARGE 7 Cast-iron bitts of 40 and 70 Ton 20 fenders DA-400H-M2 L2500
- 2 Marginal Reinforced concrete top slab 0.50m thick, supported on a system of main crossbeams. This entire assembly is supported by 0.5 x 0.5 square section concrete piles. 160 22,80 14,60 14,27 5 Ton/m2 CONTAINERS 12 Steel Bitts 100Ton12 Bridgestone MCN1100-C3 Fenders
- 3 Marginal Reinforced concrete top slab 0.50m thick, supported on a system of main crossbeams. This entire assembly is supported by 0.5 x 0.5 square section concrete piles. 165 22,80 14,60 14,27 5 Ton/m2 CONTAINERS 11 100Ton11 steel bitts Bridgestone MCN1100-C3 fenders
- 4 Marginal Reinforced concrete top slab 0.50m thick, supported on a system of main beams, 4.5 m apart. This whole set is supported by 0.5 x 0.5 square section concrete piles 240 15.00 14.50 14.17 5 Ton/m2 BULK 18 70 and 100Ton cast iron bitts 27 Bridgestone SUC1000H fenders
- 5 Marginal It is made up of 14 axes of transverse head beams separated by 7.0m from each other and supported on piles. The beams receive beams with 2.1m spacing between axles, and by means of a pre-slab system the top 15cm thick concrete was cast. 94 13.20 8.00 7.67 5 Ton/m2 LOAD GENERAL 7 70 and 100Ton cast iron bitts 6 SUC1000H fenders
- 6 Marginal Composed of 0.50x0.50 m pile foundations, superstructures in reinforced concrete beams separated every 7m and piles every 3.75m. Also made up of pre-stressed prefabricated coffer and solid slab, 0.25 m thick. 150 27.75 17.37 17.04 5 Ton/m2 CARBON 13 Iron bitts 70 and 100Ton 11 SUC1000H Fenders
- 7 Marginal Made up of 0.50x0.50 m pile foundations, superstructures in reinforced concrete beams separated every 7m and piles every 3.75m. Also made up of pre-stressed prefabricated coffer and solid slab, 0.25 m thick. 156 27,75 17,37 17,04 5 Ton/m2 CARBON 16 Iron bitts 70 and 100Ton 11 SUC1000H Fenders

3.5 NAVIGATION AIDS

3.5.1 The lighthouse service on the coast and the signaling service of public navigable canals in public ports, is under the control and responsibility of the Director General of Maritime Affairs (DIMAR).

3.5.2 Location of buoys

LOCATION OF BUOYS		
NAME	POSITION	
AYNAV	LATITUDE	LENGTH
SANTA MARTA BUOY NUMBER 1	11°14,93° N	74°13,86° W
SANTA MARTA BUOY NUMBER 2	11°14,61° N	74°13,20° W
SANTA MARTA BUOY NUMBER 3	11°14,98° N	74°13,26° W
SANTA MARTA BUOY NUMBER 4	11°14,81° N	74°13,01° W



3.6 DANGERS TO NAVIGATION

3.6.1 The dangers to navigation are reported and controlled by DIMAR, the Captaincy of the Port of Santa Marta, the Santa Marta Maritime Traffic Station, the Oceanography and Hydrographic Research Centre (CIOH), maritime signaling or the Colombian maritime authority which determines the regulations on the subject.

3.6.2 The physical hazards of the navigation channel are located at its lateral limits, especially on the starboard side where buoys No. 02 and No. 04 are located, marking a low area with depths between 6 and 7 meters. Buoys No. 01 and No. 03 also mark shallow areas that represent a lower risk.

3.6.3 Other elements that represent hazards that must be analyzed and controlled to eliminate or minimize the risk are the following:

- Traffic of small vessels that anchor near buoy No. 4
- Day and night visibility of the port facility
- Background glow
- Maximum number of large ships in the maritime space
- Total failure of navigation aids
- Crew knowledge of large and small ships in the navigation channel and navigation aids

- Pilots' knowledge of the navigation channel
- Wind action and effect
- Action and effect of the current
- Wave action and effect
- Action and effect of the tide

3.6.4 In the event of any incident occurring in the installations, access channel, docks, maneuvering basin and other infrastructure that may constitute a danger to navigation, the Port Society of Santa Marta shall inform the Superintendent of Ports and Transport and DIMAR of the incident that has occurred. Work intended to clear the area shall be immediately initiated by the shipowner, his representative or maritime agent at his own risk.

3.6.5 If the shipowner or the shipping agent does not take the necessary measures to clear the area, the Port Authority may proceed to contract the removal, with the costs being assumed by the shipowner or his shipping agent, without excluding actions for damages that the Port Authority may undertake for this reason.

3.7 ANCHORING AREAS

3.7.1 The areas defined by DIMAR shall be used for the purpose of anchoring vessels.

3.8 UKC AND OPERATIONAL DRAFT

3.8.1 The safety margin established by the Port of Santa Marta is 0.3 meters (1 foot).

For the Operational Draft, see the information table in section 3.4 of these regulations.

3.9 MAINTENANCE PROGRAM AND BATHYMETRIC INFORMATION

3.9.1 The Regional Port Society of Santa Marta has a maintenance program where the annual execution of a bathymetric survey on the mooring line is scheduled in all the piers that compose the Port. The bathymetric survey of the area is carried out under the IHO- S44 International Hydrographic standards or the one that applies.

3.10 VEHICLE, RAIL, PEDESTRIAN AND MARITIME ACCESS

3.10.1 Entry and exit lanes.

The port facility has five entry lanes and four exit lanes, which are enabled as needed. The lanes are listed from the Entry Control Center (CES) to the outside and operate based on the following criteria:

Lane No. 1: Entrance or exit of light vehicles and motorcycles. If necessary, this lane can be used for the entrance or exit of vehicles with cargo, and it has an access control card reader.

Lane No. 2 and 3: Entrance or exit of loaded vehicles. If absolutely necessary, they can be used for the entry or exit of light vehicles.

Lane No. 4: Entrance or exit of cargo vehicles that must pass through the scale.

Lane No. 5: Conditioned with railroad track for the entrance and exit of cargo vehicles moved in this means of transport. Can be used for the entrance of cargo vehicles.

Lane No. 1 and 2: Simultaneously enabled for the entry or exit of extra-dimensioned cargo.

3.10.2 Road signs for vehicle, rail and pedestrian access.

This corresponds to the physical devices or special markings that indicate the correct way in which port users should move in or out of the port, whether as a pedestrian, driver or operator of light, heavy or rail vehicles. The messages of the traffic signs are given by means of symbols and/or legends of easy and fast interpretation.

Their function is to indicate to the user the precautions to be taken into account, the limitations on the sections of traffic and the information strictly necessary, given the specific conditions of the road. They serve to:

- Warn of possible dangers
- Make certain restrictions known
- To indicate concisely certain legal provisions
- Determine the right of way for vehicles and the direction of the tracks
- Help pedestrians to cross the roads.

Traffic signs are reflective and conveniently lit to ensure visibility in the dark. The lighting is indirect; that is, it is illuminated by interior lights. (See Corporate Signaling Program).

3.10.3 Vehicle entry and exit control booths

Cubicles installed next to the entrance and exit lanes of the Port Facility, equipped with computer equipment for registering and controlling vehicle and cargo movements, operated by physical protection assistants.

3.10.4 Control facilities for entry and exit of persons

Building located at one side of the entrance to the port facility, equipped with computer equipment and access controls for identification, documentation verification, permits, authorizations, registration and control of entry and exit of employees, contractors and visitors to the Port Facility.

3.10.5 Identification Center

Office located in the upper part of the control room for entry and exit of people

3.10.6 Sea Access

For the entrance to the Port Facility by the authorities, vessels and authorized port maritime services, it will be done through the established and duly signalized navigation channel. In the case of the authorities, the operative dock will be designated according to availability.

3.11 YARDS AND WAREHOUSES FOR CARGO STORAGE

YARD/WAREHOUSE	PHYSICAL DESCRIPTION	AREA (m2)	TYPE OF LOAD
CAPACITY	LOCATION		
CONTAINER YARD	Masonry enclosure, hydraulic concrete pavement with grated finish and lighting;	61,600;	CONTAINERS; 7,388;
TERMINAL			
ANCON YARD	Reinforced concrete retaining panel enclosure, metal structure with mesh, shade and lighting;	11,220;	COAL; 97,000;
TERMINAL			
AV. PALLEJA	Storage yard, has paving in hydraulic concrete with grated finish and lighting;	1,500	GENERAL CARGO 2,775
TERMINAL			
CENTRAL YARD, ON THE SIDE OF THE SCALE	Storage yard, has paving in hydraulic concrete with grated finish and lighting;	1,731;	GENERAL CARGO; 3,855;
TERMINAL			
CENTRAL YARD	Hydraulic concrete pavement with grated finish and lighting;	300;	GENERAL CARGO; 555;
TERMINAL			
CENTRAL YARD (LIQUID BULK AREA)	Hydraulic concrete pavement with grated finish and lighting;	8,225;	PALM OIL; 11,000;
TERMINAL			
YARD 3 (SOLID BULK AREA)	Storage yard, has paving in hydraulic concrete with grated finish and lighting;	22,924;	SOLID BULK SILOS; 63,000;
TERMINAL			
YARD 3	Storage yard, has hydraulic concrete pavement with grated finish and lighting;	1,200;	GENERAL CARGO; 2,673;
TERMINAL			
CUATRO BOCAS YARD	Uncovered storage yard with lighting;	8,950;	VEHICLE; 500;
OUTDOOR AREA II			
APROCHE WHARF 6	Storage yard, has hydraulic concrete pavement with grated finish and lighting;	1,600;	GENERAL CARGO; 4,114;
TERMINAL			
APROCHE WHARF 7	Storage yard, has hydraulic concrete pavement with grated finish and lighting;	1,500;	GENERAL CARGO; 3,857;
TERMINAL			
TAGANGUILLA	Storage yard, has hydraulic concrete pavement with grated finish and lighting;	1,150;	GENERAL CARGO; 2,957;
TERMINAL			

“By which the updating of the Regulation of Technical Conditions for the Port Operation of the REGIONAL PORT SOCIETY OF SANTA MARTA Inc. is approved by virtue of Port Concession Contract No. 006, 1993”

YARD 4 Storage yard, has hydraulic concrete pavement with grated finish and lighting; 2,977; GENERAL CARGO; 7,655; TERMINAL

YARD 4 (Off-Shore) Storage yard, has hydraulic concrete pavement with grated finish and lighting; 1,800; GENERAL CARGO; 4,629; TERMINAL

YARD 5 Enclosure in reinforced concrete containment panels, metal structure with mesh, shade and lighting; 19,748; COAL; 150,000; TERMINAL

YARD 6 Masonry enclosure, flexible asphalt pavement and lighting; 5,885; VEHICLE; 200; EXTERNAL AREA II

YARD 7 Masonry enclosure, flexible asphalt pavement and lighting; 9,775; VEHICLE; 760; EXTERNAL AREA II

YARD 8 Masonry enclosure, flexible pavement in heavy traffic paving and lighting; 2,229; GENERAL CARGO; 4,964; TERMINAL

YARD 9 Masonry enclosure, flexible pavement in heavy traffic paving and lighting; 3,700; GENERAL CARGO; 8,241; TERMINAL

WAREHOUSE 1 Structural masonry enclosure, reinforced concrete column and beam structure with Eternit roofing panels, lighting, reinforced concrete floor; 3,242; GENERAL CARGO; 5,997; TERMINAL

WAREHOUSE 2 Mechanized warehouse, metal structure to support the standing seam roof, with containment panels, lighting and concrete floor with floor hardener; 1,270; BULK; 5,800; AREA BULK WAREHOUSES

WAREHOUSE 3 Mechanized warehouse, metal structure to support the standing seam roof, with containment panels, lighting and concrete floor with floor hardener; 1,366; BULK; 6,000; AREA BULK WAREHOUSES

WAREHOUSE 4 Mechanized warehouse, metal structure to support the standing seam roof, with containment panels, lighting and concrete floor with floor hardener; 1,366; BULK; 6,000; AREA BULK WAREHOUSES

WAREHOUSE 5 Mechanized warehouse, metal structure to support the standing seam roof, with containment panels, lighting and concrete floor with floor hardener; 1,257; BULK; 7,000; AREA BULK WAREHOUSES

WAREHOUSE 6 Mechanized warehouse, metal structure to support the standing seam roof, with containment panels, lighting and concrete floor with floor hardener; 1,257; BULK; 7,000; AREA BULK WAREHOUSES

WAREHOUSE 8 Structural masonry enclosure, reinforced concrete column and beam structure with Eternit roofing panels, lighting, reinforced concrete floor; 570; GENERAL LOAD; 1,055; EXTERNAL ZONE II

WAREHOUSE 9 Structural masonry enclosure, reinforced concrete column and beam structure with Eternit roofing panels, lighting, reinforced concrete floor; 920; BULK; 1,800; EXTERNAL AREA II

“By which the updating of the Regulation of Technical Conditions for the Port Operation of the REGIONAL PORT SOCIETY OF SANTA MARTA Inc. is approved by virtue of Port Concession Contract No. 006, 1993”

WAREHOUSE 10 Structural masonry enclosure, reinforced concrete column and beam structure with Eternit roofing panels, lighting, reinforced concrete floor; 1,116; BULK; 2,000; EXTERNAL AREA II

3.12 PORT OPERATION EQUIPMENT

3.12.1 The Port Society has the equipment and rigs to attend to the ships and the different types of cargo.

3.12.2 In the case of special operations or handling of extra heavy or oversized cargo that cannot be operated with the available equipment, the required equipment will be contracted in accordance with the schedule and commercial agreements with the consignees or exporters or cargo representatives.

EQUIPMENT FOR ATTENTION OF MOTORBOATS

TERMINAL	TYPE OF EQUIPMENT	QUANTITY	BRAND	CAPACITY
General Cargo	Forklifts	19	Hyster	3 Tons
	Forklifts	1	Hyster	5 Tons
	Forklifts	1	Hyster	7 Tons
	Forklifts	3	Taylor	15 Tons
	Forklifts	1	Hyundai	16 Tons
	Reach Stacker	1	Kalmar	45 Tons
	Crane on Wheels	1	Liebherr	100 Ton
Bulk	Conveyor Belt	11	RAPAT	40-125 HP
	Scale	6	GSE	150-300 T/h
	Scale	1	Compuweigh	1200 T/h
	Clamshell	1	VERTERGENGRUPE	10.3 M3
	Clamshell	1	SMAG	20 M3
	Clamshell	3	SMAG	9,8 M3
	Clamshell	2	BUSTOS REYES	7 M3
	Clamshell	2	CROMEX	14 M3
	Bulk Telva	3	Nacional	30 Ton
	Silos	1	GLOBAL INDUSTRIES	2500 Ton
	Silos	5	GLOBAL INDUSTRIES	5000 Ton
	Silos	3	MFS	6500 Ton
	Silos	2	GLOBAL INDUSTRIES	125 Ton
	Silos	2	MFS	86 Ton
	Suction Equipment	1	VIGAN	600 Ton/hr
	Front Loader 938 K	1	Caterpillar	4,1 M3
	Front Loader 950	4	Caterpillar	3,3 M3
	Backhoe	1	Hyundai	6,5 Ton
	Backhoe	1	Doosan	6,5 Ton
Liquids	Centrifugal pump	6	Goulds Pumps	450 gpm
	Centrifugal pump	2	Goulds Pumps	1900 gpm
	Boiler	1	Colmaquinas	150 BHP
	Compressor	1	Sullala	500 CFM
	Atmospheric Tanks	3	Const API 650	3000 Ton
	Atmospheric Tanks	1	Const API 650	1000 Ton
	Atmospheric Tanks	2	Const API 650	500 Ton
Coal	CHAIN FEEDER	5	SHERBROOKE	500-2200 Ton/h
	TUBE FEEDER	1	PIPE CONVEYOR	2000 Ton/h
	RADIAL STACKER	1	MIDWEST	1000 Ton/h
	RADIAL STACKER	1	TGS	1000 Ton/h
	TRUCK DUMPERS	5	SAUR	90 Ton/h
	TQ HOPPER	2	SAC-SANDWELL	30 M3
	TQ HOPPER	1	CARBOSAN-5IM	30 M3
	Ship loader	1	SAC-SANDWELL	2200 Ton/h
	Conveyor Belt	7	SAC-SANDWELL	1450-2690 Ton/h
	Conveyor Belt	2	Midwest	1450-1350 Ton/h
	Ship loader	1	SAC-SANDWELL	2200 Ton/h

		Front loader 952	3	CATERPILLAR	23 Ton
		Front loader 780	4	HYUNDAI	7 M3
		Front loader 980	1	CATERPILLAR	12 M3
	Containers	Crane Type RTG	4	ZPMC	50 Ton
		Crane Type STS	2	ZPMC	65-100 TON
		Fifth wheel tractor		OTAWA	50 Ton
		Fifth wheel tractor	19	CAPACITY	50 Ton
		Fifth wheel tractor	5		50 Ton
		Fifth wheel tractor	9	MAGNUM	70 Ton
	3.13 RECEPTION FACILITIES				

“By which the updating of the Regulation of Technical Conditions for the Port Operation of the REGIONAL PORT SOCIETY OF SANTA MARTA Inc. is approved by virtue of Port Concession Contract No. 006, 1993”

3.13.1 The service of receiving waste, rubbish and other contaminating products is provided by specialized port operators, duly registered and authorized by the Port Society for this activity.

3.13.2 In providing the service, the port operator must respect the integral safety conditions of the Port Installation and apply the regulations and technical conditions in force for this activity.

3.13.3 The port operator must report to the Port Society at the end of the service, in written form, the quantity of products or waste received from the vessel. The report must be signed by the port operator and the Captain of the vessel.

3.13.4 The Port Society authorizes the provision of the services requested under the Port Facility's integral safety criteria and provided that these do not affect the maritime schedule.

3.13.5 Ship captains are obliged to inform the Port Society and the Port of Santa Marta captains of the quantity and types of waste on board and, if evacuation is authorized, this will be done by an authorized port operator, confirming its final disposal, in order to avoid contamination of the environment. This communication will be made in accordance with the provisions in force, which regulate the installations for the reception of waste from ships.

3.13.6 Port operators authorized to receive waste, rubbish and other contaminating products in the port area shall be obliged to report to Occupational Safety and Health and Environmental Protection any waste discharges they have made and the final disposal of the waste. The Port Society will determine the data and the communication of information.

3.13.7 The management of waste generated during operations within the facilities must be carried out in accordance with the provisions of the environmental management sheets: 2.1 Control of waste water, 3.1 Re-disposal, 3.2 Management of chemicals and hazardous substances and 4.1 Integral management of solid waste, as well as the provisions of the obligations derived from the environmental management and control instrument in force.

CHAPTER IV. GENERAL SERVICES TO VESSELS, PASSENGERS AND CARGO

4.1 SCHEDULES

4.1.1 Hours of attention to public

The hours for the attention of administrative services (Foreign Trade and Invoicing Windows) related to the port activity will be from Monday to Saturday from 7:00 a.m. to 10:00 p.m. Sundays from 8:00 a.m. to 3:00 p.m. Monday holidays from 7:00 a.m. to 7:00 p.m.

4.1.2 Working Hours

For marine operations, the Port Society, Port Operators and Shipping Agents, will operate and provide all their services, starting from the principle of 24 hours, 365 days a year.

Paragraph: For the purposes of providing administrative services related to port activity, the Presidency of the Port Society will determine the appropriate schedules, seeking efficiency or timely attention to users, which must be made known to the public.

4.2 CONDITIONS FOR THE PROVISION OF SERVICES

4.2.1 The services related to the port activity must be provided by Port Operators authorized by the competent national authority and registered with the Port Society, committing themselves to comply with the requirements established in these regulations.

4.2.2 Services related to the cruise ship port facility must be provided by tourist service providers, subject to Law 30, 1996 and other regulations governing tourist activity in Colombia.

4.2.3 The Port Society provides all services required for the demand of Colombian foreign trade and the port dynamics of the Caribbean Region, related to a state-of-the-art multipurpose maritime terminal for all types of cargo. In providing its services, it adopts the necessary measures to protect the life and integrity of persons and to preserve the environment, in accordance with the provisions of the regulations on the subject.

4.2.4 The Regional Port Society of Santa Marta Inc., holder of the environmental management plan, is the only responsible before the National Authority of Environmental Licenses for any incident, accident or event that may occur and generate environmental affectations.

4.3 DOCUMENTATION REQUIRED FOR ENTRY AND SERVICE PROVISION

All Port Operators who wish to operate in the Port Society's facilities must provide the documentation and requirements established in procedure PO-SEG 203, which must be submitted to the Port Society's Registry and Control Office.

4.4 INFORMATION AND DOCUMENT VERIFICATION PROTOCOL

4.4.1 For the attention and provision of port services, the Port Society has offices for the analysis, verification and validation of the information presented by all users in compliance with the security protocols, in development of the procedures in this respect within the Quality Management System and subject to the customs legislation in force, the regulations of the Ministry of Transport and

special agreements for the protection of foreign trade and collaboration agreements.

4.4.2 The presentation of the application for registration by the different users before the Port Society is a clear and express statement that the applicant authorizes the treatment of the registered information, under the terms of Law 1581, 2012 (Statutory law for the protection of personal data).

4.4.3 The Port Society has the personnel, equipment, technology and procedures necessary for the verification and validation of the information, both for the receipt and for the delivery of the cargoes in the different storage areas.

4.4.4 The Port Society may refrain from providing services to operators, cargoes or vessels whose documents are not complete or duly prepared or whose information is inconsistent. The date and time taken into account for the receipt of documents shall be defined by the Port Society in consideration of paragraph 4.1.2.1 of this document.

4.5 GENERAL SERVICES

4.5.1 Control of port, maritime, land and rail operations.

4.5.1.1 In order to comply with service quality, the Port Society must guarantee minimum safety conditions for maritime, land and rail operations, in order to avoid risk situations that endanger personnel, cargo and equipment. To this end, the conditions of space, type of cargo, characteristics of equipment and means of transport must be taken into account.

4.5.1.2 The Port Society may restrict the provision of the service until the minimum safety conditions for operations are guaranteed.

4.5.2 Surveillance for security in the port areas.

4.5.2.1 The Port Society has a Security Department which, taking as a reference the Port Facility Security Assessment and the Port Facility Security Plan approved by the National Maritime Directorate, locates and distributes its control and surveillance posts with the support of private surveillance companies and with the technical support of a closed-circuit television (CCTV), visualized from a control center, and procedures that help to strengthen security measures.

4.5.2.2 Control and surveillance posts cover all port facilities and external storage areas, vehicle, cargo and personnel entrances and exits, storage yards, gauging areas, access routes, loading and unloading areas, quays and administrative facilities. The CCTV covers 100% of the critical areas and 90% of the entire port facility.

4.5.3 Lighting conditions in all areas of the port.

The lighting system in the port facility is composed of lighting towers, poles and structures with reflectors that have an automatic control lighting system. They are distributed in all areas of the yards, roads and docks, which allow for optimal lighting levels in each of the operations, ensuring the safety of staff and cargo.

4.5.4 General cleanliness conditions of the terminal.

4.5.4.1 In order to guarantee healthy conditions, the Port Authority is responsible for having the necessary cleaning staff organized into teams to carry out the general cleaning of the Maritime Terminal, carrying out a daily sweeping and solid waste collection route along the roads, yards and docks to keep the environment organized and clean, using the resources and equipment necessary for the maintenance of the roads and docks.

4.5.4.2 Spillages of bulk solids or liquids and any waste, garbage or debris should be removed leaving the quay in optimal sanitary and clean conditions. The transport and final disposal of waste removed from the port should comply with established standards and procedures.

4.5.4.3 Likewise, the Port Operators shall be responsible for the immediate cleaning of the docks and, in general, of the areas used in the Terminal, which shall be kept clean during the operation and delivered completely clean and organized at the end of each operation.

4.5.4.4 It is forbidden to throw garbage, waste and sweepings into the sea, as well as any contaminant as a result of dock cleaning. In the case of sweeping, final disposal of the collected material should be provided.

4.5.4.5 In the case of solid bulks, a continuous sweep should be carried out on the wharf, placing the product in bags, Big Bags, containers or trolleys and then moving it to a temporary storage site, where it will later be transported for final disposal.

4.5.4.6 The general cleaning of the Terminal will be carried out based on the environmental management sheet Comprehensive Management of Solid Waste, as well as the stipulations of the current environmental management and control instrument, established by Resolution 794, May 16, 2008, or a provision which modifies or replaces it.

4.5.5 Delivery of docks.

4.5.5.1 The cleaning of the assigned dock and the operation areas shall be done immediately after the operation is completed, and all equipment and machinery used during the unloading and loading of the Motor Vehicle shall be removed from the dock.

4.5.5.2 In the event that the port operator does not proceed as established in these regulations, the Port Society will order a third party to clean the working areas and this service will be at the operator's expense.

4.6 SERVICES TO THE SHIP:

4.6.1 Characteristics of the ship type or design

4.6.1.1 The Port of Santa Marta is a state-of-the-art multipurpose maritime terminal for all types of cargo, and its infrastructure is designed to handle the following types of vessels:

“By which the updating of the Regulation of Technical Conditions for the Port Operation of the REGIONAL PORT SOCIETY OF SANTA MARTA Inc. is approved by virtue of Port Concession Contract No. 006, 1993”

TYPE OF SHIP	LENGTH (mts)	BEAM (mts)	DRAFT (mts)	CAPACITY (TEUs/DWT)
POSTPANAMAX PLUS	320	50	16	8,000 TEUs
PANAMAX	260	35	14	60,000 tons
CAPE SIZE	340	60	15	150,000 tons
AFRAMAX	245	35	14	80,000 tons
SUEZMAX	340	50	14	160,000 tons
NORWEGIAN BLISS CLASS	333	48.1	8.72	168,028 tons
BOURBON SAPPHIRE CLASS	91.1	19.02	6.5	7,863 tons
ZEAMAX CLASS	99.92	17	7	6,265 tons
INDUSTRIAL COURAGE	119.8	20	7	8,034 tons

4.6.2 Pilotage service

4.6.2.1 All vessels with a gross registry of more than 200 are required to use a pilot for entry and exit from the port, berthing, unberthing, towing, changing quayside or anchorage and any maneuver that indicates their movement within the port.

4.6.2.2 The pilotage service includes advice to the captains in the handling of the vessels for entry, anchoring, berthing, unberthing, setting sail, departure and other maneuvers carried out within the port area. This service is provided by Port Operators duly registered with the Superintendent of Transport using pilots with a valid license issued by the DIMAR.

4.6.2.3 The Port Operator that provides the pilotage service must follow the instructions of the Port Society so that the maneuver is carried out safely, considering the conditions of the area.

4.6.2.4 All vessels, whatever their nationality, traffic, classification, length, draft and gross registered tonnage, to enter, set sail and carry out any movement or maneuver within the Port Area, must comply with the rules established by the DIMAR on the use of the pilot.

4.6.2.5 The contracting of the piloting service will be the responsibility of the Shipping Agent. The coordination and supervision of the pilotage services with regard to the Terminal's own maneuvers will be the responsibility of the Maritime Operations Directorate of the Port Society.

4.6.2.6 The pilot's advice does not exempt the ship's captain from their responsibility and command in navigation, and the presence of the pilot on board should be considered as an advisor to the captain, who may or may not accept the pilot's recommendations.

4.6.2.7 In cases where there are limitations to the piloting services due to tides, currents, winds, drafts, visibility or any other circumstance, the Shipping Agent and the Port Society will determine the time of the service.

4.6.2.8 The Port Operator providing the pilotage service must deliver to the Port Society the pilot's report indicated in article 12 of Resolution

630, November 19, 2012 of the DIMAR, or the provision that modifies it, signed by the captain of the ship, once each operation or service has been completed.

4.6.2.9 The Port Authority will require Port Operators who provide the pilotage service to take out policies of compensation for damage they may cause to the installations or to third parties.

4.6.2.10 The supervision of the pilotage service is carried out by the Superintendent of Transport, based on the reports provided by the Port Companies or beneficiaries of authorization. In the case of faults or infractions committed by pilots' personnel, the Port Society must inform the Port Captain of Santa Marta in a timely manner so that the respective investigation can be carried out.

4.6.2.11 In cases where the Port Operator nominated to provide the pilotage service does not turn up at the time agreed for the service, the Port Society reserves the right to appoint another Port Operator, duly registered with the Ministry of Transport, to provide the service, without prejudice to other actions that may arise. The latter must also be registered with the competent authority.

4.6.2.12 Boarding Site. For the provision of pilotage services, port pilots shall board and disembark to/from the vessels at the sea buoy.

4.6.2.13 The general cleaning of the Terminal will be carried out based on the provisions of the environmental management sheet Comprehensive Management of Solid Waste, as well as the stipulations of the obligations of the environmental management and control instrument in force, established by Resolution 794, May 16, 2008, or whichever modifies or replaces it.

4.6.3 Tugboat Service.

4.6.3.1 All vessels with a gross registered tonnage of over two thousand (2,000) are required to use the towing service. Vessels with a tonnage equal to or less than two thousand (2,000) gross registered tons may carry out maneuvers without the use of the tug service, unless the Maritime Authority, the pilot, the captain of the motor vessel or the Port Society consider otherwise, taking into account the berthing position, technical characteristics of the vessel, and meteorological and safety conditions at the time of the maneuver.

4.6.3.2 The use of the tugboat or tugs for maneuvers within the Port Area shall be subject to the rules and regulations issued by DIMAR.

4.6.3.3 The number of tugs that each type of motor vessel must use in its docking or undocking maneuver must be determined according to its characteristics and taking into consideration the integral safety factors of the port facility and the requirements of national and international technical standards.

4.6.3.4 The Port Authority of Santa Marta may determine the number of tugs according to the vessel's characteristics, the regulations in force and the weather conditions.

4.6.3.5 Tugboats operating in the Port facilities must be duly certified by the Maritime Authority or by international classification societies authorized by the Authority; they must carry the corresponding and valid certificates and operating permit; they must have at least the crew established in the minimum safety manning certificate issued by the Maritime Authority.

4.6.3.6 The request for tug service must be made by the ship's captain or, in his absence, by the shipowner or shipping agent, to the port operator, using the procedures established for this purpose.

4.6.3.7 The Port Society shall require the Port Operators who provide the tug service to establish compensation policies for damages that may be caused to the installations or third parties in accordance with the risk analysis carried out by the Port Society.

4.6.3.8 In cases where the Port Operator nominated to provide the tug service does not appear at the time agreed for the service to be provided, the Port Society reserves the right to nominate another Port Operator, duly registered with the Ministry of Transport, to provide the service, without prejudice to other actions that may arise.

4.6.3.9 Any vessel that is obliged to use the tug service and enters the waters of the Port Society's maneuvering area must enter moored with a line to the tug that assists it in its approach and docking maneuver.

Paragraph. Tugboats must have the bollard pull winch and maneuverability required to provide a safe and efficient service depending on the characteristics of the vessel, weather, currents, winds, tides and depth of each of the port areas of the country determined by the Maritime Authority.

4.6.4 Mooring and unmooring of ships.

4.6.4.1 The service of mooring and unmooring ships is provided by port operators duly registered and authorized by the Port Society for this activity.

4.6.4.2 In providing the service, the port operator must respect the integral safety conditions of the Port Facility and apply the regulations and technical conditions in force for this activity, so that the loading and unloading of the vessel during its stay on the quay is carried out safely.

4.6.4.3 Description and scope of the service.

All mooring and unmooring maneuvers, per vessel, must have the following minimum number of personnel and equipment:

For vessels < 200mts long: 04 moorers (2 with VHF radio).

For vessels >= 200mts long: 05 moorers (2 with VHF radio).

For vessels that require mooring-rope-passing boat support: 05 moorers (2 with VHF radio).

4.6.4.4 Any particular maneuver requiring a larger number of personnel or equipment must be coordinated by the ship's captain, the Shipping Agent and the Practical Pilot and must be communicated in advance to the Port Society.

4.6.4.5 Moorers are to be distributed in the bow and stern, according to the instructions of the pilot or captain of the vessel and the conditions of the particular maneuver. Each group should have a lead operator who receives instructions, transmits them to the others, and supervises the service.

4.6.4.6 It is necessary that the operating personnel of the service be in their position and ready to maneuver from the moment the port pilot embarks the vessel for the unberthing maneuver or, in case of berthing maneuver, from the moment the vessel is in the terminal maneuvering area.

4.6.4.7 The personnel assisting in the operation must bring, and use correctly, all the security elements required by the Port Society, among which are:

- Life vest for each operator.
- Safety shoes with non-slip soles.
- Protective gloves.
- Safety helmet.
- Uniform with bright and reflective colors.
- Flashlight for use in night operation.
- Portable radio (VHF) equipped with hands-free system.

4.6.4.8 In order to avoid possible lumbar injuries, operators should use a seat belt and boots with non-slip soles.

4.6.4.9 Communication between the pilot and the support personnel at the dock is necessary; therefore, the operators' personnel must have a VHF marine radio equipped with hands-free system.

4.6.4.10 All operators must have sufficient experience in the provision of this service, as well as having taken and passed refresher courses to ensure knowledge of the working tools, both ashore and on board the vessel. Operators who begin training must have a seaman's license with the respective basic courses for the operation of a merchant ship's mooring.

4.6.4.11 Because of the location and the work, all operators shall wear suitable life jackets which allow them to work freely.

4.6.4.12 Maneuvering or service shall not end until the Practical Pilot has given permission to leave. In case a change of mooring is necessary, the operators of the mooring or unmooring service must be available.

4.6.4.13 Berthing or unberthing are maneuvers that must be carried out by a team made up of the Port Society's operations supervisor, the ship's captain, the Practical Pilot, the tugs, the ship's crew and the moorers, including the mooring-passing boat.

4.6.4.14 Since mooring involves physical effort on the part of the persons in charge of the service, it is essential that the port operator providing the service always ensures the good physical and mental condition of each of its operators before each maneuver.

4.6.4.15 Similarly, since port operations take place 24 hours a day, the shifts in service and the available or standby shifts (for new developments or support) must be clearly established. At no time may the port operator providing the mooring and unmooring service to vessels allow continuous schedules of more than 12 hours, not only including the time of maneuvering in the Port Society, but also the time spent in other terminals or port facilities with their respective movements.

4.6.5 Wharfage

4.6.5.1 Corresponds to the time the vessel remains moored or anchored.

a) For all purposes, the periods of stay of vessels in the port area shall be established per meter of length/hour, starting from

the date and time when the first mooring rope is secured to the pier until the date and time when the last mooring rope is released; which will be given according to the tariff statute in force and approved by the Superintendence of Transportation.

- b) The displacement of a vessel from a different quay of the Port Society, implies the initiation of a first period from the date and time of docking at the quay.
- c) The movement of a vessel from a Port Society quay to the anchoring area and later return and dock again, implies the initiation of a first period from the date and time of the respective docking.

4.6.5.2 Wharfage for Ships and Permanent Naval Devices:

Corresponds to the time spent by ships or naval devices that remain in the port area in the service of port operations.

- a) The periods are per month or fraction thereof.
- b) The rate is the fee charged to the company that represents the naval device for the permanence of the same during the month or part of it.
- c) The naval devices that arrive to the Port to be nationalized will cause wharfage, according to the activity to be developed and its nationalization.

4.6.6 Crane and Rigging Condition

4.6.6.1 When the vessel cranes are used, all crane components and safety devices must be in perfect condition and certified to ensure safe operation. If it is suspected or certain that crane components or any lifting or safety devices are deficient, the Port Captain's Office should be reported to in order for them to assign an Inspector to review and issue a concept as to whether or not the item in question can be used.

4.6.6.2 In the event of malfunction of the cranes and other safety elements of the vessel, the Port Authority may take the appropriate measures to prevent damage, without this giving rise to a claim for delays. The Port Society is not responsible for damage caused by the malfunction of the ship's crane.

4.6.7 Minor repairs

4.6.7.1 Vessels berthed at the quays may not carry out any minor repairs without a prior written request from the shipping agent and authorized by the Port Captain’s Office and the Port Society. The vessel that is berthed shall agree on the time of the repair and if the calculated time is extended, the Port Society may order its anchoring on behalf of the Owner or representative of the vessel.

This activity will be developed based on the environmental management documents of Wastewater Control, Management of chemicals and hazardous substances and Integrated Management of solid waste, as well as the obligations of the instrument of management and control

The environmental law in force, established by the Resolution of May 16, 2008, or the one that modifies it or substitutes it.

4.6.7.2 When the repair implies that the vessel is left without propulsion machinery, the authorization of the Port Captain's Office must be requested.

4.6.8 Provisioning and Usage

4.6.8.1 Services complementary to the vessel, such as the supply of provisions, inspections of the vessel and others, must be provided by Port Operators registered in the Port Facility and duly authorized by the Port Society for this activity.

4.6.8.2 Port Operators that provide complementary services to the vessel must comply with the legal requirements that apply to the specialty of the service they provide.

4.6.8.3 The vessel requiring complementary services must coordinate its request through its respective Shipping Agent.

4.6.8.4 The Port Society authorizes the provision of the services requested under the Port Facility's integral safety criteria and provided that these do not affect the maritime schedule.

4.6.8.5 The Shipping Agent and the Captain of the vessel are responsible for supervising the complementary services to the vessel provided by independent Port Operators to the Port Society and must take all necessary measures to ensure that the services are provided in compliance with the legislation in force and the Port Facility's integral safety regulations. Likewise, they are responsible for the costs and damages that could be caused to the Port Society and to third parties affected during their provision or in the event of any incident. The above is without prejudice to the existence of liability that may be attributed to the port operator.

4.6.9 Receipt and/or supply of ballast

4.6.9.1 The Port of Santa Marta does not provide this type of service, but offers the facility through a port operator duly certified for this service.

4.6.9.2 The shipowner and the port operator providing these services are obliged to comply with the orders given by the maritime authority and/or the Port, in compliance with the Colombian regulations in force regarding receipt or supply of ballast.

4.6.9.3 Vessels that, for operational reasons, need to take in or dump ballast water are required to comply with national and international regulations governing this matter.

4.6.9.4 It is prohibited to pump ballast, unless it is clean ballast, in accordance with the provisions of the Convention for the Prevention of Marine Pollution (MARPOL/73/78).

4.6.9.5 The receipt and/or supply of ballast shall take into account the environmental management document for the control of waste water and waste disposal, as well as the obligations of the environmental management and control instrument in force, established by Resolution 794, 2008, or the one that modifies or replaces it.

4.6.9.6 Resolution 477, 2012 of the Directorate General of Maritime Affairs adopts and establishes the control measures and procedure to verify the management of water from

Ballast and sediments on board ships and national and foreign naval devices in Colombian jurisdictional waters.

4.6.10 Fuel supply

4.6.10.1 Vessel bunkering operations are controlled as maritime activities by the Port Captain's Office of Santa Marta. Vessel bunkering services must be provided by port operators duly registered and authorized by the Port Society.

4.6.10.2 The request for the bunkering service must be submitted by the maritime agent representing the vessel to the Port Captain's Office for its authorization and for the assignment of the Pollution Prevention Inspector and the Port Society. The application must be made under the terms set forth in these regulations for the announcement of the vessel and must be indicated by the shipping agent in the maneuvering report.

4.6.10.3 The Port Society authorizes the requested service when the port operator, nominated by the shipping agent, has complied with all the requirements established in these regulations and reserves the right to decline to authorize the service in those cases where, due to space limitations in the maritime maneuvering area or the port facility, the provision of the service constitutes a high risk, hinders or affects the maritime schedule or is incompatible with some type of dangerous goods that are being loaded or unloaded or that are being maintained in the quay.

4.6.10.4 The types of fuels that are supplied or withdrawn by the Port Facilities are those of marine operation, IFO types, Marin Gas Oil (MGO) and Crude Oil.

4.6.10.5 For the action of fuel supply, the provisions of the environmental management plan and amending administrative acts and the provisions of the current regulation on Risk Management shall be taken into account.

☐ Fuel supply with tanker.

4.6.10.6 For all ship-to-ship transfer operations, each Captain is responsible for the safety of his vessel, crew, cargo and equipment, ensuring that safety standards are not compromised. Each captain must ensure that the stipulated procedures are followed and international safety standards are maintained. The transfer operation will be authorized only when those responsible for the operation have available in the area the equipment for containment and collection of oil spills into the water and the presence of the Inspector of pollution prevention assigned by the Port Captain's Office.

☐ Fuel supply with Tanker truck

4.6.10.7 It is the Port Operator's responsibility that the vehicles or means of transport and transport units are in optimum physical, mechanical and electrical operating conditions. They must ensure that the vehicle is equipped with the necessary equipment and protective elements for emergency response, such as fire extinguisher, protective clothing, flashlight, first aid kit, collection and cleaning equipment, absorbent material, among others.

4.6.10.8 When transporting liquid fuels derived from petroleum, the owner of the vehicle must comply with the provisions of Decree 1609, 2002, issued by the Ministry of Transport, and other regulations that modify, add to or complement it.

4.6.10.9 The Port Operator must provide a written report to the Port Society at the end of the service, specifying the quantity of product delivered from the vessel. The report must be signed by the Port Operator and the ship's captain.

4.6.10.10 Vessel captains, when delivering fuel, shall comply with the relevant protocols for the purpose of preventing spills. In the event of a spill, port officials, the maritime authority and the environmental authority should be informed immediately and should begin to deal with the emergency using their own resources until support teams arrive.

4.6.10.11 All operations to supply and/or remove fuel from ships must be assisted by a Pollution Prevention Inspector appointed by the port captain's office, who must remain at the port facility for the duration of the operation.

4.6.11 Boat Service

4.6.11.1 The boat service will be contracted by the Shipping Agent with Port Operators duly authorized by the Ministry of Transport and registered with the Port Society and with valid certificates issued by the General Maritime Directorate

4.6.11.2 The vessel requiring launch services must coordinate its request through its respective Shipping Agent.

4.6.11.3 Within the Port facility, all personnel on board must comply with the applicable Comprehensive Safety Regulations.

4.6.12 Reception of liquid waste, solid residues and dumping

☐ Service request.

4.6.12.1 When a vessel requires the service of reception of liquid and solid waste, the representative maritime agent shall communicate the Port Society and the port operator authorized to perform the work, informing of the operation to be carried out, with due anticipation.

4.6.12.2 The shipping agent will immediately contact the port operator, once he has received the instruction from the inspector assigned by the Port Captain's Office of Santa Marta. He will also request the corresponding permits from the Port Society, attaching approval from the Port Captain's Office for the entry of vehicles and availability of the Health-and-Safety-at-Work personnel.

☐ Collection of waste generated by ships and final disposal

4.6.12.3 Before, during and until the end of the solid waste reception operation for ships, the port operator must ensure and maintain permanent communication between the delivering ship and the receiving equipment. In addition, he must carry out a risk assessment that sufficiently ensures the complete control of the operation. It must cover all operational risks and the respective means to avoid them.

4.6.12.4 The port operator designated for the collection activity receives from the ship the waste packaged in containers which must be chosen taking into account the following criteria:

- The material must be compatible with the waste.

“By which the updating of the Regulation of Technical Conditions for the Port Operation of the REGIONAL PORT SOCIETY OF SANTA MARTA Inc. is approved by virtue of Port Concession Contract No. 006, 1993”

- Present resistance to shocks and durability in the conditions of manipulation to which they will be submitted.

- Allow the waste to be contained within it without causing it to be lost during handling.

- The limitations that can arise from the form of handling, storage, transport, treatment or final disposal to which the waste will be submitted must be taken into account.

4.6.12.5 During the solid waste reception operation of the vessel, the Port Operator must comply with the following:

- The Operator and assigned personnel must have adequate personal protection equipment for this activity.

- Verify the correct condition of the equipment before starting operations.

- Equipment must be handled only by authorized personnel.

- Smoking is prohibited on board the motor vessels that provide the service.

- All operations must comply with the rules and instructions established for the protection and preservation of the environment.

- Maintain the emergency plan in force and updated, which must be known by all personnel involved in the operation.

4.6.12.6 The occupational health and safety area will verify the condition of the vehicle, spill kit, fire extinguisher, permit from the environmental authority, identification labels as stipulated in the Colombian Technical Standard, United Nations (UN) numbers for each material transported, basic elements for emergency attention, entry of the pollution prevention inspector and collection trays.

4.6.12.7 Liquid waste (bilge water, oil and domestic wastewater) is received in tanker-type vehicles, and the Port Authority's Pollution Prevention Inspector checks the connection of couplings and hoses to ensure that there are no leaks.

4.6.12.8 The Pollution Prevention Inspector assigned by the Port Captain's Office will give authorization to start the operation itself, remain and follow up the operation until its end.

4.6.12.9 The Port Operator carries out, in the presence of the Port Captain's Pollution Prevention Inspector, a measurement at the beginning and end of the ship's solid waste reception to determine the amount of product received. This measurement must be supported on site with the measured tank gauging tables or the ship's certification of the quantities delivered. The Port Operator must report to the Port Society at the end of the service, by e-mail, the amount of products or waste received from the ship.

4.6.12.10 The Port Operator shall provide adequate management and final disposal of liquid waste and special solid waste in accordance with the legal provisions in force and shall deliver to the Port of Santa Marta the final disposal certificate that guarantees the integral management of the waste removed from the motor vessels.

4.6.12.11 The reception of liquid waste, solid waste, and dumping within the facilities is carried out based on the environmental management documents of Wastewater Control; Use and efficient management of water and energy; Re-disposal; Management of chemicals and hazardous substances; Integral management of solid waste; as well as the obligations of the environmental management and control instrument in force, established by Resolution 794, 2008, or that, which modifies or replaces it.

4.6.12.12 The Port Society reserves the right not to authorize the ship's solid waste reception service when:

- The weather and adverse climatic conditions endanger the operation.
- When the equipment, accessories and other elements necessary for the operation are not complete, are not certified, show deterioration or represent a sub-standard condition.
- When the personnel involved in the operation do not have the skills, have or are not using the personal protection elements required for the service.
- All authorizations for the reception of solid waste from vessels are subject to the programming of operations of the motor vessels and the duration of the service so that it does not interfere with the programmed performance.

4.6.13 Surveillance service

4.6.13.1 The safety of ships while at anchor or at berth is the sole responsibility of the Captain.

4.6.14 Utilities

4.6.14.1 Supply of drinking water.

- The supply of drinking water shall be provided within the operating time of the motor vessel and shall not affect the stay of the vessels.
- The Port Authority has a main tank of 780 m3 capacity for the supply of drinking water.
- The supply of water to motor vessels is carried out by means of a pumping system and main distribution network of drinking water that is diverted to each of the quays, ending up in an intake that serves as a connection point for the supply of drinking water to the motor vessels.
- The request for the service of supplying drinking water must be presented to the Port Society by the maritime agent that represents the vessel at least 48 hours before the date that the service is required. This request must specify the name of the motor vessel, quantity of water required, assigned quay, date that the service is required, and the working hours of the motor vessel.

4.6.14.2 Electric Power Service

The Port Society of Santa Marta does not provide electricity supply services.

4.6.15 Fumigation

The service of fumigation to the ship is contracted by the maritime agent upon request of this service. For this service they must use port operators properly authorized by the Superintendent of Ports, with the effective certificate that qualifies them to give the service, likewise they must be registered as compliant with procedure PO-SEG 203 of the Port Society.

4.6.16 Rental of equipment and rigging.

4.6.16.1 The Port of Santa Marta may provide the service of renting equipment and rigging to vessels according to their needs. This shall be subject to the availability of the same according to their conditions and technical characteristics. Each maneuver must be consulted with the Port Society's operations team.

4.7 Passenger services.

4.7.1 The Port of Santa Marta is not a cruise terminal; therefore, no passenger disembarkation or embarkation operations are carried out, except for specific cases. Cruise ships only call at the terminal as a port of transit.

4.7.2 Passengers are not allowed to walk through the terminal, since the Port is a site of high industrial risk. For this reason, we provide buses for the transport of passengers inside the port from the dock to the cruise ship subterminal and vice versa. Shore excursion buses are also allowed to enter the pier so that passengers who have booked tours do not have to walk along the pier.

4.7.3 Vehicles entering the terminal to transport passengers, whether for internal transport or shore excursion, must comply with safety requirements (up-to-date documentation, safety elements such as fire extinguishers, access platform for passengers on the bus).

4.7.4 Maritime agencies and tour operators entering the port for this operation must send a list of their employees and vehicles entering for the operation, detailing full name, identification number, vehicle plates and driver.

4.7.5 The services for passengers will be coordinated by the Maritime Agency representing the vessel, requesting in writing access to the port facility of the same.

4.8 Cargo services.

4.8.1 The Port Society has the personnel, equipment, infrastructure and procedures necessary to attend to the handling, transport, transfer and storage of:

- a) General Cargo. All types of goods that are transported in solid, liquid or gaseous state, which vary in weight, size, condition, nature and class using different types of containers, packaging and packing.
 - i. Cargo with packaging: That which by its characteristics and to be safely stowed, requires the protection of a container or packaging, (boxes, crates, drums, barrels, coils, rolls, bags, among others).

- ii. Loose cargo without packaging: That which does not need packaging, for example: Iron plates, rails, pipes, tires, parts, etc.
- iii. Palletized cargo: Goods of the same class with standardized packaging, grouped and secured on pallets or portable wooden platforms, forming a single package, ready for handling more quickly.
- iv. Pre-loaded Cargo: Also has a standardized packaging. It refers to the boxes that come ready to hook, usually part of a large batch.

b) Loading in Bulk. Cargo that is transported in abundance and without packaging. It is stowed directly in the hold of the ships, in large compartments specially conditioned as holds, tanks and silos. The cargo can be:

- i. Solid Cargo: Fertilizers, grains or cereals, flours, foodstuffs, fertilizers, minerals.
- ii. Liquid Cargo: Foodstuffs, chemicals, hydrocarbons, biodiesel, lubricants, industrial products.
- iii. Gaseous: Propane, butane, others.

c) Containerized Cargo. General cargo of diverse packing that is introduced inside a metallic or fiberglass box, of standard size, that allows the movement of a greater amount of load in the least time possible.

d) Roll On-Roll Off (Ro-Ro) Cargo: All types of wheeled cargo, cars, trucks, special equipment, etc.

e) Special Cargo. It is given care in its manipulation, due to conditions such as the weight, the conservation degree, dangerousness, high value, etc. and as such, it requires special treatment for its stowage:

- i. Heavy cargo: Machinery and vehicles that require specialized treatment to be safely stowed.
- ii. Over Dimension Cargo: Machinery, project cargo, others. For goods that exceed the dimensions and/or weight allowed by law for transit on roads.
- iii. Refrigerated Cargo: Meats, fruits, medicines, others. Food products that require a certain degree of constant temperature for their conservation.
- iv. Dangerous Cargo: Chemicals, acids, peroxides, others that must be handled and stowed, applying standards and essential procedures provided by international entities such as the IMO.
- v. Valuable Cargo: Furs, works of art, jewelry, precious metals, high quality liquors, cigarettes, others that due to their condition, require a special treatment that allows their safe stowage.

f) Coal or cargo with special environmental requirements: The handling of coal cargo or any type of cargo that generates significant environmental impacts will be carried out in compliance with existing environmental regulations through effective processes that allow control and prevention.

4.8.2 Handling and transport of goods.

4.8.2.1 No port operator may handle cargo for which he has not been authorized. The port operator's cargo handling procedures must always conform to the Port Society's comprehensive security standards.

4.8.2.2 However, in all cases, the port operator in charge of handling is responsible for the operation and integrity of the persons and goods involved.

4.8.2.3 Within the administration of the different activities that are carried out for the handling of cargo that is transferred through the port facility, the Port Society establishes a system to identify the phases of the operation and the responsibility of the operations in each of the following phases:

☐ FIRST PHASE:

a) Unloading: Unloading and location of the load in the dead end of the boom or crane, lifting and exit from the hold, transfer on deck, lowering to the dock or onto land, sea or rail transport unit. The load is free of rigging.

b) Loading: The cargo on the dock or on the maritime, land or river transport unit is rigged, lifted vertically, transferred over the deck, lowered to the hold floor, released from rigging, stowed under the instructions of the captain.

c) On-board stowage: Begins when the cargo on board the ship is hooked by the crane with the use of rigging and is moved to another location on the same ship. It ends when the cargo is free of rigging.

Responsibility for the operation of this phase: Shipper (according to the terms of the transport contract, charter conditions and rules of the Commercial Code), or its representative, or the port operator.

The activities of handling and transporting goods within the port facilities are carried out taking into account the environmental management documents: Handling of chemicals and hazardous substances; Integral management of solid waste; Handling of cargo and solid and liquid bulk waste; as well as the obligations of the environmental management and control instrument in force, established by Resolution 794, 2008, or that, which modifies or replaces it.

☐ SECOND PHASE:

Transfer or handling of cargo: The free load on the dock or in the transport equipment is taken by ground equipment, moved through a transfer corridor to a previously assigned storage sector. The cargo is placed in an area in the warehouse or yard, perfectly classified and stowed. The cargo is in absolute balance and free from the equipment that transported it.

The activities of handling and transportation of goods within the port facilities are developed taking into account the environmental management documents: Management of chemicals and hazardous substances; Integrated management of solid waste; Management of cargo and solid and liquid bulk waste; as well as the obligations of the instrument of management and environmental control in force, established by Resolution 794, 2008, or that, which modifies or replaces it.

Responsibility for this phase: Port operator.

☐ THIRD PHASE:

Storage: Permanence of cargo in a warehouse or storage yard, from the end of phase two to the beginning of phase four and vice versa.

Responsibility: Port Society or company leasing any storage area(s) of the Port Society, according to the conditions established in the lease contract or in accordance with the rules issued for this purpose.

The activities of handling and transportation of goods within the port facilities are carried out taking into account the environmental management documents: Handling of chemicals and hazardous substances; Integral management of solid waste; Handling of cargo and solid and liquid bulk waste; as well as the obligations of the current environmental management and control instrument, established by Resolution 794, 2008, or that, which modifies or replaces it.

□ FOURTH PHASE:

Loading or unloading of means of transport: Unloading or loading and transfer from/to the means of transport.

The activities of handling and transport of goods within the port facilities are developed taking into account the environmental management documents: Management of chemicals and hazardous substances; Integrated management of solid waste; Management of cargo and solid and liquid bulk waste; as well as the obligations of the instrument of management and environmental control in force, established by Resolution 794, 2008, or that, which modifies or replaces it.

Responsibility: Owner or representative or their port operator.

In any case, the Regional Port Society of Santa Marta Inc., holder of the environmental management plan, is solely responsible before the National Authority for Environmental Licenses for any incident, accident or event that may occur and generate environmental effects.

4.8.3 Recognition and inspection of goods

4.8.3.1 The Port Society has different storage areas and offers guidance to users on the location of their cargo. It also has restricted areas and inspection or examination areas, for the attention of the different cargoes that are transferred through its facilities.

4.8.3.2 The Port Society will verify the weight or measurement of any cargo when there is doubt about it, at the expense of the Shipping Agent, owner or representative.

4.8.4 Marking and labelling

4.8.4.1 The Port Society shall not receive those loads that do not have visibly written, in a clear and legible manner, the marks, codes, weights, labeling established by the I.M.O. In the case of dangerous cargo, signs for its correct handling or maintenance and other data and characteristics indicated in the documents that cover them must be present. Likewise, it shall not unload packages which, while not being recorded in the B/L as dangerous goods, are labeled or tagged as such.

4.8.5 Storage and/or warehousing of goods.

4.8.5.1 The Port Society is responsible for the execution and control of the storage conditions, which implies the receipt, custody, protection, control and state of the cargo.

4.8.5.2 The Port Society carefully receives the cargo, ensures that it is properly stowed and treated appropriately during handling, inspected by Customs agents or competent authorities, and oversees the loading onto the means of land transport, ensuring that there are no breakdowns, theft or inconsistencies while it is in the storage areas or at the time of delivery.

4.8.6 The Port also provides the following services to the cargo:

- Consolidation and deconsolidation of goods.
- Open collection from rail, sea or land origin.
- Palletizing
- Fumigation
- Container inspection
- Cold chains.
- Load/unload/transfer.
- Stowage/Discharge.
- Sorting and sampling.
- Trimming/lashing/data verification.
- Handling and relocation.
- Container service.
- Stowage and re-stowage
- Weight and volume determination

CHAPTER V. PROTOCOLS, PROCEDURES AND SAFETY STANDARDS

5.1 MANEUVERING PROTOCOL

5.1.1 Approaching and entering the Port Terminal channel.

5.1.1.1 Every vessel that is going to enter the Port shall report 12 miles from the sea buoy and shall communicate via VHF, channel 16, 11 with the control station, to confirm the estimated time of arrival (ETA), maximum draft and main characteristics of the vessel.

5.1.1.2 The control station will give the instructions about the entry and transit, time of passing by the sea buoy and embarkation of the port pilot. Port pilots shall be at the pilot boat stations, at least one hour before the passage of the vessel through the sea buoy.

5.1.1.3 Control station operators shall verify with radar the positions reported by the vessels, and this verification shall be recorded in the logbook. At the pilot stations,

the pilotage support service for the aquatic transport of the pilots who embark or disembark from the ships that transit through the access channel to the maritime port, will have in a regular, permanent and uninterrupted way, all 365 days of the year, the boats in suitable conditions of enlistment that allow to provide a safe and efficient service. These boats will be of priority use of the port pilots.

5.1.1.4 The order in which the port pilots are boarded shall be established by the Operations Department. A vessel will be considered as arrived at the sea buoy if it is 12 miles away from it, provided that it reports by VHF, channel 16 to the traffic control stations, depending on the case.

5.1.1.5 The speed of entry through the access channel to the Port shall be determined by the draft of the vessels and by the atmospheric and oceanographic conditions during the entry and exit maneuvers of vessels, but this speed shall not exceed 10 knots under normal conditions.

5.1.2 Docking maneuver.

5.1.2.1 The Port Society shall determine the place of berthing of the ships, taking into account the time of arrival, frequency of the ship's service, type of operation, type of ship and dimensions, equipment and/or machinery that guarantee the highest loading/unloading rates and operation time.

5.1.2.2 The Port Authority must inform the port pilotage operators as well as those of tugs and mooring berths for each vessel in a timely manner.

5.1.2.3 Communications during the mooring, unmooring and mobilization maneuvers are carried out by radio, the use of which is mandatory for port operators providing pilotage, tug and mooring services. The VHF system channel determined by the Maritime Authority is used for communication. Only port operators and the Port Society can intervene in this channel during the maneuver. For the purpose of anchoring vessels, the sites defined by DIMAR will be used.

5.1.2.4 The transfer of vessels or naval devices to units at berth or in the anchorage area corresponding to the Port Society, may be authorized by the Port, at the request of the captains of the vessels or their representatives, provided that the operational circumstances so require and permit. It is understood that in these cases, responsibility for any damage that may be suffered by the boats or cargo will not be attributable to the Port Society.

Paragraph: As a general rule, loading and/or unloading operations shall be carried out with the vessel moored at the quay. In special cases and according to the operational situation, the Superintendence of Transport will authorize operations in the anchorage area.

5.1.2.5 In the latter case, the goods will pay for the use of port facilities and the ferry or barge will pay for docking.

5.1.2.6 All ferries or barges moored at the quay, whether or not they are working, supplying water or fuel to a vessel, shall pay the Port Society docking fees according to the rate established for this type of vessel.

5.1.3 Mooring maneuver.

5.1.3.1 The Port Society will require the mooring operator to use personal safety equipment that guarantees the integrity of the workers, in accordance with the provisions of the Port Society's Safety Procedure.

5.1.3.2 All operators must have sufficient experience in providing this service, as well as having passed refresher courses that guarantee knowledge of the working tools, both on land and on board the ship; operators must have a seaman's license with the respective basic courses for mooring operations.

5.1.3.3 Because of the location and the work, all operators must wear suitable life jackets that allow them to work freely.

5.1.3.4 Since mooring operations involve physical effort on the part of the persons in charge of the service, it is essential that the port operator providing the service always ensures, before each maneuver, the good physical and mental condition of each of its operators.

5.1.3.5 Similarly, since port operations take place 24 hours a day, service shifts and available or standby shifts (for new developments or support) must be clearly established. At no time should the port operator providing the mooring and unmooring service to vessels allow continuous schedules of more than 12 hours, not only including the time spent on maneuvers at the Port Society, but also the time spent at other terminals or port facilities with their respective movements.

5.1.3.6 The personnel attending the operation must have and make correct use of all the safety elements required by the Port Society, among which are:

- Life vest for each operator.
- Safety shoes with non-slip soles.
- Protective gloves.
- Safety helmet.
- Uniform with bright and reflective colors.
- Flashlight for use in night operation.
- Portable radio (VHF) equipped with hands-free system.

5.1.3.7 The vessel shall use sufficient and well-maintained ropes for the mooring to the dock. The crew should check the tension of the mooring lines during operation. The minimum distance between vessels is 10 meters, depending on the size of the vessel, its sail area and the intensity of the wind.

5.1.4 Sailing maneuvers

5.1.4.1 No vessel that has docked at the Port Authority's facilities may leave the port facility without the departure issued by the maritime authority.

5.1.4.2 The captain and the port pilot must plan each maneuver according to the particular conditions of the ship and the weather, among others. They must inform the Port Authority of any new development that represents a risk for the ship and the port installation and refrain from carrying out said maneuver until the safety conditions are in place to avoid damages.

5.1.4.3 When ships are navigating in the port facility, the Captain and the port pilot on board should exercise due diligence in maintaining a low speed so that the ship can be decelerated and stopped in the shortest possible time. The prevailing conditions and the safety of the ship are critical to the speed to be used.

5.1.4.4 Vessels maneuvering to leave the port have the right of way over those approaching to enter the access channel.

5.1.4.5 No vessel may enter the channel or impede in any way the movements of vessels maneuvering in the Port.

5.1.4.6 In the event that the Anti-Narcotics Police or any other operator is carrying out underwater inspections at the different docks of the Port Facility, the Captain of the vessel ready to set sail shall keep the propeller off, and shall not carry out any activity related to the departure maneuver, and shall display an Alpha code flag as a preventive signal.

5.1.4.7 The vessel must remain in safe operating condition and its emergency system must always be ready.

5.1.4.8 Vessel captains are responsible for the enforcement of the rules of the road when sailing within the port, port facilities and their vicinity.

5.1.5 Reversal maneuver.

5.1.5.1 The captain and the pilot must plan the maneuver according to the particular conditions of the vessel and the weather, among others, to turn the vessel, if required in attention to the requested berthing side. The turning maneuver is carried out with the support of tugs and under the best conditions of maritime safety according to the current regulations of the maritime authority.

5.1.6 Anchoring maneuver.

5.1.6.1 Crafts shall be anchored by its captain and crew with the assistance of a port pilot, into the anchorage area which has been designated ahead of time by the maritime authority.

5.1.6.2 The Port of Santa Marta is not responsible for any new developments that may occur at anchor. The safety of the vessel, while at anchor is the responsibility of the Captain, relying at all times, with the availability of his crew members, to attend to the anchorage or maneuvers as the case may be.

5.1.6.3 The coordination to proceed to anchorage shall be carried out by the maritime agency with the Port Captain's Office.

5.2 SAFETY PROTOCOL FOR TERMINAL MOORING LINE OPERATIONS

5.2.1 In order to ensure safe mooring line operations, port operators providing this service must comply with the national and/or international rules in force governing the activity. For this

The provisions of section 4.6.4 of these regulations must be taken into account.

5.2.2 The captain of the vessel shall ensure that the moorings remain properly tensioned according to their need.

5.2.3 The Port shall verify the condition of each mooring line and mooring type, which are properly capped, and in turn inspect that these are of the same characteristics, in case of finding a concern, it shall be timely reported to the crew of the vessel.

5.3 PROTOCOL FOR CONTROL OF TRAFFIC IN THE NAVIGATION CHANNEL

5.3.1 The Port Society must guarantee the minimum safety conditions for traffic control maneuvers in the navigation channel, in order to avoid risky situations that endanger both personnel and the vessel and equipment. To this end, the weather conditions and the characteristics of the vessel must be taken into account. When winds of more than 45 knots are present in the maneuvering area, the Port Society may restrict the time of service until the minimum safety conditions for the maneuver are guaranteed.

5.4 EMERGENCY DEPARTURE PROTOCOL (FIRE, BAD WEATHER, TERRORISM, ETC.)

5.4.1 In the event that for reasons of risk of fire, bad weather, terrorism or any other condition that could endanger the life of the port users, crew members and other affected persons, the environment, the safety of the motor vessel or the cargo, the Port Authority shall notify and request the Port Captain's Office of Santa Marta to authorize the departure of the motor vessel involved due to a declared emergency, and the Port Administration shall comply with these instructions.

5.4.2 The port shall make available to the Port Captain's Office or the rescue and/or safety organizations the resources available to support the emergency. For this protocol, the provisions of paragraph 5.27 of these regulations must be taken into account.

5.4.3 The actions of the contingency plan defined in the environmental management plan in force, established by Resolution 794, 2008 or the one that modifies or substitutes it, and the administrative acts that modify it, as well as the stipulations of the regulation in force on Risk Management, shall be taken into account.

5.5 PROTOCOL FOR OPENING HOLDS

5.5.1 The opening and closing of the cargo holds shall be the responsibility of the captain and the crew of the ship. The ship's holds shall be opened according to the schedule for unloading or loading and the stowage plan to initiate the operation.

5.5.2 In case the holds or hatches are not open when required, the Maritime Agency or the port operator must request the crew to open the holds or hatches according to the initial schedule for loading or unloading of goods. It is the captain's option to keep the scheduled holds open or only those that are operated at the time.

5.6 PROTOCOL FOR ESTABLISHING VESSEL PERFORMANCE AND LOSS OF RIGHT TO DOCK

5.6.1 The Port Society, through the use of its powers, will determine its Performance Indicators according to the behavior registered year after year in the port activity, which will allow it to establish the efficiency and productivity parameters that the Terminal needs to attend its competitiveness. For this purpose, it will consider:

- a) Type of cargo
- b) Cargo transfer equipment
- c) Type of operation
- d) Evaluation period.

5.6.2 Additionally, the Port Society may intervene in those operations with low performance in order to guarantee the normal development of the Terminal's maneuvers.

5.6.3 If it detects that there is poor performance, the Port Society shall determine the responsibility of the third party on whom it falls, in order to adopt the corrective measures that prevent normal development and to establish the reason for the deviations in order to designate positions.

5.7 DIRECT CARGO EVACUATION PROTOCOL

5.7.1 Direct Loading or unloading: Modality of a loading or unloading operation whose goods require immediate evacuation or loading without storage or pre-stowage in the terminal.

5.7.2 The Vice President of Operations of the Port Society shall coordinate and arrange for direct cargo evacuation operations. It shall not start the operation until the safety conditions indicated by the Vice President of Operations are met.

5.7.3 In the case of goods to be evacuated immediately, the owner of the cargo or his representative must guarantee a sufficient flow of vehicles to allow the operation.

5.7.4 In cases in which the cargo is catalogued by the Port Society as direct loading or unloading and immediate evacuation, it cannot be unloaded until the customs procedure has been complied with, the port services have been cancelled and the means of transport that will remove it from the port facility is present.

5.8 PROTOCOL FOR SIMULTANEOUS INSPECTION OF GOODS

5.8.1 The coordination and development of the simultaneous inspection of goods shall be carried out in compliance with the provisions of Decree 1520, 2008 and the rules that regulate, modify, add or replace it, as well as the procedure established in the "Manual of Procedures for Simultaneous Physical Inspection", referred to in the aforementioned decree.

5.9 PROTOCOL FOR INTRUSIVE AND NON-INTRUSIVE INSPECTION OF CARGO

5.9.1 In order to carry out cargo inspection operations as a result of the request for selectivity by cargo representatives, in the processes of entry (import) and exit of goods (export) from the national territory, determined by the competent control authorities, either through physical procedures or through the information systems provided by them, it must be coordinated by the representative of the importer, exporter or interested party, as the case may be, who must contract the services of the port operator and inform the Port Society and all those involved of the practice of the diligence.

5.9.2 When the inspection is carried out by decision of a control authority, without the intervention of the cargo representative, this authority will be responsible for coordinating with the Port Society and the port operator, the programming of the operation, and informing the intervening parties. In any case, the costs of the operation must be assumed by the person who owns the cargo.

5.9.3 The non-intrusive inspection of cargo will be carried out with attention to the rules that regulate this process, also complying with what is established in the operational procedure called "Non-intrusive Inspection of Containers and Pallets".

5.10 PROTOCOL FOR UNLOADING WITH RAIN

5.10.1 In the event of rain during the execution of operations, the Port Society may determine the continuation or suspension of the operator's activities, without prejudice to the responsibility of the external port operator for continuing the operation under this weather condition.

5.10.2 In general, when adverse weather conditions occur (strong breezes, dust, rain, etc.) that may affect the integrity of people, cargo, the ship, equipment and facilities, the Port Society has the power to suspend operations until the situation is normalized.

5.10.3 In the case of operations with bulk liquid and steel, depending on the degree of intensity of the rain, the captain of the ship shall determine whether to suspend loading or unloading by closing valves and holds, in order to ensure safety standards for both people and cargo.

5.10.4 The protocol for unloading with rain within the facilities shall take into account the environmental management documents: Wastewater Control, transfers, Handling of Chemicals and Hazardous Substances, Integral Management of Solid Waste, Handling of Cargo and Solid and Liquid Bulk Waste, as well as the obligations of the environmental management and control instrument in force, established by Resolution 794, 2008, or that, which modifies or replaces it.

5.11 UNCOVERED STORAGE PROTOCOL

5.11.1 The Port Society is responsible for the execution and control of the storage conditions, which implies the receipt, custody, protection, control and state of the cargo.

5.11.2 The cargoes are distributed into the different areas taking into account the type of cargo, type of product, its packaging, specifications, labeling and requirements of its owners or representatives. The quantity and the place where they are located are clearly identified.

5.11.3 In the yards, vehicles, machinery and general cargo are stored in the open air without affecting their preservation and the quality with which they were received, optimizing space and sharing loading space when circumstances so require.

The protocol for the rescue of cargo, goods and objects that fall into the water is developed based on the environmental management documents: Wastewater Control, transfers, Handling of Chemicals and Hazardous Substances, Integral Management of Solid Waste and Handling of Cargo and Solid and Liquid Bulk Waste, as well as the obligations of the environmental management and control instrument in force, established by Resolution 795, 2008, or the one that modifies or replaces it.

5.12 PROTOCOL FOR CARGO DELIVERY

5.12.1 Without prejudice to the Customs provisions which shall be mandatory, the following rules shall apply in defining and assuming responsibility for the delivery of cargo:

5.12.2 The Port Society will deliver the cargoes in the same conditions in which they were received from the port operator to the owner or consignee of the cargo by mandate of the bill of lading, or to its legal representative, prior presentation of the documentation required for import, export, and cabotage; of the cancelled invoices for the services rendered and the fulfillment of the other requirements demanded by the Port Society, DIAN, and other competent authorities.

5.12.3 Cargoes in international and transitory transit shall be delivered to the shipping agent, subject to the requirements of sub-paragraph 5.12.2 of this document.

5.12.4 In addition to complying with the procedures established in the procedure’s manual, shipments to be evacuated directly shall ensure sufficient flow of vehicles to enable efficient operation.

5.12.5 On the date of delivery of the last balance of each cargo, the Port Society will ratify the delivery conditions on the form that the owner or consignee of the cargo or their representative must present for this purpose. No subsequent certifications will be issued.

5.13 PROTOCOL FOR THE HANDLING OF CONTAMINATED CARGO

5.13.1 In the case of general cargo and/or containers, the inspection of the cargo by the Port Society will only proceed visually on the external part of its

packing, at the moment of its reception. The Port Society will receive the cargoes from the shipper and/or port operator, under the presumption of good condition and state, reserving the right to verify said condition. In any case, the Port Society may periodically monitor the cargo to determine if there is contamination or deterioration, according to external review.

5.13.2 In the case of solid or liquid bulk, if contaminated cargo is detected, it must be subjected to a decontamination process, with the prior consent of the owner or his representative. If it is not possible to obtain authorization for its treatment within a reasonable time and the contamination generates a risk of potential danger to the port, other cargo or human health, the Port Society shall proceed with its decontamination or destruction, without being held responsible. In any case, the cost of decontamination or destruction shall be borne by the user, owner and/or consignee of the cargo. The above without prejudice to the Port Society informing the competent authority, so that it coordinates the action to be carried out or the immediate evacuation of the product. However, in cases requiring immediate action, the Port Society will take the necessary precautionary measures or corrective measures and will subsequently inform the competent authorities.

5.13.3 In any case, for these cargoes, the provisions of paragraphs 5.15 and 5.16 of these regulations shall be applied, corresponding to the protocol on objectionable cargoes and the procedure established by the Port Society regarding the handling and decontamination of the cargoes.

5.14 PROTOCOL FOR OPERATIONS AT ANCHORAGE

5.14.1 The Port Society of Santa Marta does not carry out operations in the anchorage area.

5.15 PROTOCOL ON OBJECTIONABLE CARGO

5.15.1 When it is known that damaged cargo is being transported on board the vessel which, due to its condition, can be considered as objectionable cargo and is intended to be unloaded by the port, or which, even if destined for other ports, due to its stowage conditions, can affect the vessel's loading or unloading operation, the Port Society must be informed by the maritime agency representing the vessel, prior to the vessel's arrival.

5.15.2 The relevant treatment involving the handling of these cargoes should be coordinated during the scheduling of the ship.

5.15.3 When no previous information is available and such cargoes are detected during the unloading operation, the port operator responsible for the operation must inform the Port Society of this fact, in order to determine the origin of the loading of these goods.

5.15.4 When these loads involve the handling of dangerous goods, the provisions of these regulations must also be applied.

5.15.5 In any case, the following shall be taken into account when handling damaged or objectionable cargoes:

- The shipping agent shall inform the owner or the person responsible for the cargo, who shall be present to determine the origin of the discharge.

- Before unloading the cargo, a document must be prepared stating this fact, the status of the goods, the decision to unload made, the procedure to be followed to define the free disposal of the goods and the time for this process and those responsible for the costs generated by the handling of the cargo. This document must be signed by the parties involved as proof of acceptance of the conditions established for the beginning of the unloading operation.

5.16 PROTOCOL FOR THE REMOVAL OF OBJECTIONABLE CARGO

5.16.1 For the removal and treatment of objectionable cargo, the procedures and protocols established by the Port Society in these regulations shall be applied, and especially the rules in force that regulate the matter and/or process according to the state, condition and nature of the same.

5.17 PROTOCOL FOR HANDLING CARGO FOR OTHER PORTS, CARGO IN TRANSIT

5.17.1 The receipt of cargo for other ports and/or cargo in transit shall be subject to the provisions of the rules that regulate it, with special compliance with customs regulations, and likewise, to the provisions of these regulations for the receipt of cargo and the procedures determined by the Port Society for this purpose.

5.17.2 The shipowner must provide the Port Society with the corresponding information for the full identification of these cargoes and their destination, as well as their customs disposition and the documents that support them.

5.18 PROTOCOL FOR THE RESCUE OF CARGO, GOODS AND OBJECTS THAT FALL INTO THE WATER

5.18.1 The shipowner, his agent or the port operator, have the obligation to prevent any type of goods or objects from falling into the water, to remove or recover the goods or objects that fall into the water during their handling, and shall be responsible for the environmental damage caused. If the fall of goods or objects into the water is likely to cause environmental pollution and/or damage to the quality of the water, the Environmental Control Bodies must be notified immediately so that they can determine the corrective measures to be taken.

The protocol for rescuing cargo, goods, and objects that fall into the water should be developed based on the provisions of the environmental management sheets: 2.1 Wastewater Control; 3.1 Transfers; 3.2 Handling of chemicals and hazardous substances; 4.1 Integrated solid waste management; 4.3 Handling of cargo and solid and liquid bulk waste; as well as the obligations of the environmental management and control instrument in force.

5.18.2 In the event that one of the loads falls during one of the operations, the following procedure shall be activated:

- Report to the corresponding persons or authorities according to the notification process established by the Santa Marta Port Society.
- According to the characteristics and volume of the cargo, evaluate the need to take measures to protect the marine environment.

“By which the updating of the Regulation of Technical Conditions for the Port Operation of the REGIONAL PORT SOCIETY OF SANTA MARTA Inc.is approved by virtue of Port Concession Contract No. 006, 1993”

- If the cargo contains chemicals or hazardous substances, follow the instructions given in the Emergency Care Guide for that product, and/or call the owner of the cargo for instructions on handling and care to be taken.
- If conditions are met, send divers to establish the condition of the cargo with respect to the presence of leaks or deterioration of the packaging.
- If the cargo is reactive to water and represents a danger of explosion, if possible it should be moved away from the port facilities and taken out to sea; otherwise the area should be isolated and the procedure described in the fire and/or explosion response number activated.
- Recover the merchandise that fell into the water, dispose of it in an isolated and properly demarcated location so that it can dry out.
- The owner of the cargo must remove it from the maritime terminal and give it a proper final disposition.

5.18.3 If the shipowner, his shipping agent or the port operator do not take the necessary measures for the removal of goods or objects that have fallen into the water, the Port Society, after consultation with the maritime authority, may proceed to contract the removal, the costs being assumed by the shipowner, his shipping agent or the port operator.

The protocol for the rescue of cargo, goods and objects that fall into the water must be developed based on the provisions of the environmental management sheets: 2.1 Wastewater Control; 3.1 Transfers; 3.2 Handling of chemicals and hazardous substances; 4.1 Integrated solid waste management; 4.3 Handling of cargo and solid and liquid bulk waste; as well as the obligations of the environmental management and control instrument in force.

5.18.4 The use of divers is required for the removal or recovery of goods or objects that have fallen into the water. The port operator must have all the licenses required by the regulations and the professional equipment required for this activity.

The protocol for the rescue of cargo, goods, and objects that fall into the water is developed based on the following environmental management sheets: 2.1 Wastewater Control; 3.1 Transfers; 3.2 Handling of chemicals and hazardous substances; 4.1 Integrated solid waste management; 4.3 Handling of cargo and solid and liquid bulk waste; as well as the obligations of the environmental management and control instrument in force.

5.19 PROTOCOL FOR AVOIDING THE PRESENCE OF ANIMALS

5.19.1 The Port Society has established a program for the prevention and control of pests and animals: carrying out a combination of hygiene controls, education, waste disposal, biological, mechanical and physical pest control. It also has a canine control process that includes collection, sterilization, deworming and relocation of the population within the port facility, reducing the risks of zoonotic diseases, property damage, and risk to the community and avoiding the precarious conditions of these animals by ensuring their welfare.

5.19.2 The contractor in charge of implementing the pest and animal control program must have all the elements of personal protection, comply with the Comprehensive Safety standards established in the port facility and have the necessary permits from the health authorities for the execution of activities established in the program.

☐ Canine Control

5.19.3 Dogs are collected through the installation of specialized mechanisms (automatic cages, nets). The technicians who carry out this work must have elements that provide safety for the operators (gloves, gaiters, bait apron, safety boots, overalls).

5.19.4 With the help of a van, the dogs are transported in separate crates to the veterinary clinic.

5.19.5 Once the veterinary procedure has been completed, the animals will be responsibly relocated to homes, families, farms, foundations in the region, which will guarantee their welfare.

☐ Rodent Control

5.19.6 This is implemented by means of a methodology and activities of prevention and control of rodents: carrying out a permanent and systematic process on the population, ensuring that personnel, products and areas are not contaminated by microorganisms and/or diseases caused and transmitted by these vectors.

5.19.7 In order to implement the methodology, the type of pests to be controlled, the level of infestation, critical points, conditions around the facilities, tightness to the entry of pests, hygiene conditions, storage and transport of goods are identified.

5.19.8 In order to control rodents, equipment such as plates, trays, cages, impact traps, crocodile traps and glue sheets are used, through the installation of a primary network, on which periodic follow-up and monitoring is carried out.

☐ Flying and crawling insect control

5.19.9 This is carried out through the application of insecticides, supported by spraying equipment using the misting method, controlling the proliferation of vectors inside the operational and administrative facilities. This type of activity is carried out on a monthly basis and in accordance with the procedure established in "Provision of service before, during and after fumigation" PB-AMB-604.

☐ Pigeon Control

5.19.10 Inside port facilities there are net systems that make it possible to cover large areas of facades and places where birds could pass or nest. The size of the net is designed in such a way that the birds are effectively blocked and at the same time cannot become entangled in it.

5.20 EQUIPMENT OPERATION PROTOCOL

5.20.1 All equipment performing operations in the Port shall be duly labeled with the logo or name of the company and/or port operator.

5.20.2 The port operator shall guarantee the operability of all equipment performing cargo movement and transport in terms of mechanical, technical and general operating conditions, as well as the suitability of its operator.

5.20.3 All equipment entering the port facility shall have a current certification, renewable at least once a year. Said certification must be issued by a nationally or internationally recognized classification agency, registered with the Superintendence of Transportation. The above is the responsibility of the port operator, equipment owner or user. In the case of non-port equipment entering the port facility to perform activities other than port operations, it must be

inspected by Health and Safety at Work before their admission to the Port installations who will give or deny their admission.

5.20.4 The Port may remove any equipment that does not comply with the above requirements from its premises.

5.21 PROTOCOL FOR CONTROL OF ENTRY AND EXIT OF PERSONS

a) Whoever wishes to enter the facilities of the Port Society, regardless of the activity to be carried out, must process their application for entry through the Web page by clicking on the VIRTUAL PORT icon, registering the information requested and attaching the supporting documents.

b) The access, circulation and permanence of people entering the Port facilities is regulated by the security level of the Terminal according to the International Code for the Security of Ships and Port Facilities (ISPS), the rules of these regulations, as well as documented procedures and other instructions given by the Port Society.

c) The employees of the Port Society and its subsidiaries, by means of their ID card, located in a visible place that identifies them as employees and allows them to activate the access controls to the facilities.

d) The users, by presenting the Integral Protection Card in force and the document of identity, duly registered, that allows the entrance and indicates the authorized period, the unit and the company.

e) The Port is obliged to allow free access to its facilities at all times to officials of the Ministry of Transport, the Maritime Authority, the Superintendent of Ports and Transport and other control authorities in compliance with the legal functions corresponding to each one of them, providing the personal protection and occupational health elements that are required and obliging their use at all times and in all places within the port facility.

f) The crews of the boats, by presenting the permit issued by the Immigration Authority (Short Pass) and their passport. These documents identify them during the stay of the motor vessel in port.

g) The passengers and crews of passenger ships, according to the lists sent by the Maritime Agency and the identification document issued by the ship to each passenger or crew member.

h) Occasional users or visitors, prior notification sent by the interested agency relating name, identification, area to be visited and person accompanying them; by means of their identification document that allows them to receive a visitor's card, which they must carry in a visible place.

i) Divers, in addition to the entry procedure for all users, must present a permit from the Anti-Narcotics Police.

j) Users entering the port facility are responsible for their own safety and undertake to follow all necessary measures to avoid accidents. Likewise, they must comply with the instructions given by the Port Society in this regard.

k) All persons entering the port facility must be previously registered with the Port Society. The company must register its officials following the instructions given by the Port Society, for those people who strictly require it, including the following details: name and surname(s), number of the citizenship card, position and specific activity or management to be carried out.

l) When any worker of any company using the Terminal, or a port operator, stops providing services to the latter, the company must report this news to the Port Society, retain the card or identification sheet and return it for cancellation.

m) No natural or legal person may operate, carry out maritime operations, disembark or embark goods, provisions, solid or liquid materials, luggage and elements for personal use or of any other nature without prior compliance with the requirements demanded by the competent authorities or in these regulations.

n) The stay in the port facility must comply with the schedules corresponding to the activity to be carried out. It must not exceed the time schedule for its activity. Port operators and other users are responsible for ensuring that their personnel leave the port facilities as soon as the work for which they were authorized to enter has been completed.

o) People who transit through the operational areas of the port facility must wear a uniform, reflective vest, helmet, boots and other safety equipment. The uniform must be marked with the name and logo of the corresponding company and may have reflective stripes that replace the vest but provide protection and good personal appearance.

p) All users must comply with the instructions of the Port Society for their movement within the port installation, respecting the pedestrian and vehicle traffic signs. Likewise, they must remain at the work site for which they have been allowed to enter. For security reasons, they are not allowed access to areas other than those authorized.

q) It is strictly forbidden to enter and carry any type of weapon to the Terminal facilities, except for police or military authorities in active service as long as they are in exercise of their duties, and the Security officers of the Port Society, in accordance with the legal provisions and the permits obtained for its operation by the Superintendent of Surveillance and Private Security.

r) Other provisions contemplated are in the documented procedures and the Physical Security Manual of the Port Society.

5.22 CONTROL PROTOCOL FOR ENTRY AND EXIT OF VEHICLES

a) The entry of private vehicles is restricted and their entry authorization depends on the availability of parking areas. The processing of the request for entry of vehicles through the platform of the Port does not accredit their entry authorization.

b) Land vehicles that enter the Port Society's facilities shall do so in compliance with the traffic rules and physical and industrial safety regulations of the Terminal. The transport company will assume the risks while the vehicle is inside the port facilities and will be responsible for its actions. For this purpose, the Port Society has made the signage of pedestrian routes, for vehicles and parking areas; the vehicle will be duly registered to enter the Terminal facilities.

c) The land operator is obliged to know and abide by the regulations of the competent authority related to the specifications for the transport of cargo by road regarding the maximum authorized gross vehicle weight and the permits for the transport of extra heavy and extra dimensional cargo.

d) Trucks, tractor trucks or towing equipment that are registered by port operators to provide the activity of land cargo handling or hauling

of the load, must present a current mechanical inspection certificate issued by a duly authorized Automotive Diagnostic Center. The above in accordance with Resolution 318, 2008 issued by the Ministry of Transport.

e) To enter the Terminal facilities, all vehicles must be in optimal operating and safety condition. Likewise, the requirements demanded by the Port Society for the entrance and circulation to its facilities must be complied with in accordance with the Strategic Road Safety Plan (PESV). It is an essential requirement not to exceed the maximum speed allowed, which is 20 K.P.H, for all types of equipment or vehicles.

f) Drivers of land vehicles entering the port facility must comply with all the Port Society's comprehensive security regulations. The transport company, the owner of the vehicle and the person contracting it are responsible for accidents and damages caused by the vehicle while it is in the port facility. The drivers of any of those means of transport must comply with the provisions of Law 1503, 2011 and those that regulate it, modify and replace it.

g) During his stay at the port facility, the driver must remain in his vehicle. When for operational reasons the driver needs to get out of the cabin, he must use the personal safety elements, including work clothes, helmet, reflective vest, boots, and any other element indicated in the Port Society's safety regulations.

h) The driver is not allowed to: wander around the port facility or leave his vehicle on the road, sleep in the vehicle or under the vehicle, nor hang hammocks or rope nettings.

i) The vehicles nominated for the mobilization of full or empty containers, towards, from or in the Terminal, can be returned or removed from the operation if they present considerable deficiencies in their structure that prevent the correct lashing of the containers on their table or platform.

(j) Vehicles used for the transport of dangerous cargo must comply with the provisions of Decree No. 1609, 2002 of the Ministry of Transport and/or the regulation that replaces it.

(k) Vehicles not intended for loading and unloading operations may not remain in storage areas or approaches.

l) No loaded or empty vehicle may be left on the premises of the Port Society without prior authorization from the Physical Protection Management. In the event that a loaded vehicle cannot leave due to force majeure, the Security Department will assign a special site for its parking, until the following day. The Port Society is NOT responsible for any damage or loss that may occur to the vehicle during its parking within our facilities.

5.23 CONTROL PROTOCOL FOR ENTRY AND EXIT OF MACHINERY AND PORT EQUIPMENT

a) The entrance of port equipment and other work equipment to the Terminal facilities is subject to the previous authorization of the Operations Vice-presidency and/or the Physical Protection Management and/or the Occupational Safety and Health Department of the Port Society.

b) All equipment operating within the port facilities must be fully identified with the printed name and internal identification number of the

port operating company to which they belong. The equipment must be inspected at least once a year to keep its certifications in force. This last requirement will not apply to equipment or machinery destined to develop non-port operations, in which case, its entry will be authorized after inspection by the Occupational Safety and Health Department.

c) The inspection is the responsibility of the owner or user of the equipment. The proof of the inspection is the certificate issued by the classification agency and/or by the person who carries out the technical-mechanical inspections or reviews according to the regulations applicable to each piece of equipment, which must always be in force for the authorization of the equipment's operation.

d) The equipment that as a result of an inspection does not meet the optimal operating conditions, may not operate in the port facilities and may not remain there.

5.24 PROTOCOLS FOR HANDLING ALL TYPES OF CARGO

5.24.1 Entry Protocol and Cargo Receipt

5.24.1.1 Without prejudice to the customs provisions which shall be compulsory, the entry and receipt of cargo in the Port Society's installations shall be subject to compliance with the procedures established by the same for this purpose.

5.24.1.2 Cargoes which, due to their conditions, require special treatment must be informed by the cargo representative, who must coordinate with the Port Society the necessary logistics within the Port for their entry and receipt, providing the necessary documents and information for this purpose.

5.24.1.3 In the event that the cargo presents any type of damage or breakdown at the time of receipt from the port operator, the Port Society shall refrain from receiving the cargo until a report is drawn up describing the state in which the goods are received.

5.24.1.4 The Port Society will verify the weight or measurement of any cargo when there is doubt about it, at the expense of the shipping agent, owner or representative.

5.24.1.5 The Port Society shall not receive any cargo that does not have the marks, codes, weights and labelling established by the I.M.O. written clearly and legibly and, in the case of dangerous cargo, signs for its correct handling or storage and other data and characteristics indicated in the documents that cover it.

5.24.2 Cargo storage protocol.

5.24.2.1 For the storage of cargo, the procedures related to the cargo, established in these regulations, must be complied with, according to its nature, storage and preservation conditions and state of the same, as well as the procedures determined by the Port Society for this purpose.

5.24.2.2 The port operator designated for the operation of unloading and/or carrying the cargo shall be responsible for delivering it to the Port Society, as well as for placing it in the storage area designated by the latter, complying with the storage and stowage conditions established by the latter.

5.24.2.3 The shipowner and/or the person responsible for the cargo must provide the Port Society with the corresponding information for the full identification of the cargo and its considerations for storage, as well as its customs disposition and supporting documents.

5.24.2.4 Determination of cargo storage will depend on coordination and agreement between the shipper and/or the person responsible for the cargo and the Port Society, for which the following aspects should be taken into account:

- That there is sufficient information required to determine its storage, such as description, quantity, weight, type of packaging, identification data, special storage conditions and required time of stay.
- That there is sufficient space for storage or maintenance, according to the conditions required by the cargo and / or commercial agreements established.

5.24.2.5 The Port Society shall determine whether the storage or maintenance of the cargo is appropriate, according to the nature of the cargo and the considerations set out in this article.

5.24.2.6 The Port Society shall not be responsible for loss or damage to cargo during storage or maintenance when this is due to a lack of information or required storage conditions which have not been provided for the determination of the same.

5.25 PROTOCOL FOR THE HANDLING OF DANGEROUS GOODS (IMDG)

5.25.1 The standards, provisions, instructions and/or recommendations given in this protocol are applicable in all respects that do not contravene laws, regulations, standards, provisions and instructions that the authorities have legislated or regulated on the subject, and shall be understood as complementary provisions to the regulations. The above, without prejudice to the obligation of operators and users in general to comply with the provisions of the competent authorities and of these regulations, as appropriate in each case.

5.25.2 The geographical scope of this protocol corresponds to all the port facilities administered by the Port Society.

5.25.3 The loading, unloading, handling and segregation of dangerous goods must comply with the provisions of international conventions and in particular with the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, the UN Recommendations on the Transport of Dangerous Goods (Orange Book), the provisions of the International Maritime Dangerous Goods Code (IMDG), and the IMO recommendations on the maintenance and handling of dangerous goods in port facilities and bays.

5.25.4 General restrictions: Within the limits of the port facility, dangerous goods may only be transported, unloaded, loaded, handled and maintained in accordance with the instructions given by the Port Society, the national and international regulations in force, which include at least those established in international conventions, and especially those applicable both on board the ships and in port areas and facilities formulated by the IMO on this matter.

5.25.5 Declaration of dangerous goods and potentially polluting cargo:

Dangerous goods and potentially polluting cargo shall not be brought into the port facility unless

a) These have been duly declared.

b) Compliance with IMO standards for packaging, marks, labels and placards according to the International Maritime Dangerous Goods Code (IMDG) is certified with an original and a copy.

5.25.6 Goods that do not comply with safety standards: The Port Society, in case of emergency and to ensure the safety of the Port, its facilities and the vessels, provided they are in the area of its facilities, may request the competent authority to destroy such goods, or may order it when the situation involves eminent danger to the infrastructure, human life or the environment.

5.25.7 Obligation of the Shipping Agent: The agent on each ship scheduled to embark or disembark dangerous goods and potentially polluting cargo must ensure prior to departure that the goods have been loaded in full.

5.25.8 Obligation of the Captain: The captain of every ship engaged in loading or unloading dangerous goods and potentially polluting cargo shall ensure compliance with international conventions and in particular with any recommendations on the subject issued by the IMO.

5.25.9 The captain of a ship with dangerous goods and potentially polluting cargo on board shall ensure that all precautions, including fire precautions, are taken on board the ship while in the port or port facility and while loading, unloading or while having dangerous goods on board. Likewise, when discharging flammable liquids and the ship has not been declared free of gas, he may not allow, among others, the following:

a) The carrying out of welding of any kind on the ship.

b) The use of hammers, iron or steel elements to open or close hatches or metal tools in other operations.

c) The carrying out of repairs in any compartment containing dangerous goods.

d) The carrying out of actions that may cause sparks, such as the use of wire brushes, etc.

5.26 PROTOCOL TO FACILITATE THE IMPLEMENTATION OF INTERNATIONAL HEALTH REGULATIONS (RSI 2005)

5.26.1 Pursuant to Article 19 of RSI 2005, second edition or any edition replacing or repealing it, if the Port Society receives information from the shipping agent or shipowner that a crew member is suspected of suffering from any Public Health Disease of International or National Importance (ESPII, ESPIN), it must give immediate notice to the District Health Department and facilitate the necessary logistics so that prior to the arrival of the motor vessel at the port facility in the anchorage area, the Port Health Referent will board the vessel, assess the health status of the crew member(s), cases or suspected members and determine whether or not they can disembark to be treated at a local or national health care center.

5.26.2 In the event of a positive finding, the District Secretary of Health shall make the decision to send the motor vessel to anchor in quarantine and apply the protocols established by the World Health Organization for this purpose. (See annex ESPII Protocol, Port Health Committee).

5.27 PROTOCOL FOR DEALING WITH EMERGENCIES AND CONTINGENCIES

The firm conviction that working safely will directly contribute to the efficiency and success of operations, commits all parts of the company to comply and enforce the rules and procedures established to be able to:

- 1) Achieve high levels of safety
- 2) Provide excellent services
- 3) Achieve high profitability
- 4) Avoiding or minimizing losses
- 5) Showing a positive image to own and other people.
- 6) Increase the number of clients
- 7) Preserve the environment

Therefore, the management of emergencies in the Port of Santa Marta will be developed under the following premises:

- The life and physical integrity of its workers, port operators, port users, customers and the general public are of the greatest interest and appreciation for the Society, so it will be a priority over any economic asset.
- The conservation of the environment is a commitment of all Colombians and the world in general, so the control of the emergency will be done by minimizing any damage to it.
- The information to the media will be given with the pertinent objectivity, respecting their constitutional and information functions.
- Any emergency that occurs in the Port Society's installations will be investigated until its causes are determined and the risk of its repetition are eliminated or minimized.

☐ Objectives of the Disaster Risk Management Plan

- a) Identify, prioritize, formulate, program and follow up with the necessary actions to know and reduce the risk conditions (current and future) of their facilities and those derived from their own activity or operation that may generate damage and losses to their environment.
- b) To respond to disasters that may occur, also allowing their articulation with the entity's management systems, the territorial, sectoral and institutional spheres of disaster risk management and other planning instruments.
- c) To preserve the life and physical integrity of each and every person who directly or indirectly works within the Port Society's facilities.
- d) To reduce the risk of significant accidents and to plan actions to reduce their consequences.

☐ Fields of Action of the Disaster Management Plan:

The Emergency Plan has application in the following events that could occur in the Port:

- Fires

- Explosions
- Release of gas
- Oil spill
- Spillage of corrosive or contaminating liquids
- Vessel heeling
- Hurricanes
- Floods
- Bombings or Bomb Threats (Acts of Terrorism or Vandalism).
- Public Health Diseases of International Importance (ESPII) or National Importance (ESPIN)

□ Classification of Emergencies:

Emergencies are classified according to their severity.

- a) Minor Emergency: Those confined to small areas or to a reduced sector within the Port, and their control can be carried out with the existing resources of the Port Society.
- b) Major Emergencies: are those that affect one or several areas of the Port and that can produce considerable injuries or damages, or that slightly affect those who are in and around the Terminal, and that eventually require external help from district firemen.
- c) Disaster: Situation that goes beyond the control of the procedure for the attention of emergencies of the Port Society and can cause serious damages and problems to motorboats, facilities, workers, and surrounding areas: necessitating the help and intervention of external organizations and institutions such as the Red Cross, Civil Defense, National Police, Army, Navy, etc.

□ Inventory of internal resources for the control of an emergency

The Port Society has a series of internal physical resources to control an emergency in its facilities, which guarantees it an efficient initial attack:

A. Fire extinguishers:

Portable and mobile fire extinguishers, with different classes of extinguishing agents, strategically distributed in the different areas. The class, capacity and location are included in the Port Society's Disaster Management Plan. The number and type of extinguishers will be determined in the same plan.

B. Hydraulic network against fire:

The Port of Santa Marta has a fire fighting network composed of hydrants and hose cabinets, fed from an underground water tank with a capacity of 250,800 gallons which is connected to the district aqueduct network, in addition to the availability of water from the internal basin of the Port.

- Hydrants: The Port has a fire fighting network composed of twenty-five fire hydrants, consisting of different traffic types, with two 2½ inch exits and one 4½ inch exit, and hydrants at floor level with two exits of 2½ inches respectively and hose cabinets, fed from an underground water deposit which is connected to the district aqueduct network. The location and capacity of the hydrants and hoses are described in the disaster risk management plan.

“By which the updating of the Regulation of Technical Conditions for the Port Operation of the REGIONAL PORT SOCIETY OF SANTA MARTA Inc.is approved by virtue of Port Concession Contract No. 006, 1993”

- Cabinets: four (4) cabinets strategically distributed in the Administrative Building are installed in the facilities of the Port Society. Each one consists of a globe 1½ inch type valve, synthetic rubber hose with threaded male and female 1½ inch couplings of with their respective adjustable nozzle to direct jet and fog in the same diameter, and hook type support. They are located as follows:

No.	Location
1	Administrative Offices of the DIAN
2	Documentation Center
3	Fast Terminal Offices
4	Programming Room

- Water intake for firemen: The Port Society has a Siamese type water intake for firemen located outside the reception area of the Administrative Building.

C. Pump System: A system of independent pumps for the Port and for the Administrative Building, which feed the network of hydrants and cabinets of the firefighting system.

D. Fixed Facilities: Emergency Care Center equipped with the minimum elements necessary for the provision of first aid, attended by three (3) nurses, who provide services 24 hours a day, 7 days a week. For the service of transfer of people with accidents or sudden illness, the Port Society has signed a protected area contract with a private company in the city, with a 24-hour-a-day coverage.

□ Products handled:

The Port Society has facilities for the receipt, shipment, transfer and maintenance of goods, substances and products of different classes and composition.

According to the classification of the United Nations through the International Maritime Organization (IMO), the substances, products and goods that are handled in the Port, are grouped in the following way:

- 1) Explosives
- 2) Flammable, Non-Flammable and Poisonous Gases
- 3) Flammable Liquids and Fuels
- 4) Flammable Solids
- 5) Oxidants and Organic Peroxides
- 6) Poisonous and Toxic Liquids and Solids
- 7) Radioactive
- 8) Corrosives and acids
- 9) Miscellaneous dangerous substances

Of the substances, goods and products listed above, there is a group that due to its perilousness, the Port Society allows its unloading but not its storage in its facilities. These products are:

- Poisonous Gases.
- Flammable solids based on Nitrocellulose or with a secondary risk of explosion.
- Organic Peroxides with a secondary risk of explosion.
- Radioactive.

Infectious substances may not be discharged by this port facility.

☐ Hazards identification.

The existing risks in the facilities of the Port Society are:

- a. Biological: Viruses, bacteria, fungi, parasites,
- b. Physical: Noise, lighting, vibration, extreme temperatures, atmospheric pressure, non-ionising radiation, ionising radiation.
- c. Chemicals: Organic dusts, gases and vapors, metallic and non-metallic fumes, particulate matter.
- d. Psychosocial: Organizational management, characteristics of the organization, task conditions, task person interface, working time.
- e. Biomechanics: sustained, forced, prolonged posture, effort, repetitive movement, manual handling of loads.
- f. Safety conditions: Machines, tools, parts, electrical, on site, technological explosion or fire, spill, leaks, traffic accident, public, work at heights, confined spaces, underwater activities.
- g. Natural phenomena: Earthquakes, gales, floods, landslides.

☐ Procedure for cases of fire

Objective:

Provide guidelines to follow in case of a fire emergency in the facilities of the Port of Santa Marta or the Administrative Building.

It is the obligation of all workers of the Port Society, port operators, users, etc., to become familiar with this procedure, study it and apply it, in the event that a situation of risk should arise.

Fire in the Port Facilities: Whistle Code

<u>Situation</u>	<u>Type of Whistle</u>
Fire	Three (3) Long Blasts
Evacuation	Seven (7) Short Blasts - One (1) Long Blast
End of Emergency	Three (-3) Short Blasts
Motor Ships collision	Successive Short Blasts for 30 seconds

Man overboard One (1) Short Blast and one (1) Long Blast to be repeated 3 times

A Short Blast is three (3) seconds, a Long Blast is ten (10) seconds.

Initial Action.

The person who detects or observes the start of a fire, if he has the training and education, should try to extinguish it with the means that are within his reach, (fire extinguisher, hoses with water), at the same time he should look for a way to warn the main entrance of the Port, the Supervisor of Physical Protection, Security and Health in the Work or any other employee through the fixed extensions, cellular or Avantel cell phone system, so that the signal of General Fire Alarm is given and to coordinate immediately the intervention of the Emergency Brigade.

A. Action by Port Entry personnel.

The Shift Entry Supervisor, upon receiving the emergency call, shall:

- Identify the caller and request information about the exact location of the emergency.
- Issue a General Alarm in accordance with the established buzz code.

Notify the Chief of Occupational Safety and Health, members of the Emergency Committee and members of the Brigade by Avantel or cell phone about what is happening and the exact location of the emergency.

- Immediately call the district volunteer firefighters.
- Immediately inform the Vice President of Safety.
- Remain attentive to the requirements of the Brigade Leader.

B. Action of the Physical Protection Assistants at the entrance and exit of the Port.

Upon hearing the General Fire Alarm, the Physical Protection Assistants at the entrance and exit of the Port shall:

- Clear the area to allow free access and evacuation of firefighters and other emergency vehicles.
- Only allow the entrance of the Port Society's management and authorities required in emergencies.
- Extend security and surveillance measures to prevent theft and looting.
- To remain attentive to the requirements of the Chief of the Brigade.

C. Action of the Incident Commander

The President of the company or the Vice President of Corporate Operations will be the Incident Commander and as such will proceed to:

- Install and maintain the Incident Command System (SCI) in the Crisis Room and will lead, with the support and advice of the other members of the Emergency Committee and external authorities, all actions aimed at controlling the emergency.

“By which the updating of the Regulation of Technical Conditions for the Port Operation of the REGIONAL PORT SOCIETY OF SANTA MARTA Inc. is approved by virtue of Port Concession Contract No. 006, 1993”

- They will coordinate directly with the commander on the scene all actions aimed at controlling and ending the emergency, managing the necessary resources to do so.
- If necessary, they will request the support of the Relief Agencies, the District and Departmental Disaster Risk Management Councils, and the Mutual Aid Plan (MAP).
- If required, they will hand over the command to the competent authority, in accordance with the provisions of Law 1523, 2012 or the one in force.
- Designate the Communications Officer who will be the only person responsible for issuing official communications and providing information to the authorities and/or media, always with the approval of the Incident Commander.

D. Action by the Scene Commander

The Chief of Occupational Safety and Health or his assistant shall be the Scene Commander at the time of a fire emergency at the Port and as such shall:

- Obtain necessary information about the emergency.
- Establish and maintain communication with the Incident Commander.
- Check for trapped people and organize their rescue.
- Order the evacuation of contractors, dockworkers, visitors or any other personnel who should not be involved in the control of the emergency and who may otherwise hinder or aggravate the situation.
- Coordinate with the Chief of the Brigade to extinguish the fire by giving technical instructions according to the circumstances and taking into account the type of material that is burning.
- Evaluate the possibility of asking for external help and recommend it to the Incident Commander.
- Coordinate support with the Mutual Aid Plan (MAP).
- Decide when to leave the area due to imminent risk of explosion or escape of hazardous gases.
- Once the emergency is controlled and the fire is extinguished, it will order the alarm to sound with three short blasts as an indication of normality.
- In coordination with the Vice-presidency of Security, they will assign a surveillance guard to the affected area for a reasonable period of time, in order to inform them in a timely manner if a re-ignition of the fire occurs.
- Prepare an emergency report.

Once the emergency is under control, evaluate the situation, start the investigation to find the causes that generated the fire or emergency and prepare the pertinent recommendations to avoid similar events in the future.

E. Action of the Chief of the Brigade:

The Physical Protection Supervisor, or in his absence the Operations Coordinator on duty, will be the Chief of the Brigade in the event of a fire emergency and as such will proceed to:

- Obtain the necessary information about the emergency

- Organize and lead the brigade group.

- Execute the instructions given by the commander at the scene, aimed at evacuating, rescuing victims, controlling and extinguishing the fire and protecting the environment, cargo, machinery, equipment and port facilities from the action of the fire.

- Coordinate with the person in charge of the emergency teams the actions to control and extinguish the fire.

F. Action of the Leader of the Emergency teams:

The Industrial Safety Assistant will be the person responsible for the emergency teams and in case of a fire they will proceed to:

- Coordinate with the Scene Commander the activities and resources needed to deal with the emergency.

- Coordinate with the volunteer fire brigade the entry and location of the fire extinguishing or rescue machines necessary for the attention of the emergency.

- Make himself available to the Commander on the scene and to the Chief of the Brigade to begin fire control and extinguishing work.

- Coordinate the water supply to the fire engines and from these to the fire.

- Once the emergency is over, get the equipment ready again to be available to attend a new event.

- Replace the Commander on stage in his absence.

G. Action by Supervisors, Coordinators and Operational Heads. Upon learning of the Emergency they will move to the site of the event and act accordingly:

- They will support the Chief of the Brigade in the control of the Emergency.

- They will serve as a liaison between the support group and the Fire Brigade.

- During non-working hours, Sundays and holidays, and in the absence of the Chief of Occupational Safety and Health, they will assume the role of commander on the scene while the latter arrives.

H. Action by members of the Fire Brigade

The Fire Brigade of the Port Society of Santa Marta is made up of employees who voluntarily joined it and perform the following functions:

- Request and make use of personal protection equipment (uniform, helmets, brigade boots, etc.)

- Make themselves available and follow the instructions of the Chief of the Brigade.

- Attend to the emergency they face in the safest and most efficient manner, putting into practice the knowledge and skills acquired in training.

- Act with serenity, avoiding panic.

I. Action of the office staff

If circumstances permit, and unless the fire is in the office or building where they are located, they should proceed as follows:

- They will remain at their work site.
- The Vice Presidents and Heads of each department in the administrative area should remain in their respective offices.
- The telephones will be used only for calls related to the emergency.
- If an evacuation order is received, they must obey the Evacuation Coordinator for their area.
- This must be taken into account:

Do not run

Do not shout

Do not go back to look for belongings

Do not panic

Keep calm

J. Support Group Action

The Support Group in the Port Society at the time of an emergency in the facilities, will be formed by the people who occupy the following positions:

- Administrative and Financial Vice President.
- Vice President of Operations.
- Chiefs of Operations.
- Head of Mobile Equipment Maintenance.
- Human Management Manager.
- Communications Coordinator.
- Works Manager.

When they learn of the emergency they must:

- Suspend their activities. The Vice Presidents will make themselves available to the Incident Commander and the Chiefs will make themselves available to the Vice President of their area, remaining attentive to their requirements.
- They will have communications equipment for the duration of the emergency.

K. Action of the Port Operators

When listening to the General Fire Alarm, employees of port operators who are operating equipment and machinery (forklifts, cranes, loaders)

“By which the updating of the Regulation of Technical Conditions for the Port Operation of the REGIONAL PORT SOCIETY OF SANTA MARTA Inc.is approved by virtue of Port Concession Contract No. 006, 1993”

etc.), when necessary, they should suspend their activities and head for the site that the Emergency Committee has designated as an Emergency Waiting Area, remaining alert and available for any requirements made of them, related to the situation.

L. Action by Physical Protection and Surveillance personnel.

Surveillance personnel, upon hearing the Fire Alarm signal, will act as follows:

- Unless circumstances require otherwise, they will remain in their assigned areas.
- They will take extreme measures of surveillance and security control to prevent theft and looting.
- The guard or guards of the area involved in the emergency will collaborate in the evacuation of personnel not related to the control of the same and will prevent the entry of strangers or people who do not belong to the Brigade.
- They will remain attentive to the requirements of the Chief of the Brigade.

□ Procedure in case of Mutual Aid

Objective:

The objective of this procedure is to provide the guidelines to be followed by the Port Society when it is necessary to provide help or request it, for the control of serious emergencies that occur in the facilities or others located within the urban perimeter of Santa Marta.

Initial Action:

The person who receives the request for help, either at the Reception, Main Gate, radio system or direct telephone, should proceed as follows:

- i. Identify the person requesting help, specifying the place, type of emergency that occurs and the type of help needed.
- ii. Using the available means, telephone, radio or messenger, inform the Department of Safety and Health at Work of the request for help received.
- iii. Upon learning of the situation, the Occupational Safety and Health personnel will report to the Vice President of Corporate Safety, who, in accordance with the seriousness of the case, will request authorization from the Presidency to provide or request support for the Mutual Aid Plan. If support is needed to deal with an emergency of its own, it will communicate with the Port Captain, informing them of the details of said emergency and making the request for equipment or personnel to deal with the emergency.

Action by the Head of Occupational Safety and Health (HSE)

The HSE Chief in his capacity as Scene Commander and Brigade Chief, in accordance with the assistance requested and if the operational circumstances of the port allow, with the approval of the Presidency, shall authorize the departure of the machinery and/or equipment

required under the command of the Industrial Safety Assistant or an experienced brigadier.

When they arrive at the site of the emergency, they will contact the person in charge of the control operations of the emergency, in order to coordinate the work.

Personnel operating machinery must remain at the site at all times to avoid unnecessary acts or actions that could result in injury, increased emergency, loss or damage to equipment.

As soon as the emergency is controlled, they will return to the Port after verifying that the implements used in the operations are complete.

When circumstances require, the group may be reinforced by the HSE Manager who will lead the team.

On holidays and non-working hours, the HSE Chief and the Industrial Safety Assistant must be informed of the situation by Avantel or by cell phone, and must immediately proceed to the site of the emergency.

□ Evacuation Plan

Objective:

The Evacuation Plan of the Port Society includes the necessary actions to be put into practice in the event of an event that endangers the physical integrity and/or the life of the occupants of its installations, facilitating their rapid transfer to a safe place, through places that are also safe.

Identification of risks:

This point is clearly described in Chapter V of this document.

Selection of the escape routes:

A) Port of Santa Marta

Main route:

The main evacuation route of the Port facilities in case of an emergency is the Main Entrance, where the officials working in that area will remain alert and, upon hearing the Evacuation Alarm, will open the doors in order to facilitate the exit of the personnel towards the outside of the Port facilities.

Security Zones in case of Evacuation:

The Port facility has eight (8) security zones where employees or users of the Port can go or will be directed by the Evacuation Coordinators responsible for each of these security zones, namely:

- Port Entrance: Located in the external passage of the pedestrian entrance. The Evacuation Coordinator responsible is the Entrance Supervisor or, in their absence, the Physical Protection Supervisor on duty.
- Satellite Yard: Located in the main pool area of the port facility, next to the Pump Substation. The Evacuation Coordinator responsible is the CEM Chief, the CEM Supervisor on duty.
- Container Scanner Parking Area: Located next to the offices of authorities (DIAN and Antinarcotics Police) that operate the container scanner (north side of Smitco's Container Yard). The Evacuation Coordinator responsible is the Scanner Supervisor or, in his absence, the Scanner Assistant on duty.
- Pier 5: Located at the end of Pier 4, in front of Ancon yard. The Evacuation Coordinator responsible is the Operations Coordinator, or the Storage Supervisor on duty.
- Pier 7: Located at the southern end of Pier 7, this area can be used for sea evacuations either to the beaches of the bay or to the Santa Marta Marina. The Evacuation Coordinator responsible is the Chief Operator of the Carbosan Crew, or his Assistant on duty.
- Operlog warehouses: Located in the warehouse's yard, the responsible Evacuation Coordinator is the Operlog's Logistics Manager or his Assistant on duty.
- External Zone No. 1: Located on the Vía Alternativa with Carrera 21. The Evacuation Coordinators responsible are the Physical Protection Assistant in charge of the area and/or the Storage Supervisor of the area.
- External Zone No. 2: Due to its location and size, this area has two alternative or complementary zones. The first one is located in the mobile equipment maintenance hangar; the Evacuation Coordinators responsible are the Lifting Equipment Supervisor and/or the Main Warehouse Supervisor.
- Yard No. 8: The Evacuation Coordinators responsible are the Physical Protection Assistant in charge of the area and/or the Operations Supervisor in the area.

B) Administration Building

Main route:

The main evacuation route of the Administrative Building in case of an emergency is the main entrance of the building, where the surveillance personnel working there will open the doors to facilitate the exit outside of the building, and may have as meeting points the Camellón parking lot and / or Operlog's Warehouses.

Secondary Route:

In case of obstruction of the exit through the main route, the exit of the Documentation Centre will be used, with evacuation towards the parking area, on the first floor. Likewise, the personnel located on the second floor may be evacuated through the windows of the Presidency, the Financial Vice-Presidency, the Programming Room and/or the Resident Works Office.

location of the different offices, corresponding to a coordinator for a maximum of 3 offices, with a list that is updated according to needs.

Roles and responsibilities of Evacuation Coordinators:

a. Before the emergency:

- Periodically check the conditions in your area and notify Occupational Safety and Health of the parameters that determine a successful evacuation.
- Periodically instruct the personnel in your area on evacuation procedures.
- Maintain an updated list of personnel in your assigned area of responsibility.
- Ensure that corridors and transit areas are kept clear.

b. During the Emergency:

- Verify, only if possible and in the cases previously agreed upon, the veracity of the alarm.
- Supervise the actions to be developed according to the procedure.
- Verify with the list, the people present in the area.
- Indicate all exits and remind them of the main route and alternate routes in case of obstruction.
- Set a place for the final meeting.
- Verify that the area is completely evacuated.
- Avoid the return of people.
- Check with the list of people that everyone is at the final meeting site or that they have been evacuated to another area because they were in different areas.
- Be attentive to the orders of the Chief of the Brigade.

c. After the emergency:

Prepare a report to the Incident Commander on the result of the operation of the Evacuation Plan in the area of his responsibility.

Important aspects in the exit:

- a) Do not run.
- b) Do not return for any reason.
- c) Women, if conditions allow it, must take off their high-heeled shoes.
- d) In case of fumes, move crouching.
- e) Give priority to people at greatest risk in the Port (children, if any, pregnant women, elderly people, people with physical disabilities, etc.).

f) Before leaving, check the state of the routes.

g) Close the unlocked doors.

h) If you have to take shelter, leave a signal.

Execution of the Plan:

The evacuation may be declared by the Incident Commander, by the Scene Commander or by the Brigade Chief. However, the Physical Protection Supervisor on duty may order the evacuation in any of the areas of the Port Society at any time he considers it necessary.

Entities such as the Red Cross, the Fire Brigade and the Civil Defense are equally empowered to declare an evacuation in case of emergency.

In any of the previous cases, the evacuation order will be given through the company's General Alarm and taking into account the previously established signal code.

Special Actions:

It is the responsibility of the Vice Presidents, Managers and Chiefs to secure all confidential company documentation immediately upon the order to evacuate. These special actions will be carried out whenever the environmental and safety conditions allow it.

Evacuation Coordinators:

The specific function of the evacuation coordinators is to coordinate and give precise and objective instructions on what to do in the event of an evacuation order. Evacuation coordinators and areas will be specified in the disaster management plan.

Strategic Level

a. Action and responsibility of the Incident Commander

The President of the Port Society is the Commander of the Emergency Incident when one appears in any of the areas of responsibility of the Society, and as such, he has a global and total scope of action assuming the maximum responsibility and authority.

The President takes decisions and coordinates functions during the development of the emergency.

b. Action of the Vice President and/or Safety Manager:

They will work in coordination with the President of the company and will replace the latter in their absence, assuming all their functions and responsibilities regarding emergencies.

c. Action of the Operations Manager.

Taking into account the site where the emergency is occurring and the areas of responsibility, he will travel to the site of the emergency and advise their subordinates on all decisions to be taken regarding the movement of goods, relocations, ship departures, etc.

d. Action by the Vice President of Security.

In the event of an emergency, he will act as Security Officer and will coordinate all physical security activities and personnel involved in the care of the emergency and in the absence of the President of the company and the Vice President of Operations, he will assume the duties of Incident Commander.

Recommendations

The Port Society will disseminate and widely inform all the personnel working for the company, port operators, companies renting offices located in the Administrative Building and in general all users of the Port Society, of the DISASTER RISK MANAGEMENT PLAN so that they are aware of it and so that everyone knows their functions and what to do if an emergency should arise in the Society's facilities.

The success of the Disaster Risk Management Plan of the Regional Port Society of Santa Marta Inc. depends on the enthusiasm and interest that each person puts into its implementation.

e. Responsibilities of the Shipowner, Ship Captain and Shipping Agency:

In accordance with the rules in force regarding liability, the owner of any vessel arriving at the Terminal, its Captain and its maritime agent in Colombia, shall be jointly liable before the port operator and before third parties in the following cases.

- a) Damage or breakdown caused to the Terminal facilities, including its navigation aids, berthing dolphins, docks and land and floating equipment.
- b) Damage or breakdown caused to the equipment and elements of the people who provide services in the Terminal or work in it.
- c) Removal of the wreckage of a ship that has sunk.
- d) Port services and especially any expense or cost arising from the entry, stay and departure of the vessel.
- e) Injuries caused to persons in the service of the Port Operator, or who work there, and the consequential damages in the event of death.
- f) Injuries caused to third parties and the consequential damages in case of death.
- g) Losses or damages caused to other vessels or, naval devices.
- h) Any other act or event related to the arrival, stay, work and departure of the ship.

f. Emergencies involving vessels (fire, crew accidents)

Whenever there are emergencies involving ships:

- In case of fire on a motor vessel, the ship's captain activates his emergency plan, notifies the Port Society who in turn reports to the fire department and the Port Captain's Office, so that the latter, in turn, activates the Mutual Aid Plan and will remain attentive to provide the required support and be at the disposal of the Port.
- The ship is also obliged to immediately inform the maritime authority, who will determine whether to activate the Mutual Aid Plan.
- With the authorization of the Captain of the ship, the fire brigade will be able to board the motor vessel and in coordination with the Captain and crew, proceed to control and extinguish the fire, also supported by the tugs that are available. If there are personnel affected, they will be rescued and evacuated to the area where the victims are concentrated or transferred to a care center.
- In the event of an accident involving a crew member of a motor vessel, the Port Facility Brigade will provide basic life support and evacuate the crew member, hand him over to the contracted ambulance service or transfer him to an assistance center.
- Any emergency action or attention must be done following the guidelines given in the port facility's Disaster Risk Management Plan through its standard operating procedures (SOPs)

5.27.1 Oil spill protocol (bunkering).

5.27.1.1 As part of compliance with the daily schedule of motor vessels, the Port Authority shall require the port operator to have, prior to the loading or unloading operations of oil or liquid chemical substances, procedures and activities for the prevention, control, and care of spills of polluting liquids into the sea, such as containment barriers, absorbent material, waste collection and disposal equipment, communication protocols in the event of emergencies, and personnel with training in spill control.

5.27.1.2 The Port Company will not authorize the start of transfer operations without compliance with these requirements.

5.27.1.3 In the event of a fuel spill at sea:

- * Report to the corresponding persons or authorities in accordance with the notification process established by the Port Society of Santa Marta.
- * Identify and stop the leak.
- * If possible, transfer the fuel internally to a tank that is not at risk of leakage, or to another vessel.
- * Under no circumstances should motor boats be allowed to navigate over the spill area, as this may cause the spilled fuel to explode and catch fire.
- * Make sure that other vessels do not enter the spill area. The position of the vessels closest to the spill area should be reported.
- * In case of abandoning the vessel, make sure to close all fuel line inlet valves or taps and all vent line openings connecting to fuel tanks.

- If the slick is recent and still thick, the fuel/water mixture should be pumped out of the ocean and then the fuel/water mixture should be brought to the Marine Terminal.
- If the slick has spread and it is not feasible to recover the fuel with a good recovery rate, the slick should be diverted offshore with the aid of the oil containment barrier so that it can disperse, evaporate, and degrade naturally.
- Disperse the spill if necessary, and then allow it to evaporate and/or degrade naturally. The use of dispersants requires prior authorization from the competent environmental authority.
- In case the spill cannot be controlled with the resources of the Maritime Terminal, or that due to bad weather conditions the containment of the hydrocarbon is difficult, the Port Authority of Santa Marta will be requested to activate the National Contingency Plan against spills of Hydrocarbons, Derivatives and Harmful Substances, through Ecopetrol. Assistance will also be requested from equipment, materials, and if necessary, from trained personnel.
- If the spill reaches the beach, the beach must be restored using appropriate techniques.

5.27.2 Protocol for dealing with liquefied natural gas (LNG) leaks

5.27.2.1 In the Facilities of the Port Society of Santa Marta operations of unloading and loading of liquefied natural gas are not made.

5.27.3 Protocol to attend to spills of liquid bulks

5.27.3.3. In the event of a spill of liquids that could represent a risk of contamination, the port operator must activate his emergency plan by arranging and launching the marine containment barriers into the water, confining the spill preferably before it leaves the basin, and then collecting the contaminating liquid, if possible in drums or in a tanker truck, depending on the quantity, which must be disposed of as special waste, with the port facility providing support for this management.

5.27.3.4 In the event that the port operator fails to respond in a timely and appropriate manner, the port facility shall meet the contingency at the expense of the port operator or the agency and/or the shipowner.

5.27.3.5 The liquid bulk that is preferably handled in loading or unloading of motor vessels in the port facility is palm oil and its derivatives, a substance that has the particularity that when it comes into contact with water, the low temperature of this makes the liquid compact allowing better confinement and easy recovery.

5.27.3.6 See section 5.27.1 (Oil Spill Protocol)

5.27.4 Protocol for handling spills of solid bulks.

5.27.4.1 For taking care of spills of solid bulks, the protocols and procedures established by the Port Society regarding the handling of solid bulks shall be applied.

5.27.4.2 Depending on the conditions and magnitude of the spill and the product, the Port Authority shall determine the application of the provisions of the Disaster Risk Management Plan.

5.27.4.3 In the event of a solid bulk spill into the water, the port hires the services of specialized divers to collect it from the seabed, take it out to the dock and make an adequate final disposition of the removed material. Depending on the type of material, the port will carry out an impact study of the affected site until it is confirmed that it did not generate any environmental effect. In any case, the port will notify the corresponding maritime and environmental authority.

5.28 TERMINAL TRAFFIC PROTOCOL

The movement of people within the terminal is regulated by the company's Occupational Safety and Health standards, which are reinforced by compliance with the use of paths and crosswalks by passers-by, giving way to pedestrians by drivers and equipment operators, non-obstruction of paths and crosswalks, and the demarcation and signage of roads and work areas, respect for speed limits, not entering restricted areas, not using communication equipment or hands-free while driving or in a critical area, not passing or remaining under a suspended or oscillating load, not entering or being under the influence of psychoactive substances and all those recommendations aimed at preventing accidents due to people being run over, trapped or crushed.

5.29 PROTOCOL FOR THE IDENTIFICATION OF PERSONS, EQUIPMENT AND LOADS

5.29.1 All equipment remaining within the port facility shall be properly labelled with the logo or name of the company/port operator and internal number.

5.29.2 All employees of the Port Society, contractors, port operators and users in general, must wear uniforms and credentials that identify them and the company for which they provide their services.

5.29.3 Likewise, they must carry the Port Authority's integral security card.

5.29.4 All merchandise that enters to make a transfer through the port facility must be duly identified with the information required by the Port Society, according to the procedures established for this purpose, and in any case, the following information must be listed on its packaging: name of the client, brands and numbers, name of the product contained, weight, booking or reservation number, number of packages and pictograms.

5.29.5 The shipping company and/or the owner of the cargo or his representative, will be responsible for providing the information required by the Port Society, for the full identification of the cargo, also complying with the conditions and requirements contemplated for its receipt and handling, described in these regulations.

5.30 SAFETY PROTOCOL IN ACCIDENT PREVENTION AND INDUSTRIAL SAFETY FOR FACILITIES UNDER CONSTRUCTION

5.30.1 All civil works executed within the port facility, its administrative offices or external areas, must comply with the provisions of the construction contracts, the Comprehensive Security Regulations and other legal requirements applicable to the construction sector. Before starting the work, the contractor must send the Hazard Identification and Risk Assessment matrix to the Vice President of Infrastructure and the Heads of Occupational Safety and Health, Environmental, and Physical Protection, who will review and endorse it, and the contractor must disseminate it to its workers and comply with the action plans proposed therein.

5.30.2 It is the responsibility of the Port and port operators to determine for each operation, according to their own risk analysis, preventive measures to avoid accidents.

5.30.3 The Port Terminal and port operators shall inform workers about the risks related to the operations to be carried out with the goods and, in particular, about the risks involved in their work, as well as the rules to prevent accidents.

5.30.4 It is the obligation of the Port, port operators and contractors to provide all their employees with personal protection equipment in accordance with their risk analysis.

5.30.5 The Port, port operators and contractors shall carry out toxicological tests on their employees, principally on equipment operators, in a random manner, which shall be made known to the Administration.

5.30.6 For the execution of works and activities related to conservation, maintenance, reconstruction, completion, modification, expansion, improvement, modernization and development of works in the port, authorized by the Administration, they must have the regulatory authorizations and licenses. Also, they must take into account the following:

- The work and its physical limits will be indicated.
- The construction materials will be collected in a way that reduces space and dust emission, covered if necessary and in the authorized areas.
- The roads where the trucks and machinery circulate will be watered in case of dust emission and the effects on third parties or the air quality.
- Roads soiled by construction site vehicles will be cleaned.
- The dumping of any type of waste or construction material into the sea and rainwater drains is prohibited.

Once the work is completed, the contractor will remove and leave the floors clean of waste and other materials.

5.31 SAFETY FOR CARGO HANDLING, LIABILITY FOR ACCIDENTS, DAMAGE AND BREAKDOWNS TO CARGO, PORT INFRASTRUCTURE, AND EQUIPMENT

- a) The responsibility for breakdowns or damage to the cargo, will be assigned as the case may be, to the user, the port operator, or the Port Society, according to the phases established in numeral 4.7.2.3 of these Regulations and the Code of Commerce. In those cases where there is doubt as to responsibility, the Port Society will only respond if justice so determines.
- b) When damage occurs during port operations, the corresponding damage report shall be drawn up immediately. This will determine the causes and quantify and qualify in detail what has happened. The report must be signed by the representatives of those who are in charge and responsible for the execution of the phase set out in Article 27 of this Regulation, in which the event occurred.
- c) Shipowners, captains of vessels, port operators, land transporters or their representatives, maritime agents, customs agents and other natural or legal persons who carry out activities within the Terminal, shall be liable before the Port Society for accidents, injuries to persons, damage or breakdowns to cargo, damage to the Terminal facilities or equipment, when such events are caused by unsafe conditions, the bad condition or deficiency of the equipment supplied by them, as well as by the conditions of the load, the packaging or stowage of the same, the poor visibility and the obstacle that prevents the correct handling and manipulation, without prejudice to the provisions on the subject in the Colombian Civil Code.
- d) The use of the storage areas and those assigned as such, implies on the part of the owners of the load, to assume the damages or losses that could be suffered for reasons of force majeure or unforeseeable circumstances, for evaporation, decreases, natural deterioration, or own characteristics of the load, or to the packaging or packing.
- e) The Port Society will not accept or recognize claims for unitary shortages in the cargoes that arrive and are declared on the cargo manifests and bills of lading (transport document) in the form of bundles, trays, pallets, unit loads or containers, whose quantity per unit of load or packaging has not been fully checked by the Port Society.
- f) The Port Society will not be responsible for missing or damaged cargoes, after they have been handed over to their owners or representatives officially and for any circumstance continue within the Terminal facilities or its external areas.
- g) The conditioning and distribution of the cargo in the land vehicles will be the responsibility of the owner of the cargo, the transporter or the port operator.
- h) The Port Society will not be responsible for delays, interruption or suspension in the provision of its services due to force majeure or unforeseeable event, such as act of authority, civil or international war, revolution, riot, strike, stoppage or hindrance to work caused by the port operators or users, or when in the Terminal area there are weather conditions such that, in the opinion of the maritime authority or the Terminal authorities, make the provision of the corresponding services dangerous.
- i) Non-compliance by port operators with the safety rules for port operations established by the port and maritime authorities, these regulations, and the Integral Safety rules, will be cause for the Port Society to order the immediate suspension of work, until corrective measures are taken.

5.32 RESPONSIBILITY FOR DAMAGES TO PORT FACILITIES

- a) Port users and operators are responsible to the Port Society for the damage they cause to the equipment or port facilities in accidents due to unsafe conditions and maneuvers, the bad condition or deficiency of the equipment used or any other situation that prevents the correct handling and manipulation of the goods.
- b) The ship's captain is responsible to the Port Society and to third parties affected, for accidents caused by error in maneuvering by pilots hired for docking and undocking, he is also responsible for accidents caused by the ship's maneuvering with the use of a tug.
- c) The transport companies and/or owners of the vehicles, which enter the port facilities, will be responsible for the damages that their vehicles may cause to the physical plant, machinery, equipment, cargo and/or its packing unit, etc. For the period of their stay and/or transit within the facilities, the legal representative of the company of the vehicle will sign an act of commitment for the repair and/or replacement of the damages caused, a document that in turn authorizes the removal of the vehicle from the port facility.
- d) The user who causes damage to the property must pay the Port Company or the affected third party, the costs of repair, replacement of the goods, consequential and/or emergent damages. The payment must be made immediately, once the assessment of the respective damage is presented. The Port Society or affected third parties, in order to cover the costs of the accident, can make effective the insurance policies for civil responsibility of the user or seek recourse against the responsible party.

5.33 INDUSTRIAL SAFETY REGULATIONS FOR VESSELS

5.33.1 Craft docked at the Terminal shall be equipped with the safety features indicated by international regulations and those required by DIMAR.

5.33.2 Vessels berthed at the docks may not carry out any minor repairs without a prior written request made by the shipping agent and authorized by the Port Authority and the Port Society. The vessel that is berthed shall stipulate the time for the repair and if the calculated time is exceeded, the Port Authority may order the vessel to be anchored.

5.33.3 In the event of a vessel sinking or running aground in the port area, work to clear the area must be started immediately by the shipowner, his representative or maritime agent at his own risk, without excluding actions for damages or loss of profit that the Port Company may undertake for this reason.

5.33.4 No vessel, while it is at berth and operating, may set its propulsion machinery in motion, except in cases of force majeure, nor may it sound its alarm systems without the respective knowledge and authorization of the Port Society.

5.33.5 Vessels with explosive or radioactive cargo on board, which are not going to be unloaded at the Terminal, shall be allowed to dock only when the cargo is stowed in special conditioned compartments that do not need to be opened during their stay at the Terminal. During their stay in the Terminal, the presence of an Inspector appointed by the Port Captain will be required.

5.33.6 Vessels at berth shall not pump bilge water, fish, weld or throw waste products that contaminate the facilities or waters of

the Bay of Santa Marta, in which case loading or unloading operations will be suspended and all time of interruption of the operation and any associated costs will be borne by the vessel.

5.33.7 When a vessel needs to be refueled or lubricated, the representative shipping agent must communicate this in writing to the Head of Occupational Safety and Health for approval, after which authorization must be requested from DIMAR who will appoint the corresponding pollution prevention inspector. The supply of fuel to vessels during the loading or unloading of hazardous materials and/or substances will only be permitted after a risk assessment and authorization by the Pollution Prevention Inspector and the Occupational Safety and Health Department.

5.33.8 All goods or cargo classified as hazardous by the I.M.O., according to the International Maritime Dangerous Goods Code (IMDG), may be received directly at the port facilities after authorization by the Occupational Safety and Health Headquarters, except for those determined to be of immediate evacuation as stipulated in the regulations, or those with customs restrictions according to the regulations in force.

5.33.9 As a general rule, hazardous cargoes should be shipped at the end of the vessel's operations or at the beginning in case of unloading. The time of stay of dangerous cargo and its handling in the port facilities, shall be subject to the regulations and procedures established by the Port Society and the recommendations of the I.M.O. Dangerous goods that do not comply with safety regulations may not be loaded or unloaded in the Terminal.

5.33.10 The Port Society, with the prior approval of the Superintendent of Transport, in the event of an emergency or to guarantee the safety of the Terminal, its installations and the vessels, may order the destruction of said goods when they are under its jurisdiction.

5.33.11 The shipowner, his maritime agent or the port operator, have the obligation on their own account to prevent at all costs the fall of any type of merchandise or object into the water, to withdraw or recover the merchandise or objects that fall into the water during their handling, and will be responsible for the environmental damage caused, avoiding this at all costs. If the fall of goods or obstacles into the water is likely to cause environmental pollution and/or damage to the quality of the water, the Environmental Control Bodies must be notified immediately so that they can determine the corrective measures to be taken.

5.33.12 In cases where the cargo is catalogued by Health and Safety at Work as direct unloading and immediate evacuation, it may not be unloaded until the customs procedure has been completed, the port services have been paid and the means of transport that will remove it from the Terminal facilities is present.

5.33.13 The safety of vessels while at anchor or berthed is the sole responsibility of the Captain and no instruction or act of the Port Society makes it responsible for the safety of the vessel.

5.33.14 Vessels unloading at the Terminal shall take sufficient ballast for departure to the satisfaction of the pilot.

5.33.15 It is forbidden to exhibit, carry or shoot firearms. Any weapon on board shall be kept under the captain's custody while the vessel is in the Terminal.

5.33.16 Trafficking, possession or storage of narcotic drugs, or drugs that cause physical or mental dependence is illegal and may result in fines, imprisonment and further confiscation of the vessel by the competent authority. Shipping agents,

shipowners and captains shall exercise utmost diligence and care to avoid the possession, storage or transport of such drugs and narcotics.

Paragraph: All users of the Terminal are warned that the import, transport and use of substances necessary for the production and processing of narcotic drugs or those that produce psychological or physical dependence, is specially controlled and regulated by the Colombian Government, through the National Narcotics Council, an agency before which it is necessary to register and apply for the relevant permits, as regulated by Act 30, 1986 and Resolution No. 009, 1987 of this Council. All amendments or additions made by the Ministry of Justice or the competent authority shall be deemed to have been incorporated into these regulations.

5.33.17 Captains, officers, and crews of vessels arriving or in the Terminal area shall not consume alcohol or psychoactive substances before the start of their work day or during maneuvering, loading, unloading, or duty shifts. The practical pilot, in case he notices drunkenness or alteration due to alcohol in the officers of the ship, shall notify the Port Captain's Office, the Superintendent of Transport and the Port Society so that any of them may take the pertinent measures they deem necessary.

5.34 SAFETY STANDARDS FOR DANGEROUS CARGOES

5.34.1 Packaging, containers, marks, labels, technical name and UN number:

Hazardous substances entering the port facility must be properly packaged, marked, labelled or tagged in accordance with the IMDG Code. All hazardous substances must bear the correct technical name, UN number and class to which they belong.

The correct technical name means the chemical name of the contents. The trade name is not acceptable.

5.34.2 Removal of Dangerous Goods and Potentially Contaminating Cargo Offloading: Dangerous goods and potentially contaminating cargo may not be offloaded onto the slab or quay until the vessel, barge or vehicle that is to move it out of the port facility or to the appropriate site is ready to receive it.

5.34.3 Maintenance and separation: The Port Society has already established the places for maintenance of dangerous goods and will enforce the distances according to the segregation tables ordered by the Port Security Regulations.

5.34.4 Supply of fuel: The supply of fuel by land to vessels during the loading or unloading of inflammable substances is not permitted.

5.34.5 Equipment and implements: The Port Society shall require during the handling, loading, unloading and maintenance of dangerous cargo that all personnel directly involved will have adequate protection equipment and tools as determined in the Port Security Regulations. Therefore, port operators have the obligation to provide their workers with these elements when appropriate.

5.34.6 Attention to emergencies: During the loading or unloading of dangerous substances, the port operator must have:

a) Emergency procedures to combat spills or fires of hazardous substances.

- b) Appropriate protective equipment for personnel carrying out the relevant emergency procedure.
- c) The means to provide first aid in the event of accidents caused by these products.

The Port Society is empowered to order the evacuation of its areas, to order the anchoring of vessels, or the evacuation of vehicles, that at the time constitute a risk for the Terminal or for themselves.

Users, shipping agents and port operators shall comply with all the provisions laid down in the Port Security Regulations in the event of an emergency.

In any type of emergency, when the Port Society provides its support through its emergency response brigade, the costs generated by the use of specialized material equipment must be covered by the user who caused the situation.

5.35 ENVIRONMENTAL PROTECTION

- a) All vessels arriving at the Terminal must comply with the rules set out in the International Convention for the Prevention of Pollution from Ships (MARPOL/73/78).
- b) Upon request of the shipping agent, with authorization from DIMAR and approval of the Port Society, a port operator may offer the service of receiving bilge waste from the engine room in limited quantities. The consequent interruption of loading or unloading operations shall be for the account of the ship, as shall the provided service.
- c) The pumping of ballast is prohibited, unless it is clean ballast, in accordance with the provisions of the Convention for the Prevention of Marine Pollution (MARPOL/73/78).

CHAPTER VI. RULES ON BERTHING AND UNBERTHING OF SHIPS AND THEIR PRIORITIES

6.1 PROTOCOL FOR THE ANNOUNCEMENT, ARRIVAL AND STAY OF SHIPS

6.1.1 Programming and coordination of operations

6.1.1.1 For the scheduling of the arrival window, the shipping lines directly, or through the shipping agent in the case of Regular Line Vessels, or the Shipping Agents or the users who own the cargo in the case of Non-Regular Line Vessels, shall request the assignment of arrival windows to the Terminal.

6.1.1.2 For Non-Scheduled Service Lines, the window request shall be made approximately eight (8) calendar days in advance, notwithstanding that for vessels whose stay is very short or their loading place is close to the Terminal, the window request be made with less time. The above is without prejudice to the Terminal and the user may agree on the allocation of windows during a period including the arrival of several vessels at the Terminal. At the moment of the window request, the type of cargo and the estimated volume of operations must be informed.

6.1.1.3 For Regular Service Lines. When a Shipping Line decides to start a regular service through the Terminal, it must give at least 30 days' notice of this interest indicating the periodicity of the service, the type of cargo and the volume.

6.1.1.4 Vessels arriving from outside the window or without an assigned window shall be served in accordance with the provisions of section 6.1 of these regulations.

6.1.1.5 The Port Society's Operations Committee is in charge of planning, organizing and coordinating all activities to be carried out daily at the Terminal and is made up of the Vice President of Operations or the Operations Manager or whoever is acting as such, a representative of the respective port operators and a representative of the respective shipping companies with authority and decision-making power.

6.1.1.6 An operation order shall be issued for each ship, detailing the work to be performed, including: characteristics of the ship, type and class of cargo to be unloaded and/or loaded, time of initiation, number of single or double holds, number of tweendeckers, number of crew, personnel and equipment on board and ashore, scheduled storage sectors, calculation of yields for each hold, time of completion.

6.1.1.7 No vessel may berth or carry out operations if it is not duly programmed and in order of operation or, in its absence, without the respective authorization of the Port Society.

6.1.1.8 The Regional Port Society of Santa Marta Inc. shall refrain from scheduling those vessels whose documents are not complete or duly prepared or whose information is inconsistent, which prevents the start of all operations once the free talk is determined. The date and time taken into account for the receipt of documents is the administrative schedule of the Regional Port Society.

6.1.2 Ship announcement.

6.1.2.1 With a minimum of twenty-four (24) hours prior to the arrival of a vessel, the shipping agent must present to the Port Society, through our virtual services, the announcement and confirmation of the arrival of the vessel, which contains the following information:

l) Name and Flag.

m) The Net Registry Tonnage (TNR) and the Gross Registry Tonnage (TBR).

n) Arrival draft, length and beam.

o) Names of the Shipowner or Charterer and the Shipping Agent.

p) Last port and next port of arrival.

(q) The estimated time of arrival (ETA) and the estimated time of departure (ETD)

(r) The tonnage for loading/unloading.

s) List of dangerous cargo on board and its classification based on the International Dangerous Goods Code (IMO code).

t) The number of passengers to be embarked or disembarked.

u) Name of the Port Operators nominated to provide the services of piloting, tugging, stowage and unstowage or loading and unloading, cargo transfer, and any other service that the vessel will require.

v) Any other information of importance relating to the handling of the cargo or the safety of the ship at the terminal.

6.1.2.2 News about arrival times must be informed by the shipping agent to the Port Society through our Virtual Port services, with the purpose of taking the necessary measures according to the operational convenience of the Terminal.

6.1.3 Arrival of the vessel

6.1.3.1 The arrival of the Vessel to the Port of Santa Marta is coordinated by the Maritime Agencies that represent them and the Maritime Authority, through the Maritime Traffic Control office and/or the Pilots' Station office, according to the berthing line schedule and the availability of quays in the Port.

6.1.3.2 The Port of Santa Marta, according to the availability of quays, shall coordinate with the Maritime Agencies and the pilots' station the sequences and times for the ships' berthing maneuvers.

6.1.4 Permanence of Vessels

6.1.4.1 The permanence of the ships in the quays is subject to the assigned windows and the programming of loading and unloading, according to the quantity of goods to be managed.

6.1.4.2 The time of stay of the vessels on the quays is established between the date and time when the first line is secured to the dock and the date and time when the last line is released.

6.1.4.3 No inactive vessel may remain at berth without prior authorization from the Port.

6.1.4.4 In case the vessel cannot sail for any reason of force majeure, the Captain must request from the Port a quay extension indicating the time of stay.

6.2 BERTHING PRIORITIES

6.2.1 The Port shall determine the berthing times (LAY/CAN), based on a system of windows, giving berthing priority to all those vessels announced, confirmed and with the documents required in these regulations, over those that have not met these requirements.

6.2.2 The Port Company shall be responsible for authorizing priority docking of the various vessels for loading and unloading operations in the

terminal, according to the type of ship, the type of service, the type of cargo and the estimated time of operation.

6.2.3 In case the vessel does not have a window assigned by the terminal, or the ship has arrived outside the assigned window, the berthing priority shall be done, respecting the windows assigned to other vessels. Notwithstanding the above, if several vessels arrive simultaneously in this condition, priority shall be the result of the sum of the time from the time of arrival plus the scheduled operating time. In any case, the priority utilized for the berthing of these vessels will be according to the quay that, due to the specialization of the equipment available there, should receive this type of cargo. Thus, in this case, the Port Society will be able to program the berthing line so that vessels with cargo destined for a specialized quay, once confirmed, will berth in the shortest possible waiting time to develop their operations in the most efficient way.

6.2.4 When a vessel carries or is going to carry animal or vegetable origin, processed or semi-processed cargo, which may serve as a vehicle or vector for health problems; or those that are infectious-contagious, it must be submitted to the corresponding inspection, and its request for berthing will only be considered once the Port Society has received written approval from the corresponding authorities.

6.2.5 When a specialized quay is free, non-specialized vessels may be berthed there, with the commitment that once that quay is required for a specialized vessel in its window, those vessels must move to another quay or to an anchorage area, at their own expense.

6.2.6 In the event of the situation provided for in paragraph 6.1.3, the following rules shall be applied to establish berthing priority:

6.2.7 All vessels, regardless of their nationality, classification, registration tonnage, length, beam or draft, for the purpose of providing services at the Terminal, shall be subject to the priority detailed, which may be modified by the President of the Port Society, in accordance with the operating conditions.

- a) Tourist passenger boats.
- b) Vessels carrying or arriving to carry, perishable cargoes with limitation for their conservation on board and on land.
- c) Mixed vessels, which lose this condition if they carry less than 24 passengers.
- d) RO-RO vessels to receive exclusively export cargoes.
- e) RO-RO vessels to unload import cargoes.
- f) Specialized container vessels to receive exclusively containers with export cargo.
- g) Specialized container ships to unload containers with import cargoes and load containers with export cargoes.
- h) Conventional vessels to load containers with export cargo.
- i) Conventional vessels to load export cargoes.
- j) Conventional vessels to unload import cargoes and load export cargoes.
- k) Tankers with fuel.
- l) Tankers with liquid products other than fuel.

m) Vessels to be loaded with solid bulk for export.

n) Vessels to unload solid bulks for import.

o) Vessels to load and/or unload local cargoes.

p) Vessels not in operation. Non-operational vessels are understood to be those that will carry out operations other than the loading of import or export goods.

6.2.8 The established priority shall be applied to unscheduled vessels, anchored, that have arrived at the Terminal within the same period of time, provided that they have confirmed their arrival, requested services and presented complete documentation and are declared in free-pratique by the authorities. This priority shall not apply to vessels duly scheduled in window, which shall have priority in their scheduling and berthing in accordance with the provisions of this Article.

6.2.9 If two or more vessels are given equal priority, the order of arrival shall be taken into account as a criterion for the definition, the result of the sum of the time from the time of arrival plus the scheduled operating time, so that the vessel that sails first shall have priority, based on the criteria of productivity and operating efficiency.

6.2.10 National warships or foreign flag vessels, school ships and vessels on official visits, when these have been previously announced by the National Navy, may dock at the Terminal docks for the time necessary for the protocol formalities: the rest of the time they must remain in the anchorage area. If several warships arrive at the Terminal on an official visit, they will be docked by nationality.

Paragraph. If the vessel does not arrive at the port within the duly agreed time window, space may be assigned to another vessel or craft.

6.2.11 LOSS OF BERTH

They lose the right to the established priority and therefore they give up their turn to dock:

a) When the health authorities detect infectious diseases in the boats, crew members or passengers.

b) When the health authorities detect health problems in the cargoes of animal or vegetable origin.

c) When the vessel arrives outside its scheduled window.

d) In the case of vessels to receive export cargo only, where the existence of export cargo does not guarantee the continuity of operations.

e) When a vessel has not presented the complete documentation required by the Port Company.

f) For reasons of security or public order.

g) For lack of availability of vehicles for continuous work in operations previously determined as direct or immediate evacuation.

h) Due to lack of guarantees in the supply of specialized equipment and equipment for loading or unloading operations.

6.3 PRIORITY AND ALLOCATION OF SLIDING WINDOWS FOR CLEAN BULK VESSELS ON SPECIALIZED QUAY No.

The vessel must meet the following requirements:

- Comply with all Colombian and international laws, conventions and provisions in force and applicable.
- Comply with the Technical Conditions of Operation Regulations of the Regional Port Society of Santa Marta and that established in the Environmental Management Plan (PMA) of the Regional Port Society of Santa Marta, as well as the technical conditions established in its Environmental Management System.
- To be a bulk carrier and allow to be scheduled at a minimum unloading rate of 8,000 Tons per day.
- At the minimum to have on board 16,000 tons to be unloaded in the Port of Santa Marta.
- At least 30% of the cargo must be able to be suctioned i.e. grain. (Flours are not able to be suctioned in the port of Santa Marta.
- Be less than 25 years old.
- Notify the Port Society at the following moments:
 - a. Time at which they are hired to transport clean solid bulk to the Port of Santa Marta.
 - b. Time at which they arrive at the port of loading and successive ports before Santa Marta.
 - c. Time at which they start their loading operation at the port of loading.
 - d. Time of departure from the port of loading and successive ports before the Port of Santa Marta.
- Send to the Port Society with no less than 72 hours in advance of their arrival at the pilot's station the Motorized Ship Announcement format (FAM), including all the ship's data and the unloading plan.
- Be classified by a classifying IACS-affiliated society.
- Captains, officers and crew must be duly certified according to the law of their flag country, and in accordance with international conventions, including the IMO STCW.
- Have draft marks clearly cut in the hull sheet and painted, at the bow, stern and in the middle of the vessel, on the starboard and port sides. All data and books of stability, tank calibration, correction of seats and other boards and plans required for the execution of the tonnage measurement must be certified by the classification agency, be legible and remain available to the inspector. The Captain must assign a responsible officer to accompany the inspector as soon as he is on board the ship, to witness draft and sounding readings.
- Provide an access ladder, in good condition, with parapets and handrails, with safety netting, and with sufficient lighting at night. On deck, next to the ladder, there should be, ready for emergency use, a life ring with a safety line.
- Keep on board and available, enough officers and crew to attend to the vessel's moorings, the opening and closing of the hatch covers, attend to the access ladders, to move the vessel in the dock when the unloading operation requires it, and in general, to ensure the safe and efficient operation and handling of the vessel.

- Have sufficient lighting on the ship's deck to allow safe unloading operations at night.
- Have an officer on watch supervising the operation during loading.

6.3.1 Quarterly Shipment Plan.

The user shall submit to the operator a quarterly plan for unloading clean solid bulk cargo within the first 15 days of the month preceding the announced quarter.

The quarterly loading plan shall include the information necessary to schedule the operation. Including, but not limited to, the following:

- Quantity of clean solid bulk to be discharged.
- Types of clean solid bulk to be unloaded.
- Boarding and arrival plan (itinerary).

Each month, users will submit quarterly updates of the annual shipping plan.

6.3.2 Vessel nomination.

The following information shall accompany the vessel nomination:

- ETA.
- Amount of clean solid bulk to be discharged.
- Origin.
- Owner.
- Shipping agent.
- Type of bulk carrier.
- Flag.
- IMO number and name.
- Year of construction.
- Classification agency.
- Length.
- Breadth.
- Air draft
- Dead weight and draft for summer area.
- Free board for summer area.
- Estimated bow and stern draughts for mooring and setting sail.
- Displacement at berth (TM).

- Number of holds.

- Hold capacities and dimensions of the hatches.

- Length of the loading area (from the forward coaming of hold number 1 to the aft coaming of the last hold).
- P & I club.
- Expiry date of ITF certificate of compliance.

Within 24 hours of receipt, the operator will, if deemed necessary, request additional information, or accept or reject the nomination. In case of rejection, the Port Society will explain the reasons for the decision.

A nominated vessel may be replaced by another of similar characteristics but will require acceptance by the operator.

The user shall submit to the operator the stowage plan of the vessel and the unloading sequence three (3) days, 72 hours before its arrival.

6.4 PRIORITIES FOR THE PILOTAGE SERVICE

6.4.1 The pilotage service is described in Chapter IV, Number 462 of these regulations. In the Port of Santa Marta only one maneuver can be made at a time. The Port Society of Santa Marta will be in charge of authorizing the priority of the pilotage service for the different maneuvers for the departure or arrival of the vessels, according to the daily schedule of the berth line.

In case an immediate action of the pilotage service is required, the Port of Santa Marta in coordination with the authorities and the maritime agency, will request the priority of this service.

6.5 QUAY ASSIGNMENT

The Port Company, in order to assign the quays, must take into account the following aspects:

- 1) Time of arrival at the sea buoy.
- 2) Regularity or frequency of service of the vessel or shipping line to or from the port.
- 3) Type of cargo, volume and nature.
- 4) Type of vessel and dimensions.
- 5) Equipment and/or machinery to ensure the highest loading and unloading rates.
- 6) Length of stay

Paragraph: Vessels will remain in the assigned quays only for the time authorized by the Port Society or port permission.

6.6 PROHIBITIONS FOR VESSELS DURING THEIR STAY IN THE TERMINAL

6.6.1 Pumping of ballast is prohibited, unless it is clean ballast, in accordance with the Convention for the Prevention of Marine Pollution (MARPOL/73/78)

6.6.2 It is prohibited to exhibit, carry or fire weapons. Any weapon on board shall be kept in the custody of the Captain while the vessel is in the Terminal.

6.6.3 It is prohibited to discharge bilges and waste substances, either solid or liquid, into the body of water, within the jurisdiction of the Port Society. Ships and boats shall be provided with adequate containers for solid waste, which shall be evacuated to the places authorized for this purpose, with the knowledge and permission of the Port Society.

6.6.4 It is forbidden to keep solid waste in places that can easily be spread or spilled into the water.

6.6.5 Boats that are docked, may not bilge, fish, weld or throw residual products that contaminate the installations or waters of the Bay of Santa Marta. If this occurs, loading or unloading operations shall be suspended and all the time of interruption of the operation and any associated costs shall be borne by the ship.

6.6.6 It is forbidden to carry out any repairs without prior authorization from the Port Company and the Port Authority of Santa Marta.

6.6.7 It is forbidden to disembark or board the vessel under the influence of alcohol or hallucinogenic substances.

6.6.8 It is forbidden for foreign crew to leave the Port Facility without the authorization of the Colombian migratory authority.

6.7 UNLOADING

6.7.1 When the Vice-presidency of Operations of the Port Society indicates an unberthing maneuver for a vessel, this operation must be carried out within the time indicated in the order. The maximum time shall not exceed two hours.

6.7.2 Once loading and/or unloading operations are completed, the vessel has two hours to set sail or anchor, unless authorized by the Vice President of Operations of the Port Society to remain at anchor for a longer period. If any vessel does not set sail within the stipulated time, it will be responsible for any damage caused to the port society and third parties.

6.7.3 When, with the aim of optimizing the use of the quay, the Port Society orders a move from one quay to another, the costs will be borne by the Port Society. When a vessel requires a specific quay for berthing and this involves moving another vessel to another quay, the maneuvering costs shall be borne by the shipping agent who requested the change.

Paragraph. The Port Society reserves the right to assign pilots, tugs and moorers to undock the vessel when the time limit defined by the Technical Regulations of Operations has been exceeded, at the cost of the vessel.

6.8 ORDER OF UNBERTHING

The order to unberthing shall proceed in the following cases:

- 1) Where the Maritime Authority orders the unberthing of a ship for reasons of safety or public order.
- 2) When the loading or unloading of a vessel affects the normal course of port operations due to poor performance attributable to the vessel or its representatives, or when they do not use the allocated timetables and resources during the operation, the vessel shall occupy the last shift for berthing in relation to vessels of its type at anchor.
- 3) When there is not enough legalized export cargo at the terminal, quay or wharf to ensure the continuity of operations of a vessel.

Once the cause of the unberthing is rectified, it will recover its priority for berthing.

4) When aboard the berthed vessel, a competent authority detects an infectious-contagious disease and the vessel shall be declared under quarantine, it must be immediately moved to the “Quarantine anchoring area” established by the Maritime Authority. In this event, the Port Society must communicate to the Local Protection Committee of the jurisdiction and to the Ministry of Health and Social Protection, so that it can fulfill the functions of monitoring and evaluation of public health emergencies as established in the International Health Regulations (IHR2005).

5) After completion of loading and/or unloading, the ship shall immediately sail or anchor, unless the port terminal has given its express permission for the ship to remain at berth for a longer period. If any vessel does not leave port within the stipulated time, it shall be liable for any damage caused by its delay.

Paragraph 1: In the cases described in numbers 2 and 3 of these articles, the request must be presented by the Port Society, informing the Maritime Authority and recording the reason for this decision.

6.9 REQUIREMENTS FOR DEPARTURE

6.9.1 It will be managed according to the departure protocol described in Chapter V. Number 5.1.4 of these regulations and the following requirements should be taken into account:

- No vessel that has docked at the Port Society's facilities may leave the Terminal without the departure issued by the maritime authority, in accordance with the legal requirements.
- The Captain of the ship must ensure that the ship is ready to sail within one hour after the end of the operation.
- The ship must have a pilot, tugs, mooring lines and launches.
- The minimum number of tugs must be present in accordance with the provisions of DIMAR Resolution No. 685, 2018 or those that substitute or modify it.
- To have presented and filled out all the documents related to the cargo and details of the operation.
- That the existing climatic conditions guarantee a safe maneuver.

CHAPTER VII. RISK CONTROL AND ENVIRONMENT

7.1 OCCUPATIONAL HEALTH AND SAFETY

7.1.1 The Port Company, service providers and, in general, all those who carry out activities inside the Terminal, are obliged to comply with the following security provisions:

- 1) To correctly use the personal protection elements under the specifications given in the different protocols established according to the activities or operations carried out in the Terminal, considering the exposure to risks.
- 2) Wear uniforms, badges and credentials that identify the company for which they provide their services, comply with the rules on safety and health at work provided by the National Government, and comply with the provisions of international conventions ratified by Colombia.
- 3) To report risk and accident conditions that occur during operations.

7.1.2 The Port Society and in general the users of the Port, must comply with the international procedures and standards related to hygiene and health at work in the port area, in order to maintain adequate working conditions and prevent occupational diseases.

7.1.3 According to the Occupational Safety and Health Management System (OSHMS) manual, code OA-SEG-401, employee safety and health is promoted and prevented through the various industrial safety and hygiene, preventive medicine and occupational health subprograms, including the various epidemiological surveillance systems for the prevention and monitoring of occupational diseases and the priority risk management programs for accident prevention.

7.1.4 All of the above is complemented by the program of training, induction and re-induction of occupational safety and health, and the planned and routine inspections carried out in the different areas to verify compliance with the recommendations or action plans proposed in the identification of hazards and risk assessment.

7.2 Persons responsible for the protection of the environment and the marine environment, national regulatory agreement and MARPOL.

7.2.1 Sustainability area and management systems of the Port Society of Santa Marta.

7.2.1.1 The Port Society of Santa Marta has a Sustainability and Management Systems Department in charge of the company's environmental management and the maintenance of the ISO 9001, ISO 14001 and BASC management systems. This department is made up of a sustainability manager, a head of management systems and an environmental coordinator.

7.2.1.2 In compliance with the provisions of Article 8, Decree 1229, 2008, this area is registered with the District Administrative Department of Sustainability and Environment DADSA, through communication 612-10333 filed on November 4, 2008.

7.2.2 Responsibilities of the Department

7.2.2.1 The sustainability department is in charge of ensuring compliance, follow-up and maintenance of the Environmental Management Plans of the Port Society of Santa Marta and its affiliated companies, management of resource use permits, evaluation and management of project authorization from the environmental perspective and of generating the reports required by the environmental authorities, attending to visits, follow-up of operations and projects developed in the port and ensuring compliance with the environmental regulations applicable to the operation.

7.2.2.2 Included within the responsibilities of the department, is to watch over the implementation, follow-up and continuous improvement of the Integrated Management Systems that the Santa Marta Port Society and its affiliated companies have, which are ISO 9001, ISO 14001 and BASC.

7.2.2.3 These are functions of the Sustainability and Management Systems Department:

Environmental Protection

- Monitoring and maintenance of PMA SPSM, and CARBOSAN
- Monitoring of SPSM and CARBOSAN Contingency Plans
- Attention to requirements of the authorities (ANLA, ANI, DADSA, DIMAR, PORT SUPERINTENCE AND CORPAMAG)
- Attention to audits and monitoring by environmental authorities
- Annual environmental training program
- Attention to environmental complaints and claims
- Elaboration of annual ICA
- Ongoing environmental inspections to verify compliance of SPSM and its subsidiaries with PMA programs
- Management of environmental permits, authorizations and licenses for new projects of SPSM and its subsidiaries
- Waste management
- Environmental indicators
- Monitoring and analysis of environmental studies
- Monitoring of environmental permit for air emissions
- Ensure compliance with the provisions of MARPOL 73/78

Management Systems

* Annual maintenance and certification of SPSM management systems (ISO 9001, ISO 14001, BASC)

“By which the updating of the Regulation of Technical Conditions for the Port Operation of the REGIONAL PORT SOCIETY OF SANTA MARTA Inc. is approved by virtue of Port Concession Contract No. 006, 1993”

- Maintenance and annual certification of CARBOSAN management systems (ISO 9001, ISO 14001, BASC)
- Maintenance and annual certification of the OPERLOG management systems (ISO 9001, BASC and RUC)
- Planning, attention, documentation and follow-up of 4 annual external audits (ISO 9001, ISO 14001, BASC and RUC)
- Planning, attention, documentation and follow-up of 2 internal audits (GIS and ISPS)
- Management and control of the documentation of the Management Systems implemented in SPSM and its Subsidiaries
- Management committees
- Management review
- Training
- Support in supplier audits
- Attention to customer audits
- Preparation, updating and monitoring of quality risk matrices
- Preparation, updating and monitoring of environmental risk matrices
- Preparation, updating and monitoring of environmental aspect and impact matrices
- Development, updating and monitoring of the emergency matrix
- Preparation, updating and monitoring of the matrix of environmental legal requirements
- Monitoring and completion of GIS indicators
- Follow-up and support to the different processes of the management of corrective and improvement actions

7.3 FUMIGATION

- 7.3.1 The supplier in charge of executing the activities of the Pest Control Program must have a concept of operation for the application of pesticides issued by the District Health Department and headquarters with physical facilities in the city of Santa Marta. One day before the service is provided, all offices must be left unlocked in order to avoid mishaps during the activity.
- 7.3.2 The Port must inform all Company employees of the fumigation days with a maximum of 48 hours’ notice, through the Communications and Public Relations Office by means of a corporate email specifying: the areas to be intervened, date, hours of application, treatment to be carried out and all the preventive measures established for the execution of the fumigation activity.
- 7.3.3 The supplier in charge of executing the fumigation service must provide chemical safety data sheets of the products to be used, to the department responsible for the Pest Control Program

7.3.4 Application areas should be protected by covering them with plastic and switching off electrical equipment, especially air conditioners and fans.

7.3.5 The technician in charge of conducting the fumigation will notify the office employees of the time needed before re-entering the treated area according to the type of product applied (the time needed before re-entering the office will be a minimum of 45 minutes).

7.3.6 Once the safety period has elapsed, the supplier in charge will verify that there has been good ventilation and that all the air has been completely renewed, so that there will be no odor or residue from the applications (sprays and fogs).

7.3.7 Fumigation activities are carried out taking into account the obligations defined in the environmental management plan and other administrative acts.

7.4 POLLUTANT WASTE FROM SHIPS

1) Polluting waste from ships shall be regulated by the rules contained in the International Convention for the Prevention of Pollution from Ships (MARPOL Convention), with its 1978 Protocol.

2) The captains of the ships are obliged to communicate to the Port Society and the Port Captain's Office of Santa Marta, the quantity and types of waste on board and, in the case that it is authorized to be evacuated, it will be to an authorized reception facility, verifying its final disposal, to avoid contamination of the environment. This notification shall be made in accordance with the provisions in force, which regulate reception facilities for solid and oily waste from ships. In the case of harmful substances in packages, containers, portable tanks and lorries/tankers covered by Annex III to the MARPOL Convention, a list or special manifest shall be provided, listing and classifying those substances and their location on board. The companies authorized to receive the oily and solid waste in the port area will be obliged to report to Safety, Health and Environmental Protection the discharges of waste they have carried out and the final disposal of the waste. The Port Society will determine the data and the communication of the information.

3) The captains of the ships shall comply with the provisions in force contained in the MARPOL Convention on the provision of elements, facilities and documents on board for the prevention and control of operations for the disposal of waste or other substances.

4) It is forbidden to discharge bilges and waste substances, either solid or liquid, into the body of water, within the jurisdiction of the Port Society. Ships and boats must be equipped with suitable containers for solid waste, which will be disposed of in the appropriate places, with the knowledge and permission of the Port Society.

5) It is forbidden to keep solid waste in places that can easily be spread around or spilled into the water.

6) The Shipping Agency, the owner and the captain of the vessel shall be jointly responsible for spills and/or spills and contamination of the coastal marine environment, in accordance with the provisions in force, who shall immediately adopt the adequate measures for the containment, cleaning, mitigation and collection of the contaminating element.

7) In the event of a spill that contaminates the water body, the captain of the ship must immediately notify the Port Captain's Office and the Port Society.

8) The management of pollutants from ships must comply with the environmental management sheets: Management of chemicals and hazardous substances, integral management of solid waste, as well as the obligations of the environmental management and control instrument in force, established by Resolution 794, 2008, or the one that modifies or replaces it.

7.5 ANIMAL AND PLANT CARGO

7.5.1 When a vessel is transporting animal or plant origin, processed or semi-processed cargo, which may serve as a vehicle or vector of health risk, it shall be subject to mandatory sanitary inspection at anchorage and its berthing. Unloading shall be authorized when the competent authority issues the corresponding phytosanitary or animal health permit for import goods.

7.5.2 The receipt and shipment of export goods requires the prior presentation by the owner of the cargo or his customs agent of the phytosanitary or zoo sanitary certificate, as appropriate, issued by the competent authority.

7.5.3 For the handling of animal and plant cargo from ships, the following environmental management sheets must be complied with: Handling of chemicals and hazardous substances, Integral management of solid waste, as well as the obligations of the environmental management and control instrument in force, established by Resolution 794, 2008, or the one that modifies or replaces it.

7.6 LOADING OF EXPLOSIVE OR RADIOACTIVE MATERIAL

7.6.1 The Port Society, in compliance with the recommendations of the International Dangerous Goods Code (IMDG) and its protocol or Procedure for the Entry, Maintenance and Delivery of Dangerous Goods, can receive and maintain in transit almost all classifications of these goods, except those which, due to their risk of explosiveness, instability or potential for serious damage to people's health, will be immediately evacuated. This includes Explosive Class 1, Divisions 1.1, 1.2 and 1.3, Gases of class 2.3 (toxic gases), Flammable solids of class 4 with secondary risk of explosiveness, Organic Peroxides of class 5.2, Infectious substances of class 6.2, Radioactive material of class 7 or any substance that due to its imminent risk, the Port Society does not have space to keep it.

7.6.2 In any case, these cargoes shall be of direct operation, not being able to remain in the first line of the quay beyond the time required for their operation and transport.

7.6.3 The shipping agency representing the vessel shall be responsible for ensuring that the importer has, in advance, all documents in order and sufficient vehicles for an immediate departure from the port of the explosive material of Classes 1.1, 1.2 and 1.3.

CHAPTER VIII. DOCUMENTATION AND COORDINATION ACTIVITIES

8.1 DOCUMENTATION

8.1.1 All ships are required to submit the documentation established by the International Maritime Organization (IMO), as well as the documents established in Law 17, 1991, through which the convention on the facilitation of international maritime traffic was approved, and other related regulations.

8.1.2 Shipping agents, captains, and ship owners are responsible for submitting the documentation to the national authorities, by any legible and understandable means, or by such means as may be established.

8.2 FACILITATION OF MARITIME TRAFFIC

8.2.1 The control of maritime traffic in waters under its jurisdiction and in national ports is the responsibility of the maritime authority, in accordance with the relevant rules, in particular those contained in national regulations and international conventions relating to the facilitation of maritime traffic.

8.3 OFFICIAL VISIT

8.3.1 Upon arrival of the craft and prior to clearance of the loading and unloading, embarkation or disembarkation of passengers, an official visit shall be made to the craft by the appropriate authorities in accordance with the rules and procedures in force.

The competent authorities are as follows:

- Port Captain or his representative, who presides over the visit.
- A representative of Port Health.
- A representative of Migration Colombia.
- A representative of the ICA.
- A representative of DIAN.

8.3.2 Warships are not required to receive this visit. The authorization for the arrival of foreign warships to Colombian jurisdictional waters or ports shall be processed and authorized by the Ministries of Foreign Affairs and National Defense. Vessels belonging to navies are not exempt from visits when they arrive at ports in commercial transport activities.

8.3.3 The shipping agent or the shipowner must inform the indicated authorities of the vessel's arrival time. The visit is carried out at the time established by the Port Captain.

8.3.4 At the end of the visit, the Port Captain declares the vessel Free Pratique, unless there are situations or reasons to deny it.

8.3.5 The visit must be personally attended by the Captain of the ship.

8.3.6 The shipping agent must present to the Port Society the corresponding copy of the Port Captain's Visit Report, immediately after the visit.

8.4 FREE PRATIQUE

8.4.1 The Port Society of Santa Marta and the operators of the Port will abstain from authorizing operations if they do not previously have the "Free Pratique" issued by the maritime authority.

8.4.2 Operations can only be started immediately when the ship above comes from another Colombian port, and the port authority has given the respective authorization.

8.5 RESERVATIONS AND RIGHTS IN THE PROVISION OF SERVICES

8.5.1 The Port Society, in compliance with its obligations as concessionaire of the Port Concession granted through Concession Contract No. 006, 1993 and in its function as administrator of the port facility, reserves the right to:

- a) Not to authorize the services requested by the users, when these are not in agreement with the Port Society and with the Superintendent of Transport according to reports of the same one, or do not fulfill the norms established in the present Regulation. The Port Society shall have the right to retain the goods deposited in the Terminal by the users in security of the pending payments for the services rendered to them.

“By which the updating of the Regulation of Technical Conditions for the Port Operation of the REGIONAL PORT SOCIETY OF SANTA MARTA Inc. is approved by virtue of Port Concession Contract No. 006, 1993”

- b) Suspend the authorization to provide services to port operators and shipping agents who do not comply with the rules established in these Regulations, or when the provision of services by port operators involves danger to the cargo, environment, people or facilities, or when the Superintendent of Transport requests it. Likewise, establish educational methods or impose entrance restrictions for the time that, according to the seriousness of the fault, the Port Society considers convenient, applying the table of corrections contained in the internal regulations of integral security of the Port Society.
- c) Suspend operations when inadequate practices are used in the handling of the cargo or when the adequate and safe equipment for each case is not used until the anomalies that caused the suspension are corrected.
- d) Rate the performance of port operators in terms of efficiency, safety, compliance, professional technical capacity and administrative management.
- e) Request the competent authority to suspend or cancel the permit, authorization or registration of the port operator or user who commits irregularities, or when he does not qualify according to the assessment made by the Port Society.
- f) Not to authorize the service to the port operators before the Port Society due to the expiration or cancellation of the registration before the competent authority in accordance with the regulations in force.
- g) To suspend the authorization to provide services to those natural or legal persons who, in order to obtain advantages or priorities, use improper practices.
- h) Submit to the Superintendent of Transportation and the Port Authority protests corresponding to facts or situations that hinder the normal development of port operations, violate or fail to comply with regulatory standards.
- i) Not authorize the operation of loading or unloading vessels or land vehicles, when the corresponding documentation has not been submitted in accordance with the rules and terms set forth in these Regulations and Procedures Manual.
- j) Require port operators, shipping agents and users in general to comply with the previously agreed program for each operation.
- k) Order the start or suspension of operations on deck or in the holds of vessels with deficient stowage and that, for this reason, when the stowage is removed, the cargo is damaged; there are signs of looting in the cargoes deposited in them; unsafe conditions, equipment, attachments and rigging that are inadequate or have expired licenses. In none of the above cases will the Port Society be responsible for damages, breakdowns or shortages that may occur to the cargo or for accidents in general.
- l) Require port operators to work continuously within the hours established and agreed for the provision of services, ensuring that port facilities are used efficiently.
- m) Authorize the unloading, handling and storage of cargo that due to its nature, packaging deficiency or any other circumstance produces emissions, vapors, odors or waste that cause damage to people, the environment, facilities or other cargo.
- n) Verify the declared information of any shipment when there is no clarity about it, at the expense of the owner or his representative.
- ñ) Not to deliver the cargo to the owners or consignees of the cargo, which appear in the documents that cover the cargo, when these are not found.

“By which the updating of the Regulation of Technical Conditions for the Port Operation of the REGIONAL PORT SOCIETY OF SANTA MARTA Inc. is approved by virtue of Port Concession Contract No. 006, 1993”

The Port Society is not liable for any damage to the port, or when the documentation presented does not meet the requirements of the Port Society, the law and the competent authorities. Similarly, the Port Society may, at the request of the shipping agent, not authorize the delivery of a load when the freight has not been released.

o) To receive those cargoes that do not have visibly written, in a clear and legible form, the marks, codes, weights, measures, labelling established by the O.M.I. in the case of dangerous cargo, and signs for their correct handling and maintenance and also data and characteristics indicated in the documents that cover them.

p) to receive those cargoes that due to their nature and characteristics require storage in covered spaces (warehouses or sheds) and at that time there is no availability in said spaces, until written authorization is received from the owner or his representative to store them in open spaces (yards), in which case the Port Society shall be relieved of all responsibility.

q) Require for the reception of the cargoes that require it, the presentation, by the owner of the cargo or his representative, of the phytosanitary or zoo sanitary certificate, according to the case, issued by the competent authority.

r) Allow the emptying of containers when the contract of carriage so specifies. In special cases, and on presentation of a processed customs document, containers whose contract of carriage does not so specify may also be emptied.

s) To order the presentation of inspection certificates of the equipment and rigging, issued by the classification agency, in order to guarantee optimal operating and safety conditions. Equipment that as a result of such inspection does not meet the above-mentioned conditions, may not operate in the port facilities.

t) To order the suspension of activities of port operators or users when it is evident that in the development of their activity within the port facility, they are not complying with the established Environmental Management Plan and some risk or affectation to the environment is being generated.

u) Order the undocking of a vessel when it does not comply with the conditions described in numeral 6.6 of these regulations.

v) Generate charges for untimely presentation and/or correction of information or documents required in compliance with the provisions of these regulations.

The Port Society reserves the right not to authorize the service when:

a) The weather conditions put the operation at risk.

b) When the equipment used and other elements for the operation are not complete, present deterioration, do not present certification, and constitute a risk for the operation.

c) When the personnel involved in the operation are not using, or do not have, the required personal protective equipment.

d) When work is being carried out on the quays or in the storage areas affecting the operations.

CHAPTER IX. PORT CO-EXISTENCE COMMITTEE

“By which the updating of the Regulation of Technical Conditions for the Port Operation of the REGIONAL PORT SOCIETY OF SANTA MARTA Inc. is approved by virtue of Port Concession Contract No. 006, 1993”

9.1 RESPONSIBILITIES

The users of the port facility are responsible for infringements of these Regulations and are obliged to comply with the instructions or corrective measures given or imposed by the Port Society in fulfilment of its function as the administrative body of the port facility, under the terms of these Regulations and the law.

Infringements committed will be dealt with and resolved in accordance with the provisions of this chapter.

9.2 DEFINITIONS

For a correct interpretation of this chapter, the following definitions are established:

Infringement: Any act or omission by a user of the port facility that violates national and international regulations applicable to the port facility, the rules contained in these regulations and other documents that complement them.

Offender: Natural or legal person and/or user company that commits an infringement in the port facility.

Company responsible for the offender: Company responsible for authorizing the offender to enter the port facility.

Port Co-existence Committee: Group of people appointed in representation of the Port Society to investigate user behavior and decide on the actions to be taken and the application of the corrective measures appropriate to an infringement.

Warning: Written warning issued to the company responsible for the offender and/or the offender, which constitutes a warning that a new offence will result in the application of a higher penalty.

Suspension: A sanctioning measure applicable to the offender and/or the company responsible for the offender, consisting of the restriction of exercising their activities in the port facility until the term indicated by the Port Co-existence Committee, without exceeding eighteen (18) months, in consideration of the nature and real or potential repercussions of the infraction. In the event of facts that warrant criminal charges, the suspension of entry to the offending natural person and/or the company responsible may be indefinite.

Precautionary measure: The Port Society can apply as a precautionary measure the immediate restriction of the entrance to the person and/or company when the fact puts in imminent danger the security of the people, the luggage, the facilities, equipment and the normal functioning of the operations in the port facilities, maintaining it until the Port Co-existence Committee adopts its final decision on the case.

Automatic suspension: Immediate prohibition of entry to the port facility for an offender for up to a maximum of five days, in the events described in these Regulations.

Cancellation of a company’s authorization to enter: This is the corrective measure by which, with prior authorization from the Superintendent of Transport, or the competent authority, the offending company is cancelled from its authorization to carry out activities in the port facility.

9.3 PROCEDURES

Once the report or information on the detected infraction has been received, the procedure is as follows:

If the event is serious enough to compromise the security and safety of the port facility and/or the efficiency and continuity of the service, the offender shall be asked to leave the port facility immediately, applying a suspension as a precautionary measure. In the event that the person is responsible for any of the events referred to in paragraph 92.1 a) of Article 92, the precautionary measure may be converted into an automatic suspension.

First paragraph: In the event of the imposition of an automatic suspension for the facts contemplated in numeral 92.1 a) of article 92, the Port Society may decide to continue with the procedure described in the following numeral or if the imposed suspension is sufficient.

Second paragraph: A positive result, during the entrance or stay in the port facility, of an alcohol or drug consumption test that causes dependence and alterations in the psychomotor capacity of people, will always result in the application of a precautionary measure.

The Port Society will then notify the offender and the company responsible for their entry into the port facility of the fact under investigation. Both of them, independently, will have two (2) working days, counting from the receipt of the notification, to present in writing to the Port Society the corresponding disclaimer.

Once the disclaimer has been received or the term established in the previous numeral has expired, the Port Co-existence Committee will define the circumstances of the infraction, determine its seriousness and impose the corresponding corrective measure.

If the Port Coexistence Committee considers it necessary, it will summon those involved to a hearing to confirm the facts of the infringement.

Once all the evidence has been incorporated and the disclaimer corresponding to the infringement has been studied, the Port Co-existence Committee will notify the offender, and the company responsible for its entry, of the decision made.

First Paragraph: Minutes will be taken of the meetings of the Improvement Committee, which will be signed by the participants, and will be kept under consecutive numbering.

Second Paragraph: The Improvement Committee shall have a person in charge of communications, the receipt of disclaimers, the conservation of documents and evidence, and the preparation of the minutes of the meetings.

9.4 CORRECTIVE MEASURES

Those who commit an infraction (individuals and/or companies) will be subject to the imposition of the following corrective measures by the Port Coexistence Committee, in accordance with the procedure described in the previous article and the nature, effects, modalities and gravity of the event.

a) Sanction. Warning, this sanction applies only in the case of a minor infraction. It is addressed to the company responsible for the offender and to the offender himself. The company responsible for the offender is obliged to take disciplinary action against him/her.

“By which the updating of the Regulation of Technical Conditions for the Port Operation of the REGIONAL PORT SOCIETY OF SANTA MARTA Inc. is approved by virtue of Port Concession Contract No. 006, 1993”

b) Automatic suspension: Penalty measure applicable by the commission.

- i. Failure to wear the uniform and protective elements necessary for the activity being carried out.

c) Suspension: This sanction is always applied in the case of a serious infringement or greater, in terms of affecting safety and the provision of the service.

- i. The time of suspension applied to the offender depends on the seriousness, repercussions and damage caused.

d) Cancellation of the authorization to carry out the respective activity: Sanctioning measure applicable to the company responsible for the offender or the infringement after the suspension sanction has been imposed on two occasions. Requires previous communication to the Superintendent of Transport or to the competent authority.

Paragraph: The above sanctions shall be applied without prejudice to the civil, labor, criminal or administrative actions that the infringement originates, to the police measures that must be taken to control and prevent the infringement or to restore the situation to normal, and to the sanctions that are imposed by other authorities.

Technical Review:	Jesús Alberto Florez Ortiz - Expert G3-07 - GPP -VGC (Signature Illegible)
Environmental Review:	Verónica Villalba Campos - Environmental Support - GGITA-VPRE (Signature Illegible)
Technical approval:	Fernando Alberto Hoyos Escobar - Port Project Manager VGC (Signature Illegible)
Environmental approval:	Luisa Fernanda Tamayo Arias - Environmental GIT Manager VPRE (E) (Signature Illegible)