

## ORDER no. 42 of 14.11.2019

**Subject: Berthing rules for cruise ships at the Port of Cagliari**

**The President of the Sardinia Sea Port Authority**

**HAVING REGARD TO** Law no. 84/94 as amended and supplemented;

**HAVING REGARD TO** Legislative Decree no. 169 of 4.08.2016 concerning the reorganisation, rationalisation and simplification of the Port Authority rules under Law no. 84/94;

**HAVING REGARD TO** Ministerial Decree no. 369 of 17.07.2017 which appointed Mr Massimo Deiana as president of the Sardinia Sea Port Authority;

**WHEREAS** the development of the cruise sector, marked by steady growth and by the recent and planned launch of a number of new cruise liners, has increased the need for accurate scheduling and planning of cruise ship calls at ports;

**WHEREAS** the large cruise lines tend to favour those cruise ports that have met their needs better and more rapidly, also in order to establish working relationships with such ports and expand their market footprint;

**WHEREAS IT IS NECESSARY**, for the overriding public purpose of promoting the socio-economic development of the territory served by the Sardinia Sea Port Authority, to regulate the berthing of cruise ships calling at the Port of Cagliari by establishing transparent and non-discriminatory rules;

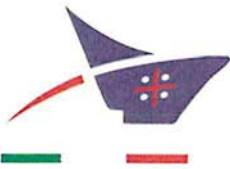
### ISSUES THE FOLLOWING ORDER

#### ARTICLE 1 - Purpose

This regulation sets out the criteria for allocating berths to cruise ships in the port of Cagliari, to be submitted to the Maritime Authority for technical assessment and adoption of operational measures, in agreement with the Terminal Operator/concession holder.

#### ARTICLE 2 - Berths

The berths reserved for the berthing of cruise ships in the port of Cagliari are those at the Rinascita Quay, precisely Rinascita Levante (Eastern Quayside), Rinascita Ponente (Western Quayside) and Rinascita Testata (Quay Head).



In the event of congestion or multiple arrivals on the same date, cruise liners may also be berthed at the Sabaudo Pier and the Ichnusa Pier, provided that the ship size and draught allow them to be berthed at those alternative locations and that all safety requirements are met.

#### ARTICLE 3 - Preferential berthing criteria

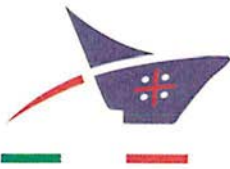
Berth allocation proposals shall be based on the following preference criteria, listed in order of priority:

- Larger vessel size and technical characteristics: Length overall (LOA), draft and tonnage;
- Higher number of calls made by the applicant cruise company in the previous 2 seasons.

#### ARTICLE 4 - Berth scheduling procedure

Berth allocation shall be planned by the Sardinia Sea Port Authority in agreement with the Maritime Authority after consulting the terminal operator, with the following procedure:

- a) Call requests and berth reservation requests must be sent by the Cruise Lines, through their respective Shipping Agents, to the Sardinia Sea Port Authority two years in advance, by 31 December (e.g. requests for berths in the 2021 season must be received by 31 December 2019).
- b) All requests received by the date stated in point a) above will be processed using the criteria mentioned in Article 3.
- c) In the event of congestion and of a shortfall of berths on a given day, the Sardinia Sea Port Authority, in coordination with the Maritime Authority, shall notify the Cruise Lines concerned by 30 January of each year through their respective Shipping Agents, and shall propose one or more alternative dates, requesting the Cruise Lines to accept or refuse such alternative date(s) by 20 February.
- d) On the basis of the Cruise Lines' replies, by 28 February of each year the Sardinia Sea Port System Authority, after consulting the Maritime Authority and the Terminal Operator, shall draw up the draft cruise ship berthing schedule for the following year.



#### ARTICLE 5 - Publication of the cruise ship berthing schedule

The berthing schedule prepared according to the above criteria shall be communicated to the Cruise Lines through their respective Shipping Agents and published on the Sardinia Sea Port Authority's website ([www.adspmaredisardegna.it](http://www.adspmaredisardegna.it)) and on the Terminal Operator's website ([www/cagliaricruiseport.it](http://www/cagliaricruiseport.it)).

#### ARTICLE 6 - Cruise call requests received after the deadline

Any cruise call requests received after the date specified in point a) above shall be processed by the Port System Authority, after consulting the Maritime Authority and informing the Terminal Operator, within one week of their receipt, solely in order of receipt. These requests shall be added to the berthing schedule without affecting any berthing slots already allocated, on a first-come, first-served basis.

#### ARTICLE 7 - Cruise call cancellation

To ensure the smooth operation of the berth reservation system described above, any cancellation of cruise calls made by Cruise Lines less than six months before the call date shown in the berthing schedule shall cause the Cruise Line to lose priority in subsequent reservations.

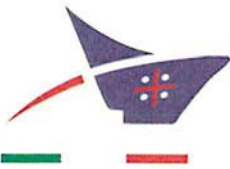
#### ARTICLE 8 - Transitional rule

**For the first-time application of this Regulation, the deadlines set out in points a), b) and c) of the procedures shall be amended as follows:**

**Call requests for 2020, including reservations, must be sent by Cruise Lines, through their respective Shipping Agents, to the Sardinia Sea Port Authority by *10 December 2019*. Any call requests or berth reservations already made by Cruise Lines, through their respective Shipping Agents, at the date of publication of this Regulation shall not be affected.**

**If the berths are congested and on a specific date there is a shortfall of berths, the Sardinia Sea Port Authority shall notify the Cruise Lines concerned by *10 January 2020* through their respective Shipping Agents, and shall propose one or more alternative dates and request the Cruise Lines to state by *10 February 2020* whether or not they accept the proposed alternative date(s).**

**On the basis of the responses received, by *2 March 2020* the Sardinia Sea Port System Authority, in agreement with the Maritime Authority, shall draw up the draft cruise ship berthing schedule**



**for 2020, which will be published as per Article 5 above.**

#### ARTICLE 9 - Entry into force

This Regulation shall enter into force on the date of its publication on the website of the Sardinia Sea Port Authority [www.adsp.aredisardegna.it](http://www.adsp.aredisardegna.it).

**The President of the Port Authority**

**Mr Massimo Deiana**

[signed]