

Swedish Maritime Administration Code of Statutes



SJÖFS 2022:1

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Swedish Maritime Administration's regulations on fairway dues;

The English translation of our regulations should be regarded as a service to our customers. The printed Swedish version is still valid and takes precedence in a conflict, problem with interpretation, or dispute. The Swedish Maritime Administration thus does not guarantee that the language in all sections directly corresponds to the Swedish regulations. Nor does the Swedish Maritime Administration guarantee that the English regulations are completely updated; they must always be compared with the current Swedish edition.

established on 8 December 2021.

The Swedish Maritime Administration prescribes¹, pursuant to Section 9 of the ordinance (1997:1121) regarding fairway dues, the following.

Section 1 These regulations shall apply to the calculation of fairway fees for vessels in Sweden which load or unload cargo or leave or pick up passengers. The fairway dues comprise readiness fees, vessel-based fairway fees and cargo and passenger-based fairway fees.

Readiness fees are calculated based on the vessel's net tonnage. The vessel-based fairway fees are calculated based on the vessel's environmental impact and net tonnage. The cargo-based fairway fees are based on the tonne weight of the cargo, and the passenger-based fairway fees on the number of passengers.

Definitions

Section 2 When applying Section 2 of the Ordinance on Fairway fees (1997:1121) and these regulations, the definitions set out in Sections 3-12 shall apply.

Section 3 The term *cargo* does not include

¹ See Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services.

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1. towed cargo whose total volume per trip is less than 100 cubic meters,
2. buses, trucks, train carriages, containers or any other equipment for transport of cargo or passengers, when the vehicle or the equipment is used to transport cargo,
3. pallets, slings, and similar devices for handling cargo,
4. consumables, supplies and equipment for the vessel or for another vessel, and the packaging of such goods,
5. baggage or other items that people on board have for personal use, but excluding cars or trailers,
6. cargo that owing to shipwreck, layup, reconstruction or other similar circumstances has been loaded on the same or another vessel for transport to the place of destination, or unloaded due to destruction of the cargo,
7. remains of cargo that have arisen during layup of the vessel or during reconstruction, repairs, cleaning, equipping, investigation or similar measures on the vessel,
8. ballast water containing oil or water from flushed tanks or other waste attributable to operation of the vessel, and
9. fuel for the propulsion of the vessel.

Section 4 *Maritime Single Window* refers to the Swedish national system for reporting formalities of vessels.

Section 5 *Transit goods* refers to foreign goods loaded onto a vessel in Sweden within three months of the goods being unloaded from a vessel in Sweden, and which have not undergone any processing other than loading, unloading, land transport or storage.

Section 6 *Passenger* refers to each person on board except

1. the captain,
2. other crew,
3. others on board conducting work on the vessel or other official duty concerning the vessel or operations conducted with the vessel,
4. salvor or salvor's assistants accompanying the vessel after its involvement in an accident at sea,
5. people being brought into harbour after having been rescued at sea, and
6. children under one year old,
7. lorry drivers on duty, and
8. persons being transported without fee.

Section 7 The definitions of certain vessel types are indicated below and in Sections 9 and 11.

1. *Working vessels* refers to dredges, pontoon cranes, diving vessels, or other such vessels that are used exclusively for other tasks than transport, and where the task has a direct connection to shipping.
2. *Passenger vessel* refers to a vessel with a passenger vessel certificate.

Section 8 *Cruise* refers to a previously published itinerary which includes at least two ports excluding the departure port, and the voyage comprises at least 72 hours.

Section 9 Cruise liner is a passenger vessel that navigates according to a cruise.

Passengers who have arrived in a Swedish harbour on a cruise liner may go ashore during the layover without the vessel ceasing to be a cruise liner, if at least 99 % of the disembarking passengers are on-board the vessel when it leaves the harbour.

If a passenger who has embarked or disembarked in a Swedish harbour is a cruise travel sales agent, tour guide, interpreter for the vessel's passengers or journalist, this will not affect the assessment of the vessel as a cruise liner.

Section 10 *Turn around call* refers to a call where a cruise liner arrives to a Swedish port in order to finish one cruise and start another cruise. On such an occasion, at least 90 per cent of the passengers must be replaced by new passengers.

Section 11 *Bunker vessel* refers to a vessel delivering fuel to a fuel storage on board another vessel.

Section 12 *Net tonnage* refers to the net tonnage of the applicable tonnage certificate issued in accordance with the 1969 International Convention on Tonnage Measurement of Ships. If a tonnage certificate cannot be produced, an estimate of the net tonnage must be provided, or measures taken to establish this in accordance with further instructions from the Swedish Maritime Administration.

For vessels without a tonnage certificate, the net tonnage is considered to be the equivalent of one tonne displacement multiplied by 0.6. If the displacement differs from arrival to departure, the highest value should be used. If both net tonnage and displacement is unknown, gross tonnage shall be considered as net tonnage when used to calculate the fairway fee.

Debiting fairway fees

The fairway fees comprise readiness fees, vessel-based fairway fees, and cargo and passenger-based fairway fees.

Readiness fee

Section 13 A readiness fee is charged for the first five calls in one calendar month. For the first and second ports of call in one calendar month, a readiness fee will be charged for each call following the table below.

For the third to fifth calls in one calendar month, a lower fee will be paid. For the third call, 75 per cent of the fee in the table below will be charged. For the fourth call, 50 per cent, and for the fifth call, 25 per cent.

Net tonnage class	Readiness fee, SEK
0-999	930
1,000-1,999	3 535
2,000-2,999	6 950
3,000-5,999	11 070
6,000-9,999	20 335
10,000-14,999	29 545
15,000-29,999	37 840
30,000-59,999	43 390
60,000-99,999	50 810
100,000-	60 015

Environmental classifications when calculating vessel-based fairway fees

Section 14 When calculating a vessel-based fairway fee based on the vessel's net tonnage, a fee will be charged depending on the vessel's environmental classification. The environmental classification is based on a total number of points collated following the Clean Shipping Index (CSI). Existing environmental classes requiring a total number of points for the vessel in the different environmental classes are outlined in the table below. For a vessel to be placed in environmental categories A-C, the vessel must be verified in accordance with the verification requirements applicable at the given time as per CSI.

Environmental classification	Total points
A	125-150
B	100-124
C	75-99
D	0-74
E	Vessels not linked to CSI

The environmental class of the vessel is applicable as of the verified date.

Calculation of vessel-based fairway fees per environmental class

Section 15 For the first and second ports of call in one calendar month, the vessel-based fairway fee will be charged following the table below.

For the third to fifth calls in one calendar month, a lower fee will be paid. For the third call, 75 per cent of the fee in the table below will be charged. For the fourth call, 50 per cent, and for the fifth call, 25 per cent.

Net tonnage class	Vessel-based fairway fee, SEK			
	Environmental classification			
	A	B	C	D-E
0-999	310	930	2785	3100
1,000-1,999	1185	3550	10640	11820
2,000-2,999	2320	6970	20890	23215
3,000-5,999	3705	11105	33310	37010
6,000-9,999	6800	20400	61175	67965
10,000-14,999	9880	29630	88905	98790
15,000-29,999	12655	37955	113855	126505
30,000-59,999	14510	43520	130575	145085
60,000-99,999	16985	50960	152865	169850
100,000-	20055	60195	180600	200670

In the case of sea transport a readiness fee and vessel-based fairway fee is charged at all ports where goods are loaded or passengers taken on board until the five calls subject to payment have been reached per calendar month.

If the readiness fee and vessel-based fairway fee have been paid 5 times within a calendar month for one and the same vessel, only cargo and passenger-based fairway fees shall be charged for the remainder of the calendar month.

When transferring fuel to another vessel for the propulsion of the receiving vessel, the unloading vessel is obligated to pay dues. Receiving fuel for propulsion is not subject to a fee.

Cargo and passenger-based fairway fees

Section 16 For cargo-based fairway fees, the calculation is based on cargo that is loaded or unloaded, pursuant to Section 4 of the ordinance on fairway fees (SFS 1997:1121), and is SEK 2.82 per tonne of cargo.

For low-grade cargo in bulk, the fee is SEK 1.40 per tonne of cargo. Low-grade cargo in import and export refers to goods that fulfil the following criteria:

- The load must be imported or exported in quantities exceeding 20,000 tons at KN8 level.
- The NST group of goods to which the cargo belongs must have been transported by sea in a volume which exceeds 1,000,000 tons over a period of one year.
- The goods must have an average value for the past seven years which is less than SEK 1,200 per ton.

Before the start of each calendar year, the Swedish Maritime Administration produces a summary of goods that fulfil the criteria. The summary is compiled in accordance with the same statistical numbers used as per the European Union's customs duties. The summary compiled before the start of each calendar year is published on the Swedish Maritime

Administration's website and is valid until an updated summary is published or until the Administration dictates otherwise.

Passenger-based fairway fees are charged at SEK 2.12 per passenger.

Ships in domestic traffic pay fairway fee for embarking passengers. Ships in international traffic pay fairway fee for embarking and disembarking passengers.

For cruise liners, the passenger-based fairway fee is charged for disembarking passengers. In the case of a turn-around call at a Swedish port, the passenger-based fee is charged for disembarking and embarking passengers.

A personal vehicle, a caravan or a trailer, that is taken on board for personal use is charged for a weight of one tonne.

When calculating cargo-based fairway fees, the total weight of the chargeable cargo is rounded up to the nearest whole tonne.

Section 17 In assessing whether a cargo shall be considered as loaded or unloaded, the following applies.

1. Cargo shall not be deemed to be loaded if, after loading, it is unloaded from the vessel before it leaves the port or place of loading.
2. Cargo shall not be deemed to be unloaded if it is subsequently reloaded on the vessel before it leaves the port or place of loading.
3. Towed cargo shall be deemed to be unloaded only if it has been uncoupled from the towing vessel.

Section 18 If the cargo consists of forestry products and information about the gross weight of the cargo is missing, this may be calculated with the aid of the conversion numbers indicated in *Appendix 1* to these regulations.

If, as regards other cargo, information about the cargo's gross weight is missing or if the given weight information cannot be accepted, the ratio between the volume and the weight of the cargo can be established by the person responsible for declaration by having part of the cargo measured for weight and volume.

Reductions and exemptions from fees

Reduced fees for vessels in regular service to and from the remote zone

Section 19 For vessels in regular service, a 25 per cent reduction will be implemented on the part of the fairway fees based on the vessel-based fairway fees and the readiness fees, provided the following conditions are met:

1. at least two calls per month are made to a Swedish port,
2. the vessel is in regular service to and from the remote zone. Remote zone refers to the area of water that from a shipping perspective lies beyond the area bounded in the north by latitude 71°N, in the west by longitude 32°W, in the south by latitude 30°N and in the east by longitude 42°E,
3. all vessels in regular service shall belong to the minimum net tonnage class 7,
4. the vessel in regular service traffics the entire stretch,

5. a traffic timetable is delivered on a continuous basis to the Swedish Maritime Administration,

6. the cargo loaded on this side of the remote zone and unloaded at a Swedish location does not exceed one-tenth of the vessel's gross tonnage, and

7. cargo loaded on this side of the remote zone and unloaded at a Swedish location may not exceed one-tenth of the vessel's gross tonnage.

The dues paid will be reimbursed after an application in accordance with Section 22.

Fee exemptions for goods in transit

Section 20 Loaded transit cargo is exempted from cargo-based fairway fees. The dues paid will be reimbursed after an application in accordance with Section 22. A condition for reimbursement is that fairway fees have been paid for both the loaded and the unloaded cargo.

Reduced fees for cruise liners

Section 21 For a cruise liner, the vessel-based, readiness and passenger based fairway fees are only paid at the first Swedish location during one and the same cruise.

Application for reductions and exemptions

Section 22 Fee reductions and fee exemptions pursuant to Sections 19-20 are reimbursed after an application for a refund has been received by and granted by the Swedish Maritime Administration.

The application must be filed quarterly and cover three months. It must be submitted to the Swedish Maritime Administration no later than the 15th of the month following a completed quarter, i.e., April, July, October, and January. The application must be made using the designated form, unless the Swedish Maritime Administration decides otherwise.

One condition for reimbursement is that the documents verifying the right to fee exemption or fee reduction on fairway fees is kept continually available for audit by the Swedish Maritime Administration. If there are any changes to transport arrangements that are eligible for reimbursement, the changes must be notified to the Swedish Maritime Administration as soon as possible.

Declaration and payment of fairway fee

Application for credit for payment of fairway fees

Section 23 An application for credit of fairway fees must be made on a form drawn up by the Swedish Maritime Administration, which is available on the Administration's website at www.sjofartsverket.se.

The conditions for obtaining credit are that the applicant has a Swedish organisation registration number or a VAT number, and the Swedish Maritime Administration judges the applicant to be creditworthy.

Registration of fairway declaration

Section 24 A declaration in accordance with Section 6 of the Ordinance concerning fairway fees (SFS 1997:1121) shall be submitted to the Swedish Maritime Administration via Maritime Single Window. The declaration must be submitted no later than one week after the departure of the vessel. A fairway declaration must be submitted regardless of whether or not the call is subject to payment when the ship is loading or unloading cargo or leaving or picking up passengers.

If Maritime Single Window is not accessible for technical reasons and it is not possible to report via the portal, the declaration shall be made in accordance with the reserve procedures as published on the Swedish Maritime Administration website, www.sjofartsverket.se.

Payment of fairway fees with credit

Section 25 If the vessel operator or owner of the vessel, or the authorised representative of either, has signed an agreement with the Swedish Maritime Administration on credit for paying fairway fees under Section 23, the vessel may depart without the dues being paid.

Registration of fairway declaration and payment of fairway fees without credit

Section 26 Those who do not have credit shall submit a fairway declaration in accordance with the reserve routines published on Swedish Maritime Administrations webpage www.sjofartsverket.se. The fees shall be paid to the Swedish Maritime Administration's bank account or BankGiro account before the vessel departs from a Swedish harbour. The fees shall be charged to the vessel's operator, the operator's agent or, ultimately, the owner of the vessel.

Payment of fairway fees must be substantiated in accordance with the Swedish Maritime Administration's instructions.

Periodic declarations

Section 27 For vessels in service according to a timetable given to the Swedish Maritime Administration beforehand in which the number of calls in Swedish ports exceeds four per month, the Swedish Maritime Administration can allow declarations to be submitted periodically if the vessel's operator, owner or representative has a credit agreement for the payment of fairway fees. The application must be made to the Swedish Maritime Administration and contain information about the vessel, the vessel's timetable and the timetable's period of validity. Periodic declarations are to be submitted for every calendar month.

The Swedish Maritime Administration's consent to submit periodical fairway declarations is for the timetable specified in the application. If the timetable changes and new harbours are visited, a new application shall be made. The periodic fairway declaration must contain all of the ships calls for each Swedish harbour included in the timetable and must be submitted ten days after the end of the month that the declaration concerns. The periodic fairway declaration is submitted to the Swedish Maritime Administration via Maritime Single Window.

Other provisions

Section 28 The owner of the vessel, or the person who reported the vessel for measurement, is responsible for payment of the costs for measures that need to be taken to establish the vessel's net tonnage pursuant to Section 12.

These regulations will enter into force on 1 January 2023 when the Swedish Maritime Administration regulations on fairway fees (SJÖFS 2021:1) will cease to be valid.

On behalf of the Swedish Maritime Administration

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Appendix 1

Conversion ratios for forest products

Group	Goods	Conversion ratio kg per volume unit
<i>Stripped pulpwood, winter</i>		
1.	Fir	920 kg/m ³ f pb 1,020 kg/m ³ f ub 590 kg/m ³ t
2.	Spruce	860 kg/m ³ f pb 990 kg/m ³ f ub 550 kg/m ³ t
3.	Birch	910 kg/m ³ f pb 1070 kg/m ³ f ub 510 kg/m ³ t
4.	Aspen	765 kg/m ³ f pb
5.	Beech	1,050 kg/m ³ f pb 580 kg/m ³ t
6.	Oak	1,000 kg/m ³ f pb
<i>Stripped pulpwood, summer</i>		
7.	Fir	800 kg/m ³ f pb 880 kg/m ³ f ub 510 kg/m ³ t
8.	Spruce	720 kg/m ³ f pb 840 kg/m ³ f ub 460 kg/m ³ t
9.	Birch	870 kg/m ³ f pb 1,010 kg/m ³ f ub 490 kg/m ³ t
<i>Fresh timber</i>		
10.	Sawed timber, stripped – fir	1,150 kg/m ³ to 910 kg/m ³ f ub 810 kg/m ³ f pb
11.	– spruce	1,100 kg/m ³ to 850 kg/m ³ f ub 760 kg/m ³ f pb
12.	– birch	1,250 kg/m ³ to 1,020 kg/m ³ f ub 880 kg/m ³ f pb
13.	– beech	1,060 kg/m ³ f ub 1000 kg/m ³ f pb
14.	– oak	1,150 kg/m ³ f ub 1000 kg/m ³ f pb
15.	Cellulose chips from fir or spruce	325 kg/m ³ s

Group	Goods	Conversion ratio kg per volume unit
16.	Residual cuttings from fir or spruce – uncompressed	150 kg/m ³ t
17.	– compressed	300 kg/m ³ t
18.	– fuel chips	340 kg/m ³ s
19.	– coarse crush	300 kg/m ³ s
20.	Stumps of fir or spruce – unpackaged	200 kg/m ³ s
21.	– packaged	270 kg/m ³ s
22.	Wood items from fir	275 kg/m ³ t or spruce

Forest-dried timber

23.	Sawed timber, stripped – fir	1025 kg/m ³ to 805 kg/m ³ f ub 715 kg/m ³ f pb
24.	– spruce	1000 kg/m ³ to 765 kg/m ³ f ub 690 kg/m ³ f pb
25.	Cellulose chips from fir or spruce (calibration dry)	200 kg/m ³ s
26.	Residual cuttings from fir or spruce – uncompressed	110 kg/m ³ t
27.	– compressed	215 kg/m ³ t
28.	– fuel chips	240 kg/m ³ s
29.	– coarse crush	215 kg/m ³ s

Processed forest products

30.	Sawn softwood goods	550 kg/m ³
31.	Planed softwood products	450 kg/m ³
32.	Particle board	650 kg/m ³
33.	Fuel briquettes	190 kg/m ³ s
34.	Fuel pellets	215 kg/m ³ s

Volume units

m ³ f pb	cubic metres fixed measurement on bark
m ³ f ub	cubic metres fixed measurement under bark
m ³ to	cubic metres top measured under bark
m ³ t	cubic metres tipped measurement
m ³ s	cubic metres stacked measurement

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Remarks

Forest-dry wood involves 2-3 months' drying during the May – October period. Summer refers to the period between 15 May and 15 September. Winter refers to the period between 16 September and 14 May.