

Regulation of Administração do Porto da Figueira da Foz, S.A. for the attribution of private uses of domanial land and building

(Article 7th of the Decree-Law n.º 273/2000, from 9th november)

1st Article

Scope of Application

- 1.** The private use of land and buildings within the area of jurisdiction of Administração do Porto da Figueira da Foz, S.A., hereinafter referred to as APFF, S.A., is governed by a licence or concession, in accordance with applicable legislation.
- 2.** The private use of land located in port terminals must be requested for areas equal to or greater than 1,000m² and for periods equal to or greater than 3 months.
- 3.** The granting of a licence or concession will be subject to a decision by the Board of Directors of APFF, S.A., at the request of the interested party, supported by all the elements necessary for the decision.
- 4.** The granting of a licence or concession for the private use of plots located in the commercial terminal areas may be subject to the condition that a minimum annual volume of maritime cargo be handled through the Port of Figueira da Foz. Exceptionally, the private use of domanial land or buildings may be authorised for periods of time equal to or less than 48 hours, subject to authorisation by the Chairman of the Board of Directors of APFF, S.A..
- 5.** The private use of land or buildings in the area of jurisdiction of APFF, S.A., without authorisation, licence or concession from the port authority is prohibited.

2nd Article

Applicable fees

- 1.** A fee is payable for the private use of domanial land and buildings within the area of jurisdiction of APFF, S.A., in accordance with the attached tables.
- 2.** The fee value referred to in the previous number is determined according to the localisation area of the land or building and its type of use.
- 3.** For the private use of domanial land and buildings, the fee is set per square metre and per year.
- 4.** For the private use of domanial land with the passage of pipes and cables, including overhead and underground, the fee is established per linear metre and per year.
- 5.** For the private use of domanial land with advertising banners and illuminated screens, the fee is established per square metre of the surface of the banner or screen and per year.
- 6.** For private buildings built on domanial land under a condominium regime, the fee is applied to each floor,

according to the type of private use of the respective areas.

7. The invoicing period of the fee may be monthly, quarterly, half-yearly or annually, assuming the following periodicities, as a reference:

PRIVATE USE	PERIODICITY
Land or buildings with water or energy supply from APFF, S.A.	Monthly
Land or buildings with annuities exceeding € 600	Monthly
Land or buildings with annuities below € 600	Annually

8. Interested parties who so request may choose to change the invoicing periodicity of the fee, which will be subject to the payment of late payment interest to APFF, S.A. if it implies an extension of the deadline established in the previous number.
9. The provisions of the previous number shall not apply to the invoicing of fees for the private use of land or buildings with water or energy supply from APFF, S.A..

3rd Article

Reserves of domanial plots

1. Private uses of plots intended for the construction of fixed installations, the licensing of which is expected to take more than 6 months, may be authorised by a Land Reservation Licence, to be granted for a period of one year, which may be extended.
2. The private use fees applicable to the situations provided for in the previous number are subsidised by 50%, and this subsidy is automatically extinguished in the event of an extension of the licences.
3. In the licensing of private uses of domanial plots intended for the construction of industrial units, the subsidy of 50% referred to in the previous number is granted for one more year, in case of extension of the licence.
4. The fee applicable to the reservation of plots located within dry cargo handling port terminals is not subsidised.

4th Article

Fee subsidies

1. The fees for the private use of domanial plots for the construction of fixed installations that will generate the handling of new cargo or additional cargo by sea through the Port of Figueira da Foz will be subsidised by 50% during the following periods, depending on the contracted cargo handling rates, with reference to the duration of the concession:

Rate (ton/m²)	Industries (Years)	Others (Anos)
6 to 7	2	1
8 to 9	3	2
10 to 11	4	3
12	5	4

2. The application of the subsidies in these cases, beyond the term of the Land Reservation Licence, is subject to the celebration of a concession contract
3. For cargo handling rates higher than those referred to in number 1, subsidies shall be granted on a case-by-case basis by the Board of Directors of APFF, S.A..
4. The Board of Directors of APFF, S.A. may also decide to grant other subsidies, in exceptional and duly substantiated cases.

5th Article

Fee update

Unless otherwise decided by the Board of Directors of APFF, S.A., the fees for the private use of domanial plots and buildings are updated in January of each year in accordance with the updating factor for non-housing rents, published by Notice of the National Statistics Institute in the Official Gazette in the previous year.

6th Article

Transitional provisions

1. The titles of domanial use in force on the date of publication of these Regulations shall not be renewed, but new titles may be granted if the holders express their interest and APFF, S.A. decides to do so.
2. The granting of new titles for private use, in accordance with the previous paragraph, shall determine the application of the fees established in these Regulations..
3. Within a maximum period of 60 days from the date of publication of this Regulation, the Board of Directors shall approve a plan of subsidies to be applied to the fees referred to in the previous paragraph, in order to achieve a gradual correspondence between the value of the fees included in the expired titles and the value of the new fees.

7th Article

Omissions

In all matters which are not covered by these rules, the other rules of the APFF - Administração do Porto da Figueira da Foz, S.A. shall apply.

8th Article

Competence of APFF, S.A.

It is the responsibility of the Board of Directors of APFF, S.A., within the scope of its powers provided for, in particular, in Decree-Law no. 210/2008, of 3 November and in the Regulation of the Tariff System of National Ports, approved by Decree-Law no. 273/2000, of 9 November, or in special legislation, to decide the resolution on omitted cases.

9th Article

Entry into force

This Regulation enters into force on 1 July 2009.