

Decree No. 2021/39**Decree Introducing a Mooring Prohibition at the Tanker Lay-by Berths on the North Side of the ADM Haven**

The Director of the Central Nautical Management North Sea Canal Area

Having regard to:

- Article 1.1 of the Regional Port Bye-laws for the North Sea Canal Area 2019;
- Article 3.1 of the Regional Port Bye-laws for the North Sea Canal Area 2019, on the grounds of which the Mayor and Aldermen may place traffic signs as listed in the Binnenvaartpolitiereglement (Inland Navigation Police Regulations) and may provide these traffic signs with additional information;
- Article 3.2 of the Regional Port Bye-laws for the North Sea Canal Area 2019 on the grounds of which the Mayor and Aldermen may designate areas in which certain categories of ships are not permitted to be or to take berth;
- Article 9.1 of the Regional Port Bye-laws for the North Sea Canal Area 2019, on the grounds of which it is obliged to comply with the rules, regulations and restrictions laid down under or pursuant to these Bye-laws and on the grounds of which non-compliance with these rules, regulations and restrictions is a criminal offence.
- The Mandate, Power of Attorney, and Authorization Decree, dated 3 December 2019 and published on 3 December 2020, on the basis of which the Director of the Central Nautical Management North Sea Canal Area is mandated to adopt Decrees on behalf of the Mayor and Aldermen of Amsterdam.

Having considered that

- The Director of the Central Nautical Management North Sea Canal Area, on behalf of the Mayor and Aldermen of Amsterdam, is authorised to designate areas or berths where ships are not permitted to be or to take berth;
The order in the port makes it necessary to (temporarily) prohibit ships from mooring at the tanker lay-by berths on the north side of the Amsterdam ADM haven (TA1, TA2, TA3, TA4).
- The motivation for the use of this authority is the safety and the order in the port.

Has decreed that:**I.**

A mooring prohibition applies to the lay-by berths for tankers on the north side of the Amsterdam ADM Haven (TA1, TA2, TA3, TA4) as shown in the drawing in Appendix 1.

II.

To implement the prohibitions as referred to under I., traffic signs A5 from Annex 7 to the Inland Navigation Police Regulations (BPR) have been placed on the jetties of the lay-by berths (A5: berthing prohibition on the side of the fairway where the sign has been placed).

V.

This Decree enters into force one day after its publication.

This Decree will be published as an Announcement to Shipping IJmond North Sea Canal Area Central Nautical Management (BASIJN).

VI.

This decision shall be cited as: "Decree Introducing a Mooring Prohibition at the Tanker Lay-by Berths on the North Side of the ADM Haven".

Thus adopted on behalf of the Mayor and Aldermen of Amsterdam,
dated 13 October 2021.

The Director of the Central Nautical Management North Sea Canal Area



J.H.M. Mateyo

In accordance with the Algemene Wet Bestuursrecht (the Dutch General Administrative Law Act), an interested party can lodge a notice of objection against a decision within six weeks after its publication. The notice of objection must be addressed to: Burgemeester en Wethouders van Amsterdam, Postbus 202, 1000 AE AMSTERDAM. The notice of objection must be signed and must contain at least the name and address of the person lodging the objection, the date, a description of the Decision against which the objection has been lodged as well as the grounds for objection. If you choose to be represented, we request you to submit an authorisation.

You can also submit the above notice of objection digitally at www.amsterdam.nl/bezwaar/jb. For this option you will need a DigiD.

Filing a notice of objection has no suspensive force. If, pending the objection procedure, the situation requires a suspension or immediate relief, an application to grant suspension or provisional relief can be submitted to the judge in preliminary relief proceedings of the Administrative Law Sector of the Amsterdam District Court, Parnassusweg 226, Postbus 75850, 1070 AW AMSTERDAM.

You can also submit the above application digitally at <https://loket.rechtspraak.nl/bestuursrecht>. For this option you will need a DigiD. Please visit the above-mentioned site for more information.

Filing an application for provisional relief is subject to court fees.

Explanation

It is necessary to introduce this mooring prohibition because, due to circumstances, it is no longer safe to moor at the tanker lay-by berths on the north side of the Amsterdam ADM haven (TA1, TA2, TA3, TA4).

The Director of the CNB is in the process of changing the circumstances and it is expected that the prohibition will be temporary.

Appendix 1:

