

# Repeal of the Operational Space of Berth Designation Decree

**Decree No.** 2024/004

Decree repealing Decree No. 2022/13, dated 2 April 2022, designation of an operational space and the regulations and restrictions applicable thereto for the berths at the following location/terminal:

**Moezelhaven Prodock Kade**

**Moezelhaven**

The Director of the Central Nautical Management North Sea Canal Area,

## Having regard to:

- Article 3.11, paragraph 1, of the Regional Port Bye-laws 2023, which states that the Mayor and Aldermen may designate an operational space for a berth;
- Article 3.11, paragraph 2, in relation to Article 9.1 of the Regional Port Bye-laws 2023, which states that the Mayor and Aldermen may lay down additional regulations relating to the nautical use of the operational space;
- Article 1.9 of the Regional Port Bye-laws for the North Sea Canal Area 2023, in connection with the Mandate, Power of Attorney, and Authorization Decree of 3 December 2019, published on 3 January 2020, on the basis of which the Director of the Central Nautical Management North Sea Canal Area, on behalf of the Mayor and Aldermen of the Municipality of Amsterdam, has been mandated to grant exemptions on behalf of the Mayor and Aldermen;

## Whereas:

- The Mayor and Aldermen may designate an operational space for a berth;
- The Mayor and Aldermen have mandated this power to the Director of the Central Nautical Management North Sea Canal Area;
- The Director of the Central Nautical Management North Sea Canal Area may designate an operational space from the point of view of safety, order and the continuity of the port;
- A general principle of administrative law is that an administrative authority which has made a decision or adopted a Decree has the power to repeal that decision or Decree;
- For Innovatiecentrum Prodock, an innovation centre which has now been closed and is being demolished, an operational space had been determined;
- The operational space for this innovation centre is no longer necessary and the Decree designating this operational space can be repealed;

## Has decreed the following:

- To repeal with immediate effect:
  - Decree 2022/13, dated 2 April 2022, published on the Port of Amsterdam website, designating an operational space for Moezelhaven Prodock Kade;

## Date:

07 February 2024

The Mayor and Aldermen of the Municipality of Amsterdam,  
on their behalf, 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 within six weeks after publication of this Decree. The notice of objection must be addressed to: Burgemeester en Wethouders van Amsterdam, Postbus 202, 1011 PN 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 Decree 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 authorization. The 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 Voorzieningenrechter van de Rechtbank Amsterdam, Sector Bestuursrecht Algemeen, Parnassusweg 226, Postbus 75850, 1070 AW AMSTERDAM. For this procedure, court fees are due.