

রেজিস্টার্ড নং ডি এ-১

বাংলাদেশ



গেজেট

অতিরিক্ত সংখ্যা  
কর্তৃপক্ষ কর্তৃক প্রকাশিত

বৃহস্পতিবার, মে ১০, ২০১৮

[ বেসরকারি ব্যক্তি এবং কর্পোরেশন কর্তৃক অর্থের বিনিময়ে জারীকৃত বিজ্ঞাপন ও নোটিশসমূহ ]

চট্টগ্রাম বন্দর কর্তৃপক্ষ  
বন্দর ভবন, চট্টগ্রাম

প্রজ্ঞাপন

তারিখ : ২৩ বৈশাখ ১৪২৫ বঃ/০৬ মে ২০১৮ খ্রিঃ

এস. আর. ও. নং ১২৯-আইন/২০১৮।—Chittagong Port Authority Ordinance, 1976 (LII of 1976) এর section 52 তে প্রদত্ত ক্ষমতাবলে Authority, সরকারের পূর্বানুমোদনক্রমে, Regulations for Working of Chittagong Port (Cargo & Container), 2001 এর নিম্নরূপ অধিকতর সংশোধন করিল, যথা :—

উপরি-উক্ত Regulations এর—

(১) regulation 2 এর—

(ক) clause (4a) এর পরিবর্তে নিম্নরূপ clause (4a) প্রতিস্থাপিত হইবে, যথা :—

“(4a) **“Berth Operator”** means a firm or a company which shall be required to supply and engage labour, staff, gears and appliance for handling cargo or container or both on board as well as on shore for vessels berthed at Authority’s jetty and delivery, unstuffing and stuffing, if requires, of container;”;

(খ) clause (7) এর পর নিম্নরূপ নূতন একটি clause (7a) সন্নিবেশিত হইবে, যথা :—

“(7a) **“Bulk Terminal”** means the Wharf, Dock or Berth at which the bulk cargo is loaded into or discharge from the vessel including the back-up facilities where cargo is handled and stored for onward or outward transportation and disposal;”;

( ৫৪৬৫ )

মূল্য : টাকা ৮.০০

(গ) clause (18) এর পরিবর্তে নিম্নরূপ clause (18) প্রতিস্থাপিত হইবে, যথা :—

“(18) **“Container Terminal”** means a sea or river-based facility including several numbers of Wharf, Dock or Berth and back-up facilities where container and containerized cargo are loaded, unloaded and transshipped by different modes of transportation for onward transportation and disposal.

**Explanation.**—Terminal may consist of more than one Berth and include an area designated for the stowage of cargoes and containers usually accessible by truck, railroad and marine transportation for integrated operation where containers are picked up, dropped off, maintained and housed;”;

(ঘ) clause (44) এর পরিবর্তে নিম্নরূপ clause (44) প্রতিস্থাপিত হইবে, যথা :—

“(44) **“Inland Container Depot (ICD)”** means a road or railway based warehousing station as defined under the Customs Act, 1969 (Act No. IV of 1969) and which provides container stuffing, unstuffing and handling facilities equipped with requisite equipments as stated in the Policy on Inland Container Depot (ICD) and Container Freight Station (CFS) in Private Sector, 2016;”;

(ঙ) clause (44) এর পর নিম্নরূপ নূতন একটি clause (44a) সন্নিবেশিত হইবে, যথা :—

“(44a) **“Inland Container Terminal”** means a warehousing station as referred to clause (44) with back-up facilities where the container is discharged or loaded into the inland container vessel and, stuffing, unstuffing and transshipment is done;”;

(চ) clause (59) এর পর নিম্নরূপ নূতন একটি clause (59a) সন্নিবেশিত হইবে, যথা :—

“(59a) **“LNG Terminal”** means a marine installation with dedicated Berth for Liquefied Natural Gas (LNG) tankers and back-up facilities with required regasification unit and compliances required by the Department of Explosives;”;

(ছ) clause (78a) এর পরিবর্তে নিম্নরূপ clause (78a) প্রতিস্থাপিত হইবে, যথা :—

“(78a) **“Ship Handling Operator”** means a firm or a company which shall be required to supply labour, staff and gears on board for loading or discharging of vessels in jetty other than Authority’s jetty with the prior permission of the Authority on behalf of the master, Owner, Charterer or Agent of the vessels;” এবং

(জ) clause (88) এর পর নিম্নরূপ নূতন একটি clause (88a) সন্নিবেশিত হইবে, যথা :—

“(88a) **“Terminal Operator”** means a firm or a company which shall supply all necessary equipments, equipment operator, labour, staff, gears and technologies as required by the Authority for handling export, import and transshipment of container or cargo or both on board as well as on shore and back-up areas for vessels berthed at Authority’s terminal and efficiently manage and monitor the flow of cargo or container in and around the terminal in order to ensure a secured and congestion free terminal;”;

(২) regulation 52 এর sub-regulation (1) পরিবর্তে নিম্নরূপ sub-regulation (1) প্রতিস্থাপিত হইবে, যথা :—

“(1) Application to work a vessel shall be made, as under, to the Director (Traffic). If the office is closed, application may be submitted to the Inspector on duty in the shed concerned.

**Morning Shift**

0800 hours—1600 hours.

**Evening Shift**

1600 hours—2400 hours.

**Night Shift**

2400 hours—0800hours :

Provided that the provisions of the Bangladesh Labour Act, 2006 (Act No. XLII of 2006), so far as practicable, shall apply for the determination of working hours.”;

(৩) regulation 68 এর— regulation (1) এর পরিবর্তে নিম্নরূপ sub-regulation (1) প্রতিস্থাপিত হইবে, যথা:—

“(1) No firm or company shall be appointed to work as Berth Operator or Ship Handling Operator unless it has experience in loading and discharging of cargo or container to and from the ocean going vessels and has experience in handling or delivery of cargo or container or both in any sea port of Bangladesh.”;

(৪) regulation 68 এর পর নিম্নরূপ নূতন একটি regulation 68A সন্নিবেশিত হইবে, যথা:—

“68A. Pre-qualification for appointment of Terminal Operator: (1) No firm or company shall be appointed as Terminal Operator unless it has experience in loading or discharging of container or cargo to and from ocean going vessels and stuffing or unstuffing of containerized cargo and has experience of engaging or operating container or cargo handling equipment, as applicable, and has experience in handling or delivery of container in the back-up yard and efficiently monitor the flow of cargo or container in and around the terminal with entire facilities of Container Terminal or Bulk Terminal or LNG Terminal, as appropriate, in any sea port of Bangladesh.

(2) Terminal Operator participating in the tendering process under regulation 74A shall submit the following particulars, namely—

- (i) evidence that the staff proposed to be employed by the applicant is sufficient in number and is fully trained and qualified in port operation to undertake the responsibilities of loading and discharging of cargo, container or containerized cargo to and from sea going vessels, and delivery and receiving of cargo or containers using Container Terminal Management System (CTMS) or any other compatible technologies;
- (ii) evidence of financial ability to meet the obligation to equipment operators, staff and labours employed, on account of wages and salaries and compensation, and other financial liabilities which should not be less than the total cost of the Terminal Operator needs in case of procuring equipments according to the contract concerned and also the payment to the labours; and

(iii) evidence of Bangladeshi Nationality, TIN Certificate, VAT Registration Certificate, Trade License, Insurance coverage for the labour, registration of a firm or company and good antecedents and conduct to the satisfaction of the Authority.”;

(৫) regulation 74 এর sub-regulations (1) ও (2) এর পরিবর্তে নিম্নরূপ sub-regulations (1), (2) ও (2A) প্রতিস্থাপিত হইবে, যথা :—

“(1) For the appointment of Berth Operator or Ship Handling Operator tenders shall be invited as per the Public Procurement Act, 2006 (Act No. XXIV of 2006) and the Public Procurement Rules, 2008 from any person fulfilling the conditions of regulation 68.

(2) The successful tenderer(s) may be appointed for a period of up to five years as decided by the Authority and specified in the tender document.

(2A) Notwithstanding anything contained in sub-regulation (2), with the prior approval of the government, appointment may be made for more than five years.”; এবং

(৬) regulation 74 এর পর নিম্নরূপ নূতন একটি regulation 74A সন্নিবেশিত হইবে, যথা :—

**“74A. Appointment of Terminal Operator and their functions :** (1) For the appointment of Terminal Operator tenders shall be invited as per the Public Procurement Act, 2006 (Act No. XXIV of 2006) and the Public Procurement Rules, 2008 from any firm or company fulfilling the conditions of regulation 68A.

(2) The successful tenderer(s) may be appointed for a period of up to fifteen years as decided by the Authority and specified in the tender document.

(3) Notwithstanding anything contained in sub-regulation (2), with the prior approval of the government, appointment may be made for more than fifteen years.

(4) Terminal Operator appointed under sub-regulation (1) shall enter into a contract for the assigned schedule of operation or work with the Authority.

(5) If Terminal Operator fails, refrains, neglects, or refuses or is unwilling to perform according to sub-regulation (4), the Authority reserves the right to cancel the contract.

(6) Contract under sub-regulation (4) is to be executed for the period stipulated in the tender document under such terms and conditions as determined by the Authority and on this account, the Terminal Operator shall maintain a security deposit for an amount as fixed by the Authority from time to time in favour of the Authority as Performance Guarantee in the form of a Bank Guarantee.

(7) Terminal Operator shall perform the work at Authority's terminal for loading and unloading of containerized cargo or containers on board of a vessel working and is required to handle such cargo from CFS or Shippers transport to vessel's hook or from vessel's hook to CFS or importer's transport or for any other operations including the back-up operation as may be considered imperative.

(8) The Terminal Operator who shall be appointed for a particular terminal shall be responsible—

- (i) to the Ship Owner, Agent or Consignee for on board operation;
- (ii) to the Authority for shore handling activities; and
- (iii) to the both Main Line Operator and Authority for stuffing and un-stuffing of containers.

(9) Terminal Operator shall be responsible—

- (i) for due observance and performance by the staff and labour employed by him during the operation of loading and unloading of a vessel or work incidental thereto of all rules, regulations and procedures applicable to the Port and to the said operation and any direction given by the Authority;
- (ii) for any loss, damage, deterioration or destruction of cargo during cargo or container handling operation to the Ship Owner, Agent, Consignee or Shipper; and
- (iii) for any loss, damage, deterioration or destruction of any goods, property, installation, building and equipment belonging to the Authority during cargo or container handling operation.

(10) Terminal Operator shall employ experienced Ship planner, Yard planner, Supervisor, Foreman, Engineers, Traffic planner or such other persons to plan, monitor and superintend the loading and unloading of cargo and containers and, may if necessary, employ experienced persons from home or abroad for this purpose subject to security clearance and applicable laws of Bangladesh.

(11) Terminal Operator shall supply, maintain and operate all types of container and cargo handling equipments as decided by the Authority and specified in the tender document.”

By order of the Chittagong Port Authority

**Commodore Zulfiqur Aziz**  
Chairman.