

TERMS OF BUSINESS AND DUES

2024

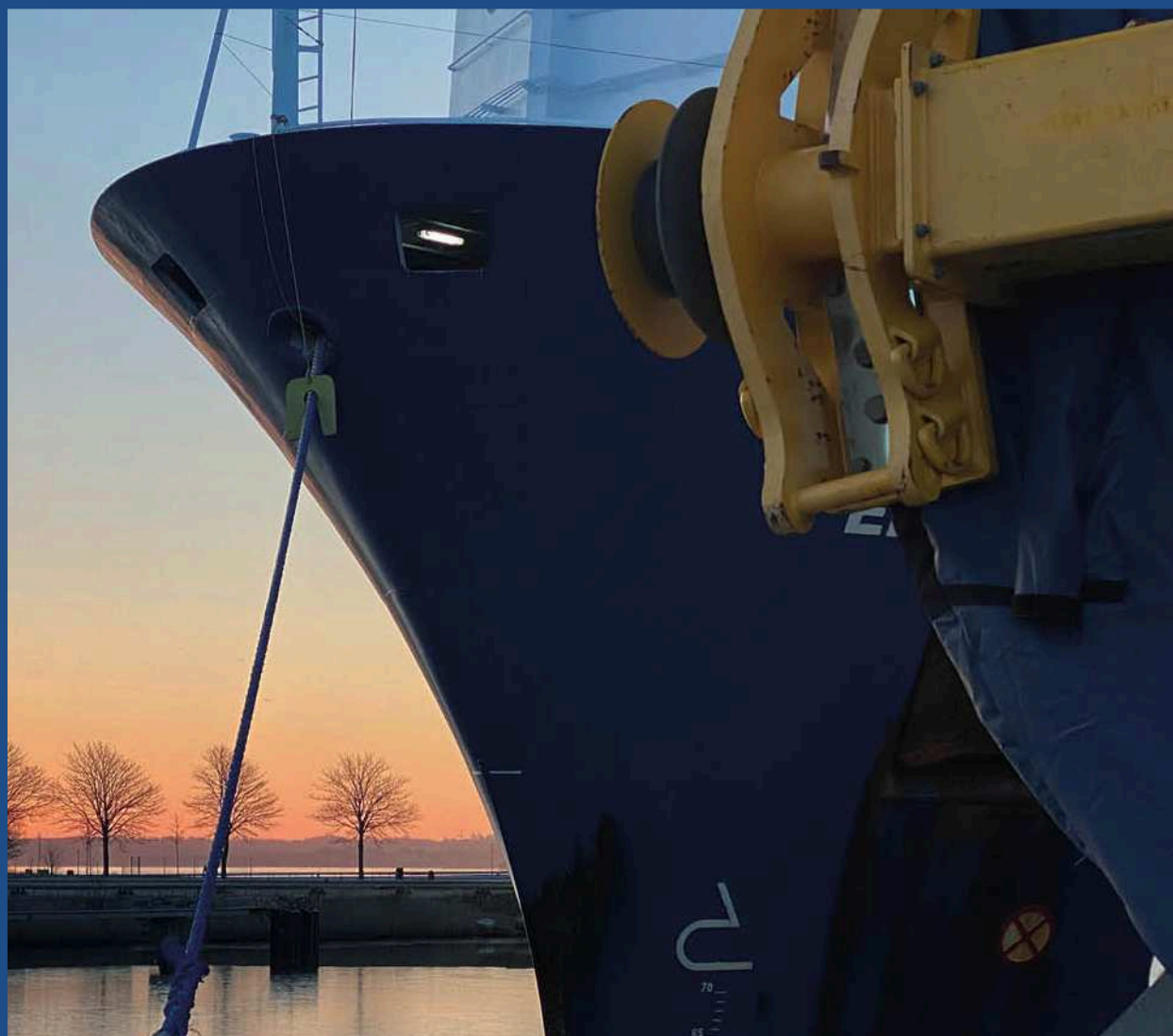


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Office Hours

Monday – Thursday	07.30 a.m. – 15.30 p.m.
Friday	07.30 a.m. – 14.00 p.m.

Hours of operation

Monday – Thursday	07.00 a.m. – 15.00 p.m.
Friday	07.00 a.m. – 14.30 p.m.

Holidays

New Years day, Palm Sunday, Holy Thursday, Good Friday, Easter Sunday, Easter Monday, Whit, 2. Whitday, Christ's ascension, Constitution Day June 5th and labour day May 1st after 12 noon, December 24th, Christmas Day December 25th, 2nd Christmas Day and December 31st.

The following terms of business are valid for the Port of Aabenraa from 1 January 2024.

All charges, unless otherwise stated, are indicative only and excl. VAT and other duties. Charges can be changed without prior warning. The term “normal working hours” refers to “Operations Centre” working hours.

This English version is a translation of the Danish terms of business and dues.

The publisher is not liable for misprints.

1. Ship dues

All ships, vessels and other floating equipment must pay ship dues for using the Port of Aabenraa. The dues are chargeable to the ship and are calculated based on the vessel's gross tonnage, as shown in the vessel's tonnage certificate. Ship dues are incl. ISPS-fee.

1.1. Rates

Ship dues	GT per call at port for ships ESI>30 ¹	Additional charge for ships ESI< 30 or not registered in ESI
a. Single call at port - The port bills for minimum 500 GT	4.50 DKK	+0,75
b. Monthly dues - The port bills for minimum 500 GT	22.50 DKK	+4,00
c. Monthly dues, if the ship is approved as a regular service vessel - The port bills for minimum 500 GT	7.20 DKK	+1,25

The monthly fee is payable in advance to the Port of Aabenraa and entitles the ship to make an unlimited number of calls at port within the relevant calendar month. The monthly fee is not refunded even if the ship is unable to call at the port in the relevant calendar month owing to shipwreck, damage or other causes.

Passenger vessels that call at the port more than once a week instead pay weekly ship dues of 15.40 DKK/GT. The dues are payable to the Port of Aabenraa on the ship's first weekly call.

1.2. Regulations for calling at port

The ship's dues are payable to the Port of Aabenraa prior to the vessel leaving the port. However, the port may grant a vessel permission to leave the port before the dues have been paid against a deposit or other security furnished by the ship owner or his agent.

Ship dues cover a ship's stay in the relevant port counted from the first day of arrival.

Ship dues are calculated on the basis of gross tonnage (GT) and are rounded up to whole tons.

The ship dues covers mooring for a maximum of 7 days including the day of arrival. If the stay of the ship exceeds 7 calendar days, a new ship due incurs for a full seven-day period.

¹ <https://www.environmentalshipindex.org/>

1.3. Exemptions from ship dues

The following types of vessels are exempt from ship dues:

a.	Ships registered for fishing, except when the ship enters the port and unloads fish, etc. that were loaded in another port
b.	Ships that belong to Danish or foreign state authorities and are not carrying cargo or passengers
c.	Ships that have exclusively called at the port to seek medical help, disembark sick or shipwrecked persons or corpses, or for provisions or other ship's necessities, provided that the stay in the port does not exceed 24 hours.
d.	Ships exclusively carrying cargo and material to and from the port that are intended for the port's own use, and ships that are exclusively used for construction and maintenance work carried out at the expense of the port
e.	Ships that are forced to call a port due to a crash, storm, fog or other weather conditions, provided that the stay in the port does not exceed 24 hours.
f.	Ships exempted by the Port of Aabenraa

1.4. National flagships, fishing boats, etc.

Ships, which are exempted from the ship tariffs cf. section 1.3., are required to pay a tariff per call, as shown in the following table:

Value	Cost in DKK
0-399	555 kr.
400-499	825 kr.
500-799	1.105 kr.
800-999	1.380 kr.
1.000-1.999	1.660 kr.
2.000-2.999	2.210 kr.
3.000-4.999	3.880 kr.
5.000-	5.540 kr.
Table value is calculated as: Max length x max width	

This call tariff covers mooring of the ship in the Port for a maximum of 24 hours. If duration is exceeded, a new contribution must be paid for a full 24-hour.

If the vessel has no GT, a GT is calculated based on the table value above. Payment of this call tariff must be made before the time of the departure, pursuant to section 1.2. of General Terms & Conditions.

Electricity consumption is settled separately acc. to section 8.1. Supply of electricity.

2. Ice breaking surcharge

In accordance with the Danish law on icebreaking no. 1344 of 09/10/2019², a government ice breaking surcharge is charged per ton of all goods being loaded or unloaded in Danish ports. The amount of the ice breaking surcharge is determined by the applicable regulation.

3. Commodity dues

Commodity dues are payable to the Port of Aabenraa on all goods that are loaded or unloaded or otherwise launched or landed at the port.

Commodity dues are billed according to the due for general goods of 18.00 kr. / tonne. Although the dues for certain types of products are reduced as follows:

1. General goods	18.00 DKK/tonne
2. Iron	15.70 DKK/tonne
3. E-fuels	16.50 DKK/tonne
4. Feed, grain and wood	10.75 DKK/tonne
5. Liquid products bioenergy	10,75 DKK/tonne
6. Solid bulk products bioenergy	7,25 DKK/tonne
7. Cement	9.85 DKK/tonne
8. Stone and gravel	7.25 DKK/tonne
9. Trailer and container freight	147.45 DKK/unit
10. Passengers	36.60 DKK/person
11. Project cargo	18,40 DKK/tonne

3.1. General terms

Commodity dues are chargeable to the consignee, the consignor or the carrier and is payable to the Port of Aabenraa before departure.

See section 10.3 liability for goods.

² "lov om beredskab for isbrydning" – www.retsinformation.dk

3.2. Different types of commodity dues

	18.00	16.50	15.70	10.75	9.85	7.25
Oil / gasoline products	X					
E-fuels		X				
Metals			X			
Fodder				X		
Grain				X		
Fertiliser				X		
Soybean oil				X		
Liquid products bioenergy				X		
Solid bulk products bioenergy						X
Wood				X		
Wood pellets				X		
Olive stone				X		
Cement					X	
Shards						X
Stone						X
Gravel and sand						X
Seasand						X
Calcium Carbonates						X
Slag						X
Clay						X
Silicate						X
Salt						X

For questions regarding the classification of commodities that cannot be attributed to the list of above, please call the Port Office +45 74 62 25 14.

Re. 7: Trailer and container goods

The rate for each trailer and container containing dutiable goods is 147.45 DKK, regardless of the type and volume of goods.

Re. 8: Passengers

The rate per passenger/operator, regardless of age, is 36,60 DKK per person with a trailer and ro-ro ferry.

Re. 9: Project cargo

The cargo dues for project cargo, such as wind turbine parts, offshore elements, etc., is 18.40 DKK per ton.

3.3. Fish and shellfish

a. Processed or unprocessed fish and shellfish unloaded from fishing vessels	2.4 % of the value of sale at first hand – but max. 25.000 DKK per load
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Commodity dues payable on fish, etc. are charged to the buyer (auctioneer, the fishmonger, or the buying agent of fish), who must provide the Port of Aabenraa with a written specification of the basis of calculation.

Upon request, the buyer is obliged to provide a specification of the purchases, and the masters of the above vessels are obliged, upon request to that effect from the port, to provide the Port of Aabenraa with written information about the value and weight of the cargo and the name of the buyer.

3.4. Exemptions from commodity dues

The following goods are exempt from commodity dues:

a. Provisions and other necessities for the ship's own use.
b. Goods and equipment for the port's own use.
c. Goods transferred directly from one vessel to another without being landed are exempt during loading provided full rates were paid at unloading.
d. For seaborne goods entering the port, and for which input commodity dues have been paid to the Port of Aabenraa, no output commodity dues are payable in connection with seaward reforwarding, provided that the goods have not been subjected to processing or handling after unloading, including packaging, and that the reforwarding takes place within 3 months of reloading. In each case an application for an exemption from the commodity dues must be submitted to the Port at the time of submission of a ship and commodity declaration, etc., for the cargo of the ship. The application must contain a documented specification of the commodity dues paid for each incoming lot, and the shipper must make a declaration on their honour that the full commodity dues for the incoming lot has been paid in full.

4. Self-Unloaders – Use of self-unloaders with on-board excavator

4.1. General rate

When using self unloader vessels the general rate is:

Self-unloader charge	1.105 kr. per call
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4.2. Liability and invoicing in the event of damage

When using self unloaders, the shipbroker / vessel agent is responsible for sufficient use of fendering and suspension to ensure that there are no contact between ship and quay. The Port of Aabenraa does not and

cannot make fenders available. Without appropriate fendering the quays are damaged and consequently we will invoice the shipping agent no less the DKK 3,000.00 per. incident/call.

5. Submission of information

The captain or the vessels's agent must provide the necessary information for the calculation of dues related to the vessel and the goods, as well as information about water, ship waste and slop. Information must be given at the site "Customer Port" when notifying the ship call.

Information regarding the vessel and cargo must specify the goods. The total weight of the goods is given for each gross weight position in full tonnes, so that fractions below 0.5 tonnes are not included, whereas 0.5 tonnes or more is counted as 1 tonne.

The captain or the vessel's agent must provide vessel documents, documents regarding cargo and weight as credentials of the information provided. In addition, necessary information must be provided regarding vessel, passengers and goods, including means of transport, containers, etc. for the use of statistics.

The Port of Aabenraa is, at all times, entitled to check if the information provided is correct.

5.1. Incorrect ship- and commodity declaration

- a. In case of regulations caused by errors made in ship-and commodity dues declaration, The Port of Aabenraa charges a handling fee of 500 kr. Pr. Expedition.
- b. Corrections cannot take place later than 3 months form the invoice date.

6. Rental of areas

6.1. Rental terms

The Port of Aabenraa has 400,000 m² of land area, of which 70,000 m² is hinterland area and related buildings. Furthermore the Port of Aabenraa has appr. 450.000 m² of the former coal-fired powerplant Ensted. This area is environmental class 2-7 and provides additionally 30.000 m² buildings incl. 8.500 m² Office- and Administration Facilities.

In accordance with the Danish Ports Act, port areas have to be rented primarily to port-related businesses. If this is not possible, they are rented to other companies.

For all rentals, the tenant must provide a turnover guarantee in the form of commodity dues (minimum guarantee).

Fixed rental agreements require the Port Management's approval. The Port Office is authorized to enter into temporary rental agreements.

Terms and Conditions for rental agreements are agreed individually between The Port of Aabenraa and the tenant. Please contact our Business Developer Dan Skov Sørensen for further information and opportunities. Contact details are provided on our website.

6.2. Temporary rental of Port areas

6.2.1. Quay areas

Cargo that is loaded onto or unloaded from a vessel may be placed within the area of the port for 7 days free of charge starting from the day of the call to port.

If the cargo is stored for more than one week the port is entitled to charge a leasing fee per started week. Inquiry regarding prices are made to the Port office.

Leasing fees are charged for minimum 100 m². These regulations also apply to the extended quay areas in Sønderjyllandskajen and at Gammelhavn.

Goods must be removed on demand, otherwise the port is entitled to remove the goods at the owner's expense.

6.2.2. Hinterland areas

For temporary hire of the port's available hinterland areas, please contact the Port Office.

For leases of hinterland areas, the tenant's period of notice is current month + 1 month. The area is taken over as is and must be left in the same condition. Tenants are liable for any damage to coating, covers, wires, etc. Leasing fees are charged for minimum 100 m².

Inquiry regarding prices are made to the Port office.

6.3. Rental of water areas

For requests concerning long-term-rental of water areas please contact the Port Office.

7. Terminal equipment and staff

7.1. Launch and loading of leisure boats etc.

Launching and loading of leisure boats may only be performed in coordination with the Port of Aabenraa and after having received directions on where the operation may be executed. If the operation is performed without prior consent by the Port of Aabenraa the operator can expect to be expelled and quarantined from operating on our facilities.

Launch and loading fee	1.105 kr. per boat
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7.2. Infrastructure charge - Mobile Cranes

The use of external mobile cranes will be charged with an infrastructure fee³. The crane company must send a statement of the number of working days, over which the operation took place to the port office via security@aabenaarhavn.dk within 5 working days after completion of the loading / unloading operation.

Price per started working day	1.660 kr. per crane
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7.3. Start-up fee

When unloading and loading with the Port's cranes, a start-up fee is charged. This fee covers a.o. the relocation of a crane within the normal working hours.

Relocation of cranes outside normal working hours is subject to overtime dues for staff as stated below (minimum 2 staff members will be charged).

Price per task	825 kr. per crane
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7.4. Cranes & Machines

The rates are calculated from the date on which the terminal equipment is ordered.

The minimum settlement time is one hour, after which settlements are made per started half hour⁴.

Machine	Performance	Price per hour
Crane: Liebherr LHM 550	Grab	2.450 DKK
	Tonnes dues	1.15 DKK/ton
	Hook: max lift 36 tonnes	2.850 DKK
	Hook: max lift 52 tonnes	5.520 DKK
	Hook: max lift 104 tonnes	7.980 DKK
	Hook: max lift 144 tonnes	13.030 DKK
	Stacking, etc.	2.450 – 7.980 DKK

³ Infrastructure fee is charged for loading or unloading vessels, where the port's equipment could have been used to carry out the operation.

⁴ See also section 10.1. Liability when renting cranes and terminal equipment

Crane: Liebherr LHM 320	Grab Tonnes dues	2.450 DKK 1.15 DKK/ton
	Hook: max lift 36 tonnes Hook: max lift 52 tonnes Hook: max lift 104 tonnes Stacking, etc.	2.850 DKK 5.520 DKK 7.980 DKK 2.450 – 7.980 DKK
Combined lift - LHM 550 and LHM 320	Lift up to 160 tonnes Lift up to 190 tonnes Lift up to 220 tonnes	15.960 DKK 21.280 DKK 23.940 DKK
	Setup Lifting gear used for crane lifts	4.370 DKK 120 DKK
Crane: Sennebogen 850	Grab Tonnes dues	1.260 DKK 1.15 DKK/ton
	Stacking, etc.	1.590 DKK
Gantry Crane Ensted	Grab (25m3)	Upon request
Conveyor Belt Ensted	For further information please contact the port office.	Upon request
Miscellaneous	Cleaning of quay areas with crane	1.590 DKK
	Loader	1.195 DKK
	Loader with high dump bucket	1.195 DKK
	Mini-loader with bucket / forks	785 DKK
	Tractor	785 DKK
	Unloader hopper	575 DKK
	Mini-loader with sweeper	875 DKK
	Tractor with water tanker	825 DKK
	Sweeping vehicle	1.330 DKK

All prices incl. staff

7.5. Oil surcharge

The Port of Aabenraa has introduced an oil surcharge as pr. 01.06.22. This means that the hourly rate for machines can be adjusted in relation to changes in the price of oil. The oil surcharge will be regulated every month. Calculation is based on the average liter price of B0 deluxe for the period 01.01.21-30.09.21 listed at YX Danmark A/S.

7.6. Staff

Service	Price per hour
Normal hours	485 DKK
Extra charge for 50%	210 DKK
Extra charge for 100%	345 DKK
Waiting, re-rigging of cranes and extra staff:	
-Normal working hours (07:00 – 15:00)	485 DKK
-50 % (06:00-07:00 + 15:00-18:00)	695 DKK
-100 % (weekdays 18:00-06:00 + weekends and holidays)	830 DKK
On call outside normal working hours	1.385 DKK

If overtime work after normal working hours is requested within normal working hours, at 12:00 on weekdays, there is a minimum two-hour charge.

If a vessel is delayed for more than three hours on a weekend or holiday, it will be charged a waiting fee for three hours at 100%. If it is delayed for fewer than three hours, it will be charged according to the set rates. In cases where terminal equipment that has been ordered is not used, the orderer is obliged to cover the costs associated with moving and preparation.

When booking terminal equipment for 7 a.m. 15 minutes are to be expected for the start-up process, thus the equipment will be ready for operation at 7.15 a.m. If the terminal equipment has to be ready for operation at precisely 7.00 a.m. this has to be specified upon booking. In this case, an early-start fee of a half 100% hour will be charged.

7.7. Regulations for terminal equipment

7.7.1. Use of terminal equipment

The port does not undertake the work of cargo or hooking on the crane, and does not supply necessary straps, shackles, lifting beams, etc.

The cranes are only designed for vertical lifting and should not be used if they are exposed to situations in which they are exposed to diagonal pulls. Also, the cranes should not be used for lifts exceeding the maximum load indicated for each crane.

Unloading operation directly to truck is conditioned upon direct communication between crane operator and truck driver.

The Port of Aabenraa decides to whom, for what and in what order the cranes are rented. A crane that has already been rented may be replaced by another crane for carrying out specific jobs. The cranes may not be rented for the purpose of jobs outside the port area.

When loading/ unloading dusty products, additional cleaning of terminal equipment may occur. This expense will be recharged to the customer.

See section 10.1. Liability when renting cranes and terminal equipment.

7.7.2. Ordering of terminal equipment

Terminal equipment can be ordered from the port office with reasonable notice.

Equipment to be used in weekends and public holidays must be ordered no later than 12 noon on the previous working day.

8. Other services

8.1. Supply of electricity

The Port of Aabenraa offers connections to the power grid on the quay.
Contact the Port of Aabenraa for more information about the supply of electricity.

The following prices apply to the supply of power:

Power consumption	Applicable price per kWh + electricity, CO ² and SO ² charges +25% administration fee
Connection fee	216 DKK per unit for three days
Connection fee after third day	55,30 DKK per day
Rigging and laying up	See section 7.6.

The Port of Aabenraa only provides power outlets at the quay and assumes no responsibility nor liability for any power failure or protection required in accordance with the power regulations (Electrical Safety Act).

Power to quayside power outlets is cut when there are warnings of storm surges. The Port of Aabenraa does not supply power cables from the power outlets on the quays to the user and does not assume any liability for the user's equipment

The user must pay for repair work, materials, fuses, etc., in connection with repair of any defects in the port's equipment caused by the user.

8.2. Water

The following prices apply for the supply of water:

Water	Staff, price per hour
General	49,85 DKK per m ³ , minimum 770 DKK
Staff	See section 7.6.

It is the responsibility of the vessel that the water is turned off after use. If the water has not been turned off after the vessels departure, the total consumption will be charged accordingly to the water meter.

8.3. Cleaning of Port areas

Pollution (spill) in connection with loading and unloading may not be spread outside the vessel's working area.

Spillage on the port areas, including basins, in connection with storage, loading, unloading or other types of cargo handling must be cleaned to comply with applicable environmental requirements.

Waste may not be thrown in the port basins.

A "polluter pays principle" applies, i.e. the one who is responsible for the pollution has to bear all costs associated with the clean-up and disposal of spillage and pollution.

8.4. Waste

Vessels calling at the Port of Aabenraa must deliver their waste before leaving the port; see the Danish Minister of the Environment's Executive Order No. 1396 of 25. November 2016.

The Port of Aabenraa has established reception facilities for vessel-generated waste, cargo residues, sewage and slop from vessel in port. Prior to every visit and no later than 24 hours before the estimated time of arrival in case of arrival at the Port on Saturday / Sunday no later than 12:00 noon on Friday a waste declaration needs to be sent to security@aabenraahavn.dk.

If the Port does not receive a waste declaration cf. above, the full price has to be paid for collection and disposal.

The waste management plan can be read at Aabenraa Airport website: www.aabenraahavn.dk

8.4.1. Waste dues

The Port of Aabenraa does not charge any fee for the collection of normal vessel waste. However the Port will charge a special fee in the following cases:

- The quantity of waste exceeds the quantity of waste that the vessel would under normal circumstances have produced since the vessel last called a port
- The vessel wants to deliver waste outside normal working hours

- The vessel does not pay ship and commodity dues
- The vessel has not submitted a waste declaration, stating the waste to be collected 24 hours prior to its call at the Port of Aabenraa
- Waste is disposed in the wrong containers or placed on the quays without prior notice.
- Waste oils contain less than 65% oil or contain substances other than oil and water.

Any unforeseen costs associated with the waste disposal will be charged to the vessel cf. section 8.4.3.

8.4.2. Slop /oil waste

Slop and other liquid oily waste are received free of charge if:

- The quantity is $\leq 1\text{m}^3$
- Oil waste is delivered to the receiving facility , i.e. the ship must have the necessary pumping capacity

Additional charges / expenses for the ship's account:

- Delivery of quantities $> 1\text{m}^3$ (acc. to rates in 8.4.3.)
- The ship does not have pumping capacity
- The oil cannot be delivered to the ship's rail.

8.4.3. Charges for handling of waste

Waste	Price *)	
Marpol Annex I Waste oil	Actual costs + 25% administration fee	
Marpol Annex II	Actual costs + 25% administration fee	
Marpol Annex III	Actual costs + 25% administration fee	
Marpol Annex IV	Actual costs + 25% administration fee	
Marpol Annex V (operational waste) Waste is sorted in 140/240 l containers	240 l Container	140 l Container
Organic / compostible waste	366 kr.	305 kr.
Cardboard, paper & soft plastics	366 kr.	—
Hard plastic	665 kr.	—
Glasses and bottles	510 kr.	—
Metals and cans	510 kr.	—
Hazardous waste	4.100 kr.	—
Minimum price for disposal of unannounced/missorted waste	3.045 kr.	—

*)

- In addition to working hours according to current rates
- Charge includes transport
- Waste oil containing petrochemicals, Hazard Class I and II according to the IMDG Code or emulsifying agents are not accepted

8.5. Snow removal

During winter season, the removal of snow and salting of sidewalks will start at 7.00 a.m. on workdays.

In the event of snowfall or slippery roads, not all areas can be expected to be cleared and / or salted within the full working hours.

Sub-contractor is performing winter maintenance of quays and roads.

9. ISPS

The Port of Aabenraa lives up to the International Maritime Organisation's requirements with regard to the security of harbour facilities, called ISPS.

Access to harbour facilities is restricted by means of fences, gates and video surveillance. Only persons with valid ID cards or personal registered telephone number may be present at the secured facilities at the Port of Aabenraa.

Registration takes place at the harbour office and the annual fee is 10 € / 75 DKK. Extensions registered before 31. January cost 50 DKK pr. calendar year.

10. Liability

10.1. Liability when renting cranes and terminal equipment

When renting terminal equipment the Port of Aabenraa is only responsible for making it available including a driver.

The lessee has the full right of disposition and duty of instruction over the terminal equipment and crane as well as the driver during the rental period. The lessee thus has full responsibility for the work being organized responsibly and in accordance with the legislation.

The lessee is responsible for any damage that may occur during the rental period to terminal equipment, cranes, hoppers and crane equipment, as well as damage caused by cranes / terminal equipment to persons, ships, movable property, areas and real estate. Regardless of whether such damages were caused by simple or gross negligence. The lessee is also responsible for damages caused by the driver, regardless of him / her being employed by the Port of Aabenraa.

The lessee is responsible for damages that occur during operation as a result of faults or defects in the chains, slings, shackles, etc. caused by the hirers or operating staff.

The hirers are responsible for complying with the Danish Working Environment Authority's applicable rules and are obliged to familiarize themselves with the provisions of this regulation.

In the event of downtime during the rental period as a result of faults with the crane, weather or the like, the Port of Aabenraa assumes no responsibility.

Under no circumstances will compensation be provided for the lessee's or third party's loss of profit, waiting time for trucks, lost market share, loss of goodwill as well as any indirect loss for whatever reason.

To the extent that the Port of Aabenraa may be held liable towards a third party for damage caused by the terminal equipment, crane, unloading hopper or other crane equipment or as a result of the use of this during the rental period, the lessee is obliged to indemnify the Port of Aabenraa for any loss that the port of Aabenraa may suffer incl. interest and costs.

If a third party makes a claim against the port or the lessee for compensation for damage or loss, as referred to in this section, the other party must be notified immediately in writing.

10.2. Insurance

Crane lessee is required to sign a professional and product liability insurance, which has been extended to cover borrowed and rented items. In addition, the crane lessee must establish a special liability insurance (stevedore liability insurance) or extend the professional and product liability insurance to include the liability that the crane lessee can incur for damage to equipment and goods etc.

10.3. Liability for stored goods

The Port of Aabenraa does not accept responsibility for goods stored or laid aside at the port, nor for any damages that such goods may cause to a third party, in the form of both physical and financial losses.

Claims directed by a third party against the Port of Aabenraa will therefore be forwarded to the one responsible for the damage, who has not disposed the goods in accordance with applicable regulations.

10.4. Limitation of liability and disclaimer

If the Port of Aabenraa is held liable of one of the above-mentioned provisions or is otherwise held liable, liability is limited as follows:

Damages are fixed on the basis of the value of cargo of the same kind at the time of identifying the damage. The value of the cargo must be fixed in accordance with the market price, or in the absence of a market price, in accordance with the usual value of cargo of the same kind and quality.

However, damages cannot exceed 667 SDR for each parcel of consignment or any other unit of the cargo, or 2 SDR per kilo of gross weight of the damaged cargo, whichever amount is the higher.

Damages cannot exceed 10,000 SDR for containers or any other similar transportation unit with content. In no circumstances can the Port of Aabenraa's liability exceed 1,000,000 DKK.

Damages are not awarded for operating losses, losses of profit, waiting time for lorries, dock workers, etc., loss of market share and other indirect losses.

SDR is the accounting unit defined in section 152 of the Danish Merchant Shipping Act. SDR is converted into Danish currency on the day of identification of the damage.