

রেজিস্টার্ড নং ডি এ-১

বাংলাদেশ



গেজেট

অতিরিক্ত সংখ্যা  
কর্তৃপক্ষ কর্তৃক প্রকাশিত

বৃহস্পতিবার, এপ্রিল ১৮, ২০২৪

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

গণপ্রজাতন্ত্রী বাংলাদেশ সরকার  
চট্টগ্রাম বন্দর কর্তৃপক্ষ  
বন্দর ভবন, চট্টগ্রাম।

প্রজ্ঞাপন

তারিখ: ৭ মাঘ, ১৪৩০ বঙ্গাব্দ/২১ জানুয়ারি, ২০২৪ খ্রিষ্টাব্দ

এস.আর.ও. নং ১৪-আইন/২০২৪—চট্টগ্রাম বন্দর কর্তৃপক্ষ আইন, ২০২২ এর ধারা ৫৯ এ প্রদত্ত ক্ষমতাবলে, কর্তৃপক্ষ, সরকারের পূর্বানুমোদনক্রমে, Regulations For Working of Chittagong Port (Cargo & Container), 2001 এর নিম্নরূপ অধিকতর সংশোধন করিল, যথা:—

উপরিউক্ত Regulations এর—

(১) regulation 2 এর—

(ক) Clause (54) এর পরিবর্তে নিম্নরূপ Clause (54) প্রতিস্থাপিত হইবে, যথা:—

“(54) “Licence” means approval accorded or Licence granted by the Licencing Authority under the procedures relating to Shipping Agent, Clearing and Forwarding Agent, Stevedore, Jetty Handling Contractor, Lighterage Contractor, Ship Chandler, Chipping and Painting Contractor and Vendors, Berth Operator, Ship Handling Operator, Terminal Operator etc.”;

(৬৬৯১)

মূল্য : টাকা ১২.০০

- (খ) Clause (80) এর পরিবর্তে নিম্নরূপ Clause (80) প্রতিস্থাপিত হইবে, যথা:—
- “(80) “Shore Handling Contractor” means a Berth Operator or Terminal Operator who apart from supplying labour and other staff etc. on board on behalf of his employer, may also be required to supply labour and staff etc. on shore as per Agreement with the Authority;”;
- (গ) Clause (88) এর পর নিম্নরূপ Clause (88A) সন্নিবেশিত হইবে, যথা:—
- “(88A) “Tariff” means the Chittagong Port Authority, Tariff on Goods and Vessels etc. published on 11 June, 2008 (CPA Tariff 2008) or otherwise decided by government from time to time;”।
- (২) regulation 68 এর—
- (ক) sub-regulation (1) এর পরিবর্তে নিম্নরূপ sub-regulation (1) প্রতিস্থাপিত হইবে, যথা:—
- “(1) No firm or company shall work as Berth Operator or Ship Handling Operator within the Port unless appointed under regulation 74.”;
- (খ) sub-regulation 2 এর clause (i) এর পরিবর্তে নিম্নরূপ sub-regulation 2 এর clause (i) প্রতিস্থাপিত হইবে, যথা:—
- “(i) evidence that the staff proposed to be employed by the applicant is sufficient in number and has required training and experience (as stipulated in the tender document) of working in any port of Bangladesh to undertake the responsibilities of loading and discharging of cargo or containers to and from vessels.”।
- (৩) regulation 72 এর পর নিম্নরূপ নূতন regulation 72A সন্নিবেশিত হইবে, যথা:—
- “72A. **Enlistment of Inland Container Depot (ICD) or Cargo Freight Station (CFS):**—(1) No person or body of persons shall function as Inland Container Depot (ICD) or Cargo Freight Station (CFS) within the limits of Chittagong Port without being enlisted with the Authority, the decision of which shall be at the sole discretion of the Authority and with such terms, conditions and regulations as the Authority may from time to time decide. Application for enlistment as ICD or CFS shall be submitted to the Authority along with:
- (i) Attested copy of a valid licence from Customs or NBR;
- (ii) Attested copy of a membership enlistment certificate from the trade body;

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- (iii) Attested copy of NOC/certificate from the concerned government authorities;
  - (iv) Evidence of nationality, good antecedents and conduct;
  - (v) TIN certificate and income tax clearance;
  - (vi) Copy of up-to-date trade licence;
  - (vii) Certificate from a Bank testifying solvency as required by the Authority and to meet obligations relating to Cargo or Container Handling Agencies and also other financial liabilities;
  - (viii) Declaration to the effect that the applicant possesses experience in trade and also has adequate trained personnel;
  - (ix) Documentary evidence that any consignor or consignee of Freight Forwarder or Govt. or Semi-Govt. organization or Autonomous body having adequate business in the opinion of the Authority, is prepared to employ the applicant as ICD or CFS for their business through Chittagong Port;
  - (x) In case of Limited Company, the application shall be submitted with the Registration Certificate, copy of Memorandum of Association and Articles of Association issued by the Registrar of Joint Stock Companies and Firms under the Companies Act, 1994;
  - (xi) Two copies of attested passport size photos of Managing Director or Director or Proprietor of the firm or Company.
- (2) The enlistment, if allowed, shall be valid for such period to which validity of the licence issued by the Customs Authority exists. The charges shall be in accordance with Tariff or fixed by the Authority from time to time.
  - (3) On the expiry of enlistment, the Authority, if satisfied with the performance, at its discretion, and subject to submission of attested copy of renewed Licence from Customs may renew the enlistment. The charges for such renewal shall be in accordance with Tariff or fixed by the Authority from time to time.

- (4) Application in writing for the renewal of enlistment shall be submitted to the Authority together with a statement of performance in the previous tenure.
- (5) Application for renewal of enlistment may not be acceptable after 31 January of the year concerned.
- (6) The Authority may, if considered reasonable, reject any application for the enlistment as ICD or CFS or refuse to renew the enlistment or suspend or cancel the enlistment at any time and shall not be liable or responsible for any loss suffered by the enlistee on that account.
- (7) Enlisted ICD or CFS shall be responsible for the due observance and performance, by all staff and agencies employed by him, during the working or operation of any vessel or work incidental thereto, of all rules, regulations, procedures applicable to the Port and to the said operation and any direction or instruction given by the Authority or of any officer empowered by the Authority.
- (8) Enlisted ICD or CFS shall maintain a security deposit for the amount as fixed by the Authority from time to time. The Authority may from time to time, determine to modality of payment against bills which shall be binding.
- (9) Enlisted ICD or CFS shall furnish such information pertaining to their business as may be required by the Authority or any officer empowered by the Authority.
- (10) In case of violation of any rules or regulations, the Authority shall be at liberty to cancel the enlistment or restrict or suspend the firm's business transactions or suspend or cancel Jetty Permits of the personnel in their employment and also to recover compensation for any loss or damage of the port property or cargo caused by their personnel or transports etc. belonging to or hired by them. The Authority shall not be liable or responsible for any loss suffered by the Firm on this account.
- (11) The enlistment may be suspended or revoked or cancelled for any of the following:
  - (i) If the enlistee or any of his employee is found to be involved in theft or pilferage or smuggling or improper delivery or improper accountal of cargo or containers etc.;

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- (ii) If the enlistee employ any person or staff who is not properly identified and authorized;
  - (iii) If the enlistee or any person of his employment misbehaves with any official of the Authority or any other organization concerned with;
  - (iv) If the enlistee fails to pay to the Authority or the agencies employed or engaged under him in time; and
  - (v) If the enlistee or any person in his employment commits any other irregularities or offence in violation of the provisions of the existing Act. or Ordinance or Rules or Regulations etc.
- (12) If the enlistment is suspended or revoked or cancelled, the security deposit of the enlistee may be adjusted against the outstanding dues as may be recoverable from him or forfeited to the Authority.”<sup>1</sup>
- (8) regulation 73 এর পর নিম্নরূপ নতুন regulation 73A সন্নিবেশিত হইবে, যথা :—

“(73A). Enlistment as Freight Forwarder:—(1) No person or body of persons shall function as Freight Forwarder within the limits of Chittagong Port without being enlisted with the Authority, the decision of which shall be at the sole discretion of the Authority and with such terms, conditions and regulations as the Authority may from time to time decide. Application for enlistment as Freight Forwarding Agent shall be submitted to the Authority along with:

- (i) Attested copy of a valid licence from Customs;
- (ii) Attested copy of a membership enlistment certificate from Freight Forwarders' Association approved by the Ministry of Commerce;
- (iii) Evidence of nationality, good antecedents and conduct;
- (iv) TIN certificate and income tax clearance;
- (v) Copy of up-to-date trade licence;
- (vi) Certificate from a Bank testifying solvency as required by the Authority and to meet obligations relating to Cargo or Container Handling Agencies and also other financial liabilities;

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- (vii) Declaration to the effect that the applicant possesses experience in trade and also has adequate trained personnel;
  - (viii) Documentary evidence that any consignor or consignee of Freight Forwarder or Govt. or Semi-Govt. organization or Autonomous body having adequate business in the opinion of the Authority, is prepared to employ the applicant as Freight Forwarder for their business through Chittagong Port;
  - (ix) In case of Limited Company, the application shall be submitted with the Registration Certificate, copy of Memorandum of Association and Articles of Association issued by the Registrar of Joint Stock Companies and Firms under the Companies Act, 1994;
  - (x) Two copies of attested passport size photos of Managing Director or Director or Proprietor of the firm or Company.
- (2) The enlistment, if allowed, shall be valid for such period to which validity of the licence issued by the Customs Authority exists. The charges shall be in accordance with Tariff or fixed by the Authority from time to time.
  - (3) On the expiry of enlistment, the Authority, if satisfied with the performance, at its discretion, and subject to submission of attested copy of renewed licence from Customs may renew the enlistment. The charges for such renewal shall be in accordance with Tariff or fixed by the Authority from time to time.
  - (4) Application in writing for the renewal of enlistment shall be submitted to the Authority together with a statement of performance in the previous tenure.
  - (5) Application for renewal of enlistment may not be acceptable after 31 January of the year concerned.
  - (6) The Authority may, if considered reasonable, reject any application for the enlistment as Freight Forwarder or refuse to renew the enlistment or suspend or cancel the enlistment at any time and shall not be liable or responsible for any loss suffered by the enlistee on that account.

- (7) Enlisted Freight Forwarder shall be responsible for the due observance and performance, by all staff and agencies employed by him, during the working or operation of any vessel or work incidental thereto, of all rules, regulations, procedures applicable to the Port and to the said operation and any direction or instruction given by the Authority or of any officer empowered by the Authority.
- (8) Enlisted Freight Forwarder shall maintain a security deposit for the amount as fixed by the Authority from time to time. The Authority may from time to time, determine the modality of payment against bills which shall be binding.
- (9) Enlisted Freight Forwarder shall furnish such information pertaining to their business as may be required by the Authority or Director (Traffic).
- (10) In case of violation of any rules or regulations, the Authority shall be at liberty to cancel the enlistment or restrict or suspend the firm's business transactions or suspend or cancel Jetty Permits of the personnel in their employment and also to recover compensation for any loss or damage of the port property or cargo caused by their personnel or transports etc. belonging to or hired by them. The Authority shall not be liable or responsible for any loss suffered by the Firm on this account.
- (11) The enlistment may be suspended or revoked or cancelled for any of the following:
  - (i) If the enlistee or any of his employee is found to be involved in theft or pilferage or smuggling or improper delivery or improper account of cargo or containers etc.;
  - (ii) If the enlistee employ any person or staff who is not properly identified and authorized;
  - (iii) If the enlistee or any person of his employment misbehaves with any official of the Authority or any other organization concerned with;
  - (iv) If the enlistee fails to pay to the Authority or the agencies employed or engaged under him in time; and
  - (v) If the enlistee or any person in his employment commits any other irregularities or offence in violation of the provisions of the existing Act or Ordinance or Rules or Regulations etc.

- (12) If the enlistment is suspended or revoked or cancelled, the security deposit of the enlistee may be adjusted against the outstanding dues as may be recoverable from him or forfeited to the Authority.”।
- (৫) regulation 74 এর sub-regulation (9) এর পরিবর্তে নিম্নরূপ sub-regulation (9) প্রতিস্থাপিত হইবে, যথা :—
- “(9) The Berth Operator or Ship Handling Operator shall employ at least 5 (five) years experienced Chief Operating Officer and experienced Ship Planner, Yard Planner, Supervisor and Serang to plan, monitor and supervise the loading and unloading of cargo and containers.”।
- (৬) regulation 212 এর পর নিম্নরূপ নূতন regulation 212A সন্নিবেশিত হইবে, যথা :—
- “(212A). Appointment of Berth Operator or Ship Handling Operator:—Berth Operator or Ship Handling Operator shall be appointed by the Authority at Jetties or Outer Anchorage within the Port under regulation 74 for handling the container or cargo or both. Such appointment shall be binding on all concerned agencies.”।
- (৭) regulation 240 এর পর নিম্নরূপ নূতন regulation 241 সন্নিবেশিত হইবে, যথা :—
- “241. Charges for services at ICT (Inland Container Terminal): - Charges for the nature of services rendered at the Inland Container Terminal (ICT) operated by the Authority would be the same as provided for service in the Tariff. The provision of imposing penal rent up to four times on container or cargo may also be leviable in the way explained in regulations 160 and 172.”।

কর্তৃপক্ষের আদেশক্রমে

রিয়ার এডমিরাল মোহাম্মদ সোহায়েল  
চেয়ারম্যান  
চট্টগ্রাম বন্দর কর্তৃপক্ষ।