

SHIPPING | MAY 2023

NEW RULES IN DUBAI TO FIGHT HIDDEN SEA CONTAINER CHARGES

The new Dubai Maritime Authority and its Directive No.1 of 2023 on Transparency of Local Sea Container Charges. On 6 February 2023, the Ruler of Dubai issued Dubai Law No. 3 of 2023 creating the Dubai Maritime Authority ("DMA").

That law abrogates previous Dubai Law no. 11 of 2007 that created the Dubai Maritime City Authority. The DMA replaces the Dubai Maritime City Authority, with broader powers. It essentially licences, regulates, coordinates, and supervises all aspects of Dubai's maritime sector going forward.

One of the DMA's first regulatory acts was to issue Directive No. 1 of 2023 on Transparency of Local Sea Container Charges in Dubai, effective from 1 May 2023 (the "Directive").

The Directive mainly aims to promote best commercial practices and fair competition in Dubai's maritime sector. It also aims to increase transparency of local charges relating to sea container operations in Dubai and to fight anti-competitive behaviour, such as price fixing and hidden charges.

Broadly speaking, the Directive:

1. Imposes a freeze on all local charges relating to "Sea Container Services", until further notice; and
2. Requires all local providers of "Sea Container Services" to file a list of all their charges with the DMA, within 30 days of the date of the Directive.

This would apply to all companies licensed to provide services arising out of or in connection with sea container operations, including but not limited to loading and unloading, weighing, handling, shifting within or between terminal(s), ports or inland storage facilities, storage, stuffing, destuffing, dunning, sealing, delivery, custom clearing or obtaining any government permits/licences/documents, surveillance, inspection, monitoring and repair, as well as cargo or container document issuance, delivery, exchange or amendment.

The above requirements are mandatory and immediate. It applies across the Emirate of Dubai.

Should you require any legal guidance or further information in this regard, please do reach out to Yaman Al Hawamdeh or Marc Ghammachi of our Middle East shipping team.



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