ACHIEVING THE QUALITY OF SERVICES IN SEA PORTS THROUGH REGULATIONS

REVIEW

Port services are services of commercial character that are provided against payment to port users and such payment is as a rule not included in the charges collected for being allowed to call or operate in a port. Their quality, efficiency and price-performance ratio is essential for the overall quality of services provided by the port. Ports bear specific responsibility for maritime as well as on-shore safety and environmental protection. The concern may constitute legitimate grounds for restrictions on the access to the market for provision of certain port services. In author’s opinion the framework at the European level should go along with and guide national measures which continue to further reduce existing restrictions on the port services whilst ensuring, on grounds of subsidiarity, that this course of action adequately respects local, regional and national port features and the public interest.

Keywords: sea ports, regulation, port service, quality, access to market, restrictions

INTRODUCTION

Port services inside a port area or on waterway access to and from the port of a port system are services of commercial character that are provided against payment to port users and such payment is as a rule not included in the charges collected for being allowed to call or operate in a port.

Traditionally port services have been provided within the frameworks characterised by exclusive right and/or legal or de facto monopolies of public or private nature. Port services include technical-nautical services of pilotage, towage and mooring, all cargo handling operations and passenger services.

Nowadays conventional structures are being eroded and considerable developments are taking place. Furthermore, in cargo handling the time-honoured structures have been challenged with the outcome that restrictions have been gradually removed, with increased efficiency being accompanied by more market-oriented pricing.
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The Commission Directive 2003/2/EC of 26 July 2000 amending Directive 80/394/EC on the establishment of a framework for the investigation, on an ex post basis, of the costs of the Member States' public authorities and the establishment of a framework for the investigation, on an ex post basis, of the costs of the Member States' public authorities and public undertakings, as referred to in Article 17 of Directive 97/11/EC, is applied in this chapter.

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3. COVERAGE AND FINANCING OF PORT SERVICES

Finding of the port security assessment

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intermediary of public undertakings or financial institutions and (c) use to which these funds are actually put.

State aid is defined by article 87(1) of the Treaty establishing the European Community as “aid granted by Member State or through State resources in any form whatsoever”. State aid may take a form of grants, loans at less than a commercial rate of interest and guarantees, total or partial exemption from charges, taxes and social contributions, fiscal advantages resulting from accelerated or enhances depreciation schemes, contributions to operating or training costs, benefits in kind such as free provision of services.

Public (general) infrastructure is open to all users on a non-discriminatory basis. It includes maritime access and maintenance, public land transport facilities within the port area, short connecting links to the national transport networks and infrastructures for utilities up to terminal site. Investment in such infrastructure are considered expenditure incurred by state within the framework of its responsibilities for planning and developing a transport system in the interest of general public provided the infrastructure is open to all users, actual and potential in accordance with the Community legislation. On the other hand, the characteristics of a specific case may show that such infrastructure benefits a specific undertaking and may therefore warrant the conclusion of aid despite its prima facie appearance as public infrastructure.

User-specific infrastructure includes yards, jetties pipes and cable for utilities on the terminal sites of a port. In general, if public authorities prepare land and their possession for development and sell it or lease it at market rates the Commission would not regard such investments in infrastructure as state aid. This would be different if, for example, the development were done with a particular end-user in mind.

Cost recovery from users constitute a distortion of competition, unless the choice of the beneficiary and the terms on which it obtained the use of facilities were reached is a result of an open and non-discriminatory procedure. Public support to investments in operational services of individual port service providers generally favour certain undertakings and thus are considered as state aid.

4. THE BENCHMARKS FOR IMPROVING SEA PORTS SERVICES

Sea port is an area of land and water made up of such improvement works and equipment as to permit, principally the reception of ships, their loading and unloading, the storage of goods, the receipt and delivery of these goods by inland transport and the embarkation and disembarkation of passengers. One of the reasons why ports are often criticised particularly by the local community is their impact on congestion and environment.

Although the degree to which the market is open varies from one European Union Member State to the other, and even between the ports of a single Member State, all Member States have opted for opening up of this sector to the competition.

Ports face challenges to reconcile port's development and management with competition and in general the Community set of rules. The idea of the Treaty is to eliminate the restrictions on freedom to provide services and that objective must be achieved within the framework of the common transport policy.
CONCLUSIONS

The provision of more efficient and effective public transport services is essential for the economic development of any region. Public transport services play a key role in the movement of people and goods, and their quality significantly influences the overall efficiency of the transportation system.

Improvements in public transport systems are necessary to meet the demands of urban and suburban areas. These improvements require the implementation of innovative policies and strategies, including investments in infrastructure and the development of efficient transport networks.

The provision of high-quality public transport services is crucial for the enhancement of the economy and the quality of life of residents. Improved public transport systems can attract new businesses and investments to the region, leading to increased economic activity and job creation.

In conclusion, it is essential to prioritize the development and improvement of public transport services to ensure the efficient and effective movement of people and goods. This will contribute to the economic growth and development of the region, leading to a better quality of life for its residents.
REFERENCES

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