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Financial payoff and records of the use of inland waterways as well as locks and slipways in Poland

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Abstract

The basic deed regulating the use of inland waterways as well as locks and slipways in Poland is the water law. Fees for the use of inland waterways and their sections and water devices owned by the Treasury, located on inland surface waters, hereinafter "receivables", bear for: transport of passengers with passenger and cruise ships; transport of goods by cargo ships; sailing empty cargo ships; towing or floating of wood; use of locks and slipways. The minister competent for water management in consultation with the minister competent for inland navigation by way of regulation: defines inland waterways and their sections, and assigns these waterways and their sections to the appropriate regional water management boards of Polish Water; defines the unit rates of receivable for: sailing empty cargo ships; sailing of passenger and cruise ships; transport of goods by cargo ships and towing or floating of wood for use of locks and slipways.

1. REGULATION OF USING INLAND WATERWAYS AS WELL AS LOCKS AND SLIPWAYS BY WAY OF AN ACT

The basic deed regulating the use of inland waterways as well as locks and slipways in Poland is the Act of 20 July 2017 *water law* (Journal of Laws, item 1566 and 2180 and of 2018, item 650). Under art. 306 paragraph 1 of the said Act, fees for the use of inland

waterways and their sections and water devices owned by the Treasury, located on inland surface waters, hereinafter "receivables", bear for:

- 1) transport of passengers with passenger and cruise ships;
- 2) transport of goods by cargo ships;
- 3) sailing empty cargo ships;
- 4) towing or floating of wood;
- 5) use of locks and slipways.

Under art. 307 item 1, 308 para. 1, 309 para. 1, the amount due for the transit of passengers by passenger and cruise ships is determined depending on the number of passenger seats and the length of the road traveled in one trip. The amount due for transit of goods is determined depending on the weight of the goods transported and the length of the route. The amount due for towing or floating wood is set per tonne-kilometers. The amount due for the use of locks or slipways is determined depending on the type and size of the ship and the hours of use of these devices.

Under art. 310. ust.1, the amount of the receivable is determined on the basis of a declaration file by the obliged entities to incur receivables to the relevant management of the catchment area, which are organizational units of the regional water management boards of the State Water Farm Polish Water, by the 15th day of the month following the month in which navigation was carried out. Receivables for the use of locks or slipways by vessels intended for sports or recreation and other small vessels (ships up to 15 tonnes in carrying capacity or used to transport no more than 12 passengers) shall be collected directly at the place where the lock or slipway crosses. Confirmation of payment is issued for the collected fee.

The effective regulations also provide in art. 313 paragraph 1 exemption from the obligation to pay fees for the use of inland transport routes as well as locks and slipways. In this case, the fees are not subject to:

- 1) vessels intended for sports or recreation and other small vessels (ships up to 15 tonnes in carrying capacity or used to transport no more than 12 passengers), exclusive of charges for using locks or slipways
- 2) ships of organizational units of the owner of waters or water facilities located in waters and of units of the state hydrological and meteorological service;;

- 3) Vessels and water draft of the armed forces, organizational units subordinated to or supervised by the minister competent for internal affairs and the National Tax Administration as well as rescue units;
- 4) vessels of the State and Social Fisheries Guard;
- 5) vessels of maritime offices and inland navigation offices;
- 6) vessels of non upper class (municipal) guard;
- 7) ferries along public roads.

From primary and secondary school students, university students up to 26 years of age, and disabled people, fees for using locks are reduced by half. In the case of locks of kayaks operated by primary and secondary school students and from university students up to the age of 26, the fees for using the locks shall be bear for one passage through the lock, in the maximum number determined by the lock's capacity.

The minister competent for water management in consultation with the minister competent for inland navigation, under Article 312 para. 2 by way of regulation:

- 1) defines inland waterways and their sections, referred to in Article 306 (1), and assigns these waterways and their sections to the appropriate regional water management boards of Polish Water;
- 2) defines the unit rates of receivable for
 - (a) sailing empty cargo ships;
 - (b) sailing of passenger and cruise ships;
 - (c) transport of goods by cargo ships and towing or floating of wood
 - (d) for use of locks and slipways;
 - for one getting through a lock or slipway from 7.00 am to 7.00 pm,
 - for one getting through a lock or slipway from 7.00 pm to 7.00 am;
- 3) defines the template for submitting the declaration, on the basis of which the amount due for the use of inland waterways and their sections as well as locks and slipways is determined..

By issuing the regulation referred to in Article 312 para. 1, the minister competent for water management shall be governed by:

- 1) infrastructure and costs of maintaining inland sea roads and their sections;
- 2) the type and size of ships, the weight of goods carried, the number of passenger seats and the measured load-bearing capacity as well as the time of using locks

or slipways, included who was entrusted with the maintenance of individual sections of inland waterways and water devices;

- 3) the need for uniform inclusion in the declarations of data necessary to determine the amount of receivables..

2. REGULATION OF USING INLAND WATERWAYS AS WELL AS LOCKS AND SLIPWAYS BY WAY OF REGULATION

As mentioned above, according to art. 312 para. 2 of the Act of 20 July 2017. Water Law (Journal of Laws, item 1566 and 2180 and of 2018, item 650), a detailed implementing act regulating the use of inland waterways as well as locks and slipways by vessels in 2018 is the regulation of the Minister of Maritime Economy and Inland Navigation of on March 22, 2018 regarding receivables for using inland waterways and their sections as well as locks and slipways (Journal of Laws of 2018, item 654).

Mentioned regulation define in § 2 the following inland waterways and their sections, located on inland surface waters, for the use of which are incurred, assigning them to the following regional water management boards of the State Water Farm Polish Water:

1. RZGW in Gliwice:
 - a) The Gliwicki Canal from km 0,0 to km 39,4;
 - b) The Kędzierzyn Canal from km 0,0 to km 5,6;
 - c) The Oder from km 94.9 to the bottom connection to km 181.3;
2. RZGW in Wrocław:
 - a) The Oder from km 181,3 to km 282,5;
 - b) the Oder side trail from the Opatowice lock to the City lock, 15.4 km long;
3. RZGW in Poznań:
 - a) The Ślesinki Canal from km 0,0 to km 26,46;
4. RZGW in Bydgoszcz:
 - a) the Ślesiński Canal from 26,46 km to 32,0 km;
 - b) the Bydgoszcz Canal from 14,8 km to 38,9 km;
 - c) the Noteć River – the lower section (from the Bydgoszcz Canal) from 38,9 km to 176,2 km;
 - d) the Noteć River – the upper section (to the Górnonotecki Canal) from 59,5 km to 121,6 km;
 - e) the Górnonotecki Canal from 121,6 km to 146,6 km;
5. RZGW in Gdańsk:
 - a) The Brda from km 0,0 to km 14,4;

- b) The Bydgoszcz Canal from km 14,4 to km 14,8;
 - c) The Nogat from km 0,0 to km 62,0;
 - d) The Szkarpawa from km 0,0 to km 25,4;
 - e) The Martwa Wisła from km 0,0 to km 11,5;
 - f) The Jagielloński Canal from km 0,0 to km 4,7;
 - g) The Elbląg Canal;
 - h) The Bartnicki Canal
 - i) the Elbląg river from km 0,0 to km 4,1;
6. RZGW in Białystok:
- a) canals in the Great Masurian Lakes system: the Guzianka canal (from km 13.5 to km 14.0), the Jegliński canal (from km 1.3 to km 6.55), the Talteński canal (from km 33.0 to km 34.6), the Mioduński canal (from km 37, 05 to km 38.97), Szymoński canal (from km 40.34 to km 42.70), Łuczański canal (from km 61.80 to km 63.93), Węgorzewski canal (from km 85.15 to km 86, 07)
 - b) the Augustowski canal from km 0,0 to km 80,0;
7. RZGW in Warsaw:
- a) The Vistula river from Płock in km 633,0 to Włocławek in km 675;
 - b) The Żerański canal from km 0,0 to km 17,2;
8. RZGW in Cracow:
- a) The Vistula river from km 0,0 to km 37,5 and from km 57,8 to km 92,;
 - b) The Łęczański canal from km 0,0 to km 17,2.

On these waterways, the unit rate of payment for sailing empty cargo ships is 0.12 grosze per tonne-kilometer of measured carrying capacity. For sailing passenger and cruise ships it is 1.78 gr for the product of one seat on the ship and each kilometer of the waterway traveled. Transport of goods by cargo ships, as well as towing and floating of wood on the Odra River from km 94.9 to km 282.5, the Gliwice Canal from km 0.0 to km 39.4 and the Kędzierzyn Canal from km 0.0 to km 5.6 is 0.10 gr for one tonne-kilometer of measured carrying capacity, while on the Vistula-Odra waterway from the mouth of the Brda river to the city of Krzyż - 0.68 zł for one tonne-kilometer. On other inland waterways and their sections mentioned in § 2 it is 0.59 gr per tonne-kilometer.

The unit rate of receivables for using a lock or slipways for one passage through a lock or slipways:

1. a ship, a pushed set or a towed set, a barge, a raft, a tug and a pusher (not included in the set), a passenger or a cruise ship, a floating device intended or used for carrying out technical works, keeping navigable waterways or exploitation of aggregate deposits and a floating object over 20 m, for each water draft:
 - from 7.00 am to 7.00 pm - 15,50 zł,
 - from 7.00 pm to 7.00 am - 16,26 zł;
2. a ship intended for sports or recreation and other small ships (ships up to 15 tonnes in carrying capacity or used to transport no more than 12 passengers), for each ship:
 - from 7.00 am to 7.00 pm - 7,20 zł,
 - from 7.00 pm to 7.00 am - 14,40 zł
3. a kayak or a rowing boat, for each kayak or rowing boat:
 - from 7.00 am to 7.00 pm - 4,10 zł,
 - from 7.00 pm to 7.00 am - 8,20 zł.

The template of the form, on the basis of which records of water draft are kept and the amount due for the use of inland waterways and their sections as well as locks and slipways is determined, is specified in the Regulation.

According to the regulation, the registration of water drafts place on a monthly basis on each lock and slipway in the following aspects::

- a) Log of water drafts;
- b) List of lock number
- c) Monthly report on shipping volumes;
- d) General list of locks;
- e) Consolidated protocol on receivables obtained for locks;
- f) Form for consolidated records of the navigable use of locks and slipways on inland waterway;

Tab.1. Log of water drafts.

L.p	Date	Time		Type and name Object number	Unit official number	Carrying capacity		Ticket number	Driving direction		Ship owner	Signatures	
		Arrival	Leaving			Tonne	KM		wherefrom	whereto		Shipmaster	Lock operator

Tab.2. List of lock number

LOCK	UP						DOWN					
	Barge rolling stock, set, pusher, tug, (number of locks)		Other objects (number of objects)		Sport and tourist objects (number of objects)		Barge rolling stock, set, pusher, tug, (number of locks)		Other objects (number of objects)		Sport and tourist objects (number of objects)	
	7am – 7pm	7pm – 7am	7am – 7pm	7pm – 7am	7am – 7pm	7pm – 7am	7am – 7pm	7pm – 7am	7am – 7pm	7pm – 7am	7am – 7pm	7pm – 7am

Tab. 3. Monthly report on shipping volumes.

L.p.	Institution details (name, address, tax number)	Water draft (name, number)	The name of the waterway	Course of the route		Route length [km]	Cargo ship		Passenger ships	Number of lockage water drafts	
				start from the km	End to km		Cargo weight [t]	Carrying capacity measured for an empty ship [t] ⁽¹⁾	Number of seats on the ship	7am-7pm	7pm-7am
1	2	3	4	5	6	7	8	9	10	11	12

Tab. 4. General list of locks.

Object number	Sport and tourist objects						A TOTAL OF	
	7 ⁰⁰ am- 7 ⁰⁰ pm	7 ⁰⁰ pm- 7 ⁰⁰ am	7 ⁰⁰ am- 7 ⁰⁰ pm	7 ⁰⁰ pm- 7 ⁰⁰ am	7 ⁰⁰ am- 7 ⁰⁰ pm	7 ⁰⁰ pm- 7 ⁰⁰ am	7 ⁰⁰ am- 7 ⁰⁰ pm	7 ⁰⁰ pm- 7 ⁰⁰ am
<i>1</i>	<i>2</i>		<i>3</i>		<i>4</i>		<i>5</i>	
The Bydgoszcz canal								
1								

Tab. 5. Consolidated protocol on receivables obtained for locks

water supervision	Lock	Number of lockage water drafts [unit]	Water drafts paying receivables [unit]								The number of paying water drafts on the lock [unit]	Gained amount [zl]
			In hours. 7 ⁰⁰ am- 7 ⁰⁰ pm				In hours. 7 ⁰⁰ pm- 7 ⁰⁰ am					
			sports and tourist boats		kayaks, rowing boats		sports and tourist boats		kayaks, rowing boats			
			Normal	concessionary	Normal	concessionary	Normal	concessionary	normal	concessionary		
1	2	3	4	5	6	7	8	9	10	11	12	13

Tab. 6. Form for consolidated records of the navigable use of locks and slipways on inland waterway

Section 1. Data regarding: waterway / waterway section / waterway group *

1. Name of the waterway / section / waterway groups / *	2. Waterway class	3 Number of locks and slipways*	4. Administration:

Section 2. The number of floating objects crossed by locks or slipways, by type, on the aforementioned waterway

Specification - type of floating object:		Number of Objects floating in units
(a) barges with own driven by the total carrying capacity in tonnes:	under 250 t	
	250 – 399 t	
	400 – 649 t	
	650 – 999 t	
	1000 – 1499 t	
	1500 t and over	
In all (a)		
(b) towed barges the total carrying capacity in tonnes:	under 250 t	
	250 – 399 t	
	400 – 649 t	
	650 – 999 t	
	1000 – 1499 t	
	1500 t and over	
In all (b)		
(c) push barges the total carrying capacity in tonnes:	under 400 t	
	400 – 649 t	
	650 – 999 t	
	1000 – 1499 t	
	1500 t and over	
In all (c)		
Specification - type of floating object:		Number of Objects floating in units
(d) tugs with power engine in kilowatts:	under 184 kW	
	184 – 293 kW	
	294 – 734 kW	
	735 kW and over	
In all (d)		
(e) pushers with power engine in kilowatts:	under 184 kW	
	184 – 293 kW	
	294 – 734 kW	
	735 kW and over	
In all (e)		
(f) passenger ships altogether (f)		
(g) other floating objects altogether (g)		

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