



EU Port Regulation 2017/352

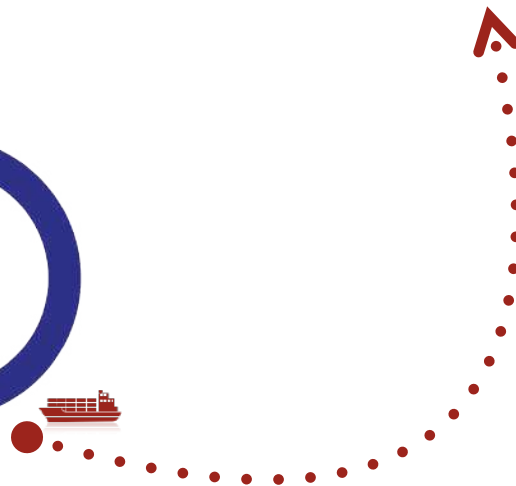
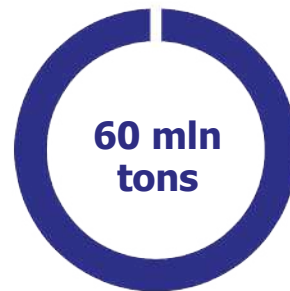
and its negative impact on the EU member states seaports law — Polish seaports law case study



1989



Revolution

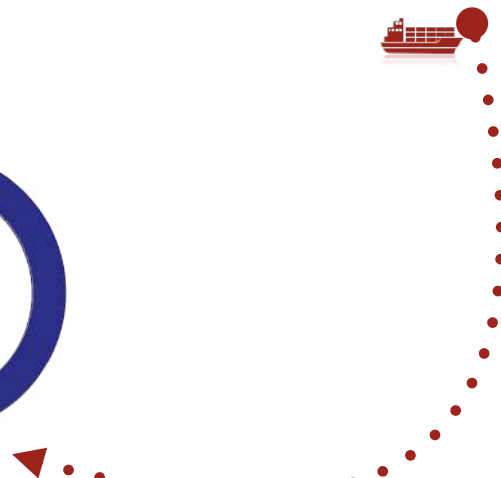
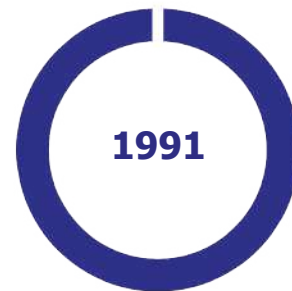
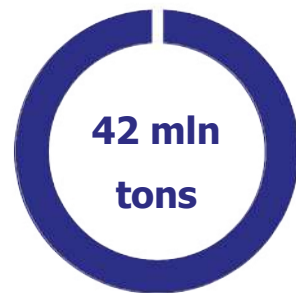




1991



Intro

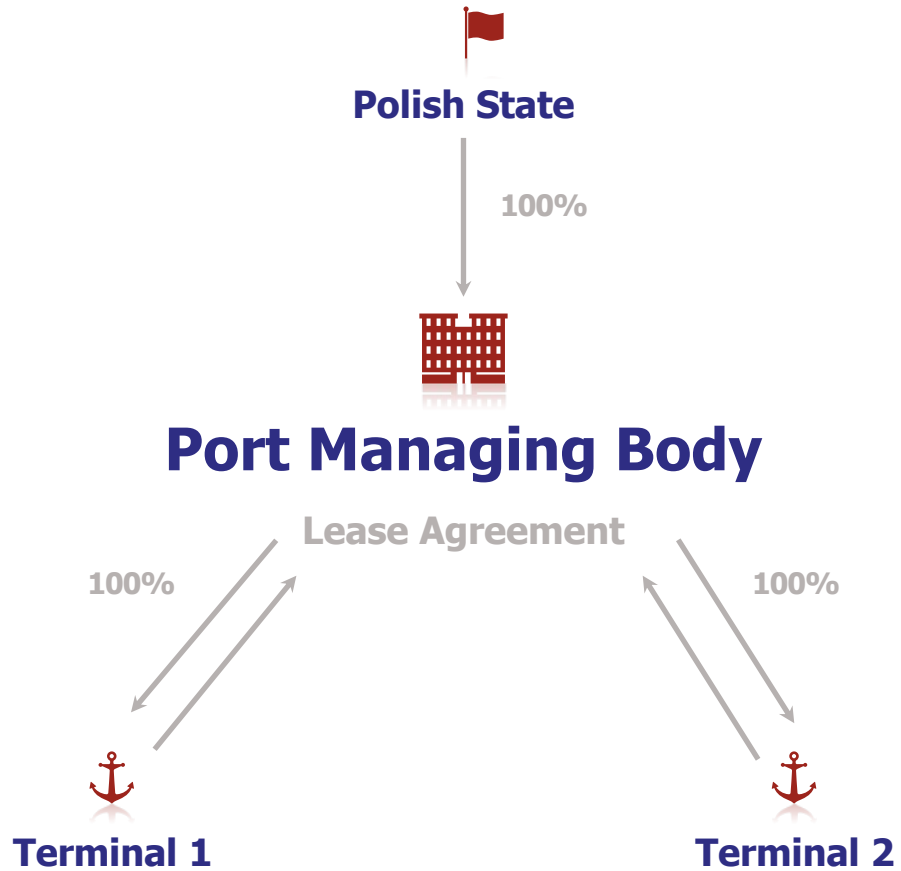




1991



Intro

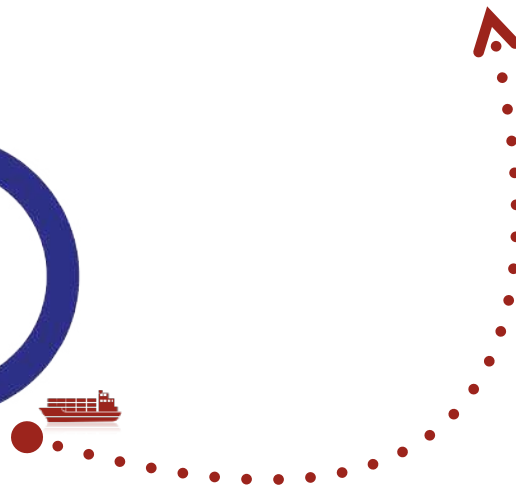
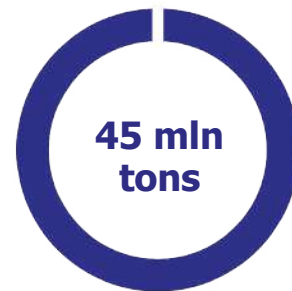
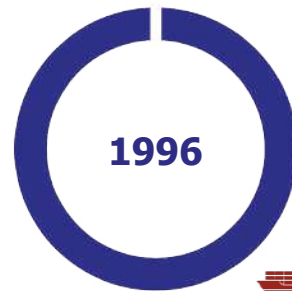




1996



New Era



1996



New Era



„landlord principle”



Port Law



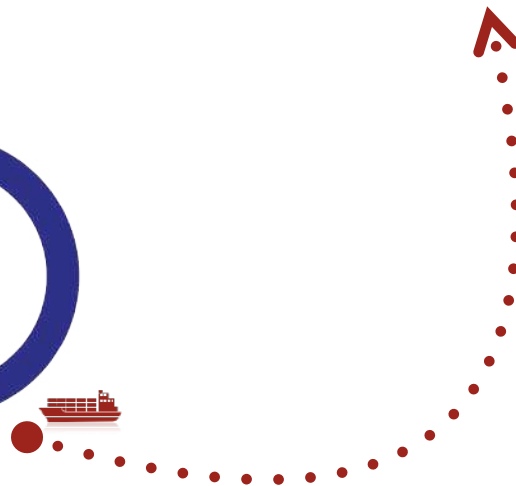
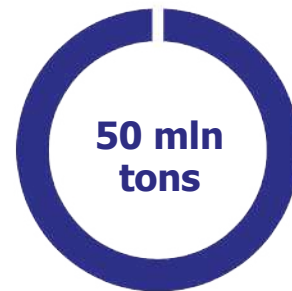
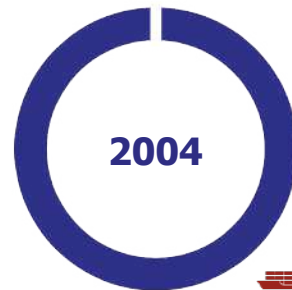
**sale or lease of land in ports requires the approval
of Ministry of State Treasury**



2004



POEntrance

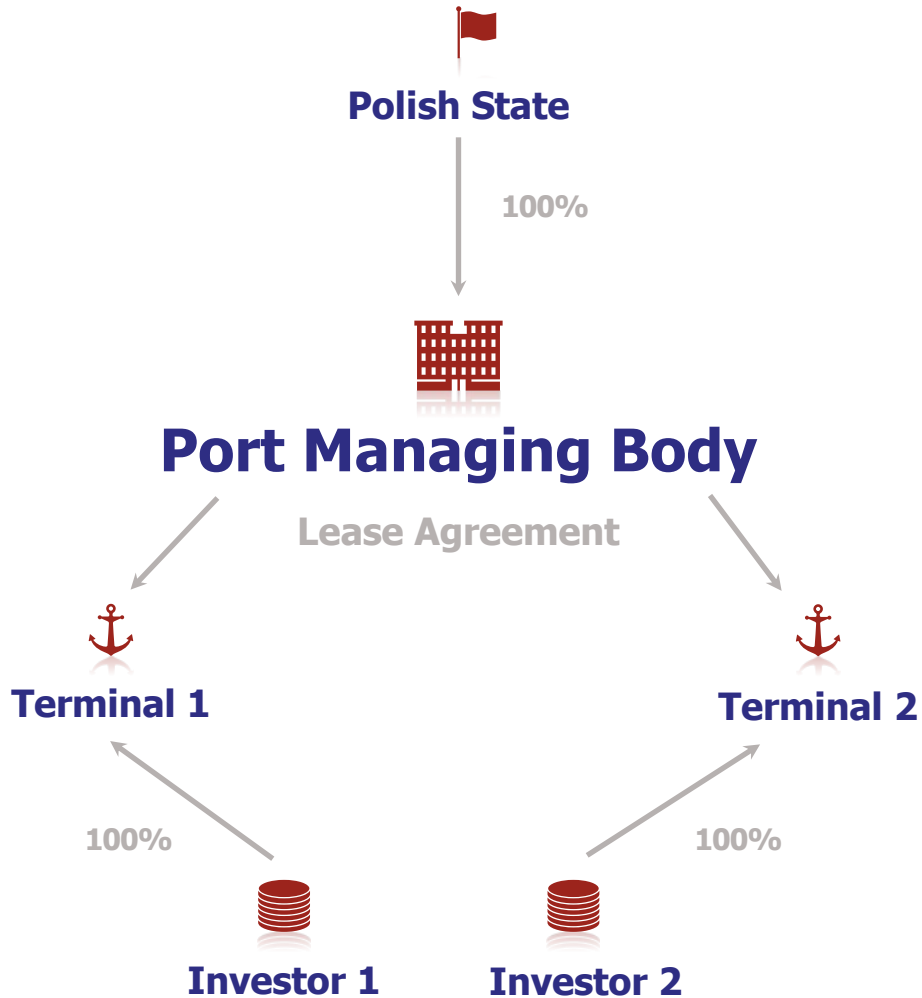




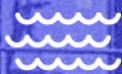
2004



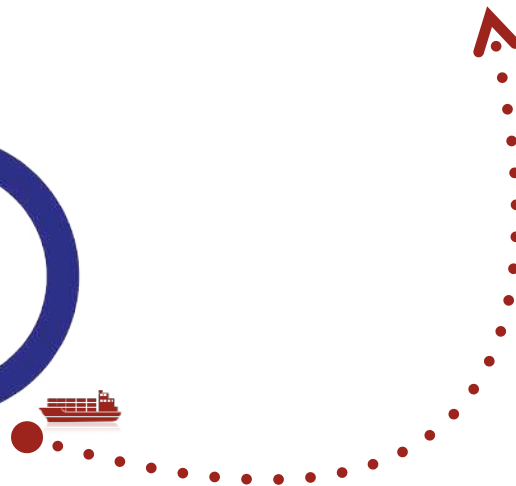
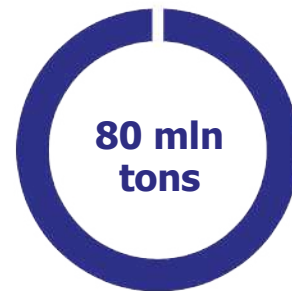
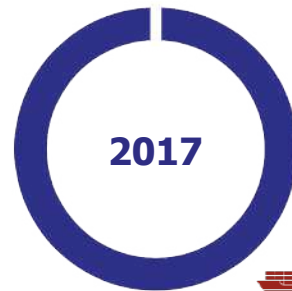
POLentrance



2017



**EU Port
Regulation**



**EU Port Regulation 2017/352 of 15.02.2017
establishing a framework for the provision
of port services and common rules on the
financial transparency of ports:**



Regulation not Directive?



march 2019 – entry into force

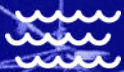
2017



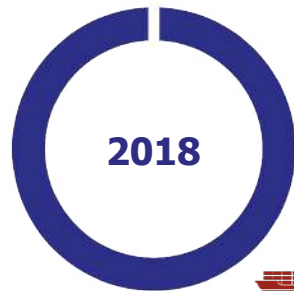
**EU Port
Regulation**



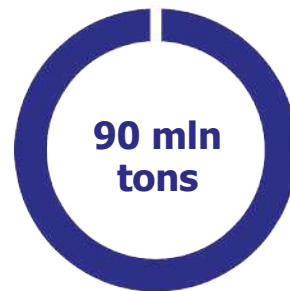
2018



**Free market
– really?**



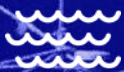
2018



**90 mln
tons**

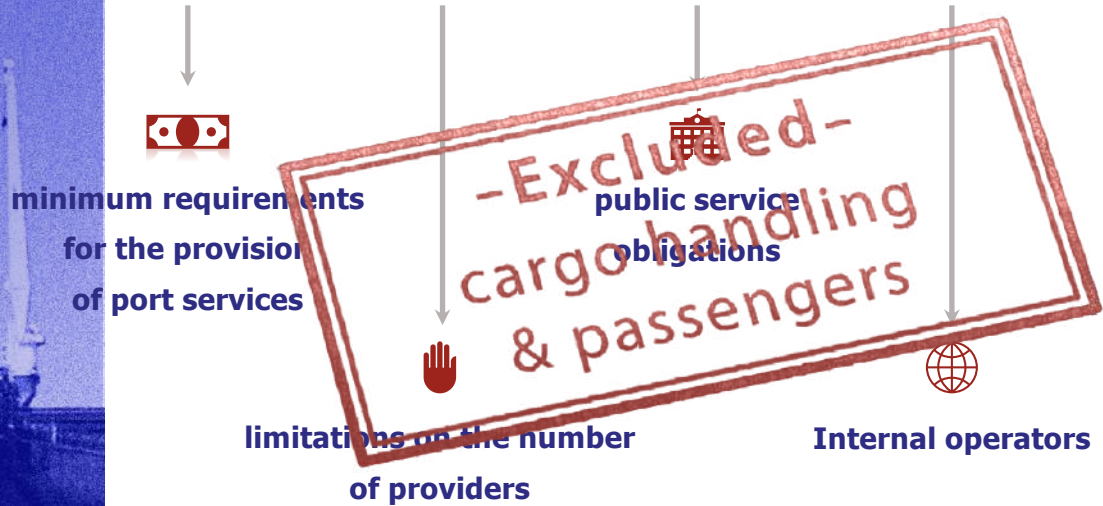


2018



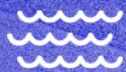
Free market
– really?

**Access to the market for the provision of port services
in maritime ports may, in accordance with EU Port
Regulation 2017/352, be subject to:**

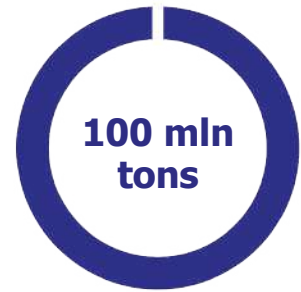
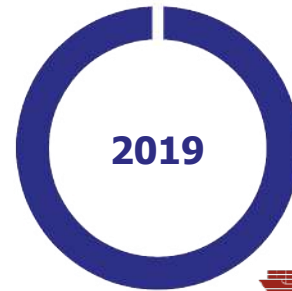




2019

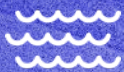


End of an era





2019



End of an era

the "new" Port Law – "back to the past"?



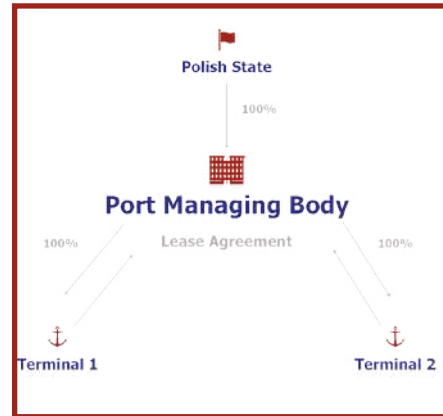
open catalogue of port dues,
which may be levied not only
on vessel but also lorries and
rail wagons



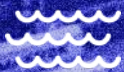
managing body of the port
free to operate port
terminals



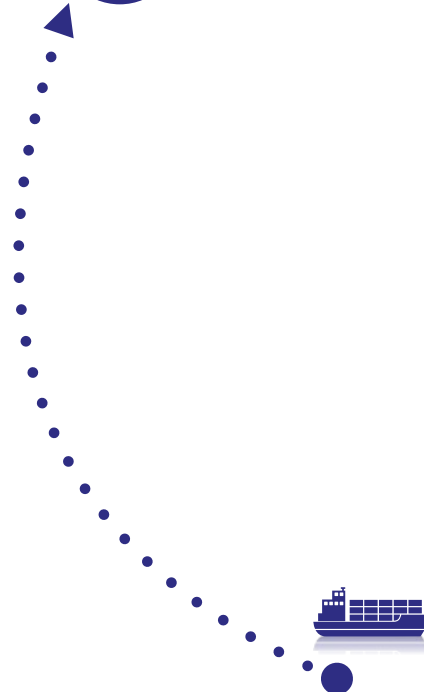
governmental approval to sell
shares in private port terminals



2020



Perspectives?



Thank You for your attention



Rafał Czyżyk

Attorney at Law,
Managing Partner CMW Legal
Szczecin, Gdynia & Gdańsk, Poland