

The image is a vertical split composition. The left half shows a close-up, top-down view of turbulent blue water with white foam. The right half shows an aerial view of a container ship's deck, densely packed with multi-colored shipping containers (red, blue, yellow, green, white) and several blue gantry cranes. The ship's hull is visible at the top right.

TAUIL | CHEQUER
MAYER | BROWN

BULLETIN
MARITIME & PORT

EDITION 3 | AUGUST 2024

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In light of the constant developments in the maritime sector, our Ports and Maritime team issues this bulletin covering the main legislative events, developments surrounding Brazil's National Agency of Waterway Transportation (ANTAQ), and business opportunities.

For more information on any of these topics, we are prepared to assist.

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NORMATIVE UPDATES

- ANTAQ will hold a Public Consultation and Hearing from September 9, 2024 until October 23, in order to receive contributions to improve the normative proposal establishing the procedures and criteria for the chartering of vessels by a Brazilian Shipping Company (EBN) in port support, maritime support, cabotage and long-distance navigation. We detail the main changes in our [Legal Update](#).

RECENT, RELEVANT DECISIONS OF ANTAQ'S BOARD OF DIRECTORS

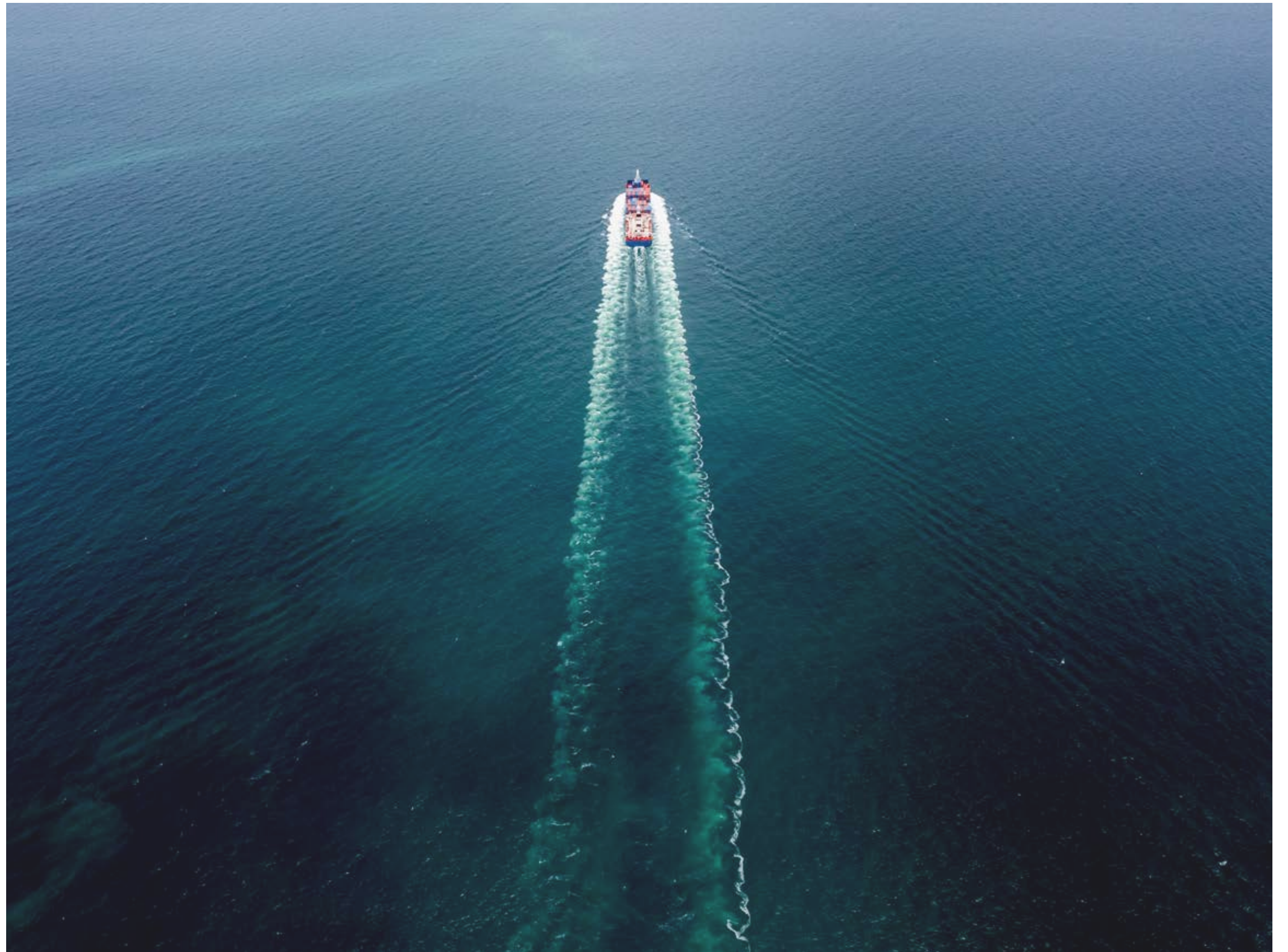
- Ordinary Meeting of the Board of Directors of ANTAQ No. 570 (August 22, 2024)
 - Proposal for the Regulatory Agenda of ANTAQ for the four-year period 2025-2028: The decision was to (i) approve the Preliminary Regulatory Agenda 2025-2028, with the changes proposed in Vote AST-DG 2305759; (ii) authorize the submission of the Preliminary Regulatory Agenda 2025-2028 for subsidy; (iii) forward the Preliminary Regulatory Agenda 2025-2028, with the changes proposed in Vote AST-DG 2305759, to the Ministry of Ports and Airports (MPor) for suggestions, within 15 days.
 - Special authorization: The decision was made to endorse the decision taken in DG Decision 68/2024, which authorized a company to time-charter cabotage

navigation for the transport of containers during the period of draught restriction on the Amazon and Negro Rivers, limited to 150 days, subject to prior circularization within the scope of the Maritime Navigation and Support Chartering System (SAMA), in response to critical navigation safety concerns in Amazônia's Hydrographic Region.

OTHER NEWS AND BUSINESS OPPORTUNITIES

- On August 22, the National Bank for Economic and Social Development (BNDES) and the Financier of Studies and Projects (Finep) launched a joint public call for business plans for the development and implementation of biorefineries for the production of sustainable fuels, including fuels for navigation. BRL 6 billion in funding will be made available for the projects. Interested parties can register their projects until October 31.
- The government has issued incentive measures for the shipbuilding industry and the oil and gas sector. Among the measures is a Provisional Measure, sent to Congress, which amends Law 14,871 and provides for accelerated depreciation for tankers, with the aim of increasing investment, productivity and competitiveness in the industrial segment in the country. The initiative is expected to enable the construction of more than 15 medium-sized tankers in Brazilian shipyards in the short term.

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- Transpetro has announced that it plans to launch a new tender linked to the company's fleet renewal and expansion program (TP25) by December 20. Transpetro intends to launch TP25 tenders every six months.
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- An alternative to make it feasible for shipyards in receivership that want to compete in bids to build large-scale projects, such as ships and platforms, to obtain guarantees will be the Project Finance model. Such insurance is also important to make it possible to structure new financing with agents. The model is used in other countries, and could be a differentiator in tenders.
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- The BNDES projects greater financial support for the shipbuilding industry beginning this year, with growth expected from 2025 onwards. It has been assessed that demand from the oil and gas sector has increased, with an emphasis on more efficient vessels. As a result, new requests for funding are expected.





PORTS

RECENT, RELEVANT DECISIONS OF ANTAQ'S BOARD OF DIRECTORS

- Ordinary Meeting of the Board of Directors of ANTAQ No. 570 (August 22, 2024)
 - **Analysis of the preparatory documents for the bidding process for the port facility designated STS08, in the Organized Port of Santos/SP:** It was declared that the documentation sent by the Port Authority of Santos - APS—with the aim of instructing the administrative process for the bidding process for the STS08 area—meets the minimum requirements established in the Delegation of Competence Agreement 001/2023, subject to making the adjustments related to: (i) adapting the Technical, Economic and Environmental Feasibility Study (EVTEA) to the recommendation in item 9.3.2 of TCU Plenary Ruling No. 736/2020, as it was not verified that at least three quotations were used to obtain the parametric reference unit costs, with a view to improving the reliability of the values used; and (ii) providing, before the lease contract is signed, the documents proving compliance with the requirements set out in Article 14 of Law No. 12,815/2013. In addition, it was decided that after the adjustment related to the Technical Feasibility Study, APS will be able to open the public consultation and hearing for the area designated STS08.
 - **Characterization of Crossing Mooring Points:** The decision was made to (i) approve the research carried out by ANTAQ's Special Secretariat for Studies and Projects (SEEP) on the Characterization of Crossing Mooring

Points, from the 2021/2024 Multi-Year Study Agenda; (ii) comply with item P-28 of the 2021/2024 Multi-Year Study Agenda; (iii) forward the research to the Superintendence of Regulation in order to use this information in the preparation of regulatory impact analyses regarding inland crossing navigation; and (iv) forward the survey to the Superintendence of Inspection and Coordination of Regional Units (SFC) for knowledge and application of the results in the planning of activities to inspect the provision of adequate services.

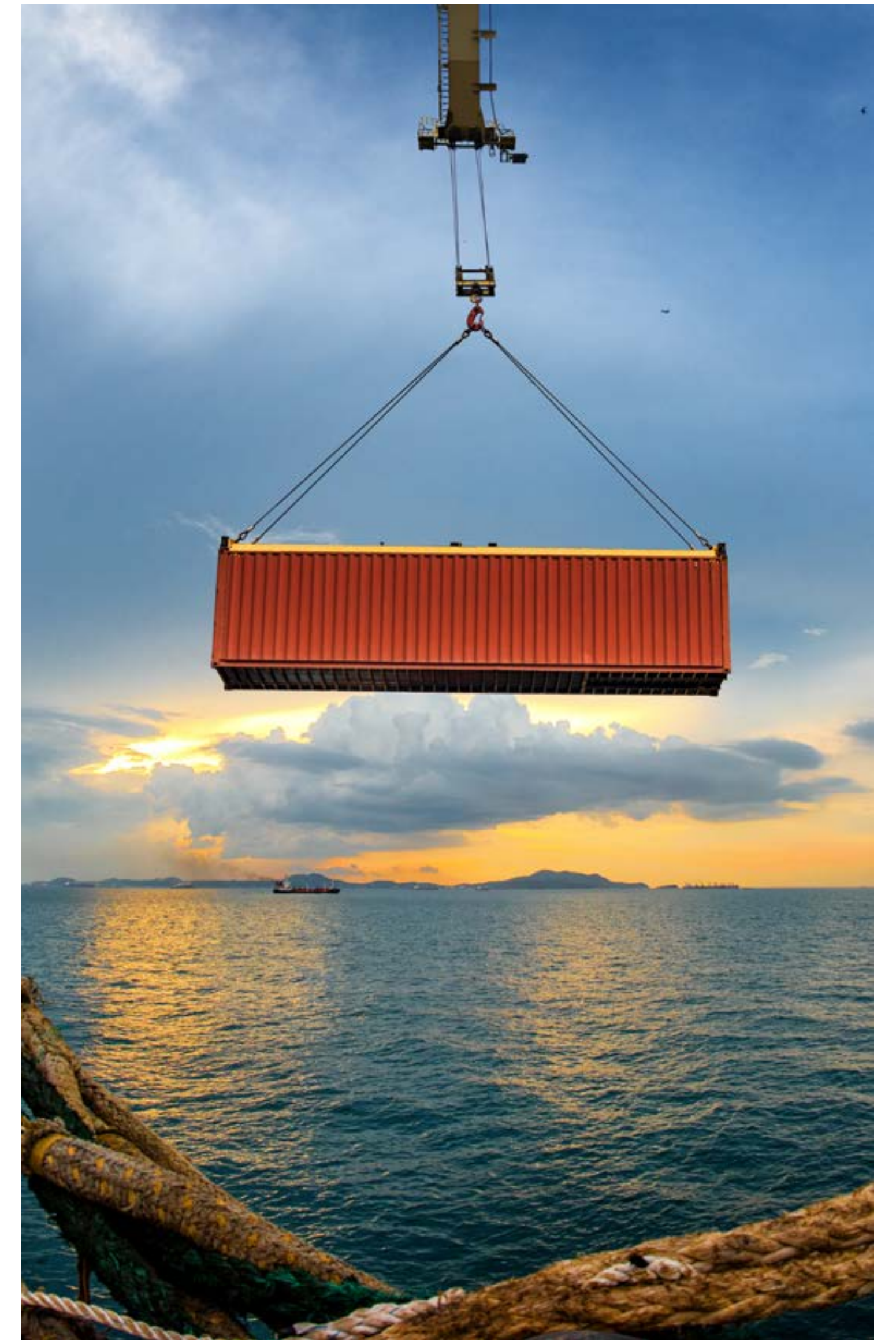
OTHER NEWS AND BUSINESS OPPORTUNITIES

- ANTAQ has approved the opening of public hearings and consultations for the lease of the Passenger Maritime Terminal - Maceió (TMP - Maceió) area. The purpose of the public hearing is to obtain contributions, subsidies, and feedback for improving the technical and legal documents.
- On August 12, ANTAQ opened Public Consultation 09/2024 and Public Consultation 10/2024, which deal with the leasing projects for the Maritime Passenger Terminals (TMPs) in Maceió (AL) and Recife (PE), respectively. Contributions to Public Consultation 09/2024 can be sent until October 10, while contributions to Public Consultation 10/2024 can be sent until September 25. The date of the public hearing will be announced at a later date.

- On August 21, the MPor and ANTAQ held the first port terminal lease auction of the year. Five areas were offered in three organized ports, in Recife (REC08, REC09 and REC10), Rio Grande do Sul (RIG10) and Rio de Janeiro (RDJ06). All were awarded, generating BRL.75 million in grants.
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- The MPor stated that the Federal Government intends to auction two more blocks of port terminals by the end of 2024, with the first block scheduled for October and the second for December. Among the areas to be awarded are ITG 02, intended for the handling of solid bulk in the Port of Itaguaí (RJ); two areas in the Port of Paranaguá (PR); an area in the Port of Santana (AP); and an area in Vila do Conde (PA).
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- Also within the scope of the Investment Partnership Program of the Presidency of the Republic (PPI) are the following federal public enterprises in the port sector:
 - RDJ10 Terminal, in the Organized Port of Rio de Janeiro, State of Rio de Janeiro, which covers an area of 15,600 square meters dedicated to the handling and storage of non-containerized general cargo. The project is in the review phase of the submitted EVTEA.
 - RDJ07 Terminal, in the Organized Port of Rio de Janeiro, State of Rio de Janeiro, which covers an area of 52,450

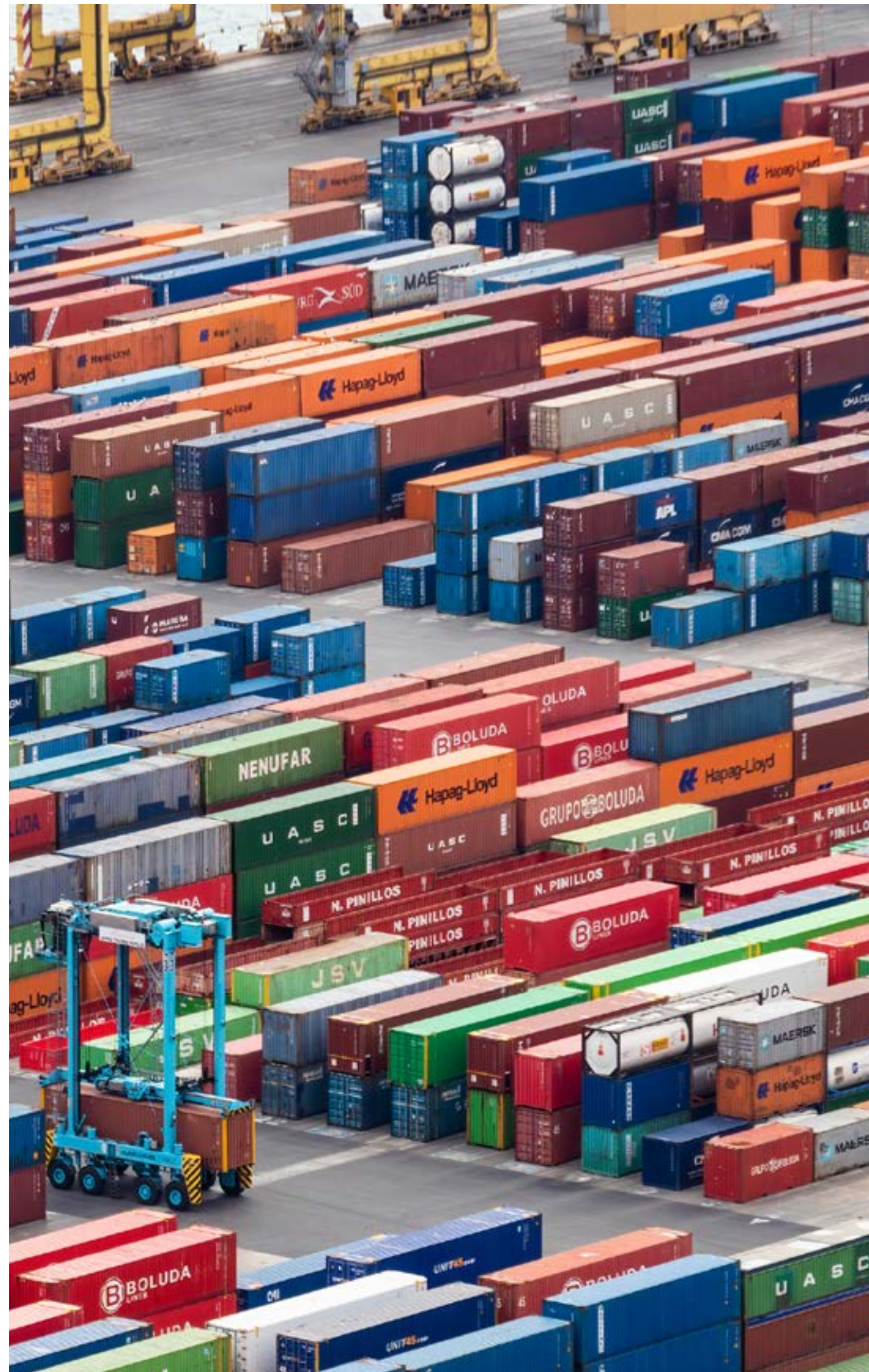
square meters dedicated to the handling and storage of general cargo and liquid bulk. The project is in the study phase.

- MCP03 Terminal, in the Organized Port of Santana, State of Amapá, which covers an area of 11,677 square meters, dedicated to the handling and storage of vegetables solid bulk, especially soybeans and corn. The Federal Court of Accounts (*Tribunal de Contas da União*, “TCU”), through Decision 1168/2024, established that the leasing process of terminal MCP03 can be finalized without the need for a prior manifestation by the TCU, without prejudice to the court’s subsequent action in external control proceedings of another nature, if necessary.
- Waterway Access Channel of the Port of Rio Grande, State of Rio Grande do Sul. The project is in the study phase.
- STS33 Terminal, in the Organized Port of Santos, State of São Paulo, which covers an area of 51,460 square meters dedicated to the handling and storage of general cargo, of project or containerized. The project is in the study phase.
- MUC04 Terminal, in the Organized Port of Fortaleza, State of Ceará, which covers an area of 134,795 square decimeters dedicated to the handling and storage of containers. The project is in the study review phase.
- POA26 Terminal, in the Organized Port of Porto Alegre, State of Rio Grande do Sul, which covers an area of



22,052 square meters and 40 square decimeters dedicated to the handling and storage of vegetable and mineral solid bulk. The project is in the study phase.

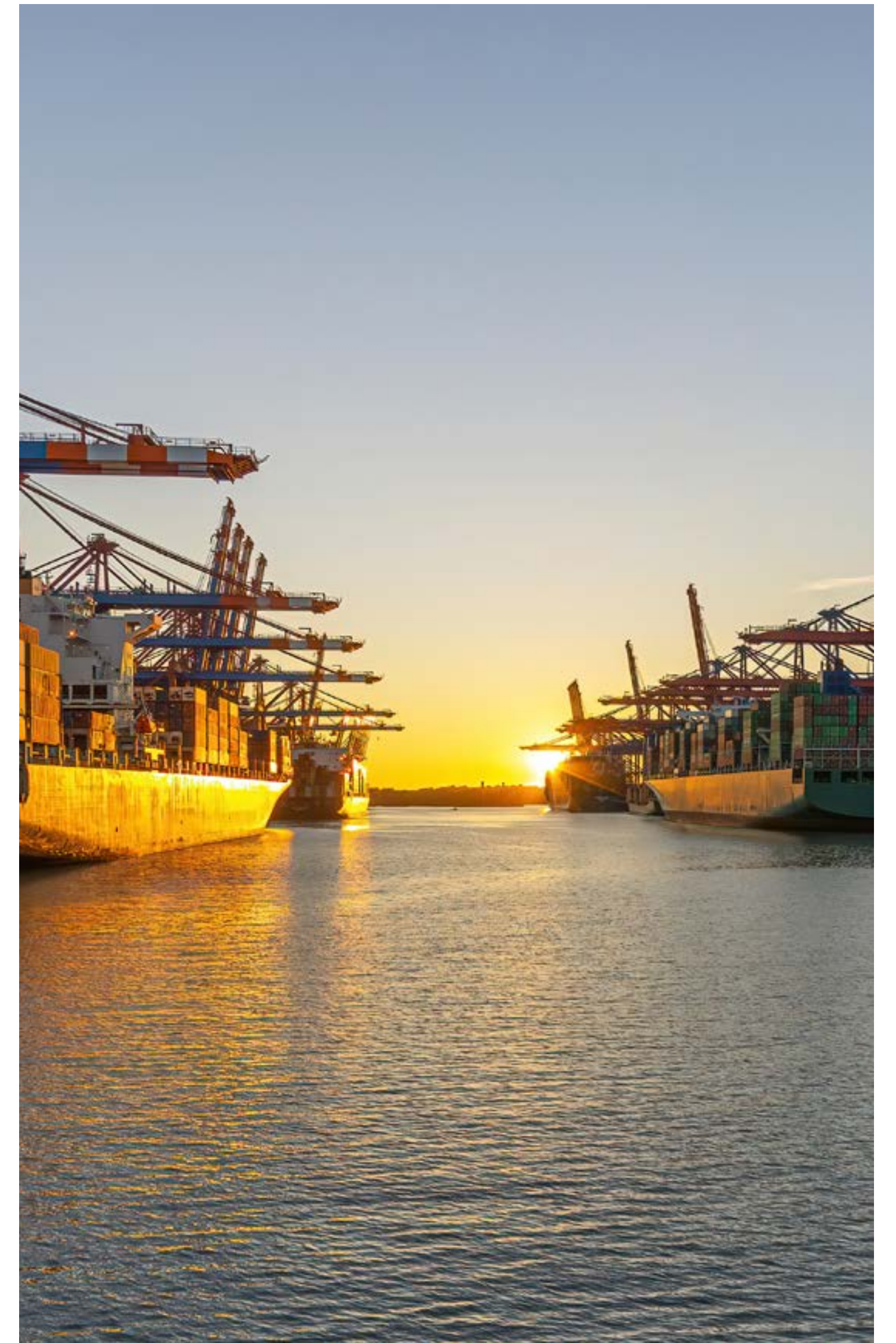
- RDJ11 Terminal, in the Organized Port of Rio de Janeiro, State of Rio de Janeiro, which covers an area of 9,010 square meters dedicated to the handling and storage of non-containerized general cargo, especially steel products. The project is in the study review phase;
- ITG02 Terminal, at the Port of Itaguaí, State of Rio de Janeiro, dedicated to the handling and storage of minerals solid bulk. The project is currently under analysis at TCU.
- PAR03 Terminal, at the Port of Paranaguá, State of Paraná, which covers an area of 38,000 square meters dedicated to the handling and storage of minerals solid bulk. The project is in the study phase.
- PAR14 Terminal, in the Port of Paranaguá, State of Paraná, which covers an area of 51,789 square meters dedicated to the handling and storage of vegetable bulk. The project's studies are under review after a Public Consultation for submission to the TCU.
- PAR15 Terminal, in the Port of Paranaguá, State of Paraná, which covers an area of 40,603 square meters dedicated to the handling and storage of vegetable bulk. The project's studies are under review after a Public Consultation for submission to the TCU.
- RDJ06A Terminal, in the Port of Rio de Janeiro, State of



Rio de Janeiro, which covers an area of 13,700 square meters dedicated to the handling and storage of liquid bulk. The project is in the study phase.

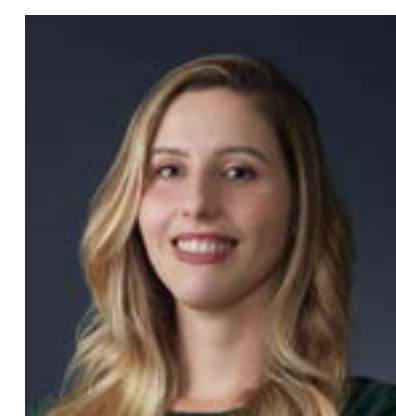
- SSD04 Terminal, in the Port of Salvador, State of Bahia, which covers an area of 34,519 square meters dedicated to the handling and storage of containers and general cargo. The project is in the study phase.
- STS10 Terminal, in the Port of Santos, State of São Paulo, which covers an area of 463,843 square meters dedicated to the handling and storage of containerized cargo. The project is under review after public consultation.
- STS53 Terminal, in the Port of Santos, State of São Paulo, which covers an area of 87,981 square meters dedicated to the handling and storage of minerals solid bulk. The project is under review after public consultation.
- TGSFS Terminal, in the Organized Port of São Francisco do Sul, State of Santa Catarina, which covers an area of 41,171 square meters dedicated to the handling and storage of vegetable solid bulk. The project is in the study phase.
- VDC10 Terminal, for handling and storage of liquid bulk, alumina, and hydrate, located at the Port of Vila do Conde, in the State of Pará. The project is under review for submission to the TCU.
- VDC10A Terminal, located in the Port of Vila do Conde, State of Pará, dedicated to the exploration of an enterprise for the handling and storage of liquid bulk. The project is under review for submission to the TCU.

- STS08 Terminal, at the Port of Santos, State of São Paulo, which covers an area of 137,319 square meters dedicated to the handling and storage of liquid and gaseous bulk. The project is under review.
- Waterway Access Channel to the Ports of Paranaguá and Antonina, in Paraná. The contributions of the public consultation are under analysis by ANTAQ, MPor, and Infra S/A.
- ILH01 Terminal, in the Port of Ilhéus, State of Bahia, which covers an area of 260,668 square meters dedicated to the handling and storage of vegetable solid bulk, mineral solid bulk, and general cargo, and a passenger terminal. The project is in the study phase.
- Santos-Guarujá Tunnel, a dry connection between Santos and Guarujá, under the channel of the Port of Santos/São Paulo, through an immersed tunnel of about 860 meters in length, plus the accesses. The project is in the study phase.
- IQI14 Terminal, in the Port of Itaqui, State of Maranhão, which covers an area of 43,404 square meters dedicated to the handling and storage of fuels liquid bulk. The project is in the study phase.
- MUC03 Terminal, in the Port of Mucuripe, State of Ceará, which covers an area of 27,200 square meters dedicated to the handling and storage of solid bulk. The project is in the study phase.
- VDC29 Terminal, in the Organized Port of Vila do Conde, State of Pará, which covers an area of 67,448 square meters dedicated to the handling and storage of vegetable solid bulk. ANTAQ approved the contributions received in a public hearing and forwarded them to MPor.
- SFS201 Terminal, located in the Organized Port of São Francisco do Sul/SC, covering 44,893 square meters intended for the handling and storage of general cargo. The project is awaiting public consultation.
- TGSFS Terminal, in the Organized Port of São Francisco do Sul, State of Santa Catarina, which covers an area of 41,171 square meters dedicated to the handling and storage of vegetable solid bulk. The project is in the study phase.
- SSB01 Terminal, located at the Port of São Sebastião, State of São Paulo, for the purpose of handling general cargo. The project is in the study phase.
- VDC04 Terminal, located in the Organized Port of Vila do Conde, state of Pará, covering 32,357 square meters intended for the handling and storage of mineral solid bulk. In April 2024, ANTAQ held a public hearing to receive subsidies and suggestions for the improvement of technical and legal documents related to the holding of a bidding process for the lease of the terminal.





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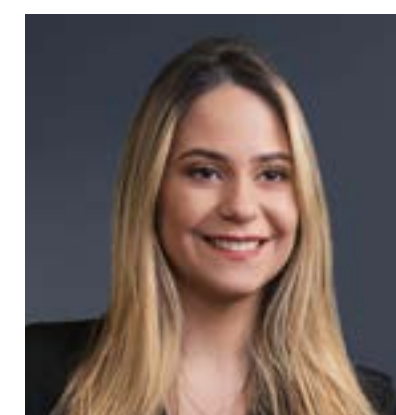


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