

**90. Application for and conditions of towage**

- (1) An application for the services of a tug at either the Ore Wharf or the Service Wharf must be made to the Marine Manager in Form 1 in Schedule 1 Part 2 Division 3.
- (2) The conditions contained in Schedule 1 Part 2 Division 4 apply to all towage and to the use of tugs and bind and inure to the benefit of the Company, the Master and Owner of the vessel towed or to be towed and (without prejudice to the generality of the foregoing) any other person or Company bound by these by-laws.
- (3) Where there is any inconsistency between these by-laws and any conditions referred to in sub-bylaw (2) these by-laws prevail to the extent of any inconsistency.
- (4) For the avoidance of doubt, the application for towage services, the acceptance of the application and the conditions of towage including those referred to in sub-bylaw (2) do not give rise to any contractual relationship between the owner or Master or both and the Company or any of its servants, agents, contractors or subcontractors.
- (5) The relationship between the owner or Master or both and the Company or any of its servants, agents, contractors or subcontractors referred to in sub-bylaw (4) is based in public law and is subject to these by-laws.