

No.: 19/VBHN-BGTVT

Hanoi, October 29, 2019

CIRCULAR

**ON MANAGEMENT OF SHORE-TO-ISLAND WATERWAY TRANSPORT
ROUTES IN VIETNAM SEA ZONE**

Circular No. 16/2013/TT-BGTVT dated July 30, 2013 of the Minister of Transport on management of shore-to-island waterway transport routes in Vietnam sea zone, effective from 15 September 2013 as amended and supplemented by:

Circular No. 36/2019/TT-BGTVT dated September 12, 2019 of the Minister of Transport on amending and supplementing Circulars of the Minister of Transport on management of management of shore-to-island waterway transport routes in Vietnam sea zone, effective from November 1, 2019.

Pursuant to Vietnam Maritime Code dated June 14, 2005;

Pursuant to the June 15, 2004 Law on Inland Waterway Traffic;

Pursuant to Decree No. 107/2012/ND-CP dated December 20, 2012 of the Government on defining the functions, tasks, powers and organizational structure of the Ministry of Transport;

At the request of the Director of the Department of Transport, the Director of the Vietnam Maritime Administration and the Director of the Vietnam Inland Waterways Administration;

The Minister of Transport promulgates the Circular on management of shore-to-island waterway transport routes in Vietnam sea zone [1].

Article 1. Governing scope and subject of application

1. This Circular specifies the management of Shore-to-island waterway transport routes in Vietnam sea zone, including regulations on ports, wharves, vehicles, crew members and waterway transport activities on the routes.

Shore-to-island waterway transport routes in Vietnam sea zone include shore-to-island waterway transport routes specified in Appendix I attached to this Circular and shore-to-island waterway transport routes announced under the regulations of the law on inland waterway transport.

2. This Circular is applied to organizations and individuals involved in shore-to-island waterway transport activities in Vietnam sea zone.

Article 2. Responsibility for managing shore-to-island waterway transport route

1. The Vietnam Maritime Administration shall organize the management of waterway transport activities on the route specified in Appendix I attached to this Circular under the provisions of the law on maritime and inland waterway transport.

2. The Vietnam Inland Waterways Administration shall organize, manage, inspect and guide the Department of Transport in organizing the management of the announced waterway transport routes from the shore to islands under the provisions of law on Inland waterway transport.

Article 3. Procedures for registration of fixed passenger transport on shore-to-island waterway transport route

Procedures for registration of fixed passenger transport on shore-to-island waterway transport route specified in Appendix I attached to this Circular are as follows:

1. Organizations and individuals that send directly or by post to the local port authority an application for registration of fixed passenger transport that includes:

a) Registration form of passenger transport as prescribed in Appendix II attached to this Circular.

b) Written agreement or a contract with the organization managing the port or wharf for vehicles to pick up or disembark passengers.

c) Certified copies (or a copy enclosed with the original for comparison), including:

- Business registration certificate or Business registration certificate or Investment certificate, including the content of waterway passenger transport industry;

- Vehicle registration certificate;

- Certificate of technical safety and environmental protection for vehicles that is still valid and suitable for the operating route.

2. No later than 05 working days after receiving the complete application as prescribed in Clause 1 of this Article, the local port authority shall make written consultation with the Department of Transport of the locality where the port or terminal for picking up or disembarking passengers is located and managed by the locality. The Department of Transport is responsible for replying in writing within 05 working days.

3. Not later than 05 working days after receiving the complete application as prescribed in Clauses 1 and 2 of this Article, the local port authority shall review, if the application has complete documents as required, a written approval must be issued to the organization or individual in charge of fixed passenger transport on the route. In case of failing to meet the specified conditions, it's required to return the application, give a written reply and clearly state the reason.

Article 4. Conditions, authority and procedures for announcement of the opening and closing of ports and wharves in shore-to-island waterway transport route

Conditions, authority and procedures for announcement of the opening and closing of ports and wharves in shore-to-island waterway transport route shall comply with the law on maritime applicable to quays, wharves and seaports and under the law on inland waterway for inland ports and wharves.

Article 5. Procedures for entry and exit of vehicles from port or wharf

1. The procedures for entry and exit of vehicles from seaport shall comply with the provisions of the maritime law.
2. Procedures for entry and exit of vehicles from seaport, inland waterway wharf shall comply with the provisions of the law on inland waterway transport.

Article 6. Transitional provision [2]

Port and wharf on Sa Ky - Ly Son route must meet the applicable regulations of law before December 31, 2019.

Article 7. Effect [3]

This Circular takes effect on September 15, 2013 and replaces Decision No. 1818/QĐ-BGTVT dated June 23, 2009 of the Ministry of Transport on management of shore-to-island waterway transport route in Vietnam sea zone.

Article 8. Organization of implementation

Chief of Office of the Ministry, Chief Inspector of the Ministry, Directors of relevant departments under the Ministry of Transport, Director of Vietnam Maritime Administration, Director of Vietnam Inland Waterways Administration, Directors of Departments of Transport and Heads of relevant agencies, organizations and individuals are responsible for the implementation of this Circular./.

Recipients:

- Government Office (to post Official Gazette);
- E-portal of the Government;
- E-portal of the Ministry of Transport (to post post);
- Archives: Filing, PC (2).

CONSOLIDATED DOCUMENT CERTIFICATION

MINISTER

Nguyen Van The

APPENDIX 1 [4]

(Issued together with Circular No. 16/2013/TT-BGTVT dated July 30, 2013 of the Minister of Transport)

LIST OF SHORE-TO-ISLAND WATERWAY TRANSPORT ROUTES IN VIETNAM SEA ZONE

NO.	ROUTE NAME	UNDER THE PROVINCE, CITY	REGISTER CLASS	NOTE
1.	Hai Ha - Tran Island - Co To	Quang Ninh	Inland waterway vehicle class VR-SB or ship from restricted class III or higher	
2.	Hai Phong - Bach Long Vi	Hai Phong	Ship from restricted class II or higher	
3.	Cua Viet - Con Co	Quang Tri	Inland waterway vehicle class VR-SB or ship from restricted class III or higher	
4.	Da Nang - Hoang Sa	Da Nang	Ship of unrestricted class	
5.	Sa Ky - Ly Son	Quang Ngai	Inland waterway vehicle class VR-SB or ship from restricted class III or higher	
6.	Khanh Hoa - Truong Sa	Khanh Hoa	Ship of unrestricted class	
7.	Nha Trang - Hon Noi	Khanh Hoa	Inland waterway vehicle class VR-SB or ship from restricted class III or higher	
8.	Phan Thiet - Phu Quy	Binh Thuan	Ship from restricted class II or higher	
9.	Vung Tau - Con Dao	Ba Ria - Vung Tau	Ship from restricted class II or higher	
10.	Tran De - Con Dao	Soc Trang	Ship from restricted class II or higher	

11.	Tran Van Thoi - Hon Chuoi	Ca Mau	Ship from restricted class III or higher	
12.	Rach Gia - Tho Chau	Kien Giang	Ship from restricted class II or higher	
13.	Rach Gia - Nam Du	Kien Giang	Ship from restricted class III or higher	
14.	Rach Gia - Phu Quoc	Kien Giang	Ship from restricted class III or higher	Including 05 routes from Rach Gia to Ham Ninh, An Thoi, Bai Vong, Duong Dong, Vinh Dam (Phu Quoc)
15.	Kien Luong - Phu Quoc	Kien Giang	Ship from restricted class III or higher (for passenger ship); inland waterway vehicle of class VR-SB or ship from restricted class III or higher (for cargo ship))	Including 05 routes from Hon Chong to Ham Ninh, An Thoi, Bai Vong, Duong Dong, Bay Dam (Phu Quoc)
16.	Ha Tien - Phu Quoc	Kien Giang	Ship from restricted class III or higher (for passenger ship); inland waterway vehicle of class VR-SB or ship from restricted class III or higher (for cargo ship))	Including 7 routes from Ha Tien to Ham Ninh, Ganh Dau, An Thoi, Bai Vong, Duong Dong, Dam Bay, Da Chong (Phu Quoc)
17.	Phu Quoc-Tho Chau	Kien Giang	Ship from restricted class II or higher	
18.	Nam Du - Phu Quoc	Kien Giang	Ship from restricted class III or higher	Including 04 routes from Nam Du to Duong Dong, An Thoi, Bay Dam, Bai Vong (Phu Quoc)
19.	Can Tho - Con Dao	Can Tho - Ba Ria - Vung Tau	Ship from restricted class II or higher	
20.	Khai Long - Hon Khoai	Ca Mau	Inland waterway vehicle class VR-SB or ship from restricted class III or higher	

21.	Nam Can - Hon Khoai	Ca Mau	Inland waterway vehicle class VR-SB or ship from restricted class III or higher	
22.	Nam Can - Hon Chuoi	Ca Mau	Ship from restricted class III or higher	
23.	Nam Can - Phu Quoc	Ca Mau - Kien Giang	Ship from restricted class II or higher	
24.	Nam Can - Nam Du	Ca Mau- Kien Giang	Ship from restricted class II or higher	
25.	Nam Can - Tho Chau	Ca Mau - Kien Giang	Ship from restricted class II or higher	
26.	Song Doc - Tho Chau	Ca Mau - Kien Giang	Ship from restricted class II or higher	
27.	Song Doc - Phu Quoc	Ca Mau - Kien Giang	Ship from restricted class II or higher	
28.	Song Doc - Nam Du	Ca Mau - Kien Giang	Ship from restricted class II or higher	
29.	Khai Long - Phu Quoc	Ca Mau-Kien Giang	Ship from restricted class II or higher	

APPENDIX II

(Issued together with Circular No. 16/2013/TT-BGTVT dated July 30, 2013 of the Minister of Transport)

**SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness**

....., *day ... month ... year 20...*

REGISTRATION FORM

Fixed passenger transportation on shore-to-island waterway transport route

To:

Name of the enterprise (business household or individual):

Transaction address:

Tel:; Fax/email:

Business registration certificate No.: dated

Issuing agency:

Registration of fixed passenger transport on shore-to-island waterway transport route with the following contents:

1. Operating Routes:

Route 1: from..... to

(Write similarly for other routes)

2. Number of vehicles operating on each transport route:

Route 1: Vehicle 1 (vehicle name, registration number), tonnage: (seats)

(Write similarly for other routes)

3. Operating schedule on each transport route:

Route 1: + There is/are trip(s)/day (week); departing from: at hours (or date in a week):

+ Ports and terminals for passenger loading and unloading on the route:

(Write similarly for other routes)

4. Passenger fare on each transport route:

5. Operating time:

6. Commitment: The enterprise (business household or individual) commits to strictly comply with the law.

Representative of the enterprise
(business household or individual)
(Signature, full name, sealing (if any))

[1] Circular No. 36/2019/TT-BGTVT on amending and supplementing Circulars of the Minister of Transport on management of Shore-to-island waterway transport routes in Vietnam sea zone has grounds for issuance as follows:

Pursuant to the Vietnam Maritime Code dated November 25, 2015;

Pursuant to Law on Inland Waterway Transport dated June 15, 2004 and Law on Amending and Supplementing a Number of Articles of the Law on Inland Waterway Transport dated June 17, 2014;

Pursuant to the Government's Decree No. 12/2017/ND-CP dated February 10, 2017 on defining the functions, tasks, powers and organizational structure of the Ministry of Transport;

At the request of the Director of the Department of Transport, the Director of the Vietnam Maritime Administration and the Director of the Vietnam Inland Waterways Administration;

The Minister of Transport promulgates the Circular on amending and supplementing the Circulars on management of Shore-to-island waterway transport routes in Vietnam sea zone.”

[2] This Article is amended under the provisions of Clause 1, Article 1 of Circular No. 36/2019/TT-BGTVT on amending and supplementing Circulars of the Minister of Transport on management of Shore-to-island waterway transport routes in Vietnam sea zone, effective from November 1, 2019.

[3] Articles 2 and 3 of Circular No. 36/2019/TT-BGTVT on amending and supplementing Circulars of the Minister of Transport on management of Shore-to-island waterway transport routes in Vietnam sea zone, effective on November 1, 2019 as follows:

“Article 2. Effect

1. This Circular takes effect from November 1, 2019.

2. Annul Circular No. 05/2017/TT-BGTVT dated February 21, 2017 of the Minister of Transport on amending and supplementing a number of articles of Circular No. 16/2013/TT-BGTVT dated July 30, 2013 on management of Shore-to-island waterway transport routes in Vietnam sea zone

Article 3. Organization of implementation

Chief of Office of the Ministry, Chief Inspector of the Ministry, Heads, Director of Vietnam Maritime Administration, Director of Vietnam Inland Waterways Administration, Director of Vietnam Registry, Director of Department of Transport, Heads of Relevant agencies, organizations and individuals are responsible for the implementation of this Circular./.

[4] This Appendix is replaced as specified in Clause 2, Article 1 of Circular No. 36/2019/TT-BGTVT on amending and supplementing Circular of the Minister of Transport on management of Shore-to-island waterway transport routes in Vietnam sea zone, effective from November 1, 2019.