

MINISTRY OF TRANSPORT

SOCIALIST REPUBLIC OF VIETNAM

Independence - Freedom - Happiness

No.: 23/2019/TT-BGTVT

Hanoi, June 21, 2019

CIRCULAR

**ON ANNOUNCEMENT OF SEAPORT WATERS WITHIN THE TERRITORY OF
HAI PHONG CITY AND MANAGEMENT AREA OF HAI PHONG MARITIME
PORT AUTHORITY**

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

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

Pursuant to Decree No. 58/2017/ND-CP dated May 10, 2017 of the Government on detailing a number of articles of the Vietnam Maritime Code on management of maritime operation;

At the request of the Director of the Legal Department and the Director of the Vietnam Maritime Administration;

The Minister of Transport promulgates the Circular on announcement of seaport waters within the territory of Hai Phong city and the management area of Hai Phong Maritime Port Authority.

Article 1. Announcement of seaport waters within the territory of Hai Phong city

Hai Phong seaport waters are waters in the areas of Hon Du, Lan Ha Bay, Lach Huyen, Ha Nam Canal, Cai Trap Canal, Bach Dang River, Cam River and Gia River in Hai Phong City.

Article 2. Scope of seaport waters in the territory of Hai Phong city

The scope of seaport waters in the territory of Hai Phong city calculated based on the maximum tidal water level is specified as follows:

1. The boundary towards the sea: is limited by the straight lines connecting points HP1, HP2, HP3, HP4, HP5, HP6, HP7, HP8, HP9, HP10, HP11, HP12, HP13 and HP14, respectively, with the following coordinate positions:

HP1: 20°49'11,0"N, 106°48'47,0"E;

HP2: 20°33'00,0"N, 106°48'47,0"E;

HP3: 20°39'59,0"N, 107°07'13,0"E;

HP4: 20°46'21,0"N, 107°07'13,0"E;

HP5: 20°46'57,0"N, 107°06'58,0"E (Western edge of Hang Trai Island);

HP6: 20°46'57,0"N, 107°06'18,0"E (Southwest edge of Hon Ro island);

HP7: 20°45'59,0"N, 107°06'18,0"E (Southern edge of Tra Ngu island);

HP8: 20°42'40,0"N, 107°05'26,0"E (Con Be);

HP9: 20°41'44,0"N, 107°04'13,0"E;

HP10: 20°42'28,0"N, 107°03'48,0"E;

HP11: 20°42'23,0"N, 107°02'41,0"E (East of Hon Cat Duoi Rong);

HP12: 20°41'29,0"N, 107°02'50,0"E (Eastern edge of Hon Ga);

HP13: 20°42'23,0"N, 107°01'18,0"E (Southwestern edge of Hon Cac Ong);

HP14: 20°47'38,0"N, 106°55'18,0"E (Western edge of Phu Long beach).

2. The boundary towards the mainland: From point HP 14 running along the right bank of Lach Huyen fairway connecting in turn to points of HP 15 with coordinates: 20°49'57,0"N, 106°54'24,0"E; HP16 with coordinates: 20°50'08.0"N, 106°52'27.0"E (right bank of Cai Trap canal on Lach Huyen side) and HP17 with coordinates: 20°49'07,0"N, 106°50'23.0"E (end of the right bank of Cai Trap canal, adjacent to Bach Dang river);

From point HP17 running along the right bank of Bach Dang river to point HP18 with coordinates: 20°56'42,0"N, 106°46'24,0"E;

From point HP18 running across Bach Dang river to point HP19 with coordinates: 20°56'42,0"N, 106°45'57,0"E;

From point HP19 running along the right bank of Gia river to point HP 20 with coordinates: 20°57'04,0"N, 106°44'40,0"E;

From point HP20 running along the straight line crossing Gia river 200m downstream from the heart of Minh Duc dam to point HP21 on the left bank of Gia river with coordinates: 20°56'50,0"N, 106°44'40,0"E;

From point HP21 running along the left bank of Gia river, left bank of Bach Dang river to point HP 1;

From the mouth of Dinh Vu canal running along two banks of Cam River to a straight line crossing the river 200m downstream from the foot of Kien Bridge.

Article 3. Pilot embarking and disembarking area, quarantine area, anchorage area, transshipment area and storm shelter

The Director of Vietnam Maritime Administration shall organize the announcement of the pilot embarking and disembarking area, quarantine area, anchorage area, transshipment area, and storm shelter for ships to enter and leave Hai Phong seaport and other waters as regulated.

2. Based on the actual conditions, ships and boats entering or leaving Hai Phong seaport that must apply anchorage and transshipment, reduce a part of goods before docking at Hai Phong seaport or transship to receive more goods after receiving partial goods at the wharves and docks of Hai Phong seaport in Quang Ninh seaport waters, have the following positions arranged:

a) Ships carrying non-polluting and non-hazardous goods are allowed to be anchored or transhipped at positions with coordinates:

HL3-1: 20°50'24,5"N, 107°08'02,0"E;

HL3-5: 20°51'48,0"N, 107°06'48,5"E;

HL3-6: 20°51'55,5"N, 107°06'22,7"E.

Ships are not allowed to load and unload, carry bulk cargoes: cement, clinker, wood chips and limestone with the size of 4x6 cm or less at points HL3-1, HL3-5 and HL3-6 above.

b) Ships carrying polluting and hazardous goods are allowed to be anchored or transhipped at position HN2-13 with coordinates: 20°56'00,7"N, 107°16'48,2"E.

Arrangement of ships entering or leaving Hai Phong seaport but required to be anchored or transhipped as prescribed in this Clause is terminated after obtaining a decision of the competent authority.

Article 4. Responsibilities of Hai Phong Maritime Port Authority and related parties

1. Responsibilities of Hai Phong Maritime Port Authority:

- a) Perform the tasks and powers under the provisions of the Vietnam Maritime Code and the relevant provisions of law on maritime operation at seaports and seaport waters within the territory of Hai Phong city,
- b) Based on the actual situations of weather, wind, draft, tonnage of ships and the nature of the cargo, designate a specific location for the ships to embark or disembark pilot, conduct the quarantine, anchorage, transshipment and storm sheltering in waters as regulated, ensure maritime safety and security, prevention from environmental pollution.
- c) Only oil, hazardous cargo and polluting and toxic cargo tankers are allowed to be anchored and transshipped at the positions specified in this Circular when all safety conditions on maritime safety, maritime security, fire and explosion prevention and environmental pollution prevention are met.
- d) Notify Quang Ninh maritime port authority of the name, nationality, main specifications and other necessary information of ships, cargo type, number of goods to be loaded at the anchorage area and transshipment area of Quang Ninh seaport at latest 04 hours before the ships reach the boundary of Quang Ninh seaport waters.
- dd) Notify Quang Ninh maritime port authority of manoeuvre of ships to leave the positions of storm shelter, transshipment designated by Quang Ninh Maritime Port Authority at latest 02 hours before the ships depart from the positions.
- e) Perform procedures for ships entering and leaving Hai Phong seaport but required to apply storm sheltering, transshipment in Quang Ninh seaport waters at the positions specified in Clause 2, Article 3 of this Circular.

2. Responsibilities of Quang Ninh Maritime Port Authority:

- a) Designate specific positions for ships to avoid storms and apply transshipment for ships entering and leaving Hai Phong seaport but required to avoid storms and apply transshipment at Quang Ninh seaport at the positions specified in Clause 2, Article 3 of the Circular and promptly notify Hai Phong Maritime Port Authority.
- b) Notify Hai Phong maritime port authority of the name, nationality, main specifications and other necessary information of ships subject to notification and confirmation of the arrival of the ships to the port as regulated at least 04 hours before the ships arrive at the position of embarking and disembarking pilots of Hai Phong seaport to enter Quang Ninh seaport waters in Quang Yen area.

c) Notify Hai Phong maritime port authority of the name, nationality, main specifications and other necessary information of ships subject to notification of the departure of the ships from the port as regulated at least 02 hours before the ships arrive at the boundary of Hai Phong seaport waters upon departing from Quang Ninh seaport waters in Quang Yen area.

Article 5. Responsibilities for state management for maritime in the waters of Hai Phong city

In addition to the waters specified in Articles 2 and 3 of this Circular, Hai Phong Maritime Port Authority is also responsible for state management of maritime safety, maritime security and prevention from environmental pollution in waters of Hai Phong city.

Article 6. Effect

1. This Circular takes effect from August 15, 2019. Annul Circular No. 31/2010/TT-BGTVT dated October 1, 2010 of the Minister of Transport on announcing seaport waters in the territory of Hai Phong city and management area of Hai Phong Maritime Port Authority and Circular No. 50/2013/TT-BGTVT dated December 6, 2013 of the Minister of Transport on amending and supplementing Article 2 Circular No. 31/2010/TT-BGTVT on announcing seaport waters in the territory of Hai Phong city and management area of Hai Phong Maritime Port Authority.

2. The boundary of the seaport waters specified in Article 2 and the points specified in Clause 2, Article 3 of this Circular are determined on Nautical Charts No. VN40001, VN30001, VN30002, VN50004, VN50007, VN50008 of Vietnam Maritime Safety - North. The coordinates of the points specified in this Circular are applied under coordinate system WGS-84 and converted to the corresponding coordinate system VN-2000 in the Appendix enclosed herewith.

3. Annul Point a, Clause 2 of Article 3, remove phrase "a and" at Point c, Clause 1 and phrase "a and" at Point d, Clause 2, Article 4 of Circular No. 01/2018/TT-BGTVT dated January 3, 2018 of the Minister of Transport on announcing seaport waters in the territory of Quang Ninh province and management area of Quang Ninh Maritime Port Authority.

Article 7. Organization of implementation

Chief of Office of the Ministry, Chief Inspector of the Ministry, Directors, Director of Vietnam Maritime Administration, Director of Vietnam Inland Waterways Administration, Director of Department of Transport of Hai Phong city, Director of Department of Transport of Quang Ninh province, Director of Hai Phong Maritime Port

Authority, Heads of relevant agencies, organizations and individuals are responsible for the implementation of this Circular./.

Recipients:

- As per Article 7;
- Minister of Transport;
- Government office;
- Ministries, ministerial agencies, Governmental agencies;
- People's Committees of provinces and cities under the central authority;
- Deputy Minister of Transport;
- Department of Examination of Legal Normative Documents (Ministry of Justice);
- Official Gazette;
- E-Portal of the Government;
- E-Portal of the Ministry of Transport;
- Transport Newspapers, Transport Magazine;
- Archives: Filing, PC.

**FOR MINISTER
DEPUTY MINISTER**

Nguyen Van Cong

APPENDIX

CONVERSION OF COORDINATE SYSTEM OF POINTS

(Issued together with Circular No. 23/2019/TT-BHTVT dated June 21, 2019 by the Minister of Transport)

1. Coordinates of points limiting Hai Phong seaport waters

Position	Coordinate system WGS - 84		Coordinate system VN-2000	
	Latitude (N)	Longitude (E)	Latitude (N)	Longitude (E)
HP1	20°49'11,0"	106°48'47,0"	20°49,14,6"	106°48'40,2"
HP2	20°33'00,0"	106°48'47,0"	20°33'03,6"	106°48'40,2"
HP3	20°39'59,0"	107°07'13,0"	20°40'02,6"	107°07'06,2"
HP4	20°46'21,0"	107°07'13,0"	20°46'24,6"	107°07'06,2"
HP5	20°46,57,0"	107°06'58,0"	20°47,00,6"	107°06'51,2"
HP6	20°46'57,0"	107°06'18,0"	20°47'00,6"	107°06'11,2"
HP7	20°45'59,0"	107°06'18,0"	20°46'02,6"	107°06'11,2"
HP8	20°42'40,0"	107°05'26,0"	20°42'43,6"	107°05'19,2"
HP9	20°41'44,0"	107°04'13,0"	20°41'47,6"	107°04'06,2"
HP10	20°42'28,0"	107°03'48,0"	20°42'31,6"	107°03'41,2"
HP11	20°42'23,0"	107°02'41,0"	20°42'26,6"	107°02'34,2"
HP12	20°41'29,0"	107°02'50,0"	20°41'32,6"	107°02'43,2"
HP13	20°42'23,0"	107°01'18,0"	20°42'26,6"	107°01'11,2"
HP14	20°47'38,0"	106°55'18,0"	20°47'41,6"	106°55'11,2"
HP15	20°49'57,0"	106°54'24,0"	20°50'00,6"	106°54'17,2"
HP16	20°50'08,0"	106°52'27,0"	20°50'11,6"	106°52'20,2"
HP17	20°49'07,0"	106°50'23,0"	20°49'10,6"	106°50'16,2"
HP18	20°56'42,0"	106°46'24,0"	20°56'45,6"	106°46'17,2"
HP19	20°56'42,0"	106°45'57,0"	20°56'45,6"	106°45'50,2"
HP20	20°57'04,0"	106°44'40,0"	20°57'07,6"	106°44'33,2"
HP21	20°56'50,0"	106°44'40,0"	20°56'53,6"	106°44'33,2"

2. Coordinates of transshipment, storm shelter points in Quang Ninh seaport waters.

Position	Coordinate system WGS - 84		Coordinate system VN-2000	
	Latitude (N)	Longitude (E)	Latitude (N)	Longitude (E)
HL3-1	20°50'24,5"	107°08'02,0"	20°50'28,1"	107°07'55,2"
HL3-5	20°51'48,0"	107°06'48,5"	20°51'51,6"	107°06'41,7"
HL3-6	20°51'55,5"	107°06'22,7"	20°51'59,1"	107°06'15,9"
HN2-13	20°56'00,7"	107°16'48,2"	20°56'04,3"	107°16'41,4"