

No.: 14/2019/TT-BGTVT

Hanoi, April 24, 2019

CIRCULAR

ON ANNOUNCEMENT OF SEAPORT WATERS IN THE TERRITORY OF DONG NAI PROVINCE, BINH DUONG PROVINCE AND MANAGEMENT AREA OF DONG NAI MARTIME 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 in the territory of Dong Nai province, Binh Duong province and management area of Dong Nai Maritime Port Authority.

Article 1. Announcement of seaport waters in the territory of Dong Nai province, Binh Duong province

1. Dong Nai seaport waters include:

- a) Dong Nai seaport waters in Thi Vai river area;
- b) Dong Nai seaport waters in Long Tau river and Nha Be river areas;
- c) Dong Nai seaport waters in Dong Nai river area.

2. Binh Duong seaport waters

Article 2. Scope of seaport waters in the territory of Dong Nai province and Binh Duong province

Scope of seaport waters in the territory of Dong Nai province, Binh Duong province calculated based on the maximum tidal water level is specified as follows:

1. Scope of Dong Nai seaport waters include:

a) Scope of Dong Nai seaport waters in Thi Vai river area:

Is limited from latitude $10^{\circ}38'45''$ N (coinciding with the existing high-voltage electric line crossing two banks of Thi Vai river) running along two banks of the river upstream to longitude $106^{\circ}59'12''$ E, 3,800m from the edge of Vedan Phuoc Thai dedicated port (upstream).

b) Scope of Dong Nai seaport waters in Long Tau river and Nha Be river areas:

Is limited by a straight line perpendicular to the right edge of Long Tau river marine fairway at the farthest protruding point of the right bank of Dong Tranh river and Long Tau river confluence, running along the riverbank in Dong Nai province and the edge of Long Tau River - Nha Be River marine fairway 200m upstream from Petrol port 186 (upstream).

c) Scope of Dong Nai seaport waters in Dong Nai river area:

Is limited by a straight line connecting the farthest protruding point of Tac Thay Bay of Ong Con Islands and the farthest point of Long Truong commune, running along the two banks of Dong Nai river upstream, away from Dong Nai bridge 150m (downstream) except for Binh Duong seaport waters.

2. Scope of Binh Duong seaport waters

Is limited by a straight line perpendicular to the left edge of Dong Nai river marine fairway route at the boundary between Binh Duong port in Binh Duong province and Saigon Cement port in Ho Chi Minh City, running along the riverbank of Binh Duong province and the edge of Dong Nai river marine fairway route upstream 150m away from Dong Nai bridge (downstream).

3. The boundary of seaport waters specified in Clauses 1 and 2 of this Article is determined on Nautical charts VN4TV002, VN4ĐN001, VN4SG002, VN4SG003 of Southern Vietnam Maritime Safety Corporation published in 2016. The latitude and longitude lines specified at Point a, Clause 1 of this Article are applied under coordinate system VN-2000 and converted to coordinate system WGS-84 respectively as follows:

No.	Coordinate system VN-2000		Coordinate system WGS-84	
	Latitude (N)	Longitude (E)	Latitude (N)	Longitude (E)
1	10°38'45"		10°38'42"	
2		106°59'12"		106°59'18"

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

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 seaports in Dong Nai and Binh Duong provinces and other waters as regulated.

Article 4. Responsibilities of Dong Nai Maritime Port Authority and related maritime port authorities

1. Responsibilities of Dong Nai 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 Dong Nai province and Binh Duong province;

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) Carry out procedures for ships to enter and leave the wharf, port, anchorage area, transshipment area within seaport waters of Dong Nai province, Binh Duong province but it's required to apply the anchorage and transshipment at Go Gia transshipment area;

d) Notify Vung Tau maritime port authority of the name, nationality, main specifications and other necessary information of ships, at latest 02 hours before the ships enter Vung Tau pilot embarking and disembarking area;

dd) Coordinate with Vung Tau Maritime Port Authority in assurance of maritime order and safety, maritime security, prevention from environmental pollution for ships entering and leaving seaports in Dong Nai province and Binh Duong province but required to embark and disembark pilots, do quarantine, anchor and avoid storm in the waters of seaports in Ba Ria - Vung Tau province;

e) Coordinate with Ho Chi Minh City Maritime Port Authority in assurance of maritime order and safety, maritime security, prevention from environmental pollution for ships entering and leaving wharves and ports on Dong Nai river, Nha Be river and Long Tau river in Dong Nai province and Binh Duong province but required to anchor and avoid storm in Ho Chi Minh City seaport waters;

g) Notify Ho Chi Minh City Maritime Port Authority of name, nationality, call sign, main technical specifications and other necessary information of ships entering and leaving the wharves, ports on Dong Nai river in the territory of Dong Nai province, Binh Duong province, at latest 02 hours before ships arriving at the seaport waters. For ships entering wharves or ports on Nha Be river and Long Tau river in Dong Nai province alone, it's required to notify at least 01 hour before ships enter the wharves or ports. For ships leaving the wharves or ports on Nha Be river and Long Tau river in Dong Nai province, it's required to notify before the ships leave the wharves or ports.

2. Vung Tau Maritime Port Authority is responsible for, based on the actual situation of weather, wave, wind, draft and tonnage of ships entering and leaving seaports in Dong Nai province, Binh Duong province, specifying the positions for ships to embark and disembark pilot, do quarantine, anchor, transship, avoid storm in the seaports waters in the territory of Ba Ria - Vung Tau province, ensuring maritime safety, maritime security and preventing from environmental pollution and notifying Dong Nai port authority at least 01 hour before the ships arrive at the pilot embarking and disembarking area.

3. Ho Chi Minh City Port Authority is responsible for, based on the actual situation of weather, wave, wind, draft and tonnage of ships entering and leaving wharves, ports on Dong Nai river, Nha Be river, Long Tau river in Dong Nai province, Binh Duong province but required to anchor and avoid storms in Ho Chi Minh City seaport waters, specifying positions for ships to anchor, avoid storms and notifying Dong Nai Maritime Port Authority at latest 01 hours after receiving the notice from Dong Nai Maritime Port Authority.

4. For cases arising of ships in seaport waters under the management of the related Maritime Port Authority, that Maritime Port Authority must take prime responsibility for settlement in accordance with law. In case the cases occur at the boundary of seaport waters of two Maritime Port Authorities, the Maritime Port Authority where the ships enter or leave the wharf or port must take charge of settlement.

5. Port Authority of Inland Waterway Area No. 3 is responsible for: organizing the implementation of specialized state management at ports and inland waterway terminals (except for river crossing terminal) on Dong Nai river from Ong Nhieu canal to downstream of Dong Nai bridge under the legal provisions.

Article 5. Effect

This Circular takes effect from June 15, 2019. Annulment of Circular No. 47/2014/TT-BGTVT dated October 10, 2014 of the Minister of Transport announcing the seaport waters within the territory of Dong Nai province, Binh Duong province and the area under the management of Dong Nai Maritime Port Authority.

Article 6. 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 Dong Nai province, Director of Department of Transport of Binh Duong province, Director of Department of Transport of Ho Chi Minh city, Director of Department of Transport of Ba Ria – Vung Tau province, Director of Dong Nai Maritime Port Authority, Director of Vung Tau Maritime Port Authority, Director of Port Authority of Inland Waterway Area No. 3, Heads of relevant agencies, organizations and individuals are responsible for the implementation of this Circular./.

Recipients:

- As per Article 6;
- Minister of Transport;
- Government office;
- Ministries, ministerial agencies, Governmental agencies;
- People's Committees of provinces and cities under the central authority;
- Deputy Ministers 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