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Hanoi, August 14, 2020

**CIRCULAR**

**ANNOUNCEMENT OF SEAPORT WATERS IN THE TERRITORY OF HO CHI MINH CITY, LONG AN PROVINCE, TIEN GIANG PROVINCE AND MANAGEMENT AREA OF HO CHI MINH CITY 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 in the territory of Ho Chi Minh City, Long An province, Tien Giang province and management area of Ho Chi Minh City Maritime Port Authority.*

**Article 1. Announcement of seaport waters in the territory of Ho Chi Minh City, Long An province, Tien Giang province**

Seaport waters in the territory of Ho Chi Minh City, Long An province, Tien Giang province include the following waters:

1. Ho Chi Minh City seaport waters in Ganh Rai bay area.
2. Ho Chi Minh City seaport waters in Dong Tranh bay and Soai Rap river estuary area.
3. Ho Chi Minh City seaport waters on rivers of Nga Bay, Long Tau, Nha Be, Dua, Tac Dinh Cau and Tac Roi.
4. Ho Chi Minh City seaport waters on rivers of Dong Tranh, Go Gia, Tac Ong Cu, Tac Bai and Tac Cua.

5. Ho Chi Minh City seaport waters on Dong Nai river.
6. Ho Chi Minh City seaport waters on Saigon River.
7. Ho Chi Minh City - Long An - Tien Giang seaport waters on Soai Rap river.

**Article 2. Scope of seaport waters in the territory of Ho Chi Minh City, Long An province, Tien Giang province**

Scope of seaport waters in the territory of Ho Chi Minh City, Long An province, Tien Giang province calculated based on the maximum tidal water level is specified as follows:

1. Scope of Ho Chi Minh City seaport waters in Ganh Rai bay area is limited as follows:

From meridian 106°58'12" E (which is the boundary with seaport waters in the territory of Ba Ria - Vung Tau province), run along the coast of Can Gio district and the shore of Phu Loi islands to two farthest small points of Nga Bay river estuary.

2. Scope of Ho Chi Minh City seaport waters in Dong Tranh bay and Soai Rap river estuary area is limited as follows:

The straight lines connecting the points HCM1, HCM2, HCM3, HCM4 and HCM5, respectively, have the following coordinates:

HCM1: 10°25'10" N, 106°58'12" E (Can Gio cape);

HCM2: 10°24'00" N, 107°00'00" E;

HCM3: 10°15'00" N, 107°00'00" E;

HCM4: 10°15'00" N, 106°49'30" E;

HCM5: 10°16'07" N, 106°45'20" E.

3. Scope of Ho Chi Minh City seaport waters on rivers of Nga Bay, Long Tau, Nha Be, Dua, Tac Dinh Cau and Tac Roi is limited as follows:

a) From two farthest protruding points of Nga Bay river estuary, run along two banks of rivers of Nga Bay, Long Tau, Nha Be to Den Do cape. Except for the scope of Dong Nai seaport waters on Nha Be river, Long Tau river managed by Dong Nai Maritime Port Authority limited by a straight line perpendicular to the right edge of Long Tau river marine fairway at the farthest protruding point of the left bank of Dong Tranh and Long Tau confluence, run along the riverbank in Dong Nai province and the edge of marine fairway of Long Tau river - Nha Be river upstream 200m away from Petrol port 186 (upstream).

b) From two farthest points of Dua river estuary (at Dua river - Nga Bay river confluence), run along two banks of Dua river to Dua river - Tac Dinh Cau confluence, run along two banks of Tac Dinh Cau and Tac Troi canal (from Tac Dinh Cau - Tac Roi confluence to Tac Troi - Long Tau river confluence).

4. Scope of Ho Chi Minh City seaport waters on rivers of Dong Tranh, Go Gia, Tac Ong Cu, Tac Bai and Tac Cua is limited as follows:

From two farthest points of Go Gia river estuary (at Go Gia river - Cai Mep river - Thi Vai river confluence), run along two banks of Go Gia river to the upstream boundary across the parallel  $10^{\circ}35'00''$  N (at Go Gia river - Ba Gioi river - Tac Cua river confluence) and run along two banks of Tac Ong Cu River, Tac Bai River, Tac Cua River to Tac Ong Cu river - Dong Tranh river confluence and the whole Dong Tranh river.

5. Scope of Ho Chi Minh City seaport waters on Dong Nai river is limited as follows:

From the confluence of rivers of Dong Nai, Nha Be, and Saigon (Den Do cape), run along two banks of Dong Nai River to a straight line crossing Dong Nai river confluence from two farthest protruding points of Tac Thay Bay (Ong Con Islands) and Long Truong commune. The boundary between Dong Nai River and Sau River is the straight line crossing Sau River, determined by the line connecting 02 points with coordinates (HCM6:  $10^{\circ}46'06.69''$  N,  $106^{\circ}48'22.52''$  E and HCM7:  $10^{\circ}45'46.53''$  N,  $106^{\circ}48'22.11''$  E).

6. Scope of Ho Chi Minh City seaport waters on Saigon River is limited as follows:

From the confluence of rivers of Saigon, Nha Be, Dong Nai (Den Do cape), run along two banks of Saigon river to a straight line crossing the river at the edge of Ben Nghe canal downstream.

7. Scope of Ho Chi Minh City - Long An - Tien Giang seaport waters on Soai Rap river is limited as follows:

From Soai Rap river estuary area and Point HCM5 specified in Clause 2 of this Article, run along two banks of Soai Rap river to Soai Rap river - Nha Be river confluence (Binh Khanh confluence).

8. Boundaries of river branch estuaries and canal mouths to rivers specified in Clauses 2, 3, 4, 5, 6 and 7 of this Article are limited by a straight line connecting two farthest protruding bank points at such river branch estuaries or canal mouths. For Rach Doi canal and Dong Dien river, the boundary is the downstream boundary lines of safety corridor of Phu Xuan bridge and Dong Dien bridge. For Vam Co river, the boundary is meridian  $106^{\circ}43'41''$  E.

9. The boundary of seaport waters specified in this Circular is determined on Nautical Charts published for the first time 2016 Map (VN3GR001, VN300025, VN4DN001,

VN4DT001, VN4DT002, VN4DT003, VN4DT004, VN4SG002, VN4SG003, VN4SR001, VN4SR002) of the Southern Vietnam Maritime Safety Corporation updated in 2020. Coordinates of points, meridians and parallels specified in this Article are applied under coordinate system VN- 2000 and converted to the corresponding coordinate system WGS-84 in the Appendix enclosed herewith.

**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 the territory of Ho Chi Minh City, Long An Province, Tien Giang Province and other waters as regulated.

**Article 4. Responsibilities of Ho Chi Minh Maritime Port Authority and related maritime port authorities**

1. Responsibilities of Ho Chi Minh Maritime Port Authority:

a) Perform the tasks and powers under the provisions of the Vietnam Maritime Code and the relevant legal documents on maritime operation at seaports and seaport waters in the territory of Ho Chi Minh City, Long An province, Tien Giang 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 seaports and seaport waters in the territory of Ho Chi Minh City, Long An province, Tien Giang province.

d) Notify Vung Tau Maritime Port Authority of name, nationality, call sign, main technical specifications and other necessary information of ships at latest 02 hours before ships arriving at Vung Tau pilot embarking and disembarking area; the maneuver of ships to leave the position designated by Vung Tau Port Authority to enter Ho Chi Minh City seaport waters at latest 01 hour before leaving the position.

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 Ho Chi Minh city, Long An province and Tien Giang 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) Based on the actual situations of weather, wind, draft, tonnage of ships entering, leaving wharves, ports on Dong Nai river, Nha Be River and Long Tau River in Dong

Nai province, Binh Duong province but required to anchor and avoid storm in Ho Chi Minh City seaport waters, designate specific locations for ships to anchor, avoid storm and notify Dong Nai Maritime Port Authority at latest 01 hour from receiving the notice from Dong Nai Maritime Port Authority.

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 Ho Chi Minh city, Long An province, Tien Giang 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. Responsibilities of Dong Nai Maritime Port Authority:

a) 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 with voyage passing through waters of seaports in the territory of Ho Chi Minh city, Long An province, Tieng Giang province at latest 02 hours before ships arriving at the seaport waters in the territory of Ho Chi Minh city, Long An province, Tieng Giang province. For ships leaving wharves, ports on Nha Be river and Long Tau river in Dong Nai province alone, it's required to notify before the ships leave the wharves or ports.

b) 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 the seaport water in the territory of Ho Chi Minh City, Long An province and Tieng Giang province.

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.

#### **Article 5. Effect**

1. This Circular takes effect from October 1, 2020.

2. Annul Circular No. 02/2015/TT-BGTVT dated February 25, 2015 of the Minister of Transport on announcement of Ho Chi Minh City seaport waters and management area of Ho Chi Minh City Maritime Port Authority.

3. Annul a part of Tien Giang seaport waters specified at Point a, Clause 1 and Long An seaport waters specified in Clause 4, Article 2 of Circular No. 55/2015/TT-BGTVT of the Minister of Transport dated September 29, 2015 on announcement of seaport waters in the territory of Tien Giang, Ben Tre, Vinh Long, Long An provinces and management area of My Tho Maritime Port Authority and belonging to Ho Chi Minh City - Long An - Tien Giang seaport waters on Soai Rap river pursuant to this Circular.

#### **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 Ho Chi Minh city, Director of Department of Transport of Ba Ria – Vung Tau province, Director of Department of Transport of Dong Nai province, Director of Dong Nai Maritime Port Authority, Director of Dong Thap Maritime Port Authority, Heads of relevant agencies, organizations and individuals are responsible for the implementation of this Circular./.

#### ***Recipients:***

- As per Article 6;
- Minister of Transport;
- Supreme People's Court;
- Supreme People's Procuracy;
- 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**

## APPENDIX

### CONVERSION OF COORDINATE SYSTEM OF POSITIONS

*(Issued together with Circular No. /2020/TT-BGTVT on day month year 2020 by the Minister of Transport)*

Position/ Line	Coordinate system VN-2000 Central meridian 106, projection 3 <sup>0</sup>		Coordinate system WGS - 84	
	Latitude (N)	Longitude (E)	Latitude (N)	Longitude (E)
HCM1	10°25'10"	106°58'12"	10°25'06.3"	106°58'18.5"
HCM2	10°24'00"	107°00'00"	10°23'56.3"	107°00'06.5"
HCM3	10°15'00"	107°00'00"	10°14'56.3"	107°00'06.5"
HCM4	10°15'00"	106°49'30"	10°14'56.3"	106°49'36.5"
HCM5	10°16'07"	106°45'20"	10°16'03.3"	106°45'26.5"
HCM6	10°46'06.69"	106°48'22.52"	10°46'02.99"	106°48'29.02"
HCM7	10°45'46.53"	106°48'22.11"	10°45'42.83"	106°48'28.61"
Meridian		106°58'12"		106°58'18.4"
Meridian		106°43'41"		106°43'47,5"
Parallel	10°35'00"		10°34'56.3"	