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RULES FOR THE CONTROL OF NON-MILITARY VESSELS OF FOREIGN NATIONALITY PASSING THROUGH THE QIONGZHOU STRAIT

[Note]=(Promulgated by the State Council on June 8, 1964)

Full Text

Article 1 According to the Declaration of the Government of the People's Republic of China concerning the Territorial Waters, the Qiongzhou Strait is an inland sea of China, which is closed to all military vessels of foreign nationality. Non-military vessels of foreign nationality to pass through the Strait must be subject to an application for approval according to the provisions of these Rules.

Article 2 The Qiongzhou Strait Administrative Office of the People's Republic of China (hereinafter referred to as "the Qiongzhou Strait Administrative Office") shall be set up to facilitate the administration of the Qiongzhou Strait.

These Rules shall be implemented under the supervision of the Qiongzhou Strait Administrative Office.

Article 3 The area under the administration of the Qiongzhou Strait Administrative Office with respect to the Qiongzhou Strait (hereinafter referred to as the administrative area) is tentatively delimited as follows: the water area west of the line (the east line for short) linking the Mulantou Lamp Stake (approximately 20 degrees 9 minutes 37 seconds north latitude, 110 degrees 41 minutes east longitude) and the Shenggouhousha Lamp Stake (approximately 20 degrees 26 minutes north latitude, 110 degrees 31 minutes 22 seconds east longitude) and east of the line (the west line for short) linking the Jiaoweijiao Lamp Stake (approximately, 20 degrees 13 minutes 30 seconds north latitude, 110 degrees 55 minutes 30 seconds east longitude) and the Lingaojiao Lamp Stake (approximately 20 degrees 22 seconds north latitude, 109 degrees 42 minutes 6 seconds east longitude).

Article 4 Non-military vessels of foreign nationality that need to pass through the Qiongzhou Strait must go through the following formalities:

(1) Report in detail by telegram such information as the ship's name, nationality, gross tonnage, speed, hull colour, funnel marks, date and time and port of departure, port to destination, etc. to the Qiongzhou Strait Administrative Office and ask for permission to pass through the Strait 48 hours before entering the administrative area or before leaving the port of departure.

(2) Report accurately, after receiving the notice of approval for passing through the Strait, the time of entering the administrative area to the Qiongzhou Strait Administrative Office 24 hours before entering the administrative area, or within 2 hours of weighing anchor at the port of departure.

The above-mentioned telegrams concerning request and approval for passing through the Strait shall all be conveyed through the Haikou Branch of the China Ocean-shipping Agency Corporation.

Article 5 When deemed necessary, the Qiongzhou Strait Administrative Office may send a summary notice to forbid a non-military vessel of foreign nationality which has obtained the approval to pass through the Strait.

Article 6(Note 1.) All non-military vessels of foreign nationality to pass through the administrative area shall do so without exception within daytime. All of them must enter the administrative area after sunrise and leave it before sunset. The Qiongzhou Strait Administrative Office shall check and approve the exact time for entering and leaving the Strait according to the speed of the non-military vessels of foreign nationality which have applied to pass through the Strait.

Article 7 Except those which have obtained special permission from the Qiongzhou Strait Administrative Office, all non-military vessels of foreign nationality entering and leaving the Qiongzhou Strait must use the middle water course.

Article 8 Non-military vessels of foreign nationality passing through the administrative area shall navigate in the following prescribed area: north of the line linking the point on the east four nautical miles from the Mulantou Lamp Stake and the point on the west four nautical miles from the Lingaojiao Lamp Stake, and south of the line linking the point on the east six nautical miles from the Mulantou Lamp Stake and the point four nautical miles due south of the Paiweijiao Lamp Stake and then the point on the west 14 nautical miles from the Lingaojiao Lamp Stake.

Article 9 Non-military vessels of foreign nationality to pass through the Qiongzhou Strait must do so in strict accordance with the reported time and the prescribed area. If they see any signals sent from ashore or naval vessels while they are navigating into or within the administrative area, they shall give an immediate reply and unconditionally carry out the instructions conveyed by the signals. Any consequences arising from failure to observe the above-mentioned stipulations shall be borne by the vessels themselves.

Article 10 Non-military vessels of foreign nationality passing through the Qiongzhou Strait shall not use radars. If it is necessary to use the radar in case of dense fog, rainstorm, or other bad conditions affecting visibility, the vessels shall report to the Qiongzhou Strait Administrative Office to explain the necessity and report their positions, speeds and other information.

They may use the radar only after obtaining permission. In case of an emergency endangering navigational safety of the vessels, they may use the radar while making the reports; and after the emergency, the vessels shall make a detailed report concerning the length of time for using the radar and the whole course of the incident to the Qiongzhou Strait Administrative Office for the record.

Article 11 Photographs, surveys or other activities violating the relevant laws and regulations of the People's Republic of China are forbidden when non-military vessels of foreign nationality pass through the Qiongzhou Strait.

Article 12 Where non-military vessels of foreign nationality violate these Rules, the cases shall be dealt with as prescribed below:

(1) Those vessels that have not yet entered the administrative area may be ordered not to enter but to go back by the original route and navigate round the Hainan Island; or they may be ordered to go through the necessary formalities for approval before passing through the Strait.

(2) Those vessels that have entered the administrative area may be ordered to stop navigation and taken to the Haikou Harbour for inspection, the result of which shall determine the penalty to be given. The Qiongzhou Strait Administrative Office may then, depending on circumstances, allow the vessels to pass through the administrative area, or order them to go back, or even send them under escort out of the Strait.

Note 1. On April 17, 1985, upon approval of the State Council and the Central Military Commission, this Article was amended as follows: "Non-military vessels of foreign nationality may pass through the Strait upon receiving notice of approval, but their speed may not exceed 10 knots when they are navigating into and within the administrative area." -- The Editor.