

Chapter I

GENERAL PROVISIONS

Article 1. Scope of regulation

This Circular provides criteria, responsibilities, powers and tasks of seagoing ship registrars and the recognition of seagoing ship registrars.

Article 2. Subjects of application

This Circular applies to agencies, organizations and individuals involved in seagoing ship registration; craft and equipment for marine exploration, exploitation and transportation of oil and gas (below referred to as marine works for short); industrial products used for seagoing ships and marine works (below referred to as industrial products for short).

Article 3. Seagoing ship registrars

Seagoing ship registrars are persons who register seagoing ships, marine works and industrial products.

Article 4. Classes of seagoing ship registrars

Seagoing ship registrars are divided into 2 classes as follows:

1. Seagoing ship registrars.
2. Senior seagoing ship registrars.

Article 5. Responsibilities of seagoing ship registrars

THE MINISTRIES**THE MINISTRY OF TRANSPORT****Circular No. 65/2011/TT-BGTVT of December 27, 2011, on seagoing ship registrars**

Pursuant to the June 14, 2005 Vietnam Maritime Code;

Pursuant to the Government's Decree No. 51/2008/ND-CP of April 22, 2008, defining the functions, tasks, powers and organizational structure of the Ministry of Transport;

The Minister of Transport provides seagoing ship registrars as follows:

Seagoing ship registrars shall register seagoing ships and marine works (below referred to as means for short) and industrial products in an objective and lawful manner in accordance with the contents of the certificates and the functions and tasks of register agencies or units; all acts of abusing powers or intentional wrongdoings shall be handled under law.

Article 6. Powers of seagoing ship registrars

1. To request owners of means or establishments that design, manufacture, build, repair, maintain and test means and industrial products to provide technical records and create necessary conditions at sites for performing technical survey, evaluation and supervision and assuring safety in the course of performing their tasks.

2. To reserve and report their opinions which are different from decisions of the heads of their units concerning results of evaluation of the technical status of surveyed and supervised objects.

3. To sign and use professional seals and certificates when compiling registration dossiers for evaluated, surveyed and supervised objects according to regulations.

4. To refuse to conduct technical evaluation, survey and supervision of means and industrial products if they have not yet been trained in or are unable to perform assigned jobs or they recognize that labor safety conditions at working sites are not assured.

Chapter II

CRITERIA AND TASKS OF CLASSES OF SEAGOING SHIP REGISTRARS

Article 7. Seagoing ship registrars

1. Requirements on knowledge about:

a/ Vietnamese laws and international treaties concerning the registration of means;

b/ Legal documents, standards, technical regulations, rules, processes and guidelines on registration work related to assigned tasks;

c/ The functions, tasks, powers and organizational structure of Vietnam Register;

d/ The functions and activities of the International Maritime Organization (IMO), the International Association of Classification Societies (IACS), the Asian Classification Society (ACS), maritime authorities and maritime industrial organizations.

2. Requirements on qualifications:

a/ Having a university diploma in a major related to building, repair and operation of seagoing ships and marine works and manufacture of industrial products;

b/ Having completed new, supplementary and refresher training courses in registration of means and industrial products for seagoing ship registrars organized by Vietnam Register or by foreign registries which have signed agreements with Vietnam Register;

c/ Having an English-language certificate of level B or higher and knowing specialized

English in seagoing ship registration:

d/ Possessing computer skills to use office and related professional software applications;

e/ Passing registrar assessment tests before being recognized as seagoing ship registrars and annual assessments;

f/ Having been trained in and practiced registrar jobs for at least 2 years.

3. Tasks of seagoing ship registrars performing examination work:

a/ Surveying the quality, technical safety, environmental protection and classification of means in the course of building, transformation, restoration, repair or operation according to legal documents, standards, technical regulations, rules, international treaties and relevant professional guidelines;

b/ Surveying the quality and compatibility of industrial products fitted on means;

c/ Surveying and assessing establishments manufacturing, repairing, maintaining and testing means and industrial products;

d/ Inaugurating at examinations to grant welder or non-destructive examiner certificates;

e/ Participating in investigating accidents occurring to seagoing ships and marine works;

f/ Compiling registration dossiers for surveyed objects;

g/ Calculating examination charges and fees for surveyed objects;

h/ Participating in and giving comments on the drafting of legal documents, standards,

technical regulations, rules and professional guidelines on registration;

i/ Participating in professional training and instruction for seagoing ship registrars performing survey work.

4. Tasks of seagoing ship registrars performing design appraisal:

a/ Appraising designs in the building, transformation and repair of means and manufacture of industrial products according to legal documents, standards, technical regulations, rules, international treaties and relevant professional guidelines;

b/ Compiling registration dossiers related to the appraisal of designs;

c/ Calculating design appraisal charges and fees;

d/ Participating in and commenting on the drafting of legal documents, standards, technical regulations, rules and professional guidelines on registration;

e/ Participating in professional training and instruction for seagoing ship registrars performing design appraisal.

Article 8. Senior seagoing ship registrars

1. Requirements on knowledge:

In addition to the requirements on knowledge set for seagoing ship registrars, senior seagoing ship registrars must all so satisfy the following requirements:

a/ Grasping development policies and orientations of their units and the registration

sector and social demands;

b/ Possessing deep knowledge and practical experience for teaching, training and instructing seagoing ship registrars about legal documents and professional operations;

c/ Being capable of formulating legal documents, standards, technical regulations, rules and professional guidelines on registration.

2. Requirements on qualifications:

a/ Having a university diploma in a major related to building, repair and operation of seagoing ships and marine works and manufacture of industrial products;

b/ Having completed new, supplementary and refresher training courses in registration of means and industrial products for senior seagoing ship registrars organized by Vietnam Register or foreign registers which have signed agreements with Vietnam Register;

c/ Having an English-language certificate of level C or higher and being able to work independently with foreigners on registration work;

d/ Passing registrar assessment tests before being recognized as senior seagoing ship registrars and annual assessments;

f/ Having been working as seagoing ship registrars for at least 6 years.

3. Tasks of senior seagoing ship registrars

In addition to the tasks of seagoing ship registrars performing survey or design appraisal

work, senior seagoing ship registrars shall perform the following tasks:

a/ Participating in formulating long-term, five-year and annual strategies, master plans and plans on registration of means and industrial products;

b/ Taking main charge of scientific research projects and drafting legal documents, standards, technical regulations, rules and professional guidelines on registration;

c/ Advising the heads of their units on professional and technical matters upon request;

d/ Investigating serious accidents occurring to means;

e/ Participating in evaluating seagoing ship registrars and senior seagoing ship registrars upon request.

Chapter III

RECOGNITION OF SEAGOING SHIP REGISTRARS

Article 9. Competence to recognize seagoing ship registrars

1. The director of Vietnam Register may recognize seagoing ship registrars and grant seagoing ship registrar certificates and cards under this Circular on the basis of results of consideration, test and evaluation of the registrar recognition council.

2. The seagoing ship registrar recognition council of Vietnam Register consists of:

a/ The council chairman who represents the

leaders of Vietnam Register;

b/ The council secretary, who is the director of the Training Center of Vietnam Register;

c/ Council members who are heads of the Divisions of Regulations, Seagoing Ships, Marine Works and Industries of Vietnam Register;

3. Vietnam Register shall organize annual assessments of recognized seagoing ship registrars and certify their certificates.

Article 10. Dossiers of request for recognition of seagoing ship registrars

1. For seagoing ship registrars:

a/ A written request for recognition of seagoing ship registrar, made by the registry unit (original);

b/ The university diploma (a certified copy or a copy enclosed with the original for comparison);

c/ An English-language certificate of level B or higher;

d/ A CV (made according to a set form);

e/ Copies of registration training certificates.

2. For senior seagoing ship registrars:

a/ A written request for recognition of senior seagoing ship registrar, made by the registry unit (original);

b/ The university diploma (a certified copy or a copy enclosed with the original for comparison);

c/ An English-language certificate of level C or higher;

d/ A CV (made according to a set form);

e/ Copies of registration training certificates.

Article 11. Order and procedures for recognizing seagoing ship registrars

1. Organizations and individuals shall make complete dossiers under Clause 1 or 2 of Article 10, and submit a dossier set directly or by post to Vietnam Register.

2. Vietnam Register shall receive and check the dossiers. If a dossier is incomplete, it shall guide the submitter to complete it. If the dossier is complete, it shall forward it to members of the registrar recognition council.

3. The registrar recognition council shall meet to approve a dossier of request for recognition and test the recognition requester regarding:

a/ Professional qualifications (written and oral tests);

b/ English language (listening, speaking, reading and writing);

c/ Field practice.

4. Time limit for settlement:

a/ Within 5 working days after receiving and checking a dossier, the registrar recognition council shall issue a written reply to the concerned organization or individual if the dossier is unsatisfactory;

b/ Within 15 working days after receiving and checking a dossier which is satisfactory, the registrar recognition council shall organize tests of the recognition requester.

c/ Within 5 working days after completing the tests, the registrar recognition council shall issue a written reply to the concerned organization or person if the tested person fails the tests or propose the director of Vietnam Register to sign a seagoing ship registrar recognition decision and issue a registrar certificate, made according to a set form, enclosed with its annexes (made according to set forms) and a registrar card, made according to a set form, to the person who passes the tests.

Article 12. Withdrawal of seagoing ship registrar certificates and cards

Seagoing ship registrars may have their certificates and cards withdrawn when violating any of the following provisions and being disciplined in the form of warning or stringer penalty:

1. Violating current regulations while performing their tasks.
2. Committing negative acts, harassing or deliberately causing troubles to customers while performing their tasks.

Chapter IV

EFFECT AND ORGANIZATION OF IMPLEMENTATION

Article 13. Effect

This Circular takes effect 45 days after its signing. To annul the Minister of Transport's Decision No. 1831/2001/QĐ-BGTVT of June 12, 2001, promulgating criteria of seagoing ship registrars.

Article 14. Organization of implementation

1. Vietnam Register shall prepare training plans, programs and contents and organize training, assessment and recognition of seagoing ship registrars under this Circular.

2. For seagoing ship registrars who are appointed before the effective date of this Circular, within 6 months from the effective date of this Circular, Vietnam Register shall organize assessment, consideration and recognition of seagoing ship registrars in accordance with this Circular. If a recognized registrar fails to meet prescribed standards, within 2 years from the effective date of this Circular, he/she shall complete an additional training program for re-evaluation. After the re-evaluation, if he/she still fails to meet prescribed standards, he/she shall be downgraded or have his/her registrar certificate and card revoked.

3. The Chief of the Office, the Chief Inspector, directors of departments and the director of Vietnam Register and heads of related agencies and organizations and related persons shall implement this Circular.-

Minister of Transport
DINH LA THANG