

**DECISION No. 2790/2002/QĐ-BGTVT OF
AUGUST 30, 2002 ON SEAPORTS' WATERS
IN THE TERRITORY OF QUANG NINH
PROVINCE AND AREAS UNDER QUANG
NINH PORT AUTHORITY'S RESPONSIBILITY**

**THE MINISTER OF COMMUNICATIONS AND
TRANSPORT**

*Pursuant to Article 58 of Vietnam's Maritime Code
of June 30, 1990;*

*Pursuant to the Government's Decree No.22/CP
of March 22, 1994 on the tasks, powers, State
management responsibilities and organizational
structure of the Ministry of Communications and
Transport;*

*Proceeding from the opinions of the People's
Committee of Quang Ninh province in Official Dispatch
No.440/AB of April 11, 2002;*

*At the proposals of the director of the Legal -
Transport Department and the director of the Vietnam*

National Maritime Bureau,

DECIDES:

Article 1.- To publicize seaports' waters in the territory of Quang Ninh province, including:

- Waters in front of Hon Gai, Cai Lan, B12, Cam Pha and Mui Chua wharves.

- Waters of navigable lanes and channels, areas for anchorage, transshipment and storm-shelter within Hon Gai, Cai Lan, B12, Cam Pha and Mui Chua seaports, Ha Long Shipyard and Van Gia transshipment area.

Article 2.- The seaports' waters in the territory of Quang Ninh province measured according to the highest tide level, are prescribed as follows:

1. Waters of seaports in Hon Gai, including Hon Gai, Cai Lan and B12 seaports, are delimited by straight lines linking points of the following coordinates:

A1. Bai Chay channel light at the position of coordinates: 20⁰57'32" N; 107⁰03'19" E.

A2. The northern edge of Gom islet.

A3. The eastern edge of Mot islet.

A4. The eastern edge of Be Cut Dau islet.

A5. 20⁰42'36" N; 107⁰09'20" E.

A6. 20⁰42'36" N; 107⁰11'20" E.

A7. The southern edge of Hu Lang islet.

A8. The southwestern edge of Vong Vieng islet.

A9. The southwestern edge of Bai Tho mountain, stretching along the southwestern shore of Hon Gai to Bai Chay ferry on Hon Gai side, linking to point A10.

A10. The northwestern edge of Thanh Cong island.

A11. 20⁰59'30" N; 107⁰04'54" E.

A12. 20⁰59'36" N; 107⁰01'00" E.

A13. The northwestern edge of Ha Long Shipyard, stretching along the wharf of Ha Long Shipyard to Cai Lan port, B12 Petroleum port, Bai Chay ferry on Bai Chay side, linking to point A1.

2. Waters of seaports in Cam Pha, including Cam Pha port and other ports, are delimited by straight lines linking points of the following coordinates:

B1. The southeastern edge of Cam Pha port.

B2. The northwestern edge of Da Ban islet.

B3. The northwestern edge of Ot islet.

B4. The western edge of Ga Choi islet.

B5. The western edge of Net Giua islet.

B6. The eastern edge of Deo Com islet.

A7. The southern edge of Hu Lang islet.

A4. The eastern edge of Be Cut Dau islet.

A5. 20⁰42'36" N; 107⁰09'20" E.

A6. 20⁰42'36" N; 107⁰11'20" E.

B7. 20⁰47'18" N; 107⁰17'30" E.

B8. The southeastern edge of Mo Trai islet.

B9. The eastern edge of Va Ray Giua islet.

B10. 21⁰01'42" N; 107⁰22'30" E.

B11. The southern edge of Cap Tien island.

B12. The northeastern edge of Cam Pha port, stretching along the wharf, linking to point B1.

3. Waters of Mui Chua seaport are delimited by straight lines linking the following points:

C1. The northeastern edge of Mui Chua port.

C2. 21⁰17'06" N; 107⁰27'30" E.

C3. The southwestern edge of Thoi Day islet.

C4. The southern edge of Vem islet.

C5. The southeastern edge of Da Dung islet.

C6. The southeastern edge of Ba Ren Giua islet.

C7. The northern edge of Sau Dong islet.

C8. The northern edge of Chin islet.

C9. The northeastern edge of Cai Bau island, stretching along the northern shore of Cai Bau island, linking to point C10.

C10. The northwestern edge of Cai Bau island.

C11. The southwestern edge of Mui Chua port, stretching along the wharf, linking to point C1.

4. Waters of Van Gia transshipment area are delimited by straight lines linking the following points:

D1. The western edge of Vinh Thuc island.

D2. 21⁰20'00" N; 107⁰50'38" E.

D3. 21⁰19'30" N; 107⁰49'24" E.

D4. 21⁰22'18" N; 107⁰48'36" E.

D5. 21⁰24'00" N; 107⁰54'30" E.

D6. 21⁰24'38" N; 108⁰01'00" E.

D7. 21⁰22'18" N; 108⁰01'00" E.

D8. 21⁰22'18" N; 107⁰59'56" E.

D9. The eastern side of Vinh Thuc island, stretching along the northern shore of Vinh Thuc island, linking to point D1.

Article 3.- The areas for pilot embarkation-disembarkation, quarantine, moorage and anchorage, transshipment and storm-shelter for vessels on entry into seaports in the territory of Quang Ninh province are prescribed as follows:

1. Areas for pilot embarkation-disembarkation and quarantine:

a/ For seaports in Hon Gai area:

- For all types of vessel in normal weather conditions: Those areas are delimited by a circumference with a radius of one nautical mile and centered at the position of coordinate 20⁰43'24" N; 107⁰10'18" E.

- For all types of vessel in bad weather conditions: Those areas are delimited by a circumference with a radius of 0.5 nautical mile and centered at the position of coordinate 20⁰49'00" N; 107⁰08'06" E.

- For Vietnamese vessels with a tonnage of up to 5,000 DWT: Those areas are delimited by a circumference with a radius of 0.4 nautical mile and centered at the position of coordinate 20⁰52'30" N; 107⁰04'54" E.

b/ For seaports in Cam Pha area:

- For all types of vessel in normal weather conditions: Those areas are delimited by a circumference with a radius of one nautical mile and centered at the position of coordinate 20⁰43'24" N; 107⁰10'18" E.

- For all types of vessel in bad weather conditions: Those areas are delimited by a circumference with a radius of 0.5 nautical mile and centered at the position of coordinate 20⁰49'12" N; 107⁰17'00" E.

- For Vietnamese vessels with a tonnage of up to 5,000 DWT: Those areas are delimited by a circumference with a radius of 0.4 nautical mile and

centered at the position of coordinate 20⁰57'42" N; 107⁰20'18" E.

c/ For Mui Chua seaport: Such an area is delimited by a circumference with a radius of 0.4 nautical mile and centered at the position of coordinate 21⁰15'05" N; 107⁰40'51" E.

d/ For Van Gia transshipment area: Such an area is delimited by a circumference with a radius of 0.5 nautical mile and centered at the position of coordinate 21⁰22'48" N; 108⁰00'20" E.

2. Areas for anchorage, transshipment and storm-shelter:

a/ In Hon Gai area:

- For dry cargo ships with a tonnage of over 30,000 DWT and a draught not exceeding 9.5 meters, those areas are at positions of the following coordinates:

HL6. 20⁰56'42" N, 107⁰03'30" E.

HL7. 20⁰56'42" N, 107⁰03'34" E.

HL8. 20⁰56'12" N, 107⁰03'42" E.

- For dry cargo ships with a tonnage of over 30,000 DWT and a draught exceeding 9.5 meters, those areas are at positions of the following coordinates:

HL11. 20⁰51'36" N, 107⁰07'06" E.

HL12. 20⁰51'42" N, 107⁰06'36" E.

HL15. 20⁰51'48" N, 107⁰06'12" E.

- For dry cargo ships with a tonnage of 30,000 DWT or less, those areas are at positions of the following coordinates:

HL1. 20⁰56'09" N, 107⁰04'00" E.

HL2. 20⁰56'28" N, 107⁰03'52" E.

HL3. 20⁰56'38" N, 107⁰03'50" E.

HL4. 20⁰56'48" N, 107⁰03'45" E.

HL5. 20⁰57'00" N, 107⁰03'42" E.

- For ships transporting dangerous cargoes, such an area is at the position of coordinate HL9. 20⁰52'50" N, 107⁰04'00" E.

- For ships transporting petrol and oil with a tonnage of 3,000 DWT or less awaiting permission to enter port B12, such an area is at the position of coordinate: HL10. 20⁰58'00" N, 107⁰03'45" E.

- For ships transporting petrol and oil with a tonnage of over 3,000 DWT awaiting permission to

enter petrol and oil port B12, those areas are at the positions of the following coordinates:

HL13. 20°50'46" N, 107°07'32" E.

HL14. 20°50'24" N, 107°07'40" E.

b/ In Cam Pha area:

- For dry cargo ships with a tonnage of 20,000 DWT or more, those areas are at positions of the following coordinates:

HN1. 20°54'07" N, 107°16'18" E.

HN2. 20°54'30" N, 107°16'30" E.

HN3. 20°54'53" N, 107°16'45" E.

HN4. 20°55'15" N, 107°16'59" E.

HN5. 20°55'39" N, 107°17'18" E.

HN6. 20°55'58" N, 107°17'33" E.

HN7. 20°55'08" N, 107°17'35" E.

HN8. 20°55'25" N, 107°17'47" E.

HN9. 20°55'43" N, 107°17'58" E.

- For dry cargo ships with a tonnage of under 20,000 DWT, those areas are at positions of the following coordinates:

HN10. 20°55'26" N, 107°16'23" E.

HN11. 20°55'09" N, 107°16'12" E.

HN12. 20°54'48" N, 107°16'02" E.

HN13. 20°54'22" N, 107°15'46" E.

HN14. 20°53'36" N, 107°15'46" E.

HN15. 20°53'00" N, 107°16'12" E.

CO1. 20°57'06" N, 107°18'56" E.

CO2. 20°57'19" N, 107°19'20" E.

- For dry cargo ships with a tonnage of 10,000 DWT or less, those areas are at positions of the following coordinates:

CO4. 20°58'22" N, 107°21'22" E.

CO5. 20°58'45" N, 107°22'00" E.

CO6. 20°58'51" N, 107°22'18" E.

- For ships transporting oil and oil products, those areas are at positions of the following coordinates:

HN16. 20°55'56" N, 107°16'30" E.

HN17. 20°57'00" N, 107°17'36" E.

HN18. 20°56'54" N, 107°17'09" E.

- For ships transporting dangerous cargoes, such

an area is at position of the coordinate CO3. 20°57'44" N, 107°19'55" E.

c/ In Mui Chua seaport:

- For dry cargo ships, those areas are at positions of the following coordinates:

VH1. 21°12'46" N, 107°37'43" E.

VH2. 21°13'00" N, 107°38'26" E.

VH3. 21°13'28" N, 107°38'50" E.

VH4. 21°13'27" N, 107°39'24" E.

- For ships transporting oil and dangerous cargoes, those areas are at positions of the following coordinates:

VH5. 21°13'12" N, 107°32'43" E.

VH6. 21°12'48" N, 107°32'27" E.

VH7. 21°12'28" N, 107°32'52" E.

d/ In Van Gia transshipment area:

- For dry cargo ships with a tonnage of 10,000 DWT or less, those areas are at positions of the following coordinates:

VG3. 21°23'57" N, 107°57'09" E.

VG4. 21°23'55" N, 107°56'50" E.

VG5. 21°23'51" N, 107°56'39" E.

VG6. 21°23'45" N, 107°56'29" E.

VG7. 21°23'55" N, 107°56'27" E.

- For ships transporting petrol and oil, those areas are at positions of the following coordinates:

VG1. 21°24'05" N, 107°57'46" E.

VG2. 21°24'00" N, 107°57'29" E.

VG7. 21°12'28" N, 107°32'52" E.

e/ Positions of HL2, HL3, HL4, HL5, HL11, HL12 and HL15 shall be used for ships on entry into Hai Phong port which have to make moorage and anchorage, transshipment or storm-shelter.

Article 4.-

1. Quang Ninh port authority shall have to perform its own tasks and powers as prescribed by Vietnam's Maritime Code and the legal documents concerning all maritime activities within waters of seaports in the territory of Quang Ninh province

2. Quang Ninh port authority shall permit ships transporting oil and oil products to moor and anchor

or make ship-to-ship cargo transshipment at the positions prescribed in this Decision only after ports fully satisfy the conditions on maritime safety assurance, rescue plans for oil spills and plans for fire and explosion prevention and fighting.

3. Quang Ninh port authority shall have to perform the State management over maritime order and safety and environmental pollution prevention against ships on entry into or departure from Hai Phong port, which have to moor and anchor, make cargo transshipment or shelter from storms at the positions prescribed at Point e, Clause 2, Article 3 of this Decision.

Hai Phong port authority shall have to notify Quang Ninh port authority within 2 hours before the ships' arrival at the boundaries of waters of seaports in the territory of Quang Ninh province, and carry out legal formalities for such ships. Quang Ninh port authority shall have to arrange anchoring positions for the said ships and notify Hai Phong port authority thereof.

Article 5.- Besides the waters mentioned in Articles 2, 3 and 4 of this Decision, Quang Ninh port authority shall also have to perform the specialized State management over maritime order and safety in sea waters in Quang Ninh province's territory.

Article 6.- This Decision takes effect 15 days after its signing and replaces Decision No.1333/VT-PC of July 1, 1993 of the Minister of Communications and Transport on waters of Quang Ninh ports and areas under responsibility of Quang Ninh port authority, as well as the previous stipulations which are contrary to this Decision.

Article 7.- The director of the Office, the directors of the Departments attached to the Ministry of Communications and Transport, the director of Vietnam National Maritime Bureau, the director of Vietnam National Riverway Bureau, the director of Quang Ninh province's Service of Communications and Transport, the directors of Quang Ninh and Hai Phong port authorities, the heads of the concerned agencies and organizations and the concerned individuals shall have to implement this Decision.

*For the Minister of Communications
and Transport
Vice Minister
PHAM THIEU KHANH*