

THE MINISTRY OF TRANSPORT

**DECISION No. 08/2004/QĐ-BGTVT OF MAY
26, 2004 ON SEAPORT WATER AREAS
WITHIN THE TERRITORY OF HO CHI MINH
CITY AND AREAS UNDER THE
RESPONSIBILITY OF HO CHI MINH CITY
PORT AUTHORITY**

THE MINISTER OF TRANSPORT

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

*Pursuant to the Government's Decree No. 34/
2003/ND-CP of April 4, 2003 defining the
functions, tasks, powers and organizational
structure of the Ministry of Transport;*

*Proceeding from the opinions of Ho Chi Minh
City People's Committee in Official Dispatch No.
2811/UB-DT of August 16, 2002;*

*At the proposals of the director of the Legal
Department and the director of Vietnam Maritime
Bureau,*

DECIDES:

Article 1.- To promulgate the seaport water
areas within the territory of Ho Chi Minh city,
including:

1. Water areas in front of wharves of Saigon,
Tan Cang, Tan Thuan Dong, Ben Nghe,
Transshipment Development Joint-Stock

Company No.1, ELF Gas Saigon, Bien Dong, Rau Qua, Bong Sen, Navioil, Nha Be Petrol and Oil General Depot, Sao Mai Cement, Saigon Petro, Petoc, Vitaico, Nghi Son Cement, Hiep Phuoc Power Plant, Petechim, Phu Dong, Petrol and Oil Depot VK 102, Professional and Technical Training School Hang Giang II, and Ea Son shipyard, Southern Saigon Ship-Building Company, Saigon shipyard and An Phu shipyard.

2. Water areas of maritime channels and routes, anchoring and mooring and storm-sheltering areas in the seaport wharves specified in Clause 1 of this Article and transshipment zone in Thieng Lieng area.

Article 2.- The limits of seaport water areas within the territory of Ho Chi Minh city shall be determined according to the highest tide level and prescribed as follows:

1. Seaward boundaries:

a/ The boundary to the west of Ganh Rai lagoon is fixed from the west of longitude $106^{\circ} 58' 12''$ E (being the boundary with water areas of seaports within territory of Ba Ria –Vung Tau province), running along the coast of Can Gio rural district (Ho Chi Minh city) and the coast of Phu Loi isle to the two most prominent points of Nga Bay estuary.

b/ Boundaries of Soai Rap estuary are fixed by straight lines linking the points of the following coordinates:

SR 1. $10^{\circ} 22' 09''$ N; $106^{\circ} 51' 30''$ E (Dong Tranh cape);

SR 2. $10^{\circ} 20' 00''$ N; $106^{\circ} 58' 30''$ E

SR 3. $10^{\circ} 14' 00''$ N; $106^{\circ} 58' 30''$ E

SR 4. $10^{\circ} 14' 00''$ N; $106^{\circ} 50' 00''$ E

SR 5. $10^{\circ} 20' 00''$ N; $106^{\circ} 47' 06''$ E

2. Boundaries on rivers:

a/ On rivers of Nga Bay, Long Tau, Nha Be, Dua, Tac Dinh Cau, Tac Roi canal, Saigon and Dong Nai, boundaries shall be fixed as follows:

From the two prominent points of Nga Bay estuary running along both banks of Nga Bay, Long Tau and Nha Be rivers to Den Do cape (6^{th} nautical mile) and running along both banks of Dua, Tac Dinh Cau and Tac Roi canal rivers to Tac Roi – Long Tau confluence, except water areas in front of Phu Dong, Phuoc Khanh and Phuoc Khanh Petrol and Oil Depot wharves.

From Den Do cape (6^{th} nautical mile) at Saigon - Nha Be – Dong Nai river confluence, running along both banks of Saigon river to the downstream limit line of the safety corridor of Saigon bridge.

From Den Do cape (6^{th} nautical mile) at Dong Nai - Nha Be – Saigon river confluence, running along both banks of Dong Nai river to Dong Nai – Sau river confluence at longitude $106^{\circ} 48' 00''$ E.

b/ On Soai Rap river:

From points SR1 and SR5 at Soai Rap river estuary, running along both banks of Soai Rap river to Soai Rap – Long Tau river confluence (Binh Khanh confluence).

3. The boundaries of tributary or canal mouths to the rivers specified in Clause 2 of this Article are fixed by straight lines linking the two most prominent points at such tributary or canal mouths. For Ben Nghe, Te and Doi canals, their boundaries are the downstream limit lines of the safety corridors of Khanh Hoi, Tan Thuan and Phu Xuan bridges.

Article 3.- The areas for pilot embarkation and disembarkation, quarantine, anchoring and mooring, transshipment or storm-sheltering of ships and boats entering seaports within the territory of Ho Chi Minh city, are prescribed as follows:

1. The areas for pilot embarkation and disembarkation and quarantine: are water areas delimited by a circle with a radius of one nautical mile and centered at the position of coordinates of $10^{\circ} 19' 00''$ N; $107^{\circ} 02' 00''$ E.

2. The areas for anchoring and mooring and storm-sheltering:

a/ Nha Be area:

i. For ships and boats having a tonnage of up to 1,000 DWT at positions in water areas delimited by straight lines linking points of the following coordinates:

NB 1. $10^{\circ} 43' 22''$ N; $106^{\circ} 44' 57''$ E.

NB 2. $10^{\circ} 43' 24''$ N; $106^{\circ} 44' 44''$ E.

NB 3. $10^{\circ} 42' 39''$ N; $106^{\circ} 44' 41''$ E.

NB 4. $10^{\circ} 42' 39''$ N; $106^{\circ} 44' 49''$ E.

NB 5. $10^{\circ} 42' 55''$ N; $106^{\circ} 44' 49''$ E.

ii. For ships and boats having a tonnage of over 1,000 DWT in water areas delimited by circles centered at positions of the following coordinates:

NB 6. $10^{\circ} 44' 27''$ N; $106^{\circ} 46' 03''$ E, with the radius of the anchoring and mooring area of 250 meters;

NB 7. $10^{\circ} 44' 03''$ N; $106^{\circ} 45' 46''$ E, with the radius of the anchoring and mooring area of 250 meters;

NB 8. $10^{\circ} 43' 50''$ N; $106^{\circ} 45' 33''$ E, with the

radius of the anchoring and mooring area of 300 meters;

NB 9. $10^{\circ} 43' 35''$ N; $106^{\circ} 45' 22''$ E, with the radius of the anchoring and mooring area of 300 meters;

NB 10. $10^{\circ} 43' 17''$ N; $106^{\circ} 45' 14''$ E, with the radius of the anchoring and mooring area of 300 meters.

b/ Soai Rap river area: for oil tankers having a tonnage of up to 2,000 DWT at positions in water areas delimited by straight lines linking the points of the following coordinates:

SR 6. $10^{\circ} 40' 01''$ N; $106^{\circ} 45' 58''$ E;

SR 7. $10^{\circ} 40' 08''$ N; $106^{\circ} 46' 02''$ E;

SR 8. $10^{\circ} 40' 26''$ N; $106^{\circ} 45' 16''$ E;

SR 9. $10^{\circ} 40' 32''$ N; $106^{\circ} 44' 16''$ E;

SR 10. $10^{\circ} 40' 19''$ N; $106^{\circ} 44' 01''$ E;

SR 11. $10^{\circ} 40' 10''$ N; $106^{\circ} 45' 09''$ E;

SR 12. $10^{\circ} 40' 17''$ N; $106^{\circ} 45' 11''$ E.

c/ Vung Tau – Saigon channel in water areas of seaports within the territory of Ba Ria – Vung Tau province:

i. Ships and boats having a tonnage of up to 3,000 DWT which cannot enter seaport water areas within the territory of Ho Chi Minh city shall anchor or moor at appropriate positions to the right of Vung Tau – Saigon channel.

ii. Ships and boats having a tonnage of over 3,000 DWT which cannot enter seaport water areas within the territory of Ho Chi Minh city shall anchor or moor at appropriate positions to the left of Vung Tau – Saigon channel.

iii. Ships transporting dangerous goods which cannot enter seaport water areas within the

territory of Ho Chi Minh city shall anchor or moor at appropriate positions in seaport water areas within the territory of Ba Ria – Vung Tau province.

3. Transshipment zone in Thieng Lieng area: for ships having a tonnage of up to 75,000 DWT at positions on Nga Bay river's section from Dong Tranh confluence to Nuoc Van cape.

Article 4.-

1. Ho Chi Minh City Port Authority shall have to perform their tasks and powers according to the provisions of Vietnam Maritime Code and the legal documents related to all maritime activities in seaport water areas within the territory of Ho Chi Minh city.

2. Ho Chi Minh City Port Authority shall have to coordinate with Vung Tau Port Authority in managing ships and boats entering or leaving seaports within the territory of Ho Chi Minh city in compliance with the provisions of Vietnam Maritime Code, the relevant legal documents and the following specific regulations:

a/ At least 2 hours before ships or boats arrive at the pilot embarkation and disembarkation areas, Ho Chi Minh City Port Authority shall have to notify Vung Tau Port Authority of names, nationalities, call-out signals, major technical parameters of, and other necessary information on, such ships or boats.

b/ Vung Tau Port Authority shall base itself on the practical situation of weather, wave, wind, draught and tonnage of ships and boats entering or leaving seaports within the territory of Ho Chi Minh city to guide ships and boats to the anchoring or mooring positions prescribed in

Clause 1 and Point c, Clause 2, Article 3 of this Decision, thus ensuring maritime safety and environmental sanitation, and promptly notify Ho Chi Minh City Port Authority thereof.

c/ Ho Chi Minh City Port Authority, when ordering ships and boats to leave the positions indicated by Vung Tau Port Authority to enter seaport water areas within the territory of Ho Chi Minh city, shall have to notify such to Vung Tau Port Authority one hour in advance.

d/ Ho Chi Minh City Port Authority shall carry out all legal procedures for ships entering or leaving seaports within the territory of Ho Chi Minh city.

3. Ho Chi Minh City Port Authority shall base itself on the practical situation of weather, wave, wind, draught and tonnage of ships and boats to guide such means to the anchoring or mooring positions prescribed at Point a, Point b, Clause 2 and Clause 3, Article 3 of this Decision, in order to ensure maritime safety and environmental sanitation.

Article 5.- This Decision takes effect 15 days after its publication in the Official Gazette and replaces the Transport Minister's Decision No. 1331/QĐ-PCVT of July 2, 1993 on water area of Saigon port and areas under responsibility of Saigon Port Authority.

Article 6.- The director of the Transport Ministry's Office, the directors of the departments under the Transport Ministry, the director of Vietnam Maritime Bureau, the director of Vietnam Riverway Bureau, the director of the Traffic and Public Works Service of Ho Chi Minh

city, the director of the Transport Service of Ba Ria – Vung Tau province, the director of the Transport Service of Dong Nai province, the director of Ho Chi Minh City Port Authority, the director of Vung Tau Port Authority, the director of Dong Nai Port Authority, the heads of the concerned agencies, organizations and individuals shall have to implement this Decision.

For the Minister of Transport

Vice Minister

PHAM THE MINH