

No. 16/2013/TT-BGTVT

Hanoi, July 30, 2013

**CIRCULAR**

**PRESCRIBING ON MANAGEMENT OF WATERWAY TRANSPORT ROUTES FROM SHORE TO ISLANDS IN SEA AREAS OF VIETNAM**

*Pursuant to the Vietnam Maritime Code dated June 14, 2005;*

*Pursuant to the Law on inland waterway navigation dated June 15, 2004;*

*Pursuant to the Government's Decree No. 107/2012/ND-CP dated December 20, 2012, defining the functions, tasks, powers and organizational structure of the Ministry of Transport;*

*At the proposal of Director of Transport Department, Director of Vietnam Maritime Administration and Director of Vietnam inland waterway Department;*

*The Minister of Transport promulgated the Circular prescribing on management of waterway transport routes from shore to islands in sea areas of Vietnam,*

**Article 1. Scope of adjustment and subjects of application**

1. This Circular prescribes on management of waterway transport routes from shore to islands in sea areas of Vietnam, including provisions on ports, harbors, means, seafarers and waterway transport activities on the routes.

The waterway transport routes from shore to islands in sea areas of Vietnam include waterway transport routes from shore to islands specified in Annex I enclosed with this Circular and waterway transport routes from shore to islands announced as prescribed by law on inland waterway transport.

2. This Circular applies to organizations and individuals related to waterway transport activities from shore to islands in sea areas of Vietnam.

**Article 2. Responsibility for managing waterway transport routes from shore to islands**

1. Vietnam Maritime Administration shall organize the waterway transport activities on routes specified in Annex I enclosed with this Circular as prescribed by law on maritime and inland waterway transport.

2. The Vietnam inland waterway Department shall organize management or examine, guide the provincial Departments of Transport in managing the waterway transport routes from shore to islands announced as prescribed by law on inland waterway transport.

**Article 3. Procedures for registering the fixed transport of passengers on waterway transport routes from shore to islands**

Procedures for registering the fixed transport of passengers on waterway transport routes from shore to islands specified in Annex I enclosed with this Circular are performed as follows:

1. Organization or individual, directly or via post system, send dossier of registering the fixed transport of passengers, to the regional Maritime Port Authority, a dossier includes:

a) Register for operation of transporting passengers as prescribed in Annex II enclosed with this Circular.

b) Written unified opinion or contract with organization managing port, harbor serving means entering for embarking and disembarking passengers.

c) Certified copies (or copies enclosed with originals for comparison), including:

- Certificate of business registration or certificate of enterprise registration or certificate of investment, of which content stated trade of transporting passengers by waterway;

- Certificate of means register;

- Certificate of technical safety and environmental protection of means remains effect and conforms to the operational routes.

2. Within 05 working days, after receiving full dossier as prescribed in Clause 1 this Article, the regional Maritime Port Authority consult in writing with the provincial Department of Transport where locate port, harbor embarking and disembarking passengers under management of locality. The provincial Department of Transport shall reply in writing within 05 working days.

3. Within 05 working days, after receiving full dossier as prescribed in Clause 1, Clause 2 of this Article, the regional Maritime Port Authority shall consider, in case of sufficient dossier in accordance with regulation, it shall have written approval for organization or individual for the fixed transport of passengers on routes. In case of unsatisfactory of conditions as prescribed, it shall return dossier and have written reply, which clearly stating reason thereof.

#### **Article 4. Conditions, competence of, and procedures for announcing the openness or closure of ports, harbors under waterway transport routes from shore to islands**

Conditions, competence of, and procedures for announcing the openness or closure of ports, harbors under waterway transport routes from shore to islands shall comply with maritime law applicable to wharves, harbors, seaports and law on inland waterway applicable to inland waterway ports, harbors.

#### **Article 5. Procedures for means to enter or leave ports, harbors**

1. Procedures for means to enter or leave seaports shall comply with maritime law.

2. Procedures for means to enter or leave inland waterway ports, harbors shall comply with law on inland waterway transport.

#### **Article 6. Transitional provisions**

The current ports, harbors, means and seafarers operating on waterway transport routes from shore to islands at Annex I enclosed with this Circular must meet provision of current law not later than 3 years after the effective date of this Circular.

#### **Article 7. Effect**

This Circular takes effect on September 15, 2013 and replaces Decision No. 1818/QĐ-BGTVT dated June 23, 2009 of the Ministry of Transport, on management of waterway transport routes from shore to islands in sea areas of Vietnam.

#### **Article 8. Organization of implementation**

The Chief of Ministerial office, the Chief Inspector of Ministry, Directors of relevant departments under the Ministry of Transport, Director of Vietnam Maritime Administration,

Director of Vietnam inland waterway Department, Directors of the provincial Departments of Transport and heads of agencies, organizations, and relevant individuals shall implement this Circular.

**THE MINISTER OF TRANSPORT**

**Dinh La Thang**

**ANNEX I**

*(Promulgated together with the Circular No. 16/2013/TT-BGTVT dated July 30, 2013 of the Minister of Transport)*

**LIST OF WATERWAY TRANSPORT ROUTES FROM SHORE TO ISLANDS**

| <b>No.</b> | <b>NAME OF ROUTE</b>      | <b>BELONGING TO AREA OF PROVINCE, CITY</b> | <b>NOTE</b>   |
|------------|---------------------------|--|---|
| 1          | Dam Ha – Tran island      | Quang Ninh                                 |   |
| 2          | Hai Phong - Bach Long Vi  | Hai Phong                                  |   |
| 3          | Cua Viet - Con Co         | Quang Tri                                  |   |
| 4          | Da Nang - Hoang Sa        | Da Nang                                    |   |
| 5          | Sa Ky - Ly Son            | Quang Ngai                                 |   |
| 6          | Khanh Hoa - Truong Sa     | Khanh Hoa                                  |   |
| 7          | Nha Trang - Hon Noi       | Khanh Hoa                                  |   |
| 8          | Phan Thiet - Phu Quy      | Binh Thuan                                 |   |
| 9          | Vung Tau - Con Dao        | Ba Ria - Vung Tau                          |   |
| 10         | Tran Van Thoi - Hon Chuoi | Ca Mau                                     |   |
| 11         | An Bien - Tho Chau        | Kien Giang                                 | From bridges, harbors on Cai Lon river of An Bien and Chau Thanh districts to islands |
| 12         | An Bien - Nam Du          | Kien Giang                                 | From bridges, harbors on Cai Lon river of An Bien and Chau Thanh districts to islands |
| 13         | An Bien - Phu Quoc        | Kien Giang                                 | From bridges, harbors on Cai Lon river of An Bien                                     |

|    |                       |            |   |
|----|-----------------------|------------|---|
|    |                       |            | and Chau Thanh districts to islands   |
| 14 | Rach Gia - Tho Chau   | Kien Giang |   |
| 15 | Rach Gia - Nam Du     | Kien Giang |   |
| 16 | Rach Gia - Phu Quoc   | Kien Giang | Including 3 routes: from Rach Gia to Ham Ninh, An Thoi, Bai Vong (Phu Quoc)                       |
| 17 | Kien Luong - Phu Quoc | Kien Giang | Hon Chong – Phu QUoc including 3 routes: from Hon Chong to Ham Ninh, An Thoi, Bai Vong (Phu Quoc) |
| 18 | Ha Tien - Phu Quoc    | Kien Giang | Including 5 routes: from Ha Tien to Ham Ninh, Ganh Dau, An Thoi, Bai Vong, Tho Chau (Phu Quoc)    |
| 19 | Phu Quoc - Tho Chau   | Kien Giang |   |
| 20 | Phu Quoc - Nam Du     | Kien Giang |   |
| 21 | Nam Du - Tho Chau     | Kien Giang |   |
| 22 | Lai Son - Tho Chau    | Kien Giang |   |
| 23 | Lai Son - Phu Quoc    | Kien Giang |   |