



The Law of Maritime Traffic Safety in China



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Chapter 1 General Provisions

Article 1 This law was formulated to strengthen maritime traffic management, maintain maritime traffic order, ensure the safety of life and property, and safeguard national rights and interests.

Article 2 This law applies to navigation, berthing, operations and other activities related to maritime traffic safety in the sea areas under the jurisdiction of China.

Article 3: The state guarantees the use of sea for transportation in accordance with the law.

Maritime traffic safety work adheres to the principles of safety first, prevention first, convenient traffic, and legal management to ensure the safety, order and smooth flow of maritime traffic.

Article 4 The competent department of transportation under the State Council is in charge of maritime traffic safety throughout China. The National Maritime Administration is responsible for the supervision and management of maritime traffic safety, and other maritime administrations at all levels are specifically responsible for the supervision and management of maritime traffic safety within their jurisdictions in accordance with their duties.

Article 5: People's governments at all levels and relevant departments shall support maritime traffic safety work, strengthen the publicity and education of maritime traffic safety, and raise the awareness of maritime traffic safety in the whole society.

Article 6: The state protects the labor safety and occupational health of seafarers in accordance with the law, and safeguards the lawful rights and interests of seafarers.



Article 7 Units and individuals engaged in the navigation, berthing, operation of ships, offshore installations, and other maritime traffic-related activities shall abide by the laws, administrative regulations, rules, mandatory standards and technical specifications related to maritime traffic safety; The right to guarantee and rescue at sea, and the obligation to maintain maritime traffic safety and protect the marine ecological environment.

Article 8: The State encourages and supports the application of advanced science and technology in maritime traffic safety, promotes the modernization of maritime traffic safety, and improves the scientific and technological level of maritime traffic safety.

Chapter 2: Ships, Offshore Installations and Crew

Article 9 Ships of Chinese nationality, offshore installations and shipping containers installed in the waters under the jurisdiction of the People's Republic of China, and important marine equipment, parts and materials related to maritime traffic safety determined by the State Maritime Administration shall comply with relevant laws, administrative regulations, and The requirements of regulations, mandatory standards and technical specifications have been inspected by the ship inspection agency and the corresponding certificates and documents have been obtained. The list of certificates and documents shall be formulated and published by the national maritime administrative agency. The establishment of a ship inspection agency shall be approved by the national maritime administration agency. The establishment conditions, procedures and management of ship inspection agencies shall be implemented in accordance with the laws and administrative regulations related to ship inspection. Units holding relevant certificates and documents shall use ships, offshore facilities, shipping containers, and important marine equipment, parts and materials for the prescribed purposes, and shall conduct regular safety technical inspections in accordance with the law.

Article 10: Vessels may sail, berth, and operate under the flag of the People's Republic of China only after they have applied for vessel nationality registration and obtained a nationality certificate from the maritime administrative agency in accordance with relevant ship registration laws and administrative regulations. If a Chinese ship is lost or scrapped, the shipowner shall apply for cancellation of nationality registration within the time limit prescribed by the competent department of communications and transportation under the State Council; if the shipowner does not apply for cancellation of nationality registration within the time limit, the maritime administrative agency may issue announcement of registration on the proposed mandatory cancellation of the nationality of the ship. If the shipowner does not raise any objections within 60 days from the date of the announcement, the maritime administrative agency may cancel the nationality registration of the ship.



Article 11: The owner, operator or manager of a ship of Chinese nationality shall establish and operate a management system for safe operation and prevention of ship pollution. The maritime administrative agency that has passed the examination of the management system specified in the preceding paragraph shall issue a compliance certificate and corresponding ship safety management certificate.

Article 12 The owner, operator or manager of a Chinese ship on international voyages shall establish a ship security system, formulate a ship security plan, and equip ship security equipment in accordance with the ship security plan, and conduct regular drills in accordance with the regulations of the competent department of transportation under the State Council.

Article 13: Chinese crew members and personnel working on offshore installations shall receive professional education and training on maritime traffic safety and corresponding positions. Chinese crew members shall apply to the maritime administrative agency for a crew qualification certificate and obtain a health certificate in accordance with the relevant laws and administrative regulations on crew management. Foreign nationals working on ships of Chinese nationality shall be implemented in accordance with the laws and administrative regulations related to crew management. The crew working on a ship shall comply with the scope of the ship, navigation area, and duties specified in the crew qualification certificate.

Article 14: The owner, operator or manager of a ship of Chinese nationality shall apply to the maritime administrative agency for a maritime labor certificate for its international voyage ship. Ships that obtain maritime labor certificates shall meet the following conditions:

- (1) The owner, operator or manager shall recruit crew members in accordance with the law, sign labor contracts or employment agreements with them, and provide the ship with crew members that meet the requirements;
- (2) The owner, operator or manager has ensured that the working environment, occupational health and safety protection, working and rest time, wages and remuneration, living conditions, medical conditions, social insurance, etc. of the crew on the ship meet the relevant national regulations;
- (3) The owner, operator or manager has established a crew complaint and handling mechanism that meets the requirements;
- (4) The owner, operator or manager has provided corresponding financial guarantees or insured corresponding insurance for the repatriation expenses of the crew and the expenses that should be paid according to law for injuries, illnesses or deaths during the employment of the ship.

The administrative department of merchant human resources and social security of the maritime administrative agency shall, in accordance with their



respective responsibilities, review whether the applicant and his ship meet the conditions specified in the preceding paragraph. Upon verification, the maritime administrative agency shall issue a maritime labor certificate within ten working days from the date of accepting the application; if it does not meet the prescribed conditions, the maritime administrative agency shall notify the applicant and explain the reasons. The specific measures for the issuance of maritime labor certificates and the supervision and inspection shall be formulated and promulgated by the competent department of transportation under the State Council in conjunction with the administrative department of human resources and social security of the State Council.

Article 15 The maritime administrative agency shall, in accordance with the provisions of the laws and administrative regulations concerning crew management, conduct management of the unit's training business for seafarers.

Article 16 The competent department of transportation under the State Council and other relevant departments, and the local people's governments at or above the county level shall establish and improve the early warning and emergency response mechanisms for overseas emergencies for seafarers, and formulate emergency plans for overseas emergencies for seafarers. The emergency handling of overseas emergencies for crew members shall be handled by the people's governments of the provinces, autonomous regions, and municipalities where the crew is dispatched, and the people's governments of the provinces, autonomous regions, and municipalities where the crew's household registration is located shall cooperate.

The embassies and consulates of the People's Republic of China in foreign countries and relevant maritime administrative agencies shall assist in handling emergencies overseas.

Article 17: The scope of ships to which the provisions of Articles 9 to 12 and Article 14 of this chapter are applicable shall be specified by relevant laws and administrative regulations, or shall be drafted by the competent department of transportation under the State Council and announced after being approved by the State Council.

Chapter 3: Maritime Traffic Conditions and Navigation Guarantee

Article 18: The competent department of transportation under the State Council shall make overall planning and management of marine transportation resources and promote the rational development and effective utilization of marine transportation resources. The planning of maritime traffic resources shall conform to the national land and space planning.

Article 19 The maritime administrative agency shall, in accordance with the



natural conditions of the sea area, maritime traffic conditions and the needs of maritime traffic safety management, delineate, adjust and promptly announce the ship routing area, ship reporting area, traffic control area, restricted navigation area, and safe operation Areas and anchorages outside the port and other maritime traffic functional areas. The maritime administrative agency shall seek opinions from relevant departments such as fishery and fishery administration, ecological environment, and natural resources when delineating or adjusting ship alignment areas, anchorages outside the port, and safe operation areas that affect other marine functional areas or sea-use activities. For military needs to delimit or adjust the restricted navigation zone, the military agency responsible for delimiting and adjusting the restricted navigation zone shall make a decision, and the maritime administrative agency shall make a public announcement.

Article 20: Where the construction of marine engineering or coastal engineering affects maritime traffic safety, facilities and equipment to prevent collisions of ships shall be equipped according to the situation, and special navigation aids shall be set up.

Article 21: The State establishes and perfects ship positioning, navigation, timing, communication and remote monitoring and other maritime traffic support service systems to provide information services for ships and offshore installations.

Article 22: No unit or individual may damage the maritime traffic support service system or hinder its work efficiency. Where the construction of buildings, structures, and the use of facilities and equipment may affect the normal use of the maritime traffic support service system, the construction unit, owner or user shall negotiate with the relevant maritime traffic support service system management unit and make appropriate arrangements.

Article 23 The competent department of transportation under the State Council shall take necessary measures to ensure the reasonable layout and effective coverage of radio communication facilities for maritime traffic safety, plan the construction layout and site of maritime radio stations (stations) of this system (industry), and issue Ship standard radio station license and station identification code. The competent department of transportation under the State Council organizes the construction of the maritime radio monitoring system of the system (industry) and monitors its radio signals, and maintains the order of maritime radio waves in conjunction with the national radio regulatory agency.

Article 24 If a ship needs to use shore-based radio stations (stations) to switch communications within the waters under the jurisdiction of the People's Republic of China, it shall switch through the domestic coastal radio stations



(stations) or satellite gateways established in accordance with the law. The crew and shore-based radio stations (stations) undertaking radio communication tasks shall abide by the maritime radio communication rules, keep the maritime traffic safety communication channels on duty and unblocked, and shall not use the maritime traffic safety communication frequency to communicate content that is not related to maritime traffic safety. No unit or individual may use the radio station identification code in violation of relevant national regulations to affect the identification of maritime search and rescue.

Article 25 Astronomy, meteorology, ocean and other relevant entities shall timely forecast, broadcast and provide information such as nautical astronomy, universal time, marine meteorology, ocean waves, ocean currents, tides, and ice conditions.

Article 26: The competent department of transportation under the State Council shall unify the layout, construction and management of public navigation aids. If the construction unit, owner or operator of marine engineering or coastal engineering needs to install or remove special navigation marks, move the position of special navigation marks, or change the lights and power of the navigation marks, they shall report to the maritime administration for approval. Where it is necessary to set up a temporary navigation mark, it shall comply with the setting point of the navigation mark determined by the maritime administrative agency. The competent department of natural resources shall protect the land, sea and islands of navigation mark facilities and installations in accordance with the law, and go through relevant procedures for them in accordance with the law. The construction, maintenance and maintenance of navigation aids shall comply with the requirements of relevant mandatory standards and technical specifications. The maintenance unit of the navigation mark and the owner of the special navigation mark shall conduct inspections and maintenance of the navigation mark to ensure that the navigation mark is in a good and applicable state. If the navigation mark is displaced, damaged or lost, the maintenance unit or the owner of the special navigation mark shall restore it in time.

Article 27 Any unit or individual shall immediately report to the maritime administrative agency when discovering any of the following situations; where the duties of the channel administrative agency or special navigation mark are involved, the maritime administrative agency shall promptly notify the channel administrative agency or the owner of the special navigation mark:

- (1) Displacement, damage or loss of navigation aid signs or navigation facilities;
- (2) There are sunken objects, floating objects, stranded objects or other obstacles to navigation that hinder the safety of maritime traffic;
- (3) Other abnormal conditions that hinder maritime traffic safety.



Article 28 The maritime administrative agency shall, in accordance with the needs of maritime traffic safety management, issue navigational warnings for urgent and dangerous situations, and issue navigational notices for other situations that affect maritime traffic safety. The maritime administrative agency shall notify the naval navigation assurance department of navigation warnings, navigation notices, and the delineation and adjustment of the ship's routing area, and provide relevant information in a timely manner.

Article 29 The maritime administrative agency shall broadcast maritime traffic safety information to ships and offshore installations in a timely manner. When ships and offshore installations are navigating, berthing, or operating in alignment areas, traffic control areas, or areas with dense navigable ships, the maritime administrative agency shall provide corresponding safety information services according to their requests.

Article 30 The following ships navigating, berthing or moving in the pilotage zone designated by the competent department of transportation under the State Council shall apply to the pilotage agency for pilotage:

- (1) Vessels of foreign nationality, except for those that can be exempted as stipulated by the transportation department of the State Council after being approved by the State Council;
- (2) Nuclear-powered ships, ships carrying radioactive materials, and ultra-large oil tankers;
- (3) Bulk liquefied gas ships and bulk dangerous chemical ships that may endanger port safety;
- (4) Vessels whose length, width, and height are close to the limits of the corresponding navigable channel conditions.

The specific standards for ships in items 3 and 4 of the preceding paragraph shall be formulated and announced by the relevant maritime administrative agency according to the actual situation of the port. Where a ship voluntarily applies for pilotage, the pilotage agency shall provide pilotage services.

Article 31 The pilotage agency shall dispatch pilots with corresponding capabilities and experience to provide pilotage services for ships in a timely manner. The pilot shall, in accordance with the designation of the pilot agency, board and leave the guided ship in the prescribed waters, and perform the ship's piloting tasks safely and cautiously. The guided ship shall be equipped with a boarding and disembarking device that meets the regulations, and the safety of the pilot during boarding and disembarking and piloting on board shall be ensured. When the pilot leads the ship, the captain is not relieved of the responsibility of commanding and managing the ship.

Article 32: The competent department of transportation under the State Council shall determine and promptly release the security level according to the security



threats faced by ships, offshore installations and ports. Ships, offshore installations and ports shall adopt corresponding security measures according to the security level.

Chapter 4 Navigation, Berth, Operation

Article 33 Vessels navigating, berthing and operating shall hold a valid ship's nationality certificate and other statutory certificates and documents, be equipped with navigational books and materials published in accordance with relevant regulations, fly the flags of relevant countries, regions or organizations, and indicate the name of the ship, Ship identification number, home port, load line mark. Vessels should meet the minimum safe manning requirements and be equipped with crew members who hold qualified and valid certificates. The berthing and operation of offshore facilities shall hold statutory certificates and documents, and shall be equipped with personnel with professional skills in collision avoidance, signaling, communication, fire-fighting, and lifesaving as required.

Article 34 The captain shall inspect the ship before sailing and confirm the crew's competency, ship's seaworthiness, and cargo load-ability, and understand the weather and sea conditions, as well as navigational notices, navigational warnings and other warning information issued by the maritime administrative agency. Implement corresponding emergency measures, and do not risk sailing. The owner, operator or manager of a ship shall not instigate or force the crew to operate or operate at risk in violation of regulations.

Article 35: Vessels shall sail, berth, and operate within the shipping area specified in their ship inspection certificate. When navigating, berthing, and operating ships, they shall comply with relevant navigation rules, display signals and hang signs in accordance with relevant regulations, and maintain sufficient surplus water depth.

Article 36 During the voyage, a ship shall turn on the ship's automatic identification, voyage data recording, remote identification and tracking, communication and other devices related to navigation safety, security, and pollution prevention and control in accordance with relevant regulations, and display and record them continuously. No unit or individual may unpack, disassemble, initialize, re-install voyage data recording devices or read the information recorded by them, except as otherwise provided by laws and administrative regulations.

Article 37 Vessels shall be equipped with navigation records such as logbooks, engine logs, and radio record books, and shall comprehensively, truthfully and timely record the operations of vessels involving maritime traffic safety and important events in the navigation, berthing and operations of vessels in



accordance with relevant regulations, and Keep the relevant record books properly.

Article 38: The captain is responsible for the management and command of the ship. The captain has the right to make independent decisions on the protection of life safety at sea, ship security, and prevention and control of ship pollution. The captain shall take necessary measures to protect the safety of the ship, its personnel, the ship's navigation documents, cargo and other property. Orders issued by the captain within the scope of his powers shall be executed by the crew, passengers and other persons on board.

Article 39 In order to ensure the safety of the ship and the persons on board, the captain has the right to impose confinement or other necessary restrictive measures on persons suspected of illegal or criminal activities on board within the scope of his duties, and prevent them from concealing, destroying, or falsifying evidence. When the captain adopts the measures mentioned in the preceding paragraph, he shall prepare a case report, which shall be signed by him and two or more persons on board. After a Chinese ship arrives at a port in my country, the relevant personnel shall be promptly transferred to the relevant competent authority.

Article 40 If it is found that a person on board has or is suspected of suffering from an infectious disease that seriously threatens the health of others, the captain shall immediately activate the corresponding emergency plan, take necessary isolation measures for the relevant personnel within the scope of his duties, and report to the relevant supervisor in a timely manner department.

Article 41 If the captain dies or is unable to perform his duties for some reason, the person with the highest position among the pilots shall act as the captain; before the ship sails at the next port, its owner, operator or manager shall appoint a new captain took over.

Article 42 The crew shall operate and manage the ship in accordance with the relevant rules, regulations and operating procedures for navigation and watchkeeping, as well as the captain's instructions, maintain a safe watch, and shall not leave their duties without authorization. Crew members shall not ingest food, medicine or other items that may affect the safety of the watch before and during the duty period.

Article 43 Ships entering and leaving ports, anchorages, or passing through bridge waters, straits, narrow waterways, important fishery waters, areas where navigable ships are dense, ship routing areas, and traffic control areas, should strengthen their lookout, maintain safe speeds, and observe Special navigation rules in the aforementioned areas. The important fishery waters mentioned in



the preceding paragraph shall be designated and announced by the fishery and fishery administration department of the State Council after soliciting opinions from the transportation department of the State Council.

Ships crossing the channel shall not hinder the normal navigation of ships in the channel, and shall not rush over the bow of another ship. Vessels exceeding the navigable scale of the bridge are prohibited from entering the waters of the bridge area.

Article 44: Vessels shall not enter or cross the restricted navigation zone in violation of regulations. Ships entering or leaving the ship reporting area shall report the ship's position and dynamic information to the maritime administrative agency. It is prohibited to engage in breeding, planting, fishing and other operations or activities that affect the safety of maritime traffic within the safe operation area and the anchorage outside the port.

Article 45 When a vessel carries or tows an ultra-long, ultra-high, ultra-wide, semi-submersible ship, offshore facility, or other objects, it shall take special safety measures such as strengthening the towing position and escort to the maritime affairs The management agency shall report the voyage plan, and display signals and hang signs in accordance with relevant regulations; for towing large offshore installations such as mobile platforms and floating docks, it shall also submit the towing inspection certificate issued by the ship inspection agency in accordance with the law.

Article 46 International voyage ships entering and leaving ports shall apply for a permit from the maritime administrative agency in accordance with the law and accept the supervision and inspection of the maritime administrative agency and other port inspection agencies. The maritime administrative agency shall make a decision on approval or disapproval within five working days from the date of acceptance of the application. Ships of foreign nationality temporarily entering waters not open to the outside world shall obtain permits in accordance with the provisions of the State Council on the entry and exit of ships. Domestic ships entering or leaving ports and off-port loading and unloading stations shall report to the maritime administrative agency the ship's voyage plan, seaworthiness, crewing, passenger and cargo transportation, etc.

Article 47: Vessels shall berth in docks, berths, loading and unloading stations, anchorages, and safe operation areas that meet safety conditions. The mooring of ships shall not endanger the safety of other ships and offshore installations. Ships entering and leaving ports and loading and unloading stations outside the port shall meet the berthing conditions and the requirements for navigation conditions such as tides, weather, and sea conditions. If the entry and exit of super-long, super-high, super-wide ships or ships with restricted maneuvering capabilities may affect maritime traffic safety, the maritime administrative



agency shall check the safety conditions of ships entering and leaving the port, and may require ships to adopt additional equipment. Corresponding safety measures such as tugboats and entering the port by tide.

Article 48: Construction operations in the sea areas under the jurisdiction of the People's Republic of China shall be approved by the maritime administrative agency and the corresponding safe operation area shall be verified. To obtain a permit for offshore construction operations, the following conditions shall be met:

- (1) The units, personnel, ships, and facilities involved in the construction operations meet the requirements for safe navigation, berthing, and operations;
- (2) There is a construction operation plan;
- (3) It has safeguard measures, emergency plans and liability systems that meet the requirements for maritime traffic safety and the prevention and control of ships' pollution to the marine environment.

Vessels engaged in construction operations shall operate in the approved safe operation area and implement maritime traffic safety management measures. Other irrelevant ships and offshore installations are not allowed to enter the safe operation area. Excavation, blasting and other operations that may endanger the safety of the port in the port waters shall be governed by the laws and regulations of port management.

Article 49 Those engaged in water and underwater activities such as sports, entertainment, exercises, sea trials, scientific observations, etc., shall comply with the regulations on maritime traffic safety management; where maritime traffic safety may be affected, the sea area involved in the activities shall be reported ten working days in advance Maritime management agency.

Article 50: After the completion of offshore construction operations or water and underwater activities, relevant units and individuals shall promptly eliminate hidden dangers that may hinder maritime traffic safety.

Article 51 The owner, operator or manager of the obstruction shall promptly set up warning signs in accordance with the requirements of the relevant mandatory standards and technical specifications, and report the name, shape, size, location and location of the obstruction to the maritime administration agency. Depth, and salvage and clear within the time limit set by the maritime administrative agency. If the owner of the obstructing navigation surrenders the ownership, it shall not be exempted from the obligation to salvage and remove. If the owner, operator or manager of the obstructing object cannot be determined, the maritime administrative agency shall organize the establishment of signs, salvage or take corresponding measures, and the



expenses incurred shall be included in the department's budget.

Article 52: In any of the following circumstances, which have a greater impact on maritime traffic safety, the maritime administrative agency shall take corresponding traffic control measures such as suspension of navigation, speed limit or delimitation of traffic control zones according to the specific circumstances and announce to the public:

- (1) Bad weather and sea conditions;
- (2) A maritime danger or maritime traffic accident that affects navigation occurs;
- (3) Conduct military training, exercises or other related activities;
- (4) Carrying out large-scale water and underwater activities;
- (5) The navigable density of a specific sea area is close to saturation;
- (6) Other situations that have a greater impact on maritime traffic safety.

Article 53: In order to maintain maritime traffic safety and protect the marine environment, the competent department of transportation under the State Council may, in conjunction with relevant competent departments, take necessary measures to prevent and stop non-harmful passage of foreign ships in the territorial sea.

Article 54 The following foreign ships entering or leaving the territorial waters of the People's Republic of China shall report to the maritime administrative agency:

- (1) Submersibles;
- (2) Nuclear-powered ships;
- (3) Ships carrying radioactive materials or other toxic and hazardous materials;
- (4) Other vessels that may endanger the maritime traffic safety of the People's Republic of China as prescribed by laws, administrative regulations, or the State Council.

The ships mentioned in the preceding paragraph shall hold relevant certificates when passing through the territorial waters of the People's Republic of China, take special precautionary measures in compliance with the laws, administrative regulations and rules of the People's Republic of China, and accept the instructions and supervision of the maritime administration.

Article 55 Except for obtaining a port entry permit in accordance with the provisions of this Law, ships of foreign nationality are not allowed to enter the internal waters of the People's Republic of China; however, those who fail to obtain the permit due to emergency situations such as personnel illness, mechanical failure, distress, shelter from wind, etc. enter.

Foreign flag ships that enter the internal waters of the People's Republic of China due to the emergency as specified in the preceding paragraph shall make



an emergency report to the maritime administrative agency and accept the instructions and supervision of the maritime administrative agency. The maritime administrative agency shall promptly notify the maritime police agency under the jurisdiction of the sea area, the nearest entry-exit border inspection agency, the local public security agency, the customs and other competent departments.

Article 56: Military ships of the People's Republic of China perform military tasks and official ships perform official duties. In case of emergency, provided that maritime traffic safety is guaranteed, they may not be restricted by relevant rules on navigation, berthing, and operations.

Chapter 5: Safety of Passenger and Cargo Transportation by Sea

Article 57 Except for emergency rescue or life rescue, passenger ships shall carry passengers in accordance with the passenger-carrying quota verified in the ship inspection certificate, and cargo ships shall conform to the load line and cargo type listed in the ship inspection certificate, and shall not carry passengers.

Article 58 Passenger ships shall not carry dangerous goods at the same time. Passengers are not allowed to carry dangerous goods in their luggage as prescribed by laws, administrative regulations

Article 59 A passenger ship shall properly display safety instructions to passengers in a prominent position, set up safety signs and warnings, and introduce passengers to the use of life-saving appliances and emergency measures to be taken in emergency situations.

Article 60 The local people's government at or above the county level where the sea ferry is located shall establish a sound ferry safety management responsibility system, formulate safety management measures for the sea ferry, supervise and guide the operators of the sea ferry to implement the main responsibility for safety, maintain the order of the ferry, and ensure the ferry Transport safety. The ferry route of a sea ferry is determined by the competent department of transportation of the local people's government at or above the county level where the ferry is located, in conjunction with the maritime administrative agency. Ferry boats should ferry safely in accordance with the demarcated route. In case of severe weather or sea conditions, the local people's government at or above the county level or its designated department shall issue an announcement to stop the ferry.

Article 61 Ships carrying cargo shall be safely loaded and unloaded, stowage, segregated, secured and managed in accordance with the requirements of relevant laws, administrative regulations, rules and mandatory standards and



technical specifications.

Article 62 Ships carrying dangerous goods shall hold a valid dangerous goods fitness certificate, and in accordance with the characteristics of the dangerous goods and the requirements of emergency measures, prepare a dangerous goods emergency response plan, and be equipped with corresponding fire-fighting and emergency equipment.

Article 63 When consigning dangerous goods, the shipper shall notify the carrier of its official name, nature of the danger, and protective measures to be taken, and properly pack it in accordance with the requirements of relevant laws, administrative regulations, rules, and mandatory standards and technical specifications. Set up obvious signs and labels of dangerous goods.

The shipper shall not entrain dangerous goods in the consignment of ordinary goods or falsely report that the dangerous goods are consigned as ordinary goods. If the shipper consigns goods that are neither listed in the International Maritime Dangerous Goods Transport Regulations nor the National Dangerous Goods List but have dangerous characteristics, the shipper shall also submit a report issued by relevant professional institutions indicating the dangerous characteristics of the goods and the protections measures that should be taken, etc. The criteria for determining the hazardous characteristics of the cargo shall be formulated and announced by the national maritime administration agency.

Article 64: Vessels carrying dangerous goods entering and leaving the port shall meet the following conditions, obtain the permission of the maritime administrative agency, and report to the maritime administrative agency the time of entry and exit and stay at the port:

- (1) The dangerous goods carried meet the requirements for safe maritime transportation;
- (2) The loading of the ship meets the requirements of the certificates and documents held;
- (3) The ports, wharves and berths that plan to berth or carry out dangerous cargo handling operations shall have the qualifications for dangerous cargo operations as prescribed by relevant laws and administrative regulations. The maritime administrative agency shall make a decision on permitting or disapproving within 24 hours from the time of receipt of the application.

Ships with scheduled ships, scheduled routes, and ordered types of ships may apply for permission to enter and exit the port multiple times within a certain period of time, and the period shall not exceed 30 days. The maritime administrative agency shall make a decision on approval or disapproval within five working days from the date of receipt of the application.

If the maritime administrative agency grants permission, it shall notify the port administrative department.



Article 65: Vessels and offshore installations engaged in the transportation of dangerous goods, loading and unloading, and transfer operations shall make operation plans, comply with relevant mandatory standards and safe operation procedures, and take necessary preventive measures to prevent safety accidents.

Those engaged in the transfer operations of bulk liquid dangerous goods outside the port waters shall also meet the following conditions and obtain the permission of the maritime administrative agency and verify the safe operation area:

- (1) Ships or offshore installations that intend to carry out STS operations meet the requirements for maritime traffic safety and the prevention and control of ships' pollution to the marine environment;
- (2) The cargo to be transferred meets the requirements of safe transfer;
- (3) The personnel participating in the transfer operations have the transfer operations abilities as prescribed by laws and administrative regulations;
- (4) The water area and its bottom quality and surrounding environment to be operated are suitable for the transfer operation;
- (5) The transfer operation does not pose a threat to marine resources, nearby military targets and important civilian targets;
- (6) Have a transfer operation plan, safety measures and emergency plan that meet the safety requirements.

For ships operating on a single voyage, the maritime administrative agency shall make a decision to permit or disapprove within 24 hours from the time of receipt of the application; For ships that operate on multiple voyages in specific waters, the maritime administrative agency shall make a decision to permit or disapprove within five working days from the date of receipt of the application.

Chapter 6: Search and Rescue at Sea

Article 66: People in distress at sea shall have the right to life assistance in accordance with the law. Life assistance takes precedence over environmental and property assistance.

Article 67: The maritime search and rescue work shall adhere to the principles of government leadership, unified command, territorial control, combination of specialists and groups, and rapid access to nearby locations.

Article 68: The State shall establish a maritime search and rescue coordination mechanism, coordinate national maritime search and rescue emergency response work, study and solve major problems in maritime search and rescue work, and organize and coordinate major maritime search and rescue emergency operations. The coordination mechanism is composed of relevant departments and units of the State Council and relevant military agencies. The China Maritime Search and Rescue Center and the maritime search and rescue



center established by the relevant local people's government or the designated agency (hereinafter collectively referred to as the Maritime Search and Rescue Center) are responsible for the organization, coordination, and command of maritime search and rescue.

Article 69: Local people's governments at or above the county level along the coast shall arrange necessary maritime search and rescue funds to ensure the normal development of search and rescue work.

Article 70 The member units of the maritime search and rescue center shall, under the unified organization, coordination, and command of the maritime search and rescue center, undertake maritime search and rescue emergency, rescue and disaster relief, support and guarantee, and post-treatment work in accordance with their respective responsibilities.。

Article 71: The State shall establish professional maritime search and rescue teams to strengthen the construction of maritime search and rescue forces. Professional maritime search and rescue teams should be equipped with professional search and rescue equipment, and establish regular drills and daily training systems to improve the level of search and rescue.

The state encourages social forces to establish maritime search and rescue teams to participate in maritime search and rescue operations.

Article 72 Ships, offshore installations, aircraft and personnel in distress at sea shall immediately report to the maritime search and rescue center, and shall not conceal or falsely report the maritime danger. Ships, offshore installations, aircraft, and personnel who send distress warning signals by mistake, in addition to immediately reporting to the maritime search and rescue center, shall also take necessary measures to eliminate the impact. Any other unit or individual that discovers or learns of maritime danger shall immediately report to the maritime search and rescue center.

Article 73: Vessels and offshore installations involved in a collision shall communicate their names, nationalities and ports of registration, and try their best to rescue the other party's personnel without seriously jeopardizing their own safety, and shall not leave the waters at the scene of the accident or escape without authorization.

Article 74: Vessels, offshore installations and their owners, operators or managers in distress shall take effective measures to prevent and reduce loss of life and property and pollution of the marine environment. When the ship is in distress, passengers shall obey the command of the captain and cooperate in taking relevant emergency measures. Passengers have the right to be



informed of necessary danger information. When the captain decides to abandon the ship, he shall organize the passengers and crew to leave the ship in turn and try his best to rescue the statutory navigational data. The captain should leave the ship last.

Article 75: Ships, offshore installations, and aircraft that receive distress signals or find that someone is in danger of life shall try their best to rescue the person in distress without seriously jeopardizing their own safety.

Article 76: After receiving the dangerous situation report, the maritime search and rescue center shall verify it immediately, organize, coordinate, and direct relevant government departments, professional search and rescue teams, relevant social units and other parties to participate in the search and rescue, and designate on-site command. The ships, offshore installations, aircraft and personnel participating in the search and rescue shall obey the on-site command and report the search and rescue dynamics and the results of the search and rescue in a timely manner.

The decision to suspend, resume and terminate the search and rescue operation shall be made by the maritime search and rescue center. Without the consent of the maritime search and rescue center, ships, offshore installations, aircraft and personnel participating in the search and rescue shall not withdraw from the search and rescue operation without authorization. The military's participation in maritime search and rescue shall be implemented in accordance with relevant laws and administrative regulations.

Article 77: Vessels, offshore installations, aircraft or persons in distress shall obey the instructions of the maritime search and rescue center and on-site commander and receive rescue in a timely manner. Where ships, offshore installations, and aircraft in distress do not cooperate with rescue, the on-site commander may take corresponding rescue measures based on the critical situation.

Article 78: After a maritime accident or dangerous situation occurs, the relevant local people's government shall promptly organize medical institutions to provide emergency medical assistance to persons in distress, provide necessary livelihood guarantees for rescued persons, and organize relevant parties to take aftercare measures.

Article 79: Search and rescue operations in the sea areas where China is required to undertake search and rescue obligations in international conventions concluded or acceded to by the People's Republic of China shall be carried out in accordance with this chapter. If a Chinese ship is in danger in the sea areas under the jurisdiction of the People's Republic of China and other



sea areas outside the maritime search and rescue area, the China Maritime Search and Rescue Center shall carry out international cooperation in accordance with the provisions of the international conventions that the People's Republic of China has concluded or participated in after receiving the information.

Chapter 7: Investigation and Handling of Marine Traffic Accidents

Article 80: Marine traffic accidents on ships and offshore installations shall be reported to the maritime administrative agency in a timely manner and be investigated.

Article 81: Marine traffic accidents are classified into particularly serious accidents, major accidents, big accidents and general accidents according to the consequences of damage caused. The personal injury and death standards for accident levels are determined in accordance with relevant laws and administrative regulations on production safety; the direct economic loss standards for accident levels are determined by the transportation department of the State Council in conjunction with relevant departments of the State Council in accordance with the special circumstances of maritime traffic accidents, and reported to them. The implementation will be announced after approval by the State Council.

Article 82: The State Council or a department authorized by the State Council shall organize an accident investigation team to investigate a particularly serious marine traffic accident, and the maritime administrative agency shall participate in or cooperate in the investigation. Other maritime traffic accidents shall be investigated by the accident investigation team organized by the maritime administrative agency, and relevant departments shall cooperate. If the State Council deems it necessary, it may directly organize or authorize relevant departments to organize an accident investigation team to conduct investigations. The maritime administrative agency conducts accident investigation. If the accident involves the execution of military transportation tasks, it shall conduct the investigation in conjunction with the relevant military agency; if it involves fishery vessels, the fishery and fishery administration department and the maritime police agency shall participate in the investigation.

Article 83: The investigation of marine traffic accidents shall be comprehensive, objective, fair and timely, ascertain the facts and causes of the accident in accordance with the law, and determine the responsibility for the accident.

Article 84 The maritime administrative agency may unpack or dismantle the voyage data recording device or read the information recorded by the ship involved in the investigation and handling of the accident, request the ship to go to a designated place or prohibit it from leaving the port, detain the ship or



the certificates, documents, articles, materials, etc. of offshore installations shall be kept properly. The relevant personnel shall cooperate with the accident investigation.

Article 85 The marine traffic accident investigation team shall submit a marine traffic accident investigation report within 90 days from the date of the accident; under special circumstances, the time limit for submitting the accident investigation report may be approved by the person in charge of the department responsible for organizing the accident investigation team. Appropriate extension, but the maximum extension period shall not exceed 90 days. The time required for accident technical appraisal is not included in the accident investigation period.

The maritime administrative agency shall, within fifteen working days from the date of receipt of the marine traffic accident investigation report, issue an accident liability confirmation as evidence for handling the marine traffic accident. If the accident loss is small, the facts are clear, and the responsibilities are clear, the simplified investigation procedure may be applied in accordance with the regulations of the competent department of transportation under the State Council. The marine traffic accident investigation report and the accident liability confirmation letter shall be disclosed to the public in accordance with the relevant laws and administrative regulations.

Article 86: If a Chinese ship has a maritime traffic accident outside the waters under the jurisdiction of the People's Republic of China, it shall promptly report the accident to the maritime administrative agency and accept investigation. If a foreign ship has an accident outside the waters under the jurisdiction of the People's Republic of China, causing serious injury or death to a Chinese citizen, the maritime administrative agency shall participate in the investigation in accordance with the provisions of the international conventions that the People's Republic of China has concluded or participated in.

Article 87 Ships and offshore installations that encounter severe weather, sea conditions, and accidents at sea that cause or may cause damage and need to explain and record the time, sea area, and response measures taken, etc., may apply to the maritime administration agency Apply for the endorsement of the maritime declaration. The maritime administrative agency shall provide endorsement services in accordance with regulations.

Chapter 8 Supervision and Management

Article 88: Maritime administration agencies shall conduct supervision and inspection of navigation, berthing, operations and other activities related to maritime traffic safety in the sea areas under the jurisdiction of the People's Republic of China. Maritime administrative agencies shall conduct port state



and coastal state supervision and inspection of foreign national ships in accordance with the laws and administrative regulations of the People's Republic of China and international conventions concluded or acceded by the People's Republic of China. When performing official duties, the staff of the maritime administrative agency shall dress in accordance with the regulations, wear job title signs, show law enforcement credentials, and consciously accept supervision. The maritime administrative agency performs its supervision and inspection duties in accordance with the law, and relevant units and individuals shall cooperate, and shall not refuse or obstruct the supervision and inspection carried out in accordance with the law.

Article 89 The supervision and inspection of maritime administrative agencies may adopt such methods as boarding inspection, verification certificate, on-site inspection, inquiring relevant personnel, and electronic monitoring. Where a ship carrying dangerous goods is suspected of concealing or misreporting dangerous goods, the maritime administrative agency may conduct inspections such as unpacking inspections. The maritime administrative agency shall notify the relevant departments of the inspection results of the unpacking. Port operators and relevant units and individuals shall provide assistance.

Article 90: When the maritime administrative agency conducts supervision and inspection of ships and offshore installations, it shall avoid and reduce the impact on their normal operations. Unless otherwise provided by laws and administrative regulations, or the failure to immediately implement supervision and inspection may cause serious consequences, no vessel shall be intercepted for inspection while sailing.

Article 91: Where ships or offshore installations pose a threat to port security, the maritime administrative agency shall order them to make corrections immediately or within a time limit, restrict operations, order them to sail to designated locations, prohibit entry into the port, or expel them from the port.

Ships and offshore installations are in unseaworthy or un-towed condition, The crew and relevant personnel on offshore installations do not hold valid statutory certificates or documents, Or there are other hidden dangers that seriously endanger maritime traffic safety and pollute the marine environment, the maritime administrative agency shall prohibit relevant ships and offshore installations from entering or leaving the port, temporarily withhold relevant certificates and documents, or order them to suspend, divert, sail to designated locations or stop operations. If a ship is overloaded, the maritime administrative agency may force the ship to reduce its load in accordance with the law. The expenses incurred due to the mandatory load reduction shall be borne by the owner, operator or manager of the illegal ship.

In the event of a maritime traffic accident or pollution accident on a ship or



offshore facility, the State's taxes and fees, late fees have not been settled, and guarantees have not been provided or other legal obligations have not been fulfilled, the maritime administrative agency shall order corrections and may prohibit them from leaving the port.

Article 92: If a foreign flag ship may threaten the safety of the internal waters and territorial waters of the People's Republic of China, the maritime administrative agency has the right to order it to leave. If a foreign flag ship violates the laws and administrative regulations of the People's Republic of China on maritime traffic safety or the prevention and control of ship pollution, the maritime administrative agency may exercise the right of hot pursuit in accordance with the law.

Article 93: Any unit or individual has the right to report acts that hinder maritime traffic safety to the maritime administrative agency. After receiving the report, the maritime administrative agency shall verify and deal with it in a timely manner.

Article 94 In the course of supervision and inspection, maritime administrative agencies discover that ships or offshore installations have violated other laws and administrative regulations, they shall promptly notify them in accordance with the law or transfer them to relevant competent authorities for handling.

Chapter 9 Legal Liability

Article 95 If a ship or offshore installation does not hold a valid certificate or document, the maritime administrative agency shall order it to make corrections, and impose a penalty of 30,000 yuan to 300,000 yuan on the owner, operator or manager of the illegal ship or offshore installation. The following fines shall be imposed on the captain and relevant responsible personnel of not less than 3,000 yuan but not more than 30,000 yuan; if the circumstances are serious, the crew qualification certificates of the captain and responsible crew member shall be temporarily detained for 18 to 30 months, until the crew member's qualification certificates is revoked; forged or altered certificates and documents held by ships shall be confiscated; ships with serious safety hazards may be confiscated according to law.

Article 96 If a ship or offshore installation has any of the following circumstances, the maritime administrative agency shall order it to make corrections, and impose a fine of 20,000 to 200,000 yuan on the owner, operator or manager of the illegal ship or offshore installation , Impose a fine of not less than 2,000 yuan but not more than 20,000 yuan on the captain and relevant responsible personnel; if the circumstances are serious, the relevant certificates and documents of the owner, operator or manager of the illegal ship shall be



revoked, and the qualification certificates of captain and the responsible crew member shall be temporarily detained for Twelve months to twenty-four months, until the crew's certificate of competency is revoked:

- (1) The actual conditions of ships and offshore installations are inconsistent with the certificates and documents held;
- (2) Vessels fail to fly the national flag according to law, or illegally fly the flags of other countries, regions or organizations;
- (3) The ship fails to indicate the ship's name, ship identification number, port of registry, and load line mark in accordance with regulations;
- (4) The manning of ships and offshore installations does not meet the minimum safe manning requirements.

Article 97 If Crew working on a ship does not hold a crew qualification certificate, a crew health certificate, or the crew qualification certificate or health certificate held does not meet the requirements, the maritime administrative agency shall impose the owner, operator or manager of the ship a fine of not less than 10,000 yuan but not more than 100,000 yuan. For the responsible crew member not less than 3,000 yuan but not more than 30,000 yuan; if the circumstances are serious, the owner, operator or manager of the ship shall be imposed a fine of 30,000 yuan to 300,000 yuan. For the such fines, the crew qualification certificates of the responsible crew member shall be temporarily suspended for six to twelve months, until the crew qualification certificates is revoked.

Article 98: Where deception, bribery and other illegitimate means are used to obtain relevant certificates and documents for Chinese ships, the maritime administrative agency shall revoke the relevant permits, confiscate relevant certificates and documents, impose the ship owner, operator or manager a fine of not less than 40,000 yuan but not more than 400,000 yuan.

Where a crew member's qualification certificates is obtained by fraud, bribery or other improper means, the maritime administrative agency shall revoke the relevant permit, confiscate the crew member's qualification certificates, and impose a fine of not less than 5,000 yuan but not more than 50,000 yuan on the responsible person.

Article 99 The crew does not maintain a safe watch, Violating regulations to ingest food, medicine or other items that may affect safety on duty, Or have other behaviors that violate the rules of marine crew watch, The maritime administrative agency shall impose a fine of not less than 1,000 yuan but not more than 10,000 yuan on the captain and the responsible crew member, Or temporarily withhold the crew's certificate of competency for three months to twelve months; If the circumstances are serious, the maritime agency shall revoke the qualification certificates of the captain and the responsible crew member.



Article 100: In any of the following circumstances, the maritime administrative agency shall order corrections; if the circumstances are serious, a fine of 30,000 yuan up to 100,000 yuan shall be imposed:

- (1) Failing to provide corresponding facilities and equipment to prevent collisions of ships and not setting up special navigation aids in the construction of marine engineering and coastal engineering;
- (2) Damage to the maritime traffic support service system or hinder its work efficiency;
- (3) Setting up or removing special navigation marks, moving the position of special navigation marks or changing other conditions such as navigation mark lights, power, etc. without the consent of the maritime administration agency, or setting temporary navigation marks does not conform to the navigation mark setting points determined by the maritime administration agency;
- (4) Engage in breeding, planting, fishing, and other operations or activities that affect maritime traffic safety within safe operation areas and anchorages outside the port.

Article 101 In any of the following circumstances, the maritime administrative agency shall order corrections and impose a fine of less than 30,000 yuan on the responsible persons; if the circumstances are serious, a fine of 30,000 yuan but less than 100,000 yuan shall be imposed, and temporarily withhold qualification certificates of the responsible crew member for One month to three months:

- (1) The crew undertaking radio communication tasks and the staff of shore-based radio stations (stations) fail to keep the maritime traffic safety communication channel on duty and unblocked, or use the maritime traffic safety communication frequency to communicate content that is not related to maritime traffic safety;
- (2) The use of radio station identification codes in violation of relevant national regulations affects the identification of maritime search and rescue;
- (3) Other violations of maritime radio communication regulations.

Article 102 If a ship fails to apply for pilotage in accordance with the provisions of this law, the maritime administrative agency shall impose a fine of not less than 50,000 yuan but not more than 500,000 yuan on the owner, operator, or manager of the illegal ship, and impose the captain a fine of not less than RMB 1000 and not more than RMB 10,000; if the circumstances are serious, the relevant ship certificate shall be temporarily detained for three months to twelve months, and the captain's qualification certificates will be temporarily detained for one month to three months.

If the pilot agency is negligent in dispatching the pilot and causes damage to the ship, the maritime administrative agency shall impose a fine of 30,000 yuan



up to 300,000 yuan on the pilot agency. When piloting services are provided without authorization by the pilotage agency, the maritime administrative agency shall impose a fine of not less than 3,000 yuan but not more than 30,000 yuan on the person leading the ship.

Article 103 If a ship is sailing, berthing, or operating at sea, under any of the following circumstances, the maritime administrative agency shall order it to make corrections, and impose a penalty of between RMB 20,000 and RMB 200,000 on the owner, operator or manager of the illegal ship, the captain and the responsible crew member shall be imposed a fine of not less than 2,000 yuan but not more than 20,000 yuan, and the crew's qualification certificates shall be temporarily detained for three to twelve months; if the circumstances are serious, the qualification certificates of the master and responsible crew member shall be revoked :

- (1) When ships enter and exit ports, anchorages, or pass bridge waters, straits, narrow waterways, important fishery waters, areas with dense navigable vessels, ship routing areas, and traffic control areas, fail to strengthen their lookout, maintain a safe speed and comply with Special navigation rules of the aforementioned areas;
- (2) Failing to display signals, hang signs or maintain sufficient surplus water depth in accordance with relevant regulations;
- 3) Do not meet the conditions for safe sailing, take risks to operate or work in violation of regulations; or sail, berth, or operate not in accordance with the shipping area specified in the ship inspection certificate;
- (4) Failing to turn on the ship's automatic identification, voyage data recording, remote identification and tracking, communication and other devices related to navigation safety, security, and pollution prevention in accordance with relevant regulations, and continue to display and record them;
- (5) Unpacking, disassembling, initializing, reinstalling voyage data recording devices or reading the recorded information without authorization;
- (6) The vessel crosses the channel and obstructs the normal navigation of the vessel in the channel, grabs the bow of another vessel or exceeds the navigable scale of the bridge and enters the waters of the bridge area;
- (7) Vessels enter or cross through prohibited areas in violation of regulations;
- (8) Ships carrying or towing objects that are ultra-long, ultra-high, ultra-wide, or semi-submersible, have not taken special safety measures, have not reported their sailing plans to the maritime administrative agency before sailing, and have not followed the requirement of displaying signals, hanging signs, or towing large offshore facilities such as mobile platforms and floating docks that have not obtained a towing inspection certificate issued by the ship inspection agency in accordance with the law;
- (9) Vessels are berthing at piers, berths, loading and unloading stations, anchorages, safe operation areas that do not meet the safety requirements, or



- berthing endangers the safety of other ships and offshore installations;
- (10) The ship violates the regulations and exceeds the passenger quota, load line, and type of cargo approved by the inspection certificate to carry passengers or cargo, or the passenger ship carries passengers while carrying dangerous goods;
- (11) Passenger ships fail to express safety instructions, not set up safety signs or warnings to passengers;
- (12) Failing to safely load and unload, stow, isolate, secure and manage goods in accordance with the requirements of relevant laws, administrative regulations, rules and mandatory standards and technical specifications;
- (13) Other violations of maritime navigation, berthing, and operating rules.

Article 104 If a ship on international voyages enters and exits ports without permission, the maritime administrative agency shall impose a fine of not less than 3,000 yuan but not more than 30,000 yuan on the owner, operator or manager of the illegal ship, and impose a fine of not less than 3,000 yuan but not more than 30,000 yuan on the captain, responsible crew member, or Other responsible personnel shall be fined not less than 2,000 yuan but not more than 20,000 yuan; if the circumstances are serious, the qualification certificates of the captain and the responsible crew member shall be revoked. If a domestic vessel enters or exits a port or an off shore loading and unloading station fails to report to the maritime administrative agency in accordance with the law, the maritime administrative agency shall impose a fine of not less than 3,000 yuan but not more than 30,000 yuan on the owner, operator or manager of the illegal ship, and the captain, the responsible crew member or other responsible personnel shall be fined not less than 500 yuan but not more than 5,000 yuan.

Article 105: Vessels and offshore installations are engaged in offshore construction operations without permission, or they have not conducted operations in accordance with the requirements of the permit and beyond the approved safe operation area, The maritime administrative agency shall order corrections and impose a fine of 30,000 yuan to 300,000 yuan on the owner, operator or manager of the illegal ship or offshore facility, and impose a fine of 3,000 yuan to 30,000 yuan on the captain and the responsible crew member or the temporary suspension of the crew qualification certificate for six to twelve months; if the circumstances are serious, the crew qualification certificate of the captain and the responsible crew member shall be revoked. If you engage in water and underwater activities that may affect maritime traffic safety and fail to report to the maritime administrative agency in advance as required, the maritime administrative agency shall impose a penalty on the owner, operator or manager of the illegal ship or offshore facility from 10,000 yuan to 30,000 yuan the captain and the responsible crew member shall be fined not less than 2,000 yuan but not more than 20,000 yuan.



Article 106 If the owner, operator or manager of the obstructing navigation has one of the following circumstances, the maritime administrative agency shall order correction and impose a fine from 20,000 to 200,000 yuan; if the correction is not made within the time limit, the maritime administrative agency has the right to implement as agency performance in accordance with the law, and the cost of agency performance shall be borne by the owner, operator or manager of the obstruction:

- (1) Failure to promptly set up warning signs in accordance with the requirements of relevant mandatory standards and technical specifications;
- (2) Failure to report the name, shape, size, location and depth of the obstructing object to the maritime administration;
- (3) Failure to salvage and remove obstructive objects within the time limit set by the maritime administrative agency.

Article 107 If a foreign flag ship enters or exits the internal waters and territorial waters of the People's Republic of China in violation of the provisions of this Law, the maritime administrative agency shall impose a penalty of not less than 50,000 yuan but not more than 500,000 yuan on the owner, operator or manager of the illegal ship. Fines shall be imposed on the captain of not less than 10,000 yuan but not more than 30,000 yuan.

Article 108 If a ship carrying dangerous goods has one of the following circumstances, the maritime administrative agency shall order corrections and impose a fine of not less than 50,000 yuan but not more than 500,000 yuan on the owner, operator or manager of the illegal ship: The captain, responsible crew member or other responsible personnel shall be fined not less than 5,000 yuan but not more than 50,000 yuan; if the circumstances are serious, they shall be ordered to stop operations or sailing, and the captain and responsible crew member's crew qualification certificates shall be temporarily detained for six months to twelve Months until the crew's certificate of competency is revoked:

- (1) Without permission, entering or leaving the port or engaging in the transfer operation of bulk liquid dangerous goods;
- (2) Failing to prepare corresponding emergency response plans in accordance with regulations, and not equipped with corresponding fire-fighting or emergency equipment;
- (3) Engaging in dangerous goods loading, unloading, and transfer operations in violation of the relevant mandatory standards and safe operation procedures.

Article 109: Where a shipper consigns dangerous goods under any of the following circumstances, the maritime administrative agency shall order it to make corrections and impose a fine of 50,000 yuan to 300,000 yuan:

- (1) Failing to notify the carrier of the official name, nature of the danger and



- protective measures that should be taken for the consigned dangerous goods;
- (2) Failing to properly package dangerous goods in accordance with the requirements of relevant laws, administrative regulations, rules and mandatory standards and technical specifications, and set up obvious dangerous goods signs and labels;
- (3) Consigning dangerous goods in the consignment of general cargo or falsely reporting that the dangerous goods are consignment of general cargo;
- (4) Failing to submit documents issued by relevant professional institutions indicating the dangerous characteristics of the goods and the protective measures that should be taken in accordance with the law.

Article 110 If a ship or offshore facility is in distress or fails to perform reporting obligations after a maritime traffic accident, or there is a situation of concealment or misreporting, the maritime administrative agency shall deal with the owner, operator or manager of the illegal ship or offshore facility. Impose a fine of between 3,000 yuan and 30,000 yuan, impose a fine of between 2,000 yuan and 20,000 yuan on the captain and the responsible crew member, and temporarily detain the crew's certificate of competency for six to 24 months; if the circumstances are serious, the owner, operator or manager of an illegal ship or offshore facility shall impose a fine of not less than 10,000 yuan but not more than 100,000 yuan, and revoke the crew qualification certificates of the captain and responsible crew member.

Article 111 If a ship escapes after a maritime traffic accident, the maritime administrative agency shall impose a fine of not less than 100,000 yuan but not more than 500,000 yuan on the owner, operator or manager of the illegal ship, and a fine of not less than 5,000 yuan but not more than 50,000 yuan on the captain and responsible crew member and the crew's certificate of competency shall be revoked. Those who are punished shall not reapply for life.

Article 112 If a ship or offshore facility fails to perform its duty of maritime rescue in accordance with the law and does not obey the command of a maritime search and rescue center, the maritime administrative agency shall impose a penalty of more than 30,000 yuan, but not less than 300,000 yuan on the owner, operator or manager of the ship or offshore facility. The crew qualification certificate of the captain and responsible crew member shall be temporarily detained for six to twelve months, until the crew qualification certificate is revoked.

Article 113 Where relevant units or individuals refuse or hinder the supervision and inspection of maritime administrative agencies, or resort to falsification when undergoing supervision and inspections, the maritime administrative agency shall impose a fine of not less than RMB 2,000 and not more than RMB 20,000, and temporarily detain certificate of competencies of the captain and



the crew from six months to 24 months, until the crew's certificate of competencies is revoked.

Article 114: If the staff of the competent department of transportation, maritime affairs administration and other relevant departments violate the provisions of this law, abuse their power, neglect their duties, or engage in malpractice for personal gain, they shall be punished in accordance with the law.

Article 115: Where a civil dispute is caused by a maritime traffic accident, the parties may apply for arbitration or file a lawsuit in a people's court in accordance with the law.

Article 116: Anyone who violates the provisions of this law and constitutes a violation of public security management shall be given public security management penalties according to law; if personal or property damage is caused, civil liability shall be borne according to law; if a crime is constituted, criminal responsibility shall be investigated according to law.

Chapter 10 Supplementary Provisions

Article 117: The meaning of the following terms in this law are:

Vessels refer to all types of drainage or non-drainage ships, boats, rafts, water vehicles, submersibles, mobile platforms and other mobile devices.

Offshore facilities refer to various fixed or floating buildings, installations and fixed platforms above and below water, but do not include port facilities such as wharfs and breakwaters.

Internal water refers to the sea area from the land side of the territorial sea baseline of the People's Republic of China to the coastline.

Construction operations refer to exploration, excavation, blasting, construction, maintenance, and dismantling of water and underwater structures or facilities, channel construction, dredging (except channel maintenance and dredging) operations, and salvage of sunken ships and sunken objects.

Maritime traffic accidents refer to accidents that occur during navigation, berthing, and operations of ships and offshore installations that cause casualties or property losses due to collisions, strandings, reefs, touches, fires, wind disasters, wave damage, and sinking.

Maritime danger refers to various situations that pose a threat to the safety of life at sea and the water environment and require immediate measures to avoid, control, mitigate and eliminate.



Dangerous goods refer to those listed in the International Maritime Transport of Dangerous Goods Regulations and the National Dangerous Goods List, which are flammable, explosive, toxic, corrosive, radioactive, polluting, etc., which may be caused during the transportation of ships. Goods that require special protective measures for personal injury, property damage or environmental pollution.

Sea ferry refers to the transportation infrastructure between islands on the sea, between sea islands and the mainland, and between the mainland and the mainland across the sea. It is dedicated to the transportation of people, luggage, and vehicles by ferry.

Article 118 The specific measures for the inspection and crewing of official ships shall be separately formulated by the competent department of transportation under the State Council in conjunction with the relevant competent departments.

The measures for registration and inspection of sports ships shall be separately formulated by the competent department of sports under the State Council. The maritime traffic safety supervision and management of sports ships during training and competitions shall be the responsibility of the competent sports department.

The supervision and management of fishery crews, fishery radios, and fishery navigation aids, the registration and management of fishery vessels, the management of maritime traffic safety in the waters of fishing ports, and the investigation and handling of traffic accidents among fishery vessels (including those of foreign nationality) shall be handled by the people's governments at or above the county level. The fishery and fishery administration department are responsible. Where laws, administrative regulations or the State Council have other provisions on the investigation and handling of traffic accidents between fishing vessels, those provisions shall prevail.

In addition to the provisions of the preceding paragraph, the maritime traffic safety management of fishing vessels shall be the responsibility of the maritime administrative agency. The inspection and supervision and management of fishing vessels shall be carried out by the maritime administrative agency in accordance with the provisions of relevant laws and administrative regulations.

The inspection of offshore oil and natural gas production facilities such as floating oil storage devices shall be subject to relevant laws and administrative regulations.

Article 119 The management of internal maritime traffic safety in maritime



military jurisdictions, military vessels and offshore installations, the establishment and management of military navigation aids, and the management of operations for military purposes or water and underwater activities shall be separately provided by the Central Military Commission Formulate management methods. If the delineation and adjustment of maritime traffic functional zones or specific waters in the territorial sea, delimitation of ferry routes at sea ferry ports, and permits for maritime construction operations may affect the combat readiness, training, and duty operations of military ships, the maritime administrative agency shall solicit advance notice Opinions about military agencies. If there are special needs in the execution of military transportation tasks, the relevant military agencies shall promptly report relevant information to the maritime administrative agency. The maritime administrative agency shall provide necessary conveniences. Where maritime traffic safety management involves the protection of national defense traffic and military facilities, it shall be implemented in accordance with the provisions of relevant laws.

Article 120: Where a foreign national official vessel sails, berths, or operates in the territorial waters of the People's Republic of China and violates the laws and administrative regulations of the People's Republic of China, it shall be dealt with in accordance with the relevant laws and administrative regulations. The management of military vessels of foreign nationality in the waters under the jurisdiction of the People's Republic of China shall be governed by relevant laws.

Article 121: Where the international treaties concluded or acceded by the People's Republic of China have different provisions from this Law, the provisions of the international treaties shall apply, except for the provisions of the People's Republic of China declared reservations.

Article 122: This Law shall come into force on September 1, 2021.