

Maritime Traffic Safety Law of the People's Republic of China (2021 Revision)

中华人民共和国海上交通安全法(2021修订)

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The [Maritime Traffic Safety Law of the People's Republic of China](#), as revised and adopted at the 28th session of the Standing Committee of the Thirteenth National People's Congress of the People's Republic of China on April 29, 2021, is hereby issued, and shall come into force on September 1, 2021.

《中华人民共和国海上交通安全法》已由中华人民共和国第十三届全国人民代表大会常务委员会第二十八次会议于2021年4月29日修订通过，现予公布，自2021年9月1日起施行。

Xi Jinping, President of the People's Republic of China

中华人民共和国主席 习近平

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[Maritime Traffic Safety Law of the People's Republic of China](#)

[中华人民共和国海上交通安全法](#)

(Adopted at the Second Session of the Standing Committee of the Sixth National People's Congress on September 2, 1983; amended in accordance with the Decision of the Standing Committee of the National People's Congress on Amending Twelve Laws Including the [Foreign Trade Law of the People's Republic of China](#) at the 24th Session of the Standing Committee of the Twelfth National People's Congress on November 7, 2016; and revised at the 28th session of the Standing Committee of the Thirteenth National People's Congress on April 29, 2021)

(1983年9月2日第六届全国人民代表大会常务委员会第二次会议通过 根据2016年11月7日第十二届全国人民代表大会常务委员会第二十四次会议《关于修改〈中华人民共和国对外贸易法〉等十二部法律的决定》修正 2021年4月29日第十三届全国人民代表大会常务委员会第二十八次会议修订)

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Article 1 This Law is developed for the purposes of strengthening maritime traffic management, maintaining the maritime traffic order, ensuring the safety of life and property, and safeguarding the rights and interests of the state.

第一条 为了加强海上交通管理，维护海上交通秩序，保障生命财产安全，维护国家权益，制定本法。

Article 2 This Law shall apply to the navigation, berthing, operations and other activities relevant to the maritime traffic safety in the sea areas within the jurisdiction of the People's Republic of China (hereinafter referred to as "China").

第二条 在中华人民共和国管辖海域内从事航行、停泊、作业以及其他与海上交通安全相关的活动，适用本法。

Article 3 The state shall guarantee the use of sea for traffic in accordance with the law.

第三条 国家依法保障交通用海。

The maritime traffic safety work shall be completed under the principles of safety first, prevention first, convenient traffic, and legal management to ensure the safety, order, and smoothness of maritime traffic.

海上交通安全工作坚持安全第一、预防为主、便利通行、依法管理的原则，保障海上交通安全、有序、畅通。

Article 4 The transport department under the State Council shall be in charge of the maritime traffic safety work across the country.

第四条 国务院交通运输主管部门主管全国海上交通安全工作。

The maritime safety administration of the state shall be uniformly responsible for the supervision and administration of maritime traffic safety, and other maritime safety administrations at all levels shall, according to their functions and duties, be specifically responsible for the supervision and administration of maritime traffic safety within their jurisdictions.

Article 5 The people's governments at all levels and relevant departments shall support the 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 shall protect the labor safety and occupational health of crews in accordance with the law, and safeguard the lawful rights and interests of crews.

Article 7 Entities and individuals that carry out navigation, berthing, operations, and other maritime traffic-related activities of vessels and offshore installations shall comply with the laws, administrative regulations, rules, mandatory standards and technical specifications concerning maritime traffic safety; and be entitled to the right to navigation support and maritime rescue according to the law, and perform the obligations of maintaining maritime traffic safety and protecting the marine ecology and environment.

Article 8 The state shall encourage and support the application of advanced science and technology in maritime traffic safety, promote the modernization construction of maritime traffic safety, and improve the scientific and technological level of maritime traffic safety.

Chapter II Vessels, Offshore Installations and Crews

Article 9 Vessels of Chinese nationality, offshore installations and shipping containers installed in the waters within the jurisdictions of China, and major maritime equipment, parts and materials related to maritime traffic safety determined by the maritime safety administration of the state shall comply with the applicable laws and administrative regulations, rules, as well as the requirements of mandatory standards and technical specifications, pass the inspections of vessel survey institutions, and obtain the corresponding certificates and documents. The list of certificates and documents shall be developed and announced by the maritime safety administration of the state.

国家海事管理机构统一负责海上交通安全监督管理工作，其他各级海事管理机构按照职责具体负责辖区内的海上交通安全监督管理工作。

第五条 各级人民政府及有关部门应当支持海上交通安全工作，加强海上交通安全的宣传教育，提高全社会的海上交通安全意识。

第六条 国家依法保障船员的劳动安全和职业健康，维护船员的合法权益。

第七条 从事船舶、海上设施航行、停泊、作业以及其他与海上交通相关活动的单位、个人，应当遵守有关海上交通安全的法律、行政法规、规章以及强制性标准和技术规范；依法享有获得航海保障和海上救助的权利，承担维护海上交通安全和保护海洋生态环境的义务。

第八条 国家鼓励和支持先进科学技术在海上交通安全工作中的应用，促进海上交通安全现代化建设，提高海上交通安全科学技术水平。

第二章 船舶、海上设施和船员

第九条 中国籍船舶、在中华人民共和国管辖海域设置的海上设施、船运集装箱，以及国家海事管理机构确定的关系海上交通安全的重要船用设备、部件和材料，应当符合有关法律、行政法规、规章以及强制性标准和技术规范的要求，经船舶检验机构检验合格，取得相应证书、文书。证书、文书的清单由国家海事管理机构制定并公布。

The formation of a vessel survey institution shall be subject to approval by the maritime safety administration of the state. The formation conditions and procedures for and the management of vessel survey institutions shall be governed by the laws and administrative regulations on vessel inspection.

Entities holding relevant certificates and documents shall use vessels, offshore installations, shipping containers, and important maritime equipment, parts and materials for the prescribed purposes, and conduct technical safety inspection on a regular basis in accordance with the law.

Article 10 A vessel may not navigate, berth, and carry out operations under the flag of China until it has applied to the maritime safety administration for vessel nationality registration and obtained a nationality certificate in accordance with the applicable laws and administrative regulations on vessel registration.

Where a vessel of Chinese nationality is lost or scrapped, the vessel owner shall apply for cancellation of nationality registration within the time limit prescribed by the transport department under the State Council; and where a vessel owner fails to apply for cancellation of nationality registration within the prescribed time limit, the maritime safety administration may issue an announcement on proposed mandatory cancellation of nationality registration of vessels. Where a vessel owner fails to raise an objection within 60 days from the date of issuance of the announcement, the maritime safety administration may cancel the nationality registration of the vessel.

Article 11 The owner, operator or manager of a vessel of Chinese nationality shall establish and run a management system for safe operation and prevention and control of vessel pollution.

The maritime safety administration shall issue a compliance certificate and a corresponding vessel safety management certificate, if the management system as prescribed in the preceding paragraph has passed the examination.

Article 12 The owner, operator or manager of a vessel of Chinese nationality sailing on international routes shall, according to the provisions of the transport department under the State Council, establish a vessel security system, develop security plan for vessels, be equipped with vessel security equipment according to the security plan for vessels, and carry out drills on a regular basis.

设立船舶检验机构应当经国家海事管理机构许可。船舶检验机构设立条件、程序及其管理等依照有关船舶检验的法律、行政法规的规定执行。

持有相关证书、文书的单位应当按照规定的用途使用船舶、海上设施、船运集装箱以及重要船用设备、部件和材料，并应当依法定期进行安全技术检验。

第十条 船舶依照有关船舶登记的法律、行政法规的规定向海事管理机构申请船舶国籍登记、取得国籍证书后，方可悬挂中华人民共和国国旗航行、停泊、作业。

中国籍船舶灭失或者报废的，船舶所有人应当在国务院交通运输主管部门规定的期限内申请办理注销国籍登记；船舶所有人逾期不申请注销国籍登记的，海事管理机构可以发布关于拟强制注销船舶国籍登记的公告。船舶所有人自公告发布之日起六十日内未提出异议的，海事管理机构可以注销该船舶的国籍登记。

第十一条 中国籍船舶所有人、经营人或者管理人应当建立并运行安全营运和防治船舶污染管理体系。

海事管理机构经对前款规定的管理体系审核合格的，发给符合证明和相应的船舶安全管理证书。

第十二条 中国籍国际航行船舶的所有人、经营人或者管理人应当依照国务院交通运输主管部门的规定建立船舶保安制度，制定船舶保安计划，并按照船舶保安计划配备船舶保安设备，定期开展演练。

Article 13 Chinese crew members and staff members working on offshore installations shall receive professional education and training on maritime traffic safety and corresponding positions.

A Chinese crew member shall, according to the provisions of the laws and administrative regulations on the management of crews, apply to the maritime safety administration for a certificate of competency and obtain a health certificate.

A foreign crew member working on a vessel of Chinese nationality shall be governed by the laws and administrative regulations on the management of crews.

A crew member working on a vessel shall comply with the scope of the vessel, navigation area, and duties specified in his certificate of competency.

Article 14 The owner, operator or manager of a vessel of Chinese nationality shall apply to the maritime safety administration for a maritime labor certificate for its international voyage vessel. To obtain a maritime labor certificate, a vessel shall meet the following conditions:

(1) The owner, operator or manager shall recruit crew members in accordance with the law, enter into labor contracts or employment agreements with them, and appoint crew members that satisfy the requirements for the vessel.

(2) The owner, operator or manager has ensured that the working environment, occupational health protection and safety protection, work and rest time, wages, living conditions, medical conditions, and social insurance, among others, of the crew on the vessel comply with the relevant provisions of the state.

(3) The owner, operator or manager has established a complaint filing and handling mechanism for the crew which satisfies the requirements.

(4) The owner, operator or manager has provided corresponding financial guarantee or purchased corresponding insurance for the expenses for repatriation of crew members and the expenses to be paid according to the law for injuries, illness or deaths of crew members during the period of employment on the vessel.

The maritime safety administration shall, upon consultation with the administrative department of human resources and social security, and according to their respective duties, examine whether the applicant

第十三条 中国籍船员和海上设施上的工作人员应当接受海上交通安全以及相应岗位的专业教育、培训。

中国籍船员应当依照有关船员管理的法律、行政法规的规定向海事管理机构申请取得船员适任证书，并取得健康证明。

外国籍船员在中国籍船舶上工作的，按照有关船员管理的法律、行政法规的规定执行。

船员在船舶上工作，应当符合船员适任证书载明的船舶、航区、职务的范围。

第十四条 中国籍船舶的所有人、经营人或者管理人应当为其国际航行船舶向海事管理机构申请取得海事劳工证书。船舶取得海事劳工证书应当符合下列条件：

（一）所有人、经营人或者管理人依法招用船员，与其签订劳动合同或者就业协议，并为船舶配备符合要求的船员；

（二）所有人、经营人或者管理人已保障船员在船舶上的工作环境、职业健康保障和安全防护、工作和休息时间、工资报酬、生活条件、医疗条件、社会保险等符合国家有关规定；

（三）所有人、经营人或者管理人已建立符合要求的船员投诉和处理机制；

（四）所有人、经营人或者管理人已就船员遣返费用以及在船就业期间发生伤害、疾病或者死亡依法应当支付的费用提供相应的财务担保或者投保相应的保险。

海事管理机构商人力资源社会保障行政部门，按照各自职责对申请人及其船舶是否符合前款规定条件进行审核。经审核符合规定条件的，海事管理机构

and its vessel meet the conditions as prescribed in the preceding paragraph. Where the prescribed conditions are met upon examination, the maritime safety administration shall, within 10 working days from the date of acceptance of the application, issue a maritime labor certificate; and where the conditions are not met, the maritime safety administration shall notify the applicant and explain the reasons.

The specific measures for the issuance of maritime labor certificates and for the supervision and inspection shall be developed and issued by the transport department under the State Council, in conjunction with the administrative department of human resources and social security under the State Council.

Article 15 The maritime safety administration shall, in accordance with the provisions of the laws and administrative regulations on the management of crews, manage entities' training for crews of seagoing vessels.

Article 16 The transport department under the State Council, and other relevant departments, and relevant local people's governments at or above the county level shall establish and improve the early warning and emergency response mechanisms for overseas emergencies of crews, and develop contingency plans for overseas emergencies of crews.

The emergency response of overseas emergencies of crews shall be in the charge of the people's governments of the provinces, autonomous regions and municipalities directly under the Central Government at the places where the entities dispatching crew members are located, and the people's governments of the provinces, autonomous regions and municipalities directly under the Central Government at the places of crew members' permanent household residence shall provide cooperation.

The embassies and consulates of China in foreign countries and relevant maritime safety administrations shall assist in handling overseas emergencies of crews.

Article 17 The scope of vessels to which the provisions of Articles 9 to 12 and Article 14 of this Chapter apply shall be specified by the applicable laws and administrative regulations, or shall be drafted by the transport department under the State Council, and be announced after being reported to the State Council for approval.

应当自受理申请之日起十个工作日内颁发海事劳工证书；不符合规定条件的，海事管理机构应当告知申请人并说明理由。

海事劳工证书颁发及监督检查的具体办法由国务院交通运输主管部门会同国务院人力资源社会保障行政部门制定并公布。

第十五条 海事管理机构依照有关船员管理的法律、行政法规的规定，对单位从事海船船员培训业务进行管理。

第十六条 国务院交通运输主管部门和其他有关部门、有关县级以上地方人民政府应当建立健全船员境外突发事件预警和应急处置机制，制定船员境外突发事件应急预案。

船员境外突发事件应急处置由船员派出单位所在地的省、自治区、直辖市人民政府负责，船员户籍所在地的省、自治区、直辖市人民政府予以配合。

中华人民共和国驻外国使馆、领馆和相关海事管理机构应当协助处置船员境外突发事件。

第十七条 本章第九条至第十二条、第十四条规定适用的船舶范围由有关法律、行政法规具体规定，或者由国务院交通运输主管部门拟定并报国务院批准后公布。

Chapter III Maritime Traffic Conditions and Navigation Safeguards

第三章 海上交通条件和航行保障

Article 18 The transport department under the State Council shall make overall plans for and manage maritime traffic resources, and promote the rational development and effective utilization of maritime traffic resources.

第十八条 国务院交通运输主管部门统筹规划和管理海上交通资源，促进海上交通资源的合理开发和有效利用。

The planning of maritime traffic resources shall comply with the national land space planning.

海上交通资源规划应当符合国土空间规划。

Article 19 The maritime safety administration shall, on the basis of the natural conditions of the sea areas, the maritime traffic conditions and the needs of maritime traffic safety management, demarcate, adjust and promptly announce the vessel alignment areas, vessel reporting areas, traffic control areas, restricted navigation areas, safe operation areas, roadsteads, and other maritime traffic functional areas.

第十九条 海事管理机构根据海域的自然状况、海上交通状况以及海上交通安全管理的需要，划定、调整并及时公布船舶定线区、船舶报告区、交通管制区、禁航区、安全作业区和港外锚地等海上交通功能区域。

To demarcate or adjust vessel alignment areas, roadsteads, and safe operation areas that affect other maritime functional areas or sea-use activities, the maritime safety administration shall seek the opinions of relevant departments such as fishery, ecology and environment, and natural resources. To demarcate or adjust restricted navigation zones for military purposes, the military authorities in charge of demarcating and adjusting restricted navigation zones shall make a decision, and the maritime safety administration shall make an announcement.

海事管理机构划定或者调整船舶定线区、港外锚地以及对其他海洋功能区域或者用海活动造成影响的安全作业区，应当征求渔业渔政、生态环境、自然资源等有关部门的意见。为了军事需要划定、调整禁航区的，由负责划定、调整禁航区的军事机关作出决定，海事管理机构予以公布。

Article 20 Where the construction of a maritime or coastal project affects maritime traffic safety, facilities and equipment for preventing collisions of vessels shall be provided according to the situation, and special aids to navigation shall be set.

第二十条 建设海洋工程、海岸工程影响海上交通安全的，应当根据情况配备防止船舶碰撞的设施、设备并设置专用航标。

Article 21 The state shall establish and improve the vessel positioning, navigation, timing, communication, remote monitoring and other maritime traffic support service systems to provide information services for vessels and offshore installations.

第二十一条 国家建立完善船舶定位、导航、授时、通信和远程监测等海上交通支持服务系统，为船舶、海上设施提供信息服务。

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

第二十二条 任何单位、个人不得损坏海上交通支持服务系统或者妨碍其工作效能。建设建筑物、构筑物，使用设施设备可能影响海上交通支持服务系统正常使用的，建设单位、所有人或者使用人应当与相关海上交通支持服务系统的管理单位协商，作出妥善安排。

Article 23 The transport department under the State Council shall take necessary measures to ensure the rational layout and effective coverage of radio communication facilities for maritime traffic safety, plan the construction layout and sites of maritime radio stations in its system (industry), and verify and issue standard radio station licenses and radio station identification codes of vessels.

The transport department under the State Council shall organize the construction of the maritime radio monitoring system in its system (industry) and monitor its radio signals, and maintain the order of maritime radio waves in conjunction with the radio regulatory authority of the state.

Article 24 A vessel that needs to use shore-based radio stations to transfer communications in the sea areas within the jurisdiction of China shall conduct transfer through domestic coastal radio stations or satellite gateway stations established in accordance with the law.

Crew members assuming radio communication tasks and staff members of shore-based radio stations shall comply with the maritime radio communication rules, and keep watch on and maintain smoothness of the maritime traffic safety communication channels, and shall not use the maritime traffic safety communication frequency to exchange contents irrelevant to maritime traffic safety.

No entity or individual may use the radio station identification code in violation of the relevant provisions issued by the state to affect identification in maritime search and rescue.

Article 25 Relevant entities of astronomy, meteorology, and ocean shall forecast, broadcast and provide information on nautical astronomy, universal time, maritime meteorology, ocean waves, ocean currents, tides, and ice conditions, among others, in a timely manner.

Article 26 The transport department under the State Council shall unify the layout, construction and management of public aids to navigation. A construction employer, owner or operator of a maritime or coastal project that needs to install or remove special aids to navigation, move the position of special aids to navigation, or change the lights and power of the aids to navigation shall report to the maritime safety administration for approval. Where temporary aids to navigation need to be set, they shall be set at the setting points of aids to navigation determined by the maritime safety administration.

第二十三条 国务院交通运输主管部门应当采取必要的措施，保障海上交通安全无线电通信设施的合理布局 and 有效覆盖，规划本系统（行业）海上无线电台（站）的建设布局和台址，核发船舶制式无线电台执照及电台识别码。

国务院交通运输主管部门组织本系统（行业）的海上无线电监测系统建设并对其无线电信号实施监测，会同国家无线电管理机构维护海上无线电波秩序。

第二十四条 船舶在中华人民共和国管辖海域内通信需要使用岸基无线电台（站）转接的，应当通过依法设置的境内海岸无线电台（站）或者卫星关口站进行转接。

承担无线电通信任务的船员和岸基无线电台（站）的工作人员应当遵守海上无线电通信规则，保持海上交通安全通信频道的值守和畅通，不得使用海上交通安全通信频率交流与海上交通安全无关的内容。

任何单位、个人不得违反国家有关规定使用无线电台识别码，影响海上搜救的身份识别。

第二十五条 天文、气象、海洋等有关单位应当及时预报、播发和提供航海天文、世界时、海洋气象、海浪、海流、潮汐、冰情等信息。

第二十六条 国务院交通运输主管部门统一布局、建设和管理公用航标。海洋工程、海岸工程的建设单位、所有人或者经营人需要设置、撤除专用航标，移动专用航标位置或者改变航标灯光、功率等的，应当报经海事管理机构同意。需要设置临时航标的，应当符合海事管理机构确定的航标设置点。

The departments of natural resources shall ensure the use of land, sea and island by navigation aid facilities and installations in accordance with the law, and handle the relevant formalities in accordance with the law.

自然资源主管部门依法保障航标设施和装置的用地、用海、用岛，并依法为其办理有关手续。

The construction, maintenance and preservation of aids to navigation shall satisfy the requirements of relevant mandatory standards and technical specifications. The maintenance entities of aids to navigation and owners of special aids to navigation shall inspect, maintain, and preserve the aids to navigation to ensure that the aids to navigation are in good condition. Where an aid to navigation is displaced, damaged or lost, the maintenance entity of aids to navigation or the owner of special aids to navigation shall restore it in a timely manner.

航标的建设、维护、保养应当符合有关强制性标准和技术规范的要求。航标维护单位和专用航标的所有人应当对航标进行巡查和维护保养，保证航标处于良好适用状态。航标发生位移、损坏、灭失的，航标维护单位或者专用航标的所有人应当及时予以恢复。

Article 27 Any entity or individual finding any of the following circumstances shall immediately report to the maritime safety administration; and where the duties of the channel management institution or special aids to navigation are involved, the maritime safety administration shall notify the channel management institution or owners of special aids to navigation in a timely manner:

第二十七条 任何单位、个人发现下列情形之一的，应当立即向海事管理机构报告；涉及航道管理机构职责或者专用航标的，海事管理机构应当及时通报航道管理机构或者专用航标的所有人：

(1) Aids to navigation or navigation facilities are displaced, damaged, or lost.

(一) 助航标志或者导航设施位移、损坏、灭失；

(2) There are sunken objects, floating objects, stranded objects or other obstructions that hinder the maritime traffic safety.

(二) 有妨碍海上交通安全的沉没物、漂浮物、搁浅物或者其他碍航物；

(3) Other abnormal conditions that hinder maritime traffic safety.

(三) 其他妨碍海上交通安全的异常情况。

Article 28 The maritime safety administration shall, on the basis of the needs of maritime traffic safety management, issue navigational warnings of urgent and dangerous situations, and issue navigational notices of other situations that affect the maritime traffic safety.

第二十八条 海事管理机构应当依据海上交通安全管理的需要，就具有紧迫性、危险性的情况发布航行警告，就其他影响海上交通安全的情况发布航行通告。

The maritime safety administration shall notify the naval navigation assurance department of navigational warnings, navigational notices, and the demarcation of and adjustment to vessel alignment areas, and provide relevant information in a timely manner.

海事管理机构应当将航行警告、航行通告，以及船舶定线区的划定、调整情况通报海军航海保证部门，并及时提供有关资料。

Article 29 The maritime safety administration shall broadcast maritime traffic safety information to vessels and offshore installations in a timely manner.

第二十九条 海事管理机构应当及时向船舶、海上设施播发海上交通安全信息。

When vessels and offshore installations are navigating, berthing, or carrying out operations in alignment areas, traffic control areas, or areas with dense navigable vessels, the maritime safety administration shall provide corresponding safety information services upon request.

Article 30 The following vessels navigating, berthing or shifting berths in the pilotage zones demarcated by the transport department under the State Council shall apply to the pilotage institutions for pilotage:

(1) Vessels of foreign nationality, excluding those can be exempted as prescribed by the transport department under the State Council after being reported to the State Council for approval.

(2) Nuclear-powered vessels, vessels carrying radioactive materials, and ultra-large oil tankers.

(3) Vessels carrying bulk liquefied gas and bulk hazardous chemicals that may endanger port safety.

(4) Vessels whose length, width, and height are close to the limits as prescribed in the navigation conditions of corresponding channels.

The specific standards for vessels in subparagraphs (3) and (4) of the preceding paragraph shall be developed and announced by the relevant maritime safety administration in light of the actual conditions of ports.

Where a vessel voluntarily applies for pilotage, the pilotage institution shall provide pilotage services.

Article 31 The pilotage institution shall designate pilots with corresponding capabilities and experience in a timely manner to provide pilotage services for vessels.

A pilot shall, as designated by the pilotage institution, embark on and disembark from the vessel piloted in the prescribed waters, and implement the vessel piloting tasks safely and cautiously. A vessel piloted shall be equipped with an embarking and disembarking device that comply with the provisions, and ensure the safety of the pilot during the period of embarking on and disembarking from the vessel and during piloting period on board.

When a pilot pilots a vessel, the master shall not be relieved of the responsibility of commanding and managing the vessel.

船舶、海上设施在定线区、交通管制区或者通航船舶密集的区域航行、停泊、作业时，海事管理机构应当根据其请求提供相应的安全信息服务。

第三十条 下列船舶在国务院交通运输主管部门划定的引航区内航行、停泊或者移泊的，应当向引航机构申请引航：

(一) 外国籍船舶，但国务院交通运输主管部门经报国务院批准后规定可以免除的除外；

(二) 核动力船舶、载运放射性物质的船舶、超大型油轮；

(三) 可能危及港口安全的散装液化气船、散装危险化学品船；

(四) 长、宽、高接近相应航道通航条件限值的船舶。

前款第三项、第四项船舶的具体标准，由有关海事管理机构根据港口实际情况制定并公布。

船舶自愿申请引航的，引航机构应当提供引航服务。

第三十一条 引航机构应当及时派遣具有相应能力、经验的引航员为船舶提供引航服务。

引航员应当根据引航机构的指派，在规定的水域登离被引领船舶，安全谨慎地执行船舶引航任务。被引领船舶应当配备符合规定的登离装置，并保障引航员在登离船舶及在船上引航期间的安全。

引航员引领船舶时，不解除船长指挥和管理船舶的责任。

Article 32 The transport department under the State Council shall, on the basis of the security threats faced by vessels, offshore installations and ports, determine and issue the security level in a timely manner. Vessels, offshore installations and ports shall adopt corresponding security measures on the basis of the security level.

Chapter IV Navigation, Berthing and Operations

Article 33 To navigate, berth, and carry out operations, a vessel shall hold a valid nationality certificate and other statutory certificates and documents, be equipped with navigational books and materials published in accordance with relevant provisions, fly the flag of the relevant country, region or organization, and indicate its name, identification number, port of registry, and load line mark.

A vessel shall satisfy the requirements for minimum safe manning and be manned with crew members who hold valid certificates of qualification.

To berth or carry out operations, offshore installations shall hold statutory certificates and documents, and be manned with personnel who have mastered the professional skills of collision avoidance, signaling, communication, fire fighting, and lifesaving, among others.

Article 34 A master shall inspect the vessel before sailing and confirm at the time of sailing the competency of the crew, the seaworthiness of the vessel, and the cargo worthiness, understand the weather and sea conditions, as well as the navigational notices, navigational warnings and other warning information issued by the maritime safety administration, and implement corresponding emergency measures, and shall not risk sailing.

The owner, operator or manager of a vessel shall not instruct or force the crew to carry out operations at risk in violation of regulations.

Article 35 A vessel shall navigate, berth, and carry out operations within the navigation areas specified in its vessel inspection certificate.

When navigating, berthing, and carrying out operations, a vessel shall comply with the relevant navigation rules, display signals and hang signs up in accordance with relevant provisions, and maintain sufficient surplus water depth.

第三十二条 国务院交通运输主管部门根据船舶、海上设施和港口面临的保安威胁情形，确定并及时发布保安等级。船舶、海上设施和港口应当根据保安等级采取相应的保安措施。

第四章 航行、停泊、作业

第三十三条 船舶航行、停泊、作业，应当持有有效的船舶国籍证书及其他法定证书、文书，配备依照有关规定出版的航海图书资料，悬挂相关国家、地区或者组织的旗帜，标明船名、船舶识别号、船籍港、载重线标志。

船舶应当满足最低安全配员要求，配备持有合格有效证书的船员。

海上设施停泊、作业，应当持有法定证书、文书，并按规定配备掌握避碰、信号、通信、消防、救生等专业技能的人员。

第三十四条 船长应当在船舶开航前检查并在开航时确认船员适任、船舶适航、货物适载，并了解气象和海况信息以及海事管理机构发布的航行通告、航行警告及其他警示信息，落实相应的应急措施，不得冒险开航。

船舶所有人、经营人或者管理人不得指使、强令船员违章冒险操作、作业。

第三十五条 船舶应当在其船舶检验证书载明的航区内航行、停泊、作业。

船舶航行、停泊、作业时，应当遵守相关航行规则，按照有关规定显示信号、悬挂标志，保持足够的富余水深。

Article 36 A vessel shall, in accordance with relevant provisions, turn on its automatic identification, voyage data recording, remote identification and tracking, communication and other devices related to navigation safety, security, and pollution prevention while navigating, and continuously display and record them.

No entity or individual may unpack, disassemble, initialize, or reset voyage data recording devices or read the information recorded by them, unless as otherwise prescribed by laws and administrative regulations.

Article 37 A vessel shall be equipped with navigation logs, engine logs, radio logs and other navigational records, to comprehensively, truthfully and promptly record the operation of the vessel involving maritime traffic safety and important events in the course of navigation, berthing, and operations in accordance with relevant provisions, and keep the relevant record books appropriately.

Article 38 A master shall be responsible for the management and command of the vessel. A master shall have the right to make independent decisions on the protection of life safety at sea, vessel security, and prevention and control of vessel pollution.

A master shall take necessary measures to protect the safety of vessel, personnel on board, navigation documents of the vessel, cargo and other property. Orders issued by a master within the scope of his functions shall be implemented by the crew, passengers and other persons on board.

Article 39 To protect the safety of a vessel and personnel on board, the master shall have the right to impose confinement or other necessary restrictive measures upon persons suspected of carrying out illegal and criminal activities on board within the scope of his functions, and prevent them from hiding, destroying, and falsifying evidence.

To adopt the measures as prescribed in the preceding paragraph, the master shall prepare a case report to which two or more persons on board shall affix signatures. After a vessel of Chinese nationality arrives at a port in China, the relevant persons against whom the aforesaid measures are taken shall be transferred to the relevant competent department in a timely manner.

Article 40 Where a person on board suffers or is suspected of suffering from an infectious disease that seriously threatens the health of others, the master shall immediately launch the corresponding

第三十六条 船舶在航行中应当按照有关规定开启船舶的自动识别、航行数据记录、远程识别和跟踪、通信等与航行安全、保安、防治污染相关的装置，并持续进行显示和记录。

任何单位、个人不得拆封、拆解、初始化、再设置航行数据记录装置或者读取其记录的信息，但法律、行政法规另有规定的除外。

第三十七条 船舶应当配备航海日志、轮机日志、无线电记录簿等航行记录，按照有关规定全面、真实、及时记录涉及海上交通安全的船舶操作以及船舶航行、停泊、作业中的重要事件，并妥善保管相关记录簿。

第三十八条 船长负责管理和指挥船舶。在保障海上生命安全、船舶保安和防治船舶污染方面，船长有权独立作出决定。

船长应当采取必要的措施，保护船舶、在船人员、船舶航行文件、货物以及其他财产的安全。船长在其职权范围内发布的命令，船员、乘客及其他在船人员应当执行。

第三十九条 为了保障船舶和在船人员的安全，船长有权在职责范围内对涉嫌在船上进行违法犯罪活动的人员采取禁闭或者其他必要的限制措施，并防止其隐匿、毁灭、伪造证据。

船长采取前款措施，应当制作案情报告书，由其和两名以上在船人员签字。中国籍船舶抵达我国港口后，应当及时将相关人员移送有关主管部门。

第四十条 发现在船人员患有或者疑似患有严重威胁他人健康的传染病的，船长应当立即启动

contingency plan, take necessary isolation measures against the relevant persons within the scope of his functions, and report to the relevant competent department in a timely manner.

Article 41 Where a master dies during the voyage or is unable to perform duties for some reasons, the person with the highest position among the officers shall temporarily serve as the master; and before sailing from the next port, the owner, operator or manager of the vessel shall appoint a new master.

Article 42 Crew members shall, in accordance with the relevant rules, regulations and operating procedures for navigation and watch-keeping, as well as the master's orders, operate and manage a vessel, and ensure safe performance of watch-keeping duties, and shall not be absent without leave. Crew members shall not ingest food, medicine or other articles that may affect watch-keeping safety before and during the period of performing watch-keeping duties on board.

Article 43 A vessel entering and exiting ports or anchorages, or passing through waters of the bridge area, straits, narrow channels, important fishery waters, areas with dense navigable vessels, vessel alignment areas, and traffic control areas shall strengthen look-out and maintain safe speed, and comply with the special navigation rules of the aforesaid areas.

The important fishery waters as prescribed in the preceding paragraph shall be demarcated and announced by the fishery administration under the State Council after soliciting opinions from the transport department under the State Council.

A vessel crossing the channel shall neither hinder the normal navigation of vessels in the channel, nor rush over the bow of any other vessel. A vessel exceeding the navigable scale of a bridge shall be prohibited from entering the waters of the bridge area.

Article 44 A vessel shall not enter or pass through the restricted navigation zone in violation of provisions.

When a vessel enters or exits the vessel reporting area, its position and dynamic information shall be reported to the maritime safety administration.

It is prohibited to engage in breeding, planting, fishing and other operations or activities that affect the maritime traffic safety within the safe operation areas and roadsteads.

相应的应急预案，在职责范围内对相关人员采取必要的隔离措施，并及时报告有关主管部门。

第四十一条 船长在航行中死亡或者因故不能履行职责的，应当由驾驶员中职务最高的人代理船长职务；船舶在下一个港口开航前，其所有人、经营人或者管理人应当指派新船长接任。

第四十二条 船员应当按照有关航行、值班的规章制度和操作规程以及船长的指令操纵、管理船舶，保持安全值班，不得擅自离岗。船员履行在船值班职责前和值班期间，不得摄入可能影响安全值班的食品、药品或者其他物品。

第四十三条 船舶进出港口、锚地或者通过桥区水域、海峡、狭水道、重要渔业水域、通航船舶密集的区域、船舶定线区、交通管制区，应当加强瞭望、保持安全航速，并遵守前述区域的特殊航行规则。

前款所称重要渔业水域由国务院渔业渔政主管部门征求国务院交通运输主管部门意见后划定并公布。

船舶穿越航道不得妨碍航道内船舶的正常航行，不得抢越他船船艏。超过桥梁通航尺度的船舶禁止进入桥区水域。

第四十四条 船舶不得违反规定进入或者穿越禁航区。

船舶进出船舶报告区，应当向海事管理机构报告船位和动态信息。

在安全作业区、港外锚地范围内，禁止从事养殖、种植、捕捞以及其他影响海上交通安全的作业或者活动。

Article 45 A vessel carrying or towing super-long, super-high, super-wide, and semi-submersible vessels, offshore installations or other objects when navigating shall take special safety precautions such as strengthening the towing parts and escorting, report the voyage plan to the maritime safety administration before sailing, and display signals and hang signs up in accordance with the relevant provisions; and a vessel towing large offshore installations such as mobile platforms and floating docks shall produce the towing inspection certificate issued by the vessel survey institution for verification in accordance with the law.

Article 46 A vessel sailing on international routes that enter or exit ports shall, according to the law, apply to the maritime safety administration for permission and accept the supervision and inspection of the maritime safety administration and other port inspection institutions. The maritime safety administration shall, within five working days from the date of accepting an application, make a decision on whether to grant permission.

A vessel of foreign nationality temporarily entering waters not open to foreign vessels shall obtain permission in accordance with the provisions of the State Council on vessels entering and exiting ports.

A vessel sailing on domestic routes that enter or exit a port or an off-port loading and unloading station shall report its voyage plan, seaworthiness, staffing, and transportation of passenger and cargo, among others, to the maritime safety administration.

Article 47 A vessel shall berth in docks, berths, loading and unloading stations, anchorages, and safe operation areas that meet the safety conditions. Berthing of a vessel shall not endanger the safety of other vessels or offshore installations.

A vessel entering and exiting a port or an off-port loading and unloading station shall meet the berthing conditions and satisfy the requirements of navigation conditions such as tides, weather, and sea conditions.

Where a super-long, super-high or super-wide vessel or a vessel with restricted maneuvering capabilities entering or exiting a port or an off-port loading and unloading station may affect maritime traffic safety, the maritime safety administration shall inspect the safety conditions of the vessel entering and exiting a port, and may require the vessel to adopt corresponding safety measures such as being equipped with additional tugboats and entering the port by tide.

第四十五条 船舶载运或者拖带超长、超高、超宽、半潜的船舶、海上设施或者其他物体航行，应当采取拖拽部位加强、护航等特殊的安全保障措施，在开航前向海事管理机构报告航行计划，并按有关规定显示信号、悬挂标志；拖带移动式平台、浮船坞等大型海上设施的，还应当依法交验船舶检验机构出具的拖航检验证书。

第四十六条 国际航行船舶进出口岸，应当依法向海事管理机构申请许可并接受海事管理机构及其他口岸查验机构的监督检查。海事管理机构应当自受理申请之日起五个工作日内作出许可或者不予许可的决定。

外国籍船舶临时进入非对外开放水域，应当依照国务院关于船舶进出口岸的规定取得许可。

国内航行船舶进出港口、港外装卸站，应当向海事管理机构报告船舶的航次计划、适航状态、船员配备和客货载运等情况。

第四十七条 船舶应当在符合安全条件的码头、泊位、装卸站、锚地、安全作业区停泊。船舶停泊不得危及其他船舶、海上设施的安全。

船舶进出港口、港外装卸站，应当符合靠泊条件和关于潮汐、气象、海况等航行条件的要求。

超长、超高、超宽的船舶或者操纵能力受到限制的船舶进出港口、港外装卸站可能影响海上交通安全的，海事管理机构应当对船舶进出港安全条件进行核查，并可以要求船舶采取加配拖轮、乘潮进港等相应的安全措施。

Article 48 To carry out construction operations in the sea areas within the jurisdiction of China, permission shall be obtained from the maritime safety administration, and the corresponding safe operation area shall be verified. To obtain permission for offshore construction operation, the following conditions shall be met:

(1) The entity, personnel, vessel, and installations for the construction operations satisfy the requirements for safe navigation, berthing, and operations.

(2) There is a construction operation plan.

(3) There are safeguard measures, contingency plans and liability systems that satisfy the requirements for the maritime traffic safety and the prevention and control of pollution from vessels to the maritime environment.

Vessels engaged in construction operations shall carry out operations in the verified safe operation areas and implement the measures for the management of maritime traffic safety. Other irrelevant vessels and offshore installations may not enter the safe operation areas.

Excavation, blasting and other operations in the port waters that may endanger the safety of the port shall be governed by the laws and regulations on port management.

Article 49 Sports, entertainment, drills, trial voyage, scientific observation, and other water and underwater activities shall be carried out in compliance with the provisions on the management of maritime traffic safety; and where the maritime traffic safety may be affected, the sea areas involved in the activities shall be reported to the maritime safety administration 10 working days in advance.

Article 50 After the completion of offshore construction operations or water and underwater activities, relevant entities and individuals shall eliminate hidden dangers that may hinder the maritime traffic safety in a timely manner.

Article 51 The owner, operator or manager of an obstruction shall, according to the requirements of the relevant mandatory standards and technical specifications, set warning signs in a timely manner, report the name, shape, size, location and depth of the obstruction to the maritime safety administration, and salvage and remove it within the time limit prescribed by the maritime safety administration. Where the

第四十八条 在中华人民共和国管辖海域内进行施工作业，应当经海事管理机构许可，并核定相应安全作业区。取得海上施工作业许可，应当符合下列条件：

（一）施工作业的单位、人员、船舶、设施符合安全航行、停泊、作业的要求；

（二）有施工作业方案；

（三）有符合海上交通安全和防治船舶污染海洋环境要求的保障措施、应急预案和责任制度。

从事施工作业的船舶应当在核定的安全作业区内作业，并落实海上交通安全管理措施。其他无关船舶、海上设施不得进入安全作业区。

在港口水域内进行采掘、爆破等可能危及港口安全的作业，适用港口管理的法律规定。

第四十九条 从事体育、娱乐、演练、试航、科学观测等水上水下活动，应当遵守海上交通安全管理规定；可能影响海上交通安全的，应当提前十个工作日将活动涉及的海域范围报告海事管理机构。

第五十条 海上施工作业或者水上水下活动结束后，有关单位、个人应当及时消除可能妨碍海上交通安全的隐患。

第五十一条 碍航物的所有人、经营人或者管理人应当按照有关强制性标准和技术规范的要求及时设置警示标志，向海事管理机构报告碍航物的名称、形状、尺寸、位置和深度，并在海事管理机构限定的期限内打捞清除。碍航物的所有人放弃所有权的，不免除其打捞清除义务。

owner of the obstruction surrenders the ownership, it shall not be exempted from the obligation of salvage and removal.

Where the owner, operator or manager of an obstruction cannot be determined, the maritime safety administration shall organize the setting of signs and salvage or take corresponding measures, and the expenses incurred therefrom shall be included in the departmental budget.

Article 52 Where under any of the following circumstances, there is relatively significant impact on maritime traffic safety, the maritime safety administration shall take corresponding traffic control measures such as suspending navigation, setting speed limit or demarcation of traffic control zones in light of the specific circumstances, and make an announcement to the public:

- (1) Where weather and sea conditions are hostile.
- (2) There is a maritime distress situation or maritime traffic accident that affects navigation.
- (3) Military training, drills or other related activities are carried out.
- (4) Large-scale water and underwater activities are carried out.
- (5) The traffic density in a specific sea area is close to saturation.
- (6) Other circumstances that have relatively significant impact on maritime traffic safety.

Article 53 To maintain maritime traffic safety and protect the maritime environment, the transport department under the State Council may, in conjunction with the relevant competent departments, take necessary measures to prevent and stop non-innocent passage of vessels of foreign nationality in the territorial sea.

Article 54 The following vessels of foreign nationality entering or exiting the territorial sea of China shall report to the maritime safety administration:

- (1) Submersibles.
- (2) Nuclear-powered vessels.

不能确定碍航物的所有人、经营人或者管理人的，海事管理机构应当组织设置标志、打捞或者采取相应措施，发生的费用纳入部门预算。

第五十二条 有下列情形之一的，对海上交通安全有较大影响的，海事管理机构应当根据具体情况采取停航、限速或者划定交通管制区等相应交通管制措施并向社会公告：

- (一) 天气、海况恶劣；
- (二) 发生影响航行的海上险情或者海上交通事故；
- (三) 进行军事训练、演习或者其他相关活动；
- (四) 开展大型水上水下活动；
- (五) 特定海域通航密度接近饱和；
- (六) 其他对海上交通安全有较大影响的情形。

第五十三条 国务院交通运输主管部门为维护海上交通安全、保护海洋环境，可以会同有关主管部门采取必要措施，防止和制止外国籍船舶在领海的非无害通过。

第五十四条 下列外国籍船舶进出中华人民共和国领海，应当向海事管理机构报告：

- (一) 潜水器；
- (二) 核动力船舶；

(3) Vessels carrying radioactive materials or other toxic and hazardous substances.

(4) Other vessels that may endanger the maritime traffic safety of China as prescribed by laws, administrative regulations or the State Council.

To pass through the territorial sea of China, a vessel as prescribed in the preceding paragraph shall hold the relevant certificates, take special precautions in compliance with the laws, administrative regulations and rules of China, and accept the instructions and supervision of the maritime safety administration.

Article 55 A vessel of foreign nationality may not enter the internal waters of China unless it has obtained permission for entering a port in accordance with the provisions of this Law; however, a vessel having no time to obtain permission due to such emergency circumstances as acute diseases of personnel, machine failures, being in distress, and sheltering from weather, may enter the internal waters of China.

A vessel of foreign nationality entering the internal waters of China due to the emergencies as prescribed in the preceding paragraph shall make an urgent report to the maritime safety administration at the time of entry and accept the instructions and supervision of the maritime safety administration. The maritime safety administration shall notify the coast guard agency in the sea areas within its jurisdiction, the nearest entry and exit border inspection authority, the local public security authority, the customs and other competent departments in a timely manner.

Article 56 In case of emergency, military vessels of China performing military tasks and official vessels performing official duties may, under the premise of ensuring the maritime traffic safety, be exempted from the restriction of the relevant rules on navigation, berthing, and operations.

Chapter V Safety of Maritime Passenger and Cargo Transportation

Article 57 Except for emergency rescue or life rescue, passenger vessels shall carry passengers according to the passenger quota approved in the vessel inspection certificate, and cargo vessels shall carry cargoes in compliance with the load line and cargo category approved in the vessel inspection certificate, and shall not carry passengers.

Article 58 Passenger vessels shall not carry dangerous goods while carrying passengers.

(三) 载运放射性物质或者其他有毒有害物质的船舶;

(四) 法律、行政法规或者国务院规定的可能危及中华人民共和国海上交通安全的其他船舶。

前款规定的船舶通过中华人民共和国领海,应当持有有关证书,采取符合中华人民共和国法律、行政法规和规章规定的特别预防措施,并接受海事管理机构的指令和监督。

第五十五条 除依照本法规定获得进入口岸许可外,外国籍船舶不得进入中华人民共和国内水;但是,因人员病急、机件故障、遇难、避风等紧急情况未及获得许可的可以进入。

外国籍船舶因前款规定的紧急情况进入中华人民共和国内水的,应当在进入的同时向海事管理机构紧急报告,接受海事管理机构的指令和监督。海事管理机构应当及时通报管辖海域的海警机构、就近的出入境边防检查机关和当地公安机关、海关等其他主管部门。

第五十六条 中华人民共和国军用船舶执行军事任务、公务船舶执行公务,遇有紧急情况,在保证海上交通安全的前提下,可以不受航行、停泊、作业有关规则的限制。

第五章 海上客货运输安全

第五十七条 除进行抢险或者生命救助外,客船应当按照船舶检验证书核定的载客定额载运乘客,货船载运货物应当符合船舶检验证书核定的载重线和载货种类,不得载运乘客。

第五十八条 客船载运乘客不得同时载运危险品。

Passengers shall not take along dangerous goods as prescribed by laws and administrative regulations or the transport department under the State Council or carry such dangerous goods in their luggage.

Article 59 A passenger vessel shall, at conspicuous positions, clearly indicate safety instructions to passengers, set safety signs and warnings, introduce the methods for using life-saving appliances and emergency measures to be taken under emergency situations to passengers. Passengers shall comply with the requirements for safe boarding.

Article 60 The local people's government at or above the county level at the place where a sea ferry is located shall establish and improve the ferry safety management responsibility system, develop safety management measures for sea ferries, supervise and guide operators of sea ferries in implementing the primary responsibilities for safety, maintain the order of ferry transportation, and ensure the safety of ferry transportation.

The ferry transportation routes of a sea ferry shall be demarcated by the transport department of the local people's government at or above the county level at the place where a sea ferry is located, in conjunction with the maritime safety administration. Ferry boats shall ferry safely in accordance with the demarcated routes.

In case of hostile weather and sea conditions, the local people's government at or above the county level or the department designated by it shall issue an announcement on stopping ferry service.

Article 61 For a vessel carrying goods, loading and unloading, stowage, segregation, fastening and management shall be conducted safely in accordance with the applicable laws, administrative regulations and rules, as well as the requirements of the mandatory standards and technical specifications.

Article 62 For a vessel carrying dangerous goods, a valid certificate of fitness for dangerous goods shall be held, a contingency plan for dangerous goods shall be developed on the basis of the characteristics of the dangerous goods and the requirements of contingency plan, and the vessel shall be equipped with corresponding fire-fighting and emergency equipment and apparatus.

Article 63 To consign dangerous goods, a consignor shall notify the carrier of the official name and dangerous nature of and protective measures to be taken for the dangerous goods, and appropriately pack

乘客不得随身携带或者在行李中夹带法律、行政法规或者国务院交通运输主管部门规定的危险物品。

第五十九条 客船应当在显著位置向乘客明示安全须知，设置安全标志和警示，并向乘客介绍救生用具的使用方法以及在紧急情况下应当采取的应急措施。乘客应当遵守安全乘船要求。

第六十条 海上渡口所在地的县级以上地方人民政府应当建立健全渡口安全管理责任制，制定海上渡口的安全管理办法，监督、指导海上渡口经营者落实安全主体责任，维护渡运秩序，保障渡运安全。

海上渡口的渡运线路由渡口所在地的县级以上地方人民政府交通运输主管部门会同海事管理机构划定。渡船应当按照划定的线路安全渡运。

遇有恶劣天气、海况，县级以上地方人民政府或者其指定的部门应当发布停止渡运的公告。

第六十一条 船舶载运货物，应当按照有关法律、行政法规、规章以及强制性标准和技术规范的要求安全装卸、积载、隔离、系固和管理。

第六十二条 船舶载运危险货物，应当持有有效的危险货物适装证书，并根据危险货物的特性和应急措施的要求，编制危险货物应急处置预案，配备相应的消防、应急设备和器材。

第六十三条 托运人托运危险货物，应当将其正式名称、危险性质以及应当采取的防护措施通知承运人，并按照有关法律、行政法规、规章以及

them and set obvious signs and labels of dangerous goods in accordance with the applicable laws, administrative regulations, and rules, as well as the requirements of the mandatory standards and technical specifications.

强制性标准和技术规范的要求妥善包装，设置明显的危险品标志和标签。

A consignor shall not carry dangerous goods in general goods, or falsely report dangerous goods as general goods for consignment.

托运人不得在托运的普通货物中夹带危险货物或者将危险货物谎报为普通货物托运。

Where the goods consigned by a consignor are goods with dangerous characteristics but not listed in the International Maritime Dangerous Goods Code or the National Dangerous Goods List, the consignor shall also submit the documents issued by the relevant professional institutions indicating the dangerous characteristics of the goods and the protective measures to be taken.

托运人托运的货物为国际海上危险货物运输规则和国家危险货物物品名表上未列明但具有危险特性的货物的，托运人还应当提交有关专业机构出具的表明该货物危险特性以及应当采取的防护措施等情况的文件。

The criteria for judging the dangerous characteristics of the goods shall be developed and announced by the maritime safety administration of the state.

货物危险特性的判断标准由国家海事管理机构制定并公布。

Article 64 A vessel carrying dangerous goods into or out of a port shall meet the following conditions, obtain permission from the maritime safety administration, and report the time of entering or exiting a port, the duration of stay at the port, and other items to the maritime safety administration:

第六十四条 船舶载运危险货物进出港口，应当符合下列条件，经海事管理机构许可，并向海事管理机构报告进出港口和停留的时间等事项：

(1) The dangerous goods carried satisfy the requirements for safe maritime transportation.

(一) 所载运的危险货物符合海上安全运输要求；

(2) The loading of the vessel satisfies the requirements of the certificates and documents held.

(二) 船舶的装载符合所持有的证书、文书的要求；

(3) The ports, docks, and berths where the vessel plans to berth or carry out loading and unloading of dangerous goods have the business qualifications for operations of dangerous goods as prescribed by the applicable laws and administrative regulations.

(三) 拟靠泊或者进行危险货物装卸作业的港口、码头、泊位具备有关法律、行政法规规定的危险货物作业经营资质。

The maritime safety administration shall, within 24 hours from the time of receiving an application, make a decision on whether to grant permission.

海事管理机构应当自收到申请之时起二十四小时内作出许可或者不予许可的决定。

Fixed vessels navigating along fixed routes and carrying fixed categories of goods may apply for permission for entering or exiting a port multiple times within a specified period which shall not exceed 30 days. The maritime safety administration shall, within five working days from the date of receiving an application, make a decision on whether to grant permission.

定船舶、定航线并且定货种的船舶可以申请办理一定期限内多次进出港口许可，期限不超过三十日。海事管理机构应当自收到申请之日起五个工作日内作出许可或者不予许可的决定。

Where the maritime safety administration grants permission, it shall notify the port administrative department.

海事管理机构予以许可的，应当通报港口行政管理部门。

Article 65 For vessels and offshore installations engaged in transportation, loading and unloading, and lightering of dangerous goods, operation plans shall be developed, the relevant mandatory standards and safe operation procedures shall be complied with, and necessary preventive measures shall be taken, to prevent safety accidents.

第六十五条 船舶、海上设施从事危险货物运输或者装卸、过驳作业，应当编制作业方案，遵守有关强制性标准和安全作业操作规程，采取必要的预防措施，防止发生安全事故。

Where lightering of bulk liquid dangerous goods is carried out outside the port waters, the following conditions shall also be met, the permission of the maritime safety administration shall be obtained, and the safe operation areas shall be verified:

在港口水域外从事散装液体危险货物过驳作业的，还应当符合下列条件，经海事管理机构许可并核定安全作业区：

(1) Vessels or offshore installations that intend to carry out lightering satisfy the requirements for maritime traffic safety and the prevention and control of pollution from vessels to the maritime environment.

（一）拟进行过驳作业的船舶或者海上设施符合海上交通安全与防治船舶污染海洋环境的要求；

(2) The goods to be lightered satisfy the requirements for safe lightering.

（二）拟过驳的货物符合安全过驳要求；

(3) Personnel participating in lightering have the lightering capabilities as prescribed by laws and administrative regulations.

（三）参加过驳作业的人员具备法律、行政法规规定的过驳作业能力；

(4) The intended waters and their bottom quality and surrounding environment are suitable for lightering.

（四）拟作业水域及其底质、周边环境适宜开展过驳作业；

(5) The lightering does not pose any threat to maritime resources, nearby military targets and important civilian targets.

（五）过驳作业对海洋资源以及附近的军事目标、重要民用目标不构成威胁；

(6) There are lightering plans, safety guarantee measures and contingency plans that satisfy the safety requirements.

（六）有符合安全要求的过驳作业方案、安全保障措施和应急预案。

For a vessel carrying out operations on a single voyage, the maritime safety administration shall make a decision on whether to grant permission within 24 hours from the time of receiving an application; and for a vessel carrying out operations on multiple voyages in specific waters, the maritime safety administration shall make a decision on whether to grant permission within five working days from the date of receiving an application.

对单航次作业的船舶，海事管理机构应当自收到申请之时起二十四小时内作出许可或者不予许可的决定；对在特定水域多航次作业的船舶，海事管理机构应当自收到申请之日起五个工作日内作出许可或者不予许可的决定。

Article 66 Persons in distress at sea shall have the right to life rescue in accordance with the law. Life rescue shall take precedence over environmental and property rescue.

Article 67 The maritime search and rescue work shall insist on the principles of government leadership, unified command, territorial priority, combination of the efforts of both professionals and the masses, as well as proximity and swiftness.

Article 68 The state shall establish a maritime search and rescue coordination mechanism, coordinate the national maritime search and rescue emergency response work, study and solve major problems in the maritime search and rescue work, and organize and coordinate major emergency operations of maritime search and rescue. The coordination mechanism shall be composed of relevant departments and entities under the State Council and relevant military authorities.

The China Marine Search and Rescue Center and the maritime search and rescue centers established by the relevant local people's governments or the designated institutions (hereinafter collectively referred to as the "maritime search and rescue centers") shall be responsible for the organization, coordination, and command of maritime search and rescue.

Article 69 The local people's governments at or above the county level along the coast shall allocate necessary maritime search and rescue funds to ensure the smoothness of the search and rescue work.

Article 70 The member entities of the maritime search and rescue centers shall, under the unified organization, coordination, and command of the maritime search and rescue centers and on the basis of their respective duties, undertake the emergency response to maritime search and rescue, disaster relief, support and guarantee, and post-handling, among others.

Article 71 The state shall form a professional maritime search and rescue team and strengthen the construction of maritime search and rescue forces. The professional maritime search and rescue team shall be equipped with professional search and rescue equipment, and develop rules on regular drills and routine training, to improve the level of search and rescue.

The state shall encourage social forces to form maritime search and rescue teams to participate in maritime search and rescue operations.

第六十六条 海上遇险人员依法享有获得生命救助的权利。生命救助优先于环境和财产救助。

第六十七条 海上搜救工作应当坚持政府领导、统一指挥、属地为主、专群结合、就近快速的原则。

第六十八条 国家建立海上搜救协调机制，统筹全国海上搜救应急反应工作，研究解决海上搜救工作中的重大问题，组织协调重大海上搜救应急行动。协调机制由国务院有关部门、单位和有关军事机关组成。

中国海上搜救中心和有关地方人民政府设立的海上搜救中心或者指定的机构（以下统称海上搜救中心）负责海上搜救的组织、协调、指挥工作。

第六十九条 沿海县级以上地方人民政府应当安排必要的海上搜救资金，保障搜救工作的正常开展。

第七十条 海上搜救中心各成员单位应当在海上搜救中心统一组织、协调、指挥下，根据各自职责，承担海上搜救应急、抢险救灾、支持保障、善后处理等工作。

第七十一条 国家设立专业海上搜救队伍，加强海上搜救力量建设。专业海上搜救队伍应当配备专业搜救装备，建立定期演练和日常培训制度，提升搜救水平。

国家鼓励社会力量建立海上搜救队伍，参与海上搜救行动。

Article 72 Vessels, offshore installations, aircrafts and personnel in distress at sea shall immediately report to the maritime search and rescue centers, and shall not conceal or falsely report any maritime distress situation.

Vessels, offshore installations, aircrafts, and personnel who send distress warning signals by mistake shall, besides reporting to the maritime search and rescue centers immediately, take necessary measures to eliminate the impact.

Any other entity or individual finding or learning a maritime distress situation shall immediately report to the maritime search and rescue center.

Article 73 Vessels or offshore installations involved in a collisions shall exchange their names, nationalities and ports of registry, do their best to rescue the other party's personnel without seriously endangering their own safety, and they shall not leave waters where accidents occur without authorization, or escape.

Article 74 Vessels or offshore installations in distress and their owners, operators or managers shall take effective measures to prevent and reduce loss of life and property and pollution of the maritime environment.

When a vessel is in distress, passengers shall obey the command of the master and cooperate with the relevant emergency measures. Passengers shall have the right to know the necessary distress information.

When deciding to abandon a vessel, the master shall arrange for passengers and crew to leave the vessel in turn, and try his best to rescue the statutory navigational data. The master shall leave the vessel last.

Article 75 Vessels, offshore installations, and aircrafts receiving distress signals or finding that someone is in life danger shall do their best to rescue those who are in distress without seriously endangering their own safety.

Article 76 After receiving a distress report, the maritime search and rescue center shall immediately conduct verification, arrange for, coordinate, and direct relevant government departments, professional search and rescue teams, relevant private entities and other forces to participate in the search and rescue in a timely manner, and designate on-site commanders. Vessels, offshore installations, aircrafts and personnel

第七十二条 船舶、海上设施、航空器及人员在海上遇险的，应当立即报告海上搜救中心，不得瞒报、谎报海上险情。

船舶、海上设施、航空器及人员误发遇险报警信号的，除立即向海上搜救中心报告外，还应当采取必要措施消除影响。

其他任何单位、个人发现或者获悉海上险情的，应当立即报告海上搜救中心。

第七十三条 发生碰撞事故的船舶、海上设施，应当互通名称、国籍和登记港，在不严重危及自身安全的情况下尽力救助对方人员，不得擅自离开事故现场水域或者逃逸。

第七十四条 遇险的船舶、海上设施及其所有人、经营人或者管理人应当采取有效措施防止、减少生命财产损失和海洋环境污染。

船舶遇险时，乘客应当服从船长指挥，配合采取相关应急措施。乘客有权获知必要的险情信息。

船长决定弃船时，应当组织乘客、船员依次离船，并尽力抢救法定航行资料。船长应当最后离船。

第七十五条 船舶、海上设施、航空器收到求救信号或者发现有人遭遇生命危险的，在不严重危及自身安全的情况下，应当尽力救助遇险人员。

第七十六条 海上搜救中心接到险情报告后，应当立即进行核实，及时组织、协调、指挥政府有关部门、专业搜救队伍、社会有关单位等各方力量参加搜救，并指定现场指挥。参加搜救的船舶、海上设施、航空器及人员应当服从现场指挥，及时报告搜救动态和搜救结果。

participating in the search and rescue shall obey the on-site command and report the search and rescue dynamics and results in a timely manner.

Decisions to suspend, resume and terminate search and rescue operations shall be made by the maritime search and rescue centers. Without consent of the maritime search and rescue centers, vessels, offshore installations, aircrafts and personnel participating in search and rescue shall not exit the search and rescue operations.

The armed forces' participation in maritime search and rescue shall be governed by the provisions of the applicable laws and administrative regulations.

Article 77 Vessels, offshore installations, aircrafts or persons in distress shall obey the orders of the maritime search and rescue centers and on-site commanders, and receive rescue in a timely manner.

Where vessels, offshore installations, and aircrafts in distress do not cooperate with rescue, the on-site commander may take corresponding rescue measures based on the emergency.

Article 78 After a maritime accident or distress situation occurs, the relevant local people's government shall arrange for a medical institution in a timely manner to provide emergency medical relief for persons in distress, provide necessary livelihood guarantee for rescued persons, and arrange for relevant parties to take rehabilitative measures.

Article 79 Search and rescue operations in the sea areas where China assumes the obligations of search and rescue as prescribed by the international treaties concluded or acceded to by China shall be governed by the provisions of this Chapter.

Where a vessel of Chinese nationality is in distress in sea areas which are outside the sea areas within the jurisdiction of China and the areas where China assumes responsibility for maritime search and rescue, the China Marine Search and Rescue Center shall, upon receipt of information, carry out international cooperation in accordance with the provisions of the international treaties concluded or acceded to by China.

Chapter VII Investigation and Handling of Maritime Traffic Accidents

Article 80 Maritime traffic accidents involving vessels and offshore installations shall be reported to

搜救行动的中止、恢复、终止决定由海上搜救中心作出。未经海上搜救中心同意，参加搜救的船舶、海上设施、航空器及人员不得擅自退出搜救行动。

军队参加海上搜救，依照有关法律、行政法规的规定执行。

第七十七条 遇险船舶、海上设施、航空器或者遇险人员应当服从海上搜救中心和现场指挥的指令，及时接受救助。

遇险船舶、海上设施、航空器不配合救助的，现场指挥根据险情危急情况，可以采取相应救助措施。

第七十八条 海上事故或者险情发生后，有关地方人民政府应当及时组织医疗机构为遇险人员提供紧急医疗救助，为获救人员提供必要的生活保障，并组织有关方面采取善后措施。

第七十九条 在中华人民共和国缔结或者参加的国际条约规定由我国承担搜救义务的海域内开展搜救，依照本章规定执行。

中国籍船舶在中华人民共和国管辖海域以及海上搜救责任区域以外的其他海域发生险情的，中国海上搜救中心接到信息后，应当依据中华人民共和国缔结或者参加的国际条约的规定开展国际协作。

第七章 海上交通事故调查处理

第八十条 船舶、海上设施发生海上交通事故，应当及时向海事管理机构报告，并接受调查。

the maritime safety administrations in a timely manner and be subject to investigations.

Article 81 Marine traffic accidents are classified into particularly serious accidents, major accidents, relatively large accidents and general accidents on the basis of the consequences of damage caused. The personal injury and death standards for the classification of accidents shall be determined in accordance with the provisions of the applicable laws and administrative regulations on work safety; and the direct economic loss standards for the classification of accidents shall be determined by the transport department under the State Council in conjunction with the relevant departments under the State Council on the basis of the special circumstances of maritime traffic accidents, and be announced for implementation after being reported to the State Council for approval.

Article 82 For a particularly serious maritime traffic accident, the State Council or a department authorized by the State Council shall organize an accident investigation team to conduct investigation, and the maritime safety administration shall participate in or cooperate in the investigation.

Other maritime traffic accidents shall be investigated by the accident investigation teams organized by the maritime safety administrations, and relevant departments shall cooperate therewith. Where the State Council deems it necessary, it may directly organize or authorize relevant departments to organize an accident investigation team to conduct investigations.

Where the maritime safety administration conducts accident investigation and the accident involves implementation of military transportation tasks, investigation shall be conducted in conjunction with the relevant military authority; and where a fishery vessel is involved, the fishery administration and the coast guard agency shall participate in the investigation.

Article 83 The investigation of a maritime traffic accident shall be carried out in a comprehensive, objective, fair and timely manner, to find out the facts and causes of the accident in accordance with the law and determine the liability for the accident.

Article 84 The maritime safety administration may unpack or disassemble the voyage data recording device of a vessel involved in an accident or read the information recorded on the basis of the accident investigation and handling needs, require the vessel to sail to a designated place or prohibit it from leaving

第八十一条 海上交通事故根据造成的损害后果分为特别重大事故、重大事故、较大事故和一般事故。事故等级划分的人身伤亡标准依照有关安全生产的法律、行政法规的规定确定；事故等级划分的直接经济损失标准，由国务院交通运输主管部门会同国务院有关部门根据海上交通事故中的特殊情况确定，报国务院批准后公布施行。

第八十二条 特别重大海上交通事故由国务院或者国务院授权的部门组织事故调查组进行调查，海事管理机构应当参与或者配合开展调查工作。

其他海上交通事故由海事管理机构组织事故调查组进行调查，有关部门予以配合。国务院认为有必要的，可以直接组织或者授权有关部门组织事故调查组进行调查。

海事管理机构进行事故调查，事故涉及执行军事运输任务的，应当会同有关军事机关进行调查；涉及渔业船舶的，渔业渔政主管部门、海警机构应当参与调查。

第八十三条 调查海上交通事故，应当全面、客观、公正、及时，依法查明事故事实和原因，认定事故责任。

第八十四条 海事管理机构可以根据事故调查处理需要拆封、拆解当事船舶的航行数据记录装置或者读取其记录的信息，要求船舶驶向指定地点或者禁止其离港，扣留船舶或者海上设施的证书、

the port, seize the certificates, documents, articles, and materials, among others, of the vessel or offshore installation, and keep them appropriately. Relevant personnel shall cooperate with the accident investigation.

Article 85 A maritime traffic accident investigation team shall submit a maritime traffic accident investigation report within 90 days from the date of occurrence of the accident; and under special circumstances, with approval of the person in charge of the department that has organized the maritime traffic accident investigation team, the time limit for submitting an accident investigation report may be appropriately extended for up to 90 days. The time required for technical appraisal of an accident shall not be included in the time limit for accident investigation.

The maritime safety administration shall, within 15 working days from the date of receiving a maritime traffic accident investigation report, issue a written accident liability confirmation as evidence for handling the maritime traffic accident.

Where the accident loss is small, the facts are clear, and the responsibilities are specific, the summary investigation procedure may apply in accordance with the provisions of the transport department under the State Council.

The maritime traffic accident investigation report and the written accident liability confirmation shall be disclosed to the public in accordance with the applicable laws and administrative regulations.

Article 86 A vessel of Chinese nationality involved in a maritime traffic accident outside the sea areas within the jurisdiction of China shall report the accident to the maritime safety administration and accept investigation.

Where a vessel of foreign nationality is involved in an accident outside the sea areas within the jurisdiction of China, causing serious injury or death to a Chinese citizen, the maritime safety administration shall participate in the investigation in accordance with the provisions of the international treaties concluded or acceded to by China.

Article 87 Where a vessel or offshore installation suffers hostile weather, sea conditions, and accidents at sea, causes or may cause damage, and needs to explain and record the time, sea area, the countermeasures taken, and other specific circumstances, an application may be filed with the maritime safety administration for endorsement for

文书、物品、资料等并妥善保管。有关人员应当配合事故调查。

第八十五条 海上交通事故调查组应当自事故发生之日起九十日内提交海上交通事故调查报告；特殊情况下，经负责组织事故调查组的部门负责人批准，提交事故调查报告的期限可以适当延长，但延长期限最长不得超过九十日。事故技术鉴定所需时间不计入事故调查期限。

海事管理机构应当自收到海上交通事故调查报告之日起十五个工作日内作出事故责任认定书，作为处理海上交通事故的证据。

事故损失较小、事实清楚、责任明确的，可以依照国务院交通运输主管部门的规定适用简易调查程序。

海上交通事故调查报告、事故责任认定书应当依照有关法律、行政法规的规定向社会公开。

第八十六条 中国籍船舶在中华人民共和国管辖海域外发生海上交通事故的，应当及时向海事管理机构报告事故情况并接受调查。

外国籍船舶在中华人民共和国管辖海域外发生事故，造成中国公民重伤或者死亡的，海事管理机构根据中华人民共和国缔结或者参加的国际条约的规定参与调查。

第八十七条 船舶、海上设施在海上遭遇恶劣天气、海况以及意外事故，造成或者可能造成损害，需要说明并记录时间、海域以及所采取的应对措施等具体情况的，可以向海事管理机构申请办理海事声明签注。海事管理机构应当依照规定提供签注服务。

sea protest. The maritime safety administration shall provide endorsement services in accordance with the provisions.

Chapter VIII Supervision and Administration

Article 88 The maritime safety administration shall supervise and inspect the navigation, berthing, operations and other activities related to maritime traffic safety in sea areas within the jurisdiction of China.

The maritime safety administration shall, in accordance with the laws and administrative regulations of China and the international treaties concluded or acceded to by China, conduct port State and coastal State supervision and inspection of vessels of foreign nationality.

When performing official duties, staff members of the maritime safety administration shall be dressed in accordance with the provisions, wear the signs of posts and ranks, produce law enforcement certificates, and consciously accept supervision.

When the maritime safety administration performs supervision and inspection duties in accordance with the law, relevant entities and individuals shall provide cooperation, and shall not refuse or obstruct the supervision or inspection carried out in accordance with the law.

Article 89 The maritime safety administration may implement supervision and inspection by such methods as boarding for inspection, verifying certificates, conducting on-site inspection, inquiring of relevant personnel, and conducting electronic monitoring.

Where a vessel carrying dangerous goods is suspected of concealing information on or falsely reporting dangerous goods, the maritime safety administration may conduct inspections by open-package inspection and other methods. The maritime safety administration shall notify the relevant departments of the information on open-package inspection. Port operators and relevant entities and individuals shall provide assistance.

Article 90 When conducting supervision and inspection of vessels and offshore installations, the maritime safety administration shall avoid and reduce the impact on their normal operations.

第八章 监督管理

第八十八条 海事管理机构对在中华人民共和国管辖海域内从事航行、停泊、作业以及其他与海上交通安全相关的活动，依法实施监督检查。

海事管理机构依照中华人民共和国法律、行政法规以及中华人民共和国缔结或者参加的国际条约对外国籍船舶实施港口国、沿岸国监督检查。

海事管理机构工作人员执行公务时，应当按照规定着装，佩戴职衔标志，出示执法证件，并自觉接受监督。

海事管理机构依法履行监督检查职责，有关单位、个人应当予以配合，不得拒绝、阻碍依法实施的监督检查。

第八十九条 海事管理机构实施监督检查可以采取登船检查、查验证书、现场检查、询问有关人员、电子监控等方式。

载运危险货物的船舶涉嫌存在瞒报、谎报危险货物等情况的，海事管理机构可以采取开箱查验等方式进行检查。海事管理机构应当将开箱查验情况通报有关部门。港口经营人和有关单位、个人应当予以协助。

第九十条 海事管理机构对船舶、海上设施实施监督检查时，应当避免、减少对其正常作业的影响。

Except as otherwise prescribed by laws and administrative regulations, or except when failure to immediately implement supervision and inspection may cause serious consequences, no vessel shall be intercepted for inspection while underway.

Article 91 Where a vessel or offshore installation poses a threat to the safety of a port, the maritime safety administration shall order it to take corrective action immediately or within a prescribed time limit, restrict operation, order it to sail to a designated location, prohibit it from entering a port, or expel it from the port.

Where a vessel or offshore installation is unseaworthy or unsuitable for towing, crew members or relevant personnel on the offshore installation fail to hold valid statutory certificates or documents, or there are other hidden dangers that seriously endanger the maritime traffic safety or pollute the maritime environment, the maritime safety administration shall prohibit the relevant vessel or offshore installation from entering or exiting a port as the case may be, suspend the relevant certificates and documents, or order it to stop navigation, divert, sail to a designated location or cease operations. Where a vessel is overloaded, the maritime safety administration may force the vessel to reduce load in accordance with the law. The expenses incurred due to mandatory load reduction shall be assumed by the owner, operator or manager of the vessel violating the law.

Where a vessel or offshore installation involved in a maritime traffic accident or pollution accident fails to settle the taxes and late fees as prescribed by the state, and fails to provide guarantee or perform other statutory obligations, the maritime safety administration shall order it to take corrective action and may prohibit it from leaving the port.

Article 92 Where a vessel of foreign nationality may threaten the safety of the internal waters and territorial sea of China, the maritime safety administration shall have the right to order it to leave.

Where a vessel of foreign nationality violates the laws and administrative regulations of China on maritime traffic safety or prevention and control of pollution from vessels, the maritime safety administration may exercise the right of hot pursuit in accordance with the law.

Article 93 Any entity or individual shall have the right to report acts that interfere with maritime traffic safety to the maritime safety administration. After receiving a report, the maritime safety administration shall verify and handle it in a timely manner.

除法律、行政法规另有规定或者不立即实施监督检查可能造成严重后果外，不得拦截正在航行中的船舶进行检查。

第九十一条 船舶、海上设施对港口安全具有威胁的，海事管理机构应当责令立即或者限期改正、限制操作，责令驶往指定地点、禁止进港或者将其驱逐出港。

船舶、海上设施处于不适航或者不适拖状态，船员、海上设施上的相关人员未持有有效的法定证书、文书，或者存在其他严重危害海上交通安全、污染海洋环境的隐患的，海事管理机构应当根据情况禁止有关船舶、海上设施进出港，暂扣有关证书、文书或者责令其停航、改航、驶往指定地点或者停止作业。船舶超载的，海事管理机构可以依法对船舶进行强制减载。因强制减载发生的费用由违法船舶所有人、经营人或者管理人承担。

船舶、海上设施发生海上交通事故、污染事故，未结清国家规定的税费、滞纳金且未提供担保或者未履行其他法定义务的，海事管理机构应当责令改正，并可以禁止其离港。

第九十二条 外国籍船舶可能威胁中华人民共和国内水、领海安全的，海事管理机构有权责令其离开。

外国籍船舶违反中华人民共和国海上交通安全或者防治船舶污染的法律、行政法规的，海事管理机构可以依法行使紧追权。

第九十三条 任何单位、个人有权向海事管理机构举报妨碍海上交通安全的行为。海事管理机构接到举报后，应当及时进行核实、处理。

Article 94 In the course of supervision and inspection, the maritime safety administration finding that a vessel or offshore installation violates other laws or administrative regulations shall notify or transfer it to the relevant competent department for handling in a timely manner according to the law.

Chapter IX Legal Liability

Article 95 A vessel or offshore installation without a valid certificate or document shall be ordered by the maritime safety administration to take corrective action, the owner, operator or manager of the vessel or offshore installation in violation of the law shall be fined not less than 30,000 yuan nor more than 300,000 yuan, and the master and relevant liable persons shall be fined not less than 3,000 yuan nor more than 30,000 yuan; under serious circumstances, the master and liable crew members shall be subject to suspension for 18 to 30 months or even revocation of their certificates of competency; the forged or altered certificates and documents held by the vessel shall be confiscated; and a vessel with serious potential safety hazard may be confiscated according to the law.

Article 96 A vessel or offshore installation falling under any of the following circumstances shall be ordered by the maritime safety administration to take corrective action, the owner, operator or manager of the vessel or offshore installation in violation of the law shall be fined not less than 20,000 yuan nor more than 200,000 yuan, and the master and relevant liable persons shall be fined not less than 2,000 yuan nor more than 20,000 yuan; and under serious circumstances, the owner, operator or manager of the vessel in violation of the law shall be subject to revocation of relevant certificates and documents, and the master and liable crew members shall be subject to suspension for 12 to 24 months or even revocation of their certificates of competency:

- (1) The actual conditions of a vessel or offshore installation are inconsistent with the certificates and documents held.
- (2) A vessel fails to fly the national flag according to the law, or flies a flag of another country, region or organization in violation of the law.
- (3) A vessel fails to indicate its name, vessel identification number, port of registry, and load line mark as required.

第九十四条 海事管理机构在监督检查中，发现船舶、海上设施有违反其他法律、行政法规行为的，应当依法及时通报或者移送有关主管部门处理。

第九章 法律责任

第九十五条 船舶、海上设施未持有有效的证书、文书的，由海事管理机构责令改正，对违法船舶或者海上设施的所有人、经营者或者管理人处三万元以上三十万元以下的罚款，对船长和有关责任人员处三千元以上三万元以下的罚款；情节严重的，暂扣船长、责任船员的船员适任证书十八个月至三十个月，直至吊销船员适任证书；对船舶持有的伪造、变造证书、文书，予以没收；对存在严重安全隐患的船舶，可以依法予以没收。

第九十六条 船舶或者海上设施有下列情形之一的，由海事管理机构责令改正，对违法船舶或者海上设施的所有人、经营者或者管理人处二万元以上二十万元以下的罚款，对船长和有关责任人员处二千元以上二万元以下的罚款；情节严重的，吊销违法船舶所有人、经营者或者管理人的有关证书、文书，暂扣船长、责任船员的船员适任证书十二个月至二十四个月，直至吊销船员适任证书：

- (一) 船舶、海上设施的实际状况与持有的证书、文书不符；
- (二) 船舶未依法悬挂国旗，或者违法悬挂其他国家、地区或者组织的旗帜；
- (三) 船舶未按规定标明船名、船舶识别号、船籍港、载重线标志；

(4) The manning of a vessel or offshore installation does not satisfy the requirements for the minimum safe manning.

Article 97 Where crew members working on a vessel fail to hold certificates of competency or health certificates of crew members, or the certificates of competency or health certificates of crew members held fail to satisfy the requirements, the maritime safety administration shall impose a fine of not less than 10,000 yuan nor more than 100,000 yuan upon the owner, operator or manager of the vessel, and impose a fine of not less than 3,000 yuan nor more than 30,000 yuan upon the liable crew members; and under serious circumstances, impose a fine of not less than 30,000 yuan nor more than 300,000 yuan upon the owner, operator or manager of the vessel, and suspend for six to 12 months or even revoke the certificates of competency of the liable crew members.

Article 98 Where relevant certificates and documents are obtained for a vessel of Chinese nationality by fraud, bribery or other inappropriate means, the maritime safety administration shall revoke the relevant permission, confiscate the relevant certificates and documents, and impose a fine of not less than 40,000 yuan nor more than 400,000 yuan upon the owner, operator or manager of the vessel.

Where the certificates of competency are obtained by fraud, bribery or other inappropriate means, the maritime safety administration shall revoke the relevant permission, confiscate the certificates of competency, and impose a fine of not less than 5,000 yuan nor more than 50,000 yuan upon the liable persons.

Article 99 Where a crew member fails to ensure safe performance of watch-keeping duties, violates the relevant provisions by ingesting food, medicine or other articles that may affect the watch-keeping safety, or commits any other act in violation of the rules on watch-keeping duties of crew members at sea, the maritime safety administration shall impose a fine of not less than 1,000 yuan nor more than 10,000 yuan upon the master and the liable crew members, or suspend their certificates of competency for three to 12 months; and under serious circumstances, revoke the certificates of competency of the master and liable crew members.

Article 100 Those who fall under any of the following circumstances shall be ordered by the maritime safety administration to take corrective action; and under serious circumstances, shall be fined not less than 30,000 yuan nor more than 100,000 yuan:

(四) 船舶、海上设施的配员不符合最低安全配员要求。

第九十七条 在船舶上工作未持有船员适任证书、船员健康证明或者所持船员适任证书、健康证明不符合要求的，由海事管理机构对船舶的所有人、经营人或者管理人处一万元以上十万元以下的罚款，对责任船员处三千元以上三万元以下的罚款；情节严重的，对船舶的所有人、经营人或者管理人处三万元以上三十万元以下的罚款，暂扣责任船员的船员适任证书六个月至十二个月，直至吊销船员适任证书。

第九十八条 以欺骗、贿赂等不正当手段为中国籍船舶取得相关证书、文书的，由海事管理机构撤销有关许可，没收相关证书、文书，对船舶所有人、经营人或者管理人处四万元以上四十万元以下的罚款。

以欺骗、贿赂等不正当手段取得船员适任证书的，由海事管理机构撤销有关许可，没收船员适任证书，对责任人员处五千元以上五万元以下的罚款。

第九十九条 船员未保持安全值班，违反规定摄入可能影响安全值班的食品、药品或者其他物品，或者有其他违反海上船员值班规则的行为的，由海事管理机构对船长、责任船员处一千元以上一万元以下的罚款，或者暂扣船员适任证书三个月至十二个月；情节严重的，吊销船长、责任船员的船员适任证书。

第一百条 有下列情形之一的，由海事管理机构责令改正；情节严重的，处三万元以上十万元以下的罚款：

(1) Failing to provide corresponding facilities and equipment for preventing collisions of vessels and set special aids to navigation as required in the construction of a maritime or coastal project.

(2) Damaging the maritime traffic support service system or hindering its work efficiency.

(3) Setting or removing special aids to navigation, moving locations of special aids to navigation, or changing lights, powers and other conditions of aids to navigation, without consent of the maritime safety administration, or failing to set temporary aids to navigation at the setting points of aids to navigation determined by the maritime safety administration.

(4) Carrying out breeding, planting, fishing and other operations or activities that affect the maritime traffic safety within the safe operation areas and roadsteads.

(一) 建设海洋工程、海岸工程未按规定配备相应的防止船舶碰撞的设施、设备并设置专用航标;

(二) 损坏海上交通支持服务系统或者妨碍其工作效率;

(三) 未经海事管理机构同意设置、撤除专用航标, 移动专用航标位置或者改变航标灯光、功率等其他状况, 或者设置临时航标不符合海事管理机构确定的航标设置点;

(四) 在安全作业区、港外锚地范围内从事养殖、种植、捕捞以及其他影响海上交通安全的作业或者活动。

Article 101 Those who fall under any of the following circumstances shall be ordered by the maritime safety administration to take corrective action, and the relevant liable persons shall be fined not more than 30,000 yuan; and under serious circumstance, shall be fined not less than 30,000 yuan nor more than 100,000 yuan, and the certificates of competency of the liable crew members shall be suspended for one to three months:

(1) Crew members assuming radio communication tasks and staff members of shore-based radio stations fail to keep watch on and maintain smoothness of the maritime traffic safety communication channels, or use the maritime traffic safety communication frequency to exchange contents irrelevant to maritime traffic safety.

(2) The radio station identification codes are used in violation of the relevant provisions issued by the state, affecting identification in maritime search and rescue.

(3) Other acts in violation of the rules on maritime radio communication.

第一百零一条 有下列情形之一的, 由海事管理机构责令改正, 对有关责任人员处三万元以下的罚款; 情节严重的, 处三万元以上十万元以下的罚款, 并暂扣责任船员的船员适任证书一个月至三个月:

(一) 承担无线电通信任务的船员和岸基无线电台(站)的工作人员未保持海上交通安全通信频道的值守和畅通, 或者使用海上交通安全通信频率交流与海上交通安全无关的内容;

(二) 违反国家有关规定使用无线电台识别码, 影响海上搜救的身份识别;

(三) 其他违反海上无线电通信规则的行为。

Article 102 Where a vessel fails to apply for pilotage in accordance with the provisions of this Law, the maritime safety administration shall impose a fine of not less than 50,000 yuan nor more than 500,000 yuan upon the owner, operator or manager of the vessel in violation of law, and impose a fine of not less than 1,000 yuan nor more than 10,000 yuan upon the master; and under serious circumstances, suspend the relevant vessel certificates for three to 12 months

第一百零二条 船舶未依照本法规定申请引航的, 由海事管理机构对违法船舶的所有人、经营人或者管理人处五万元以上五十万元以下的罚款, 对船长处一千元以上一万元以下的罚款; 情节严重的, 暂扣有关船舶证书三个月至十二个月, 暂扣船长的船员适任证书一个月至三个月。

and the certificate of competency of the master for one to three months.

Where a pilotage institution has made mistakes in dispatching pilots and has caused damage to a vessel, the maritime safety administration shall impose a fine of not less than 30,000 yuan nor more than 300,000 yuan upon the pilotage institution.

Where pilotage services are provided arbitrarily without designation by a pilotage institution, the maritime safety administration shall impose a fine of not less than 3,000 yuan nor more than 30,000 yuan upon the person providing pilotage services.

Article 103 A vessel navigating, berthing, or carrying out operations at sea that falls under any of the following circumstances shall be ordered by the maritime safety administration to take corrective action, the owner, operator or manager of the vessel in violation of the law shall be fined not less than 20,000 yuan nor more than 200,000 yuan, and the master and liable crew members shall be subject to a fine of not less than 2,000 yuan nor more than 20,000 yuan and suspension of their certificates of competency for three to 12 months; and under serious circumstances, the master and liable crew members shall be subject to revocation of their certificates of competency:

(1) A vessel entering and exiting ports or anchorages, or passing through waters of the bridge area, straits, narrow channels, important fishery waters, areas with dense navigable vessels, vessel alignment areas, and traffic control areas fails to strengthen look-out, maintain safe speed, or comply with the special navigation rules of the aforesaid areas.

(2) A vessel fails to display signals or hang signs up in accordance with relevant provisions or maintain sufficient surplus water depth.

(3) A vessel risks sailing where the conditions for safe sailing are not met, carries out operations at risk in violation of regulations, or fails to navigate, berth, or carry out operations within the navigation areas as specified in the vessel inspection certificate.

(4) A vessel fails to turn on its automatic identification, voyage data recording, remote identification and tracking, communication and other devices related to navigation safety, security, and pollution prevention, and to continuously display and record them in accordance with relevant provisions.

(5) The voyage data recording devices are arbitrarily unpacked, dismantled, initialized, or reset or the information recorded by them is read.

引航机构派遣引航员存在过失，造成船舶损失的，由海事管理机构对引航机构处三万元以上三十万元以下的罚款。

未经引航机构指派擅自提供引航服务的，由海事管理机构对引领船舶的人员处三千元以上三万元以下的罚款。

第一百零三条 船舶在海上航行、停泊、作业，有下列情形之一的，由海事管理机构责令改正，对违法船舶的所有人、经营人或者管理人处二万元以上二十万元以下的罚款，对船长、责任船员处二千元以上二万元以下的罚款，暂扣船员适任证书三个月至十二个月；情节严重的，吊销船长、责任船员的船员适任证书：

(一) 船舶进出港口、锚地或者通过桥区水域、海峡、狭水道、重要渔业水域、通航船舶密集的区域、船舶定线区、交通管制区时，未加强瞭望、保持安全航速并遵守前述区域的特殊航行规则；

(二) 未按照有关规定显示信号、悬挂标志或者保持足够的富余水深；

(三) 不符合安全开航条件冒险开航，违章冒险操作、作业，或者未按照船舶检验证书载明的航区航行、停泊、作业；

(四) 未按照有关规定开启船舶的自动识别、航行数据记录、远程识别和跟踪、通信等与航行安全、保安、防治污染相关的装置，并持续进行显示和记录；

(五) 擅自拆封、拆解、初始化、再设置航行数据记录装置或者读取其记录的信息；

(6) A vessel crossing the channel hinders the normal navigation of vessels in the channel, rushes over the bow of any other vessel, or enter the waters of the bridge area beyond the navigable scale of the bridge.

(六) 船舶穿越航道妨碍航道内船舶的正常航行，抢越他船船艏或者超过桥梁通航尺度进入桥区水域；

(7) A vessel enters or passes through the restricted navigation zone in violation of provisions.

(七) 船舶违反规定进入或者穿越禁航区；

(8) A vessel carrying or towing super-long, super-high, super-wide, and semi-submersible vessels, offshore installations or other objects when navigating fails to take special safety precautions, fails to report the voyage plan to the maritime safety administration before sailing, fails to display signals or hang signs up in accordance with the relevant provisions, or a vessel towing large offshore installations such as mobile platforms and floating docks fails to produce the towing inspection certificate issued by the vessel survey institution for verification in accordance with the law.

(八) 船舶载运或者拖带超长、超高、超宽、半潜的船舶、海上设施或者其他物体航行，未采取特殊的安全保障措施，未在开航前向海事管理机构报告航行计划，未按规定显示信号、悬挂标志，或者拖带移动式平台、浮船坞等大型海上设施未依法交验船舶检验机构出具的拖航检验证书；

(9) A vessel berths in docks, berths, loading and unloading stations, anchorages, and safe operation areas that do not meet the safety conditions, or its berthing endangers the safety of other vessels and offshore installations.

(九) 船舶在不符合安全条件的码头、泊位、装卸站、锚地、安全作业区停泊，或者停泊危及其他船舶、海上设施的安全；

(10) A vessel, in violation of the provisions, carries passengers and goods beyond the passenger quota, load line, and cargo category approved in the vessel inspection certificate, or a passenger vessel carries passengers while carrying dangerous goods.

(十) 船舶违反规定超过检验证书核定的载客定额、载重线、载货种类载运乘客、货物，或者客船载运乘客同时载运危险货物；

(11) A passenger vessel fails to clearly indicate safety instructions to passengers or set safety signs and warnings.

(十一) 客船未向乘客明示安全须知、设置安全标志和警示；

(12) A vessel fails to conduct loading and unloading, stowage, segregation, fastening and management of goods in accordance with the applicable laws, administrative regulations and rules, as well as the requirements of the mandatory standards and technical specifications.

(十二) 未按照有关法律、行政法规、规章以及强制性标准和技术规范的要求安全装卸、积载、隔离、系固和管理货物；

(13) Other acts in violation of the rules on maritime navigation, berthing, and operations.

(十三) 其他违反海上航行、停泊、作业规则的行为。

Article 104 Where a vessel sailing on international routes enters or exits a port without permission, the maritime safety administration shall impose a fine of not less than 3,000 yuan nor more than 30,000 yuan upon the owner, operator or manager of the vessel in violation of the law, and impose a fine of not less than 2,000 yuan nor more than 20,000 yuan upon the master, liable crew members or other liable persons; and under serious circumstances, revoke the

第一百零四条 国际航行船舶未经许可进出口岸的，由海事管理机构对违法船舶的所有人、经营人或者管理人处三千元以上三万元以下的罚款，对船长、责任船员或者其他责任人员，处二千元以上二万元以下的罚款；情节严重的，吊销船长、责任船员的船员适任证书。

certificates of competency of the master and liable crew members.

Where a vessel sailing on domestic routes that enters or exits a port or an off-port loading and unloading station fails to report to the maritime safety administration according to the law, the maritime safety administration shall impose a fine of not less than 3,000 yuan nor more than 30,000 yuan upon the owner, operator or manager of the vessel in violation of the law, and impose a fine of not less than 500 yuan nor more than 5,000 yuan upon the master, liable crew members or other liable persons.

Article 105 Where a vessel or offshore installation carries out offshore construction operations without permission, fails to carry out operations in accordance with the requirements of the permission, or carries out operations beyond the verified safe operation area, the maritime safety administration shall order it to take corrective action, impose a fine of not less than 30,000 yuan nor more than 300,000 yuan upon the owner, operator or manager of the vessel or offshore installation in violation of the law, and impose a fine of not less than 3,000 yuan nor more than 30,000 yuan upon the master and liable crew members, or suspend their certificates of competency for six to 12 months; and under serious circumstances, revoke the certificates of competency of the master and liable crew members.

Where a vessel or offshore installation carrying out water and underwater activities that may affect the maritime traffic safety fails to report to the maritime safety administration in advance as required, the maritime safety administration shall impose a fine of not less than 10,000 yuan nor more than 30,000 yuan upon the owner, operator or manager of the vessel or offshore installation in violation of the law, and impose a fine of not less than 2,000 yuan nor more than 20,000 yuan upon the master and liable crew members.

Article 106 Where the owner, operator or manager of an obstruction falls under any of the following circumstances, the maritime safety administration shall order it to take corrective action and impose a fine of not less than 20,000 yuan nor more than 200,000 yuan upon it; and where no corrective action has been taken within the prescribed time limit, the maritime safety administration shall have the right to conduct substitute performance according to the law, and the expenses incurred therefrom shall be assumed by the owner, operator or manager of the obstruction:

(1) It fails to set warning signs in a timely manner in accordance with the requirements of the relevant mandatory standards and technical specifications.

国内航行船舶进出港口、港外装卸站未依法向海事管理机构报告的，由海事管理机构对违法船舶的所有人、经营人或者管理人处三千元以上三万元以下的罚款，对船长、责任船员或者其他责任人员处五百元以上五千元以下的罚款。

第一百零五条 船舶、海上设施未经许可从事海上施工作业，或者未按照许可要求、超出核定的安全作业区进行作业的，由海事管理机构责令改正，对违法船舶、海上设施的所有人、经营人或者管理人处三万元以上三十万元以下的罚款，对船长、责任船员处三千元以上三万元以下的罚款，或者暂扣船员适任证书六个月至十二个月；情节严重的，吊销船长、责任船员的船员适任证书。

从事可能影响海上交通安全的水上水下活动，未按规定提前报告海事管理机构的，由海事管理机构对违法船舶、海上设施的所有人、经营人或者管理人处一万元以上三万元以下的罚款，对船长、责任船员处二千元以上二万元以下的罚款。

第一百零六条 碍航物的所有人、经营人或者管理人有下列情形之一的，由海事管理机构责令改正，处二万元以上二十万元以下的罚款；逾期未改正的，海事管理机构有权依法实施代履行，代履行的费用由碍航物的所有人、经营人或者管理人承担：

(一) 未按照有关强制性标准和技术规范的要求及时设置警示标志；

(2) It fails to report the name, shape, size, location and depth of the obstruction to the maritime safety administration.

(二) 未向海事管理机构报告碍航物的名称、形状、尺寸、位置和深度；

(3) It fails to salvage or remove the obstruction within the time limit prescribed by the maritime safety administration.

(三) 未在海事管理机构限定的期限内打捞清除碍航物。

Article 107 Where a vessel of foreign nationality enters or exits the internal waters or territorial sea of China in violation of the provisions of this Law, the maritime safety administration shall impose a fine of not less than 50,000 yuan nor more than 500,000 yuan upon the owner, operator or manager of the vessel in violation of the law, and impose a fine of not less than 10,000 yuan nor more than 30,000 yuan upon the master.

第一百零七条 外国籍船舶进出中华人民共和国内水、领海违反本法规定的，由海事管理机构对违法船舶的所有人、经营人或者管理人处五万元以上五十万元以下的罚款，对船长处一万元以上三万元以下的罚款。

Article 108 Where a vessel carrying dangerous goods falls under any of the following circumstances, the maritime safety administration shall order it to take corrective action, impose a fine of not less than 50,000 yuan nor more than 500,000 yuan upon the owner, operator or manager of the vessel in violation of the law, and impose a fine of not less than 5,000 yuan nor more than 50,000 yuan upon the master, liable crew members or other liable persons; and under serious circumstances, order cease of operations or navigation, and suspend for six to 12 months or even revoke the certificates of competency of the master and liable crew members:

第一百零八条 载运危险货物的船舶有下列情形之一的，海事管理机构应当责令改正，对违法船舶的所有人、经营人或者管理人处五万元以上五十万元以下的罚款，对船长、责任船员或者其他责任人员，处五千元以上五万元以下的罚款；情节严重的，责令停止作业或者航行，暂扣船长、责任船员的船员适任证书六个月至十二个月，直至吊销船员适任证书：

(1) It enters or exits a port without permission or carries out lightering of bulk liquid dangerous goods.

(一) 未经许可进出港口或者从事散装液体危险货物过驳作业；

(2) It fails to prepare corresponding emergency response plan or be equipped with corresponding fire-fighting and emergency equipment and apparatus as required.

(二) 未按规定编制相应的应急处置预案，配备相应的消防、应急设备和器材；

(3) It carries out loading, unloading, and lightering of dangerous goods in violation of the relevant mandatory standards and safe operation procedures.

(三) 违反有关强制性标准和安全作业操作规程的要求从事危险货物装卸、过驳作业。

Article 109 A consignor that consigns dangerous goods and falls under any of the following circumstances shall be ordered by the maritime safety administration to take corrective action and be fined not less than 50,000 yuan nor more than 300,000 yuan:

第一百零九条 托运人托运危险货物，有下列情形之一的，由海事管理机构责令改正，处五万元以上三十万元以下的罚款：

(1) It fails to notify the carrier of the official name and dangerous nature of and the protective measures to be taken for the dangerous goods consigned.

(一) 未将托运的危险货物的正式名称、危险性质以及应当采取的防护措施通知承运人；

(2) It fails to appropriately pack dangerous goods and set obvious signs and labels of dangerous goods in accordance with the applicable laws, administrative regulations, and rules, as well as the requirements of the mandatory standards and technical specifications.

(3) It carries dangerous goods in general goods, or falsely reports dangerous goods as general goods for consignment.

(4) It fails to submit the documents issued by the relevant professional institutions indicating the dangerous characteristics of the goods and the protective measures to be taken.

(二) 未按照有关法律、行政法规、规章以及强制性标准和技术规范的要求对危险货物妥善包装，设置明显的危险品标志和标签；

(三) 在托运的普通货物中夹带危险货物或者将危险货物谎报为普通货物托运；

(四) 未依法提交有关专业机构出具的表明该货物危险特性以及应当采取的防护措施等情况的文件。

Article 110 Where a vessel or offshore installation that is in distress or involved in a maritime traffic accident fails to perform reporting obligations, or falls under the circumstance of concealment or false reporting, the maritime safety administration shall impose a fine of not less than 3,000 yuan nor more than 30,000 yuan upon the owner, operator or manager of the vessel or offshore installation in violation of the law, and impose a fine of not less than 2,000 yuan nor more than 20,000 yuan upon the master and liable crew members and suspend their certificates of competency for six to 24 months; and under serious circumstances, impose a fine of not less than 10,000 yuan nor more than 100,000 yuan upon the owner, operator or manager of the vessel or offshore installation in violation of the law, and revoke the certificates of competency of the master and liable crew members.

Article 111 Where a vessel escapes after a maritime traffic accident, the maritime safety administration shall impose a fine of not less than 100,000 yuan nor more than 500,000 yuan upon the owner, operator or manager of the vessel in violation of the law, and impose a fine of not less than 5,000 yuan nor more than 50,000 yuan upon the master and liable crew members and revoke their certificates of competency, and those so punished shall not reapply for a certificate of competency for life.

Article 112 Where a vessel or offshore installation fails to perform the obligations of maritime rescue in accordance with the law and refuses to obey the command of the maritime search and rescue center, the maritime safety administration shall impose a fine of not less than 30,000 yuan nor more than 300,000 yuan upon the owner, operator or manager of the vessel or offshore installation, and suspend for six to 12 months or even revoke the certificates of competency of the master and liable crew members.

第一百一十条 船舶、海上设施遇险或者发生海上交通事故后未履行报告义务，或者存在瞒报、谎报情形的，由海事管理机构对违法船舶、海上设施的所有人、经营人或者管理人处三千元以上三万元以下的罚款，对船长、责任船员处二千元以上二万元以下的罚款，暂扣船员适任证书六个月至二十四个月；情节严重的，对违法船舶、海上设施的所有人、经营人或者管理人处一万元以上十万元以下的罚款，吊销船长、责任船员的船员适任证书。

第一百一十一条 船舶发生海上交通事故后逃逸的，由海事管理机构对违法船舶的所有人、经营人或者管理人处十万元以上五十万元以下的罚款，对船长、责任船员处五千元以上五万元以下的罚款并吊销船员适任证书，受处罚者终身不得重新申请。

第一百一十二条 船舶、海上设施不依法履行海上救助义务，不服从海上搜救中心指挥的，由海事管理机构对船舶、海上设施的所有人、经营人或者管理人处三万元以上三十万元以下的罚款，暂扣船长、责任船员的船员适任证书六个月至十二个月，直至吊销船员适任证书。

Article 113 A relevant entity or individual that refuses or obstructs the supervision and inspection of the maritime safety administration, or practices fraud when accepting the supervision and inspection shall be fined not less than 2,000 yuan nor more than 20,000 yuan by the maritime safety administration, and the master and liable crew members shall be subject to suspension for six to 24 months or even revocation of their certificates of competency.

Article 114 Staff members of the transport department, the maritime safety administration and other relevant departments that abuse power, neglect duties, practice favoritism and make falsification in violation of the provisions of this Law shall be given penalties according to the law.

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

Article 116 Whoever violates the provisions of this Law, which constitutes a violation of public security administration, shall be given public security administration punishment according to the law; if the act results in personal or property damage, shall assume civil liability according to the law; and if the act constitutes a crime, shall be held criminally liable in accordance with the law.

Chapter X Supplemental Provisions

Article 117 The meanings of the following terms in this Law are:

“Vessels” means various types of displacement or non-displacement ships, boats, rafts, water crafts, submersibles, mobile platforms and other mobile devices.

“Offshore installations” means various overwater and underwater fixed or floating structures and installations, and fixed platforms, but excluding port facilities such as wharfs and breakwaters.

“Internal waters” means the sea areas from the landward side of the baseline of the territorial sea of China to the coastline.

“Construction operations” means exploration, excavation and blasting, the construction, maintenance, and removal of overwater and underwater structures or installations, channel construction and dredging operations (excluding

第一百一十三条 有关单位、个人拒绝、阻碍海事管理机构监督检查，或者在接受监督检查时弄虚作假的，由海事管理机构处二千元以上二万元以下的罚款，暂扣船长、责任船员的船员适任证书六个月至二十四个月，直至吊销船员适任证书。

第一百一十四条 交通运输主管部门、海事管理机构及其他有关部门的工作人员违反本法规定，滥用职权、玩忽职守、徇私舞弊的，依法给予处分。

第一百一十五条 因海上交通事故引发民事纠纷的，当事人可以依法申请仲裁或者向人民法院提起诉讼。

第一百一十六条 违反本法规定，构成违反治安管理行为的，依法给予治安管理处罚；造成人身、财产损害的，依法承担民事责任；构成犯罪的，依法追究刑事责任。

第十章 附 则

第一百一十七条 本法下列用语的含义是：

船舶，是指各类排水或者非排水的船、艇、筏、水上飞行器、潜水器、移动式平台以及其他移动式装置。

海上设施，是指水上水下各种固定或者浮动建筑、装置和固定平台，但是不包括码头、防波堤等港口设施。

内水，是指中华人民共和国领海基线向陆地一侧至海岸线的海域。

施工作业，是指勘探、采掘、爆破，构筑、维修、拆除水上水下构筑物或者设施，航道建设、疏浚（航道养护疏浚除外）作业，打捞沉船沉物。

maintenance dredging of channels), and the salvage of sunken vessels and sunken objects.

“Maritime traffic accidents” means accidents occurred during navigation, berthing, and operations of vessels and offshore installations that cause casualties or property losses due to collisions, stranding, reefs striking, touches, fire disasters, wind damage, wave damage, sinking and other reasons.

“Maritime distress” means various circumstances that pose threats to the safety of life at sea and the environment of waters, and require immediate measures to be taken to avoid, control, mitigate and eliminate them.

“Dangerous goods” means goods that are listed in the International Maritime Dangerous Goods Code and the National Dangerous Goods List, that are flammable, explosive, toxic, corrosive, radioactive, and polluting, among others, and for which special protective measures need to be taken as they may cause personal injury, property damage or environmental pollution during the course of transport by vessels .

“Sea ferries” means the transportation infrastructure between islands on the sea, between islands on the sea and the mainland, or between the mainlands facing each other across the sea, exclusively used for the transportation of people, luggage, and vehicles by ferry boats.

Article 118 The specific measures for the inspection and manning of official vessels shall be separately developed by the transport department under the State Council in conjunction with relevant competent departments.

The measures for registration and inspection of sports vessels shall be separately developed by the sports department under the State Council. The sports departments shall be responsible for the supervision and administration of maritime traffic safety of sports vessels during the period of training and competition.

The fishery administrations of the people's governments at or above the county level shall be responsible for the supervision and administration of fishery crews, fishery radios, and fishery aids to navigation, the registration and administration of fishery vessels, the management of maritime traffic safety in the waters of fishing ports, and the investigation and handling of traffic accidents between fishery vessels (including fishery vessels of foreign nationality). Where it is otherwise provided by the laws and administrative regulations, or the

海上交通事故，是指船舶、海上设施在航行、停泊、作业过程中发生的，由于碰撞、搁浅、触礁、触碰、火灾、风灾、浪损、沉没等原因造成人员伤亡或者财产损失的事故。

海上险情，是指对海上生命安全、水域环境构成威胁，需立即采取措施规避、控制、减轻和消除的各种情形。

危险货物，是指国际海上危险货物运输规则和国家危险货物品名表上列明的，易燃、易爆、有毒、有腐蚀性、有放射性、有污染危害性等，在船舶载运过程中可能造成人身伤害、财产损失或者环境污染而需要采取特别防护措施的货物。

海上渡口，是指海上岛屿之间、海上岛屿与大陆之间，以及隔海相望的大陆与大陆之间，专用于渡船渡运人员、行李、车辆的交通基础设施。

第一百一十八条 公务船舶检验、船员配备的具体办法由国务院交通运输主管部门会同有关主管部门另行制定。

体育运动船舶的登记、检验办法由国务院体育主管部门另行制定。训练、比赛期间的体育运动船舶的海上交通安全监督管理由体育主管部门负责。

渔业船员、渔业无线电、渔业航标的监督管理，渔业船舶的登记管理，渔港水域内的海上交通安全管理，渔业船舶（含外国籍渔业船舶）之间交通事故的调查处理，由县级以上人民政府渔业渔政主管部门负责。法律、行政法规或者国务院对渔业船舶之间交通事故的调查处理另有规定的，从其规定。

State Council for the investigation and handling of traffic accidents between fishery vessels, such provisions shall apply.

Except as prescribed in the preceding paragraph, the maritime traffic safety management of fishery vessels shall be in the charge of the maritime safety administration. The inspection, supervision and administration of fishery vessels shall be carried out by the maritime safety administration in accordance with the provisions of the applicable laws and administrative regulations.

The inspection of offshore oil and natural gas production facilities such as floating oil storage devices shall be governed by the provisions of the applicable laws and administrative regulations.

Article 119 For the internal maritime traffic safety management of maritime military jurisdictions, and military vessels and offshore installations, the establishment and management of military aids to navigation, as well as the management of operations or water and underwater activities for military purposes, the measures for the administration shall be separately developed by the Central Military Commission.

Where the demarcation of and adjustment to the maritime traffic functional zones or specific waters in the territorial sea, the demarcation of ferry routes at sea ferries, and granting permission for maritime construction operations may affect the combat readiness, training, duty performance, and other operations of military vessels, the maritime safety administration shall solicit opinions of the relevant military authority in advance.

Where there are special needs for the implementation of military transportation tasks, the relevant military authority shall notify the relevant information to the maritime safety administration in a timely manner. The maritime safety administration shall provide necessary convenience.

Where the maritime traffic safety management involves the protection of national defense traffic and military installations, the provisions of the applicable laws shall prevail.

Article 120 Official vessels of foreign nationality navigating, berthing, or carrying out operations in the territorial sea of China that violate the laws and administrative regulations of China shall be handled in accordance with the provisions of the applicable laws and administrative regulations.

除前款规定外，渔业船舶的海上交通安全管理由海事管理机构负责。渔业船舶的检验及其监督管理，由海事管理机构依照有关法律、行政法规的规定执行。

浮式储油装置等海上石油、天然气生产设施的检验适用有关法律、行政法规的规定。

第一百一十九条 海上军事管辖区和军用船舶、海上设施的内部海上交通安全管理，军用航标的设立和管理，以及为军事目的进行作业或者水上水下活动的管理，由中央军事委员会另行制定管理办法。

划定、调整海上交通功能区或者领海内特定水域，划定海上渡口的渡运线路，许可海上施工作业，可能对军用船舶的战备、训练、执勤等行动造成影响的，海事管理机构应当事先征求有关军事机关的意见。

执行军事运输任务有特殊需要的，有关军事机关应当及时向海事管理机构通报相关信息。海事管理机构应当给予必要的便利。

海上交通安全管理涉及国防交通、军事设施保护的，依照有关法律的规定执行。

第一百二十条 外国籍公务船舶在中华人民共和国领海航行、停泊、作业，违反中华人民共和国法律、行政法规的，依照有关法律、行政法规的规定处理。

The management of military vessels of foreign nationality in the sea areas within the jurisdiction of China shall be governed by the provisions of the applicable laws.

在中华人民共和国管辖海域内的外国籍军用船舶的管理，适用有关法律的规定。

Article 121 In the case of any discrepancy between any international treaty concluded or acceded to by China and this Law, the international treaty shall prevail, except for any article on which China has declared reservations.

第一百二十一条 中华人民共和国缔结或者参加的国际条约同本法有不同规定的，适用国际条约的规定，但中华人民共和国声明保留的条款除外。

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

第一百二十二条 本法自2021年9月1日起施行。

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