



Office of
Deputy Commissioner
of Maritime Affairs

THE REPUBLIC OF LIBERIA
LIBERIA MARITIME AUTHORITY

Marine Notice

INT-003
January 2019

**TO: ALL SHIPOWNERS, OPERATORS, MASTERS AND OFFICERS OF
MERCHANT SHIPS FLYING THE LIBERIAN FLAG**

**SUBJECT: MARITIME TRANSPORT CONCERNING LIBERIAN AND CHINESE
REGISTERED VESSELS**

**Reference: Agreement Between the Government of the People's Republic of China and
the Government of the Republic of Liberia on Maritime Transport, signed on
September 5, 2018**

Supersedes: Marine Notice INT-003, dated November 2018

PURPOSE:

The purpose of this Marine Notice ("Notice") is to provide details of the Liberian Maritime Authority's ("LMA") implementation of the Agreement between the Government of the People's Republic of China ("PRC") and the Government of the Republic of Liberia ("Liberia") on Maritime Transport renewal ("Agreement") as of September 5, 2018. The Agreement serves to further develop friendly relations between the two governments and strengthen their cooperation in the field of maritime transport on the basis of equality and mutual benefit, freedom of navigation and the principle of non-discrimination. In view of the aforementioned, ship-owners of Liberian registered vessels will be charged tonnage dues when visiting any port in the PRC at precisely the same rate as tonnage dues charged to vessels that are lawfully registered and flagged with the PRC.

APPLICABILITY:

This Marine Notice applies to Liberian flagged vessels entering and or operating in Chinese ports. The same measures shall be reciprocally applicable to Chinese flagged vessels entering and or operating in Liberian ports.

EFFECTIVE DATE: January 8, 2019

1.0 DEFINITIONS

The following definitions will be incorporated directly or by reference in all guidance and procedures issued by Liberia related to the implementation of this Agreement:

- 1.1 *Vessel*: Vessel means any merchant ship registered in the territory of one Contracting Party in accordance with its national laws, flying the national flag of this Contracting Party and engaged in international maritime transport. This term, however, shall not include: warships; fishing ships; scientific research vessels; and other public ships built and used for non-commercial purpose.
- 1.2 *Members of the Crew*: Means the Master and other persons working on board the vessel of one Party, who hold the identity documents and whose names are included on the crew list of the vessel.
- 1.3 *Shipping Companies*: This term means any economic entity in compliance with the following conditions:
 - to be established in the territory of one Party and have its head office therein;
 - to undertake all the civil responsibilities independently;
 - to be engaged in the business of international maritime transport with its owned or operated vessels.
- 1.4 *Port*: Means international commercial ports of either party open to foreign vessels.
- 1.5 *Competent Authorities*: in case of the People's Republic of China, the Ministry of Transport, and in case of the Republic of Liberia, the Liberia Maritime Authority.

2.0 COMPLIANCE/GUIDANCE

Liberian registered vessels and their crew will be accorded the following measures upon entry into Chinese ports and vice versa in accordance with the Agreement:

2.1 Treatment of Vessels in Port

Within the limits of applicable laws and regulations, the cognizant Chinese authority will take all appropriate measures to facilitate and expedite maritime transport to avoid unnecessary delay of Liberian vessels, and simplify and expedite as much as possible the relevant customs and other port formalities of vessels, including those concerning access to existing reception facilities for waste from ships.

Liberian vessels shall be granted favorable treatment in respect of collection of tonnage dues. Specifically, Liberian registered vessels will be charged tonnage dues when visiting any port in the PRC at published Preferential Rate, which for avoidance of doubt is the same rate as tonnage dues charged to vessels that are lawfully registered and flagged with the PRC.

2.2 Cooperation

Pursuant to the Agreement, Liberia and the PRC will work cooperatively:

- a. to promote maritime and port development of both Parties on the basis of equality and mutual benefit, and eliminate any obstacles which might hamper the development thereof;
- b. to make full and effective use of the maritime fleet of the Contracting Parties so as to satisfy the transport demand of their foreign trade;
- c. to ensure the safety of navigation, including the safety of vessel, members of the crew, passenger and cargo, and the protection of environment;
- d. to enhance business, scientific and technological contacts and exchanges of experiences;
- e. to exchange information on activities of international organizations and on international maritime conventions and agreements.

2.3 Documentation of Vessels

Certificates of nationality and other ship's documents held by vessels registered in the Liberia and issued on behalf of the LMA will be recognized by the Chinese Authorities. Liberian vessels holding valid tonnage certificates issued in compliance with the International Convention on Tonnage Measurement of Ships, 1969 will not be re-measured in Chinese ports.

2.4 Seaman's Identity Documents

Seaman's Identification and Record Books issued on behalf of Liberia for members of the crew of Liberian registered ships will be recognized by the appropriate PRC authorities. The Liberian authorities will recognize Seafarer's Passport of the People's Republic of China for PRC registered vessels' crew. Furthermore, identity documents held by the crew of a third country employed by a Liberian registered vessel which are issued by the competent authorities of that third country shall be recognized as valid documents if such documents are sufficient as passports or passport substitutes in accordance with the laws of China. However, when these members of crew are active away from their vessels, they shall hold proofs confirming their employment on board the vessel.

2.5 Stop Over by Members of the Crew

During the stay of a Liberian vessel in a Chinese port, members of the crew holding the documents referred to in Section 2.4 may go ashore in accordance with the IMO Convention on Facilitation of International Maritime Traffic, 1965 ("FAL Convention, 1965") and with the relevant regulations of the PRC, provided that the Master of the Liberian registered vessel has in accordance with the regulations of the Chinese port, submitted all the necessary documents to the relevant authorities of said port.

Hospitalization of sick members of the crew in the territory of the PRC is regulated by the International Maritime Organization Convention on the Facilitation of International Maritime Traffic, 1965, as amended and by the relevant regulations of the host country.

2.6 Entry into, Stay, Departure or Transit of Members of Crew

Members of the crew of Liberian vessels holding documents specified in Section 2.4 and in possession of a valid visa, may enter into, stay, depart or travel through the territory of the PRC by any means of transport as passengers for the purpose of joining vessels, repatriation or any other reason acceptable to the relevant Chinese authorities.

The PRC reserves the right to deny entry into its territory to any crew members of a Liberian registered vessel if deemed undesirable, even though the members of the crew have the identity documents specified above.

2.7 Mutual Contact/Meeting

The Master of a Liberian registered vessel or his designated members of the crew may contact and meet with the official representatives of their country or representatives of their companies, after they have completed the procedures stipulated by relevant laws and regulations of the staying country.

2.8 Incidents

Should a Liberian registered vessel encounter a danger or any other incident in the territorial sea or the vicinal water of the PRC, the relevant authorities will render the same possible rescue and assistance to the members of the crew and passengers of that vessel as it may give to its nationals and will inform the relevant authorities of Liberia as soon as possible.

2.9 Settlement and Remittance

Revenues of shipping companies of Liberia derived in the PRC may be settled in freely convertible currencies acceptable to both Liberia and the PRC. Such revenues may be used for payment incurred in the territory of either Party and/or freely remitted abroad at the exchange rate published by the national bank of the other Party on the date of transfer.

Ship owners of Liberian registered vessels must be guided by the above provisions. Said provisions are not subject to interpretation.

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