

**DECISION No. 494/2001/QĐ-BTS OF JUNE 15,
2001 ISSUING THE REGULATION ON THE
FISHING SHIP REGISTRY AND THE
FISHING SHIP AND CREW REGISTRATION**

THE MINISTER OF AQUATIC RESOURCES

Pursuant to the Government's Decree No. 50/CP of June 21, 1994 on the tasks, powers and organizational structure of the Ministry of Aquatic Resources;

Pursuant to the Government's Decree No. 91/CP of August 23, 1997 issuing the Regulation on registration of sea-going ships and crew and Decree No. 23/2001/ND-CP of May 3, 2001 amending and supplementing a number of articles of the Regulation on registration of sea-going ships and crew, issued together with the Government's Decree No. 91/CP of August 23, 1997;

Pursuant to the Government's Decree No. 72/1998/ND-CP of September 15, 1998 on ensuring safety for fishermen and fishing means operating on the sea;

Pursuant to branch standards from 28 TCN 140:2000 to 28 TCN 149:2000, issued together with Decision No. 03/2000/QĐ-BTS of January 6, 2000 of the Minister of Aquatic Resources;

At the proposal of the director of the Aquatic Resource Protection Department,

DECIDES:

Article 1.- To issue together with this Decision the Regulation on the fishing ship registry and the fishing

ship and crew registration.

Article 2.- This Decision takes effect 15 days after its signing. The previous provisions of Decision No. 413/QĐ-BVNL of April 1, 1996 and Decision No. 211-TS/QĐ of June 17, 1992 are hereby annulled.

Article 3.- The director of the Office, the directors of the Departments, the Chief Inspector of the Ministry, the director of the Aquatic Resource Protection Department, the heads of the agencies and units of the Ministry and the directors of the provincial/municipal Aquatic Resources; Agriculture, Forestry and Fishery; and Agriculture and Rural Development Services shall have to implement this Decision.

For the Minister of Aquatic Resources
Vice Minister
NGUYEN NGOC HONG

REGULATION ON THE FISHING SHIP REGISTRY AND THE FISHING SHIPS AND CREW REGISTRATION

*(Issued together with Decision No. 494/2001/QĐ-BTS
of June 15, 2001 of the Minister of Aquatic Resources)*

Chapter I

GENERAL PROVISIONS

Article 1.- This Regulation prescribes the principles for organizing the fishing ship registry and the fishing ship and crew registration.

Article 2.- In this Regulation the following terms shall be construed as follows:

1. *Fishing ship registry* means the performance of the tasks of checking, supervising and assessing the technical conditions of fishing ships, including manufacturing materials and machines, tools and equipment for use on fishing ships being in the process of designing, building, overhauling, reformation or operation.

2. *Fishing ship registration* means the performance of the task of administrative State management over fishing ships.

3. *Crew registration* means the certification of crew who are fully qualified according to regulations to work on fishing ships.

4. *Fishing ships* mean all kinds of ships, boats, speed boats, barges and other floating means with or without engines, used for exploiting, processing, culturing, gathering and/or transporting aquatic products, supplying logistics in service of fishery; researching, surveying and exploring aquatic resources and supervising and controlling aquatic resources, and operating in water areas: sea, rivers, lakes, canals, ditches, lagoons... of the Socialist Republic of Vietnam.

5. *Crew* mean people on official payroll working on fishing ships with the prescribed titles.

6. *Ship owners* mean legal persons or individuals that own and register the ships in their names under the provisions of Vietnamese laws.

7. *Fishery activities* mean activities of exploiting, processing and culturing aquatic resources, providing logistic services, collecting aquatic goods; surveying, exploring, supervising and controlling to protect aquatic resources.

8. *Ship dry-lease* means the hiring of ships without provision of crew.

9. *Ship hire-purchase* means the combined purchase and hire of ships.

Article 3.- The director of the Aquatic Resource Protection Department shall assist the Minister of Aquatic Resources in organizing and directing uniformly the fishing ship registry and the fishing ship and crew registration nationwide.

Article 4.- Fishing ship owners can engage their ships to fishery activities only after they have completed the fishing ship registry and the fishing ship and crew registration under the provisions of this Regulation and other relevant Vietnamese law provisions.

Article 5.- Fishing ships subject to registration under this Regulation include:

1. Fishing ships of domestic organizations and individuals.

2. Fishing ships under the ownership of joint-venture enterprises or enterprises with 100% foreign-invested capital, which are established and operate under the Law on Foreign Investment in Vietnam.

3. Fishing ships of foreign organizations and

individuals, which Vietnamese enterprises purchase or hire under dry-lease or hire-purchase contracts.

4. Fishing ships donated by foreign organizations and/or individuals as non-refundable aid to Vietnam.

5. Fishing ships of foreign organizations and individuals, which are permitted by the Vietnamese Government to enter for registration in Vietnam.

Article 6.- Crew working on the following kinds of fishing ships must have fishing ship crew books:

1. Fishing ships mentioned in Clause 1, Article 5 of this Regulation, which are fitted with engines and the total capacity of main engines reaching 90 horsepower or more.

2. Fishing ships mentioned in Clauses 2, 3, 4 and 5, Article 5 of this Regulation, including ships fitted or not fitted with engines.

Article 7.- Fishing ships subject to registry under this Regulation include:

1. Fishing ships fitted with engines and the total capacity of main engines reaching 20 horsepower or more.

2. Fishing ships not fitted with engines or fitted with engines and the total capacity of main engines being under 20 horsepower but the designed water line being between 15 and 20 meters in length.

For fishing ships having the designed waterline longer than 20 m (except for fishery control ships), the registry thereof shall be effected by Vietnam Registry Department.

Chapter II

AGENCIES IN CHARGE OF FISHING SHIP REGISTRY AND FISHING SHIP AND CREW REGISTRATION

Article 8.- The agencies in charge of fishing ship registry and fishing ship and crew registration, which are hereinafter called "fishing ship registry agencies" for short, include:

1. The central fishing ship registry agency: The Aquatic Resource Protection Department, the Ministry of Aquatic Resources.

2. The provincial-level fishing ship registry agencies: The Aquatic Resource Protection Sub-Departments or Aquatic Resource Protection Centers of the provincial/municipal Aquatic Resources or Agriculture and Rural Development Services that manage aquatic resources in

the provinces and centrally-run cities.

For provinces and centrally-run cities where Aquatic Resource Protection Sub-Departments or Centers are not available, the provincial-level fishing ship registry agencies shall be the provincial/municipal Agriculture and Rural Development Services.

Article 9.- The fishing ship and crew registration is assigned as follows:

1. The central fishing ship registry agency shall carry out the registration for:

a/ Fishing ships of units attached to the Ministry of Aquatic Resources and of other central branches, including the armed force units engaged in economic aquatic activities;

b/ Fishery control ships;

c/ Ships conducting research, survey and exploration of aquatic resources;

d/ Fishing ships mentioned in Clauses 2, 3, 4 and 5, Article 5 of this Regulation.

2. The provincial fishing ship registry agencies shall carry out the registration for fishing ships in the provinces, which are not mentioned in Clause 1 of this Article.

Article 10.- The fishing ship registry is assigned as follows:

1. The central fishing ship registry agency shall carry out the registry for:

a/ Fishing ships fitted with engines and the total capacity of main engines reaching 90 horsepower or more;

b/ Fishing ships mentioned in Clause 1, Article 9 of this Regulation.

2. The provincial fishing ship registry agencies shall carry out the registry for:

a/ Fishing ships not mentioned in Clause 1 of this Article, including fishing ships of the provinces and other provinces, which have expired registry durations and now apply for inspection and extension or which have been built or repaired in the localities under their management;

b/ Fishing ships as authorized by the central fishing ship registry agency.

For the provinces and centrally-run cities which have no Aquatic Resource Protection Sub-Departments or Centers, the fishing ship registry shall be carried out by the central fishing ship registry agency or the nearest qualified provincial fishing ship registry agency as

designated by the central fishing ship registry agency.

Article 11.-

1. The central fishing ship registry agency may authorize the provincial fishing ship registry agencies to carry out the registry of fishing ships mentioned in Clause 1, Article 10 of this Regulation on the following principles:

a/ Authorizing the whole or part of the registry, in certain periods of time;

b/ Authorizing the host provincial fishing ship registry agency or the nearest qualified provincial fishing ship registry agency.

2. Conditions for being authorized:

a/ Having enough specialized personnel who have been granted registrar's certificates;

b/ Having adequate equipment and tools for carrying out ship registry.

c/ Strictly abiding by the technical processes, norms and standards as well as the State's regulations and the Finance Ministry's guidance on the fishing ship registry.

d/ Fully complying with the prescribed reporting and statistical regime.

3. The central fishing ship registry agency shall have to inspect the authorized units according to the conditions mentioned in Clause 2 of this Article.

Article 12.- The central fishing ship registry agency has the following tasks:

1. Studying and formulating standards, processes and norms for application to the designing, building, overhauling, transformation and refurbishment of fishing ships, and regulations on the fishing ship and crew registration, then submitting them to the Ministry of Aquatic Resources for promulgation.

2. Making and keeping a register of fishing ships under its management, summing up statistical data on registered fishing ships and crew nationwide.

3. Organizing the direction of the fishing ship registry and the fishing ship and crew registration nationwide.

4. Organizing the professional training and guidance for the provincial fishing ship registry agencies.

5. Inspecting, supervising and overseeing activities of fishing ship registry as well as fishing ship and crew registration by the provincial fishing ship registry agencies nationwide.

6. Directly carrying out the fishing ship and crew registration for ships of those kinds mentioned in Clause 1, Article 9, and the fishing ship registry for ships of those kinds mentioned in Clause 1, Article 10 of this Regulation.

7. Participating in the assessment of the technical conditions and quality of fishing ships under its management before they are refurbished, liquidated or sold.

8. Joining the Council for Appraisal of Maritime Incidents and Accidents.

9. Promulgating forms of papers used in the fishing ship registry and fishing ship and crew registration; printing, distributing and managing them nationwide.

10. Collecting charges and fees for fishing ship registry and fishing ship and crew registration according to the State's current regulations.

Article 13.- The provincial fishing ship registry agencies have the following tasks:

1. Making and keeping registers of fishing ships as assigned, summing up statistical data on fishing ships and crew registered in the provinces.

2. Reporting on the work of fishing ship registry and fishing ship and crew registration according to regulations.

3. Directly carrying out the fishing ship and crew registration for ships of those kinds mentioned in Clause 2, Article 9, and the fishing ship registry for ships of those kinds mentioned in Clause 2, Article 10 of this Regulation.

4. Joining in the assessment of the technical conditions and quality of fishing ships under their management before they are refurbished, liquidated or sold.

5. Joining the Council for Appraisal of Maritime Incidents and Accidents for fishing ships.

6. Collecting charges and fees for fishing ship registry and fishing ship and crew registration according to the State's current regulations.

Chapter III

REGISTRY OF FISHING SHIPS

Article 14.-

1. All fishing ships mentioned in Article 7 of this Regulation must be subject to the technical inspection and supervision by the fishing ship registry agencies.

2. For fishing ships not mentioned in Article 7 of this Regulation, the fishing ship registry agencies shall only examine their safety equipment and basic parameters before carrying out the registration thereof.

3. When building, overhauling, transforming or refurbishing fishing ships mentioned in Article 7 of this Regulation, ship owners or ship-building or -repairing establishments which are authorized by ship owners must sign technical supervision contracts with the fishing ship registry agencies.

Article 15.- Fishing ships of those kinds subject to registry must have technical dossiers. The contents of such technical dossiers are prescribed in branch standard 28 TCN 141:2000 and the State's current norms and criteria.

Article 16.- The performance of the registry work for newly-built, overhauled and transformed fishing ships includes:

1. Consideration and approval of designs.
2. Inspection and supervision in the process of building or repairing, testing and acceptance.

Article 17.- The performance of the registry work for fishing ships in the process of their operation includes:

1. First-time examination.
2. Annual examination.
3. Periodical examination.
4. Irregular examination.

The purposes of the above-said types of examination are stated in Section 5 of branch standard 28 TCN 140:2000.

Article 18.- Papers to be granted after the registry work is finished:

1. The design-approval card.
2. The part-by-part acceptance record.
3. The first-time/periodical technical examination record.
4. The annual technical examination record.
5. The book of certification of the fishing ship's operational capability.

The contents, sizes and designs of the above-said papers are stated in branch standards from 28 TCN 142:2000 to 28 TCN 149:2000.

Article 19.- The central fishing ship registry agency shall base itself on the current standards and norms to specify the contents of each type of technical examination of fishing ships.

Chapter IV

REGISTRATION OF FISHING SHIPS

Article 20.- Fishing ships shall be registered into the fishing ship registers if they meet all the following conditions:

1. Being fit for fishery activities, in line with the development orientations of the aquatic resource branch.
2. Ship owners must commit themselves not to use their ships for illegal purposes.
3. Bearing no other sea-going ship registration numbers.
4. Having completed the registry (for kinds of ships subject to registry).
5. For fishing ships of foreign origin as mentioned in Sections C, D and E, Article 23 of this Regulation, they must not be aged more than 15 years.
6. Belonging to domestic organizations or individuals with head offices based in Vietnam. If they belong to foreign organizations or individuals, the Vietnamese Government's permission is required.
7. Having their own names given by the ship owners, maybe after their registration numbers. In cases where ship owners wish to name their ships after the Vietnamese historical figures, the approval of the Ministry of Aquatic Resources is required.

Article 21.-

1. Ship owners shall be obliged to register their ships at the fishing ship registry agencies specified in Article 9 of this Regulation.
2. At a particular point of time, each fishing ship should be registered only at one fishing ship registry agency and bear a sole registration number.
3. The fishing ship registration procedures and dossiers are prescribed in Article 23 of this Regulation.

Article 22.- Fishing ship registration numbers are divided into three groups (counting from left to right) as

follows:

A. The first group consists of letters standing for the name of a province or centrally-run city. Concretely:

01. An Giang	AG
02. Ba Ria-Vung Tau	BV
03. Bac Lieu	BL
04. Bac Can	BC
05. Bac Giang	BG
06. Bac Ninh	BN
07. Ben Tre	BT
08. Binh Duong	BD
09. Binh Dinh	BD
10. Binh Phuoc	BP
11. Binh Thuan	BTh
12. Ca Mau	CM
13. Cao Bang	CB
14. Can Tho	CT
15. Da Nang	DNa
16. Dac Lac	DL
17. Dong Nai	DN
18. Dong Thap	DT
19. Gia Lai	GL
20. Ha Giang	HG
21. Hanoi	HN
22. Ha Nam	HNa
23. Ha Tay	HTa
24. Ha Tinh	HT
25. Hai Duong	HD
26. Hai Phong	HP
27. Hoa Binh	HB
28. Ho Chi Minh City	SG
29. Hung Yen	HY
30. Khanh Hoa	KH
31. Kien Giang	KG
32. Kon Tum	KT
33. Lai Chau	LC
34. Lang Son	LS
35. Lao Cai	LCa
36. Lam Dong	LD

37. Long An	LA
38. Nam Dinh	ND
39. Nghe An	NA
40. Ninh Binh	NB
41. Ninh Thuan	NT
42. Phu Tho	PT
43. Phu Yen	PY
44. Quang Binh	QB
45. Quang Nam	QNa
46. Quang Ngai	QNg
47. Quang Ninh	QN
48. Quang Tri	QT
49. Soc Trang	ST
50. Son La	SL
51. Tay Ninh	TN
52. Thai Binh	TB
53. Thai Nguyen	TNg
54. Thanh Hoa	TH
55. Thua Thien -Hue	TTH
56. Tien Giang	TG
57. Tra Vinh	TV
58. Tuyen Quang	TQ
59. Vinh Long	VL
60. Vinh Phuc	VP
61. Yen Bai	YB

B. The second group consists of 4 numerals in the order from 0001 to 9999; particularly for ships fitted with main engines of between 90 horsepower and more, this group consists of 5 numerals as follows: the first numeral is 9 and the following numerals are in the order from 0001 to 9999.

C. The third group:

a/ Consists of 2 letters "TS" (Thuy San - Aquatic Resources) for ships registered at the provincial fishing ship registry agencies;

b/ Consists of 3 letters "BTS" (Bo Thuy San - Ministry of Aquatic Resources), for ships registered at the central fishing ship registry agency;

c/ Consists of 2 letters "KN" (Kiem Ngu - Fishery Control), for fishery control ships.

2. Names and registration numbers must be inscribed

in paint or on plates firmly stuck to the sides of the ships as prescribed below:

a/ The ship's name is inscribed on the wall of the cabin or bedroom;

b/ The registration number is inscribed on both sides of the ship prow; where a ship is too small and its registration number cannot be inscribed on the side of its prow, it shall be inscribed on a plate stuck to the outer wall of the cabin or bedroom; if a ship has neither cabin nor bedroom, its registration number may be inscribed or stuck on its body at any position easy to be seen.

c/ The geographical name of the port or the place where the ship is registered for docking shall be inscribed at the ships' stern.

Letters and numerals must be inscribed in a neat manner, in print style, their color must contrast the background color to be easily seen.

The sizes of letters and numerals must be proportional to the ship's size, their thickness must not be less than 30 mm and their height not lower than 200 mm. For very small ships, the sizes of letters and numerals may be smaller than the above-prescribed limits but must be clear and easy to be seen.

Article 23.- A fishing ship registration dossier consists of:

A. For newly-built or transformed fishing ships:

1. Papers to be submitted, one copy each:

a/ Declaration for fishing ship and crew registration (original);

b/ Certificate of release from workshop, granted by the owner of the ship-building or repairing establishment or ship-building or -repairing contract (original);

c/ Receipt of payment of registration fee (for the ship's engine and shell, original);

d/ Old registration certificate (for transformed ships, original);

e/ Two photos of the ship, size 9x12 (color photos of the whole ship from both sides).

2. Papers to be produced (original copies):

a/ The technical safety dossier, granted by the registry agency (original), for kinds of ships subject to registry;

b/ Permit for use of the ship's radio, if any.

B. For fishing ships over which the ownership is transferred domestically (sale, exchange, giving away,

transfer, inheriting, etc...)

1. Cases of transfer of ownership of ships in the region with the same registry agency:

1.1. Papers to be submitted, one copy each:

a/ Declaration for transfer and re-granting of the registration certificate;

b/ Documents on the transfer of the ship's ownership under current regulations of the State (original);

c/ Old registration certificate of the fishing ship (original);

d/ Receipt for payment of registration fee (original).

1.2. Papers to be produced (original copies): The technical safety dossier (original), granted by the registry agency, for kinds of ships subject to registry.

2. Cases of transfer of the ships' ownership from one region to another with two different registry agencies:

2.1. Papers to be submitted, one copy each:

a/ Declaration for fishing ship and crew registration (original);

b/ Certificate of registration deletion, granted by the former fishing ship registration agency, enclosed with the ship's old registration dossier (original);

c/ Two photos of the ship, size 9 x 12 (color photos of the whole ship from both sides);

d/ Papers mentioned at Items c and d, Point 1.1, Clause 1 of this Section.

2.2. Papers to be produced (original copies): Papers as mentioned in Clause 2, Section A of this Article.

C. For fishing ships bought from foreign countries

1. Papers to be submitted, one copy each:

a/ Declaration for fishing ship and crew registration (original);

b/ Permit for purchase of the ship, granted by a competent Vietnamese State body (original);

c/ Written certification of the completion of customs procedures (original);

d/ Certificate of deletion of old registration, granted by the ship registration agency of the country that sells the ship (original), enclosed with the Vietnamese translation authenticated by a competent body;

e/ Receipt for payment of registration fee (original);

f/ Two photos of the ship, size 9 x 12 (color photos of the whole ship from both sides).

2. Papers to be produced (original copies):

a/ The technical safety dossier (original), granted by the registry agency;

b/ Permit for use of the ship's radio, if any.

D. For fishing ships dry-leased or hire-purchased from foreign countries

1. Papers to be submitted, one copy each:

a/ Contract on dry-lease or hire-purchase of the ship into Vietnam (original);

b/ Written certification of temporary suspension of the old registration (original), granted by the former registration agency, enclosed with the Vietnamese translation authenticated by a competent body;

c/ Permit for dry-lease or hire-purchase of the ship into Vietnam (original), granted by a competent Vietnamese State body;

d/ Papers mentioned at Points a, c, e and f, Clause 1, Section C of this Article.

2. Papers to be produced (originals): Papers mentioned in Clause 2, Section C of this Article.

E. For fishing ships donated as refundable aid by foreign organizations and individuals

1. Papers to be submitted, one copy each:

a/ Paper on the receipt of the donated ship (original), granted by a competent Vietnamese State agency;

b/ Papers mentioned at Points a, c, d and f, Clause 1, Section C of this Article.

2. Papers to be produced (original copies):

Papers mentioned at Points a and b, Clause 2, Section C of this Article.

Article 24.- Within seven days after receiving complete and valid dossiers, the fishing ship registry agencies shall have to carry out the procedures to make registration in the fishing ship registers and grant fishing ship registration certificates. Where all registration conditions are not met or registration dossiers are not valid, the ship owners must be notified thereof.

Article 25.- Owners and captains of fishing ships shall be obliged to preserve and keep fishing ship registration certificates and registry papers on their ships all the time.

Article 26.-

1. Fishing ship registration certificates may be re-granted in the following cases:

a/ They are lost, torn or damaged;

b/ Changes in the ships' names, call-outs or technical parameters.

2. A dossier to be submitted to the fishing ship registry agency for re-granting of a registration certificate consists of:

a/ Declaration for changing the ship's name or re-granting the fishing ship's registration;

b/ Old registration certificate (if it is torn, damaged or the ship's name is changed...; original) or declaration of loss of the "fishing ship registration certificate", with certification by the commune or ward administration or the police or border guard station of the place where the certificate is lost (for loss of certificates).

3. The fishing ship registry agencies shall consider and re-grant "fishing ship registration certificates" to ship owners within three days after receiving the declarations.

4. Re-granted registration certificates must bear the previously granted registration numbers and clearly indicate the time of re-granting.

Article 27.-

1. Ship owners must notify the fishing ship registry agencies of the places where their ships are registered for deletion of registration in the following cases:

a/ The ship is destroyed or sunk and it is certified by a competent maritime accident investigation body that the ship has actually lost its capability for fishery activities;

b/ The ship is missing (six months after communication with the ship is lost);

c/ The ship is irreparably damaged or the repair would be economically inefficient;

d/ The ship's ownership is transferred out of the Vietnamese territory.

2. The fishing ship registry agencies shall have to receive the above-said dossiers and within three days after receiving complete and valid dossiers, they shall consider and grant certificates of deletion of the fishing ship's registration and at the same time delete the ships' names in the fishing ship registers.

Article 28.-

1. Fishing ships shall be granted "temporary registration certificates" in the following cases:

a/ When making registration of old fishing ships bought from foreign countries for use but the ship owners have not yet obtained the certificates of deletion of the sea-going ships' registered names and the certificates of payment of registration fee;

b/ When making registration of fishing ships newly built in Vietnam for test run to the place of official registration.

A dossier to be submitted for temporary registration consists of:

a/ Declaration for granting of a temporary registration certificate, clearly stating the reason therefor;

b/ Ship-building contract or contract for transfer of the ship's ownership;

c/ The ship's technical safety dossier granted by the registry agency.

3. Temporary registration certificates for fishing ships granted to ship owners shall be valid for 90 days only.

Article 29.- The procedures and order for pledging, mortgaging or keeping fishing ships in maritime custody shall comply with the provisions in Section E, Chapter II of the Regulation on registration of fishing ships and crew, promulgated together with the Government's Decree No. 91-CP of August 23, 1997.

Chapter V

OVERSEAS REGISTRATION OF FISHING SHIPS OWNED BY VIETNAMESE ORGANIZATIONS AND INDIVIDUALS

Article 30.-

1. Conditions for fishing ships owned by Vietnamese organizations and individuals to be registered in foreign countries and the principles for law application to settle related matters shall comply with the provisions of Articles 20 and 22, Section F, Chapter II of the Regulation on registration of fishing ships and crew, promulgated together with the Government's Decree No. 91-CP of August 23, 1997.

2. The overseas registration of fishing ships owned by Vietnamese organizations or individuals must be permitted by the Minister of Aquatic Resources.

Article 31.-

1. Before making overseas registration of fishing ships which have been registered in Vietnam, ship owners must make declarations for deletion or suspension of their ships' registration and send them to the managing fishing ship registry agencies for deletion or temporary suspension of the ships' registration in Vietnam's fishing ship register.

2. The fishing ship registry agencies shall effect the deletion of registration and grant certificates of deletion of registration or certificates of temporary suspension of registration to ship owners within three days after receiving complete and valid dossiers.

Chapter VI

REGISTRATION OF CREW

Article 32.-

1. Fishing ship crew mentioned in Article 6 of this Regulation must hold fishing ship crew books.

2. Applicants for fishing ship crew books must meet all the following conditions:

a/ Being aged full 18 years or more;

b/ Being physically fit and good at swimming;

c/ Having been trained in the ABC of maritime jobs at courses organized by competent fishing ship registry agencies (if they have not yet obtained professional qualification certificates compatible with the prescribed titles on fishing ships).

3. A dossier of application for a crew book consists of:

a/ Declaration for granting of a fishing ship crew book, enclosed with two photos of size 3 cm x 4 cm (color);

b/ A professional qualification certificate compatible with one of the prescribed titles on fishing ships, granted by a competent State body (a notarized copy) or a certificate of professional training in sea fishing (original), granted by a fishing ship registry agency.

4. The fishing ship registry agencies shall receive the dossiers and carry out the procedures for granting fishing ship crew books within seven days after receiving the complete and valid dossiers.

Article 33.-

1. The fishing ship registry agencies which have made registration for particular fishing ships shall also effect the crew registration and grant the fishing ship crew

directories to such ships.

The crew registration and granting of fishing ship crew books for different kinds of fishing ships are prescribed as follows:

a/ For crew working on fishing ships mentioned in Article 6 of this Regulation, the provisions of Article 32 of this Regulation must be complied with;

b/ For crew working on fishing ships not mentioned in Article 6 of this Regulation, the fishing ship registry agencies shall base themselves on Clause 2, Article 32 of this Regulation to enter the list of crew in the fishing ship crew directories.

2. A dossier to be submitted for crew registration and granting of a fishing ship crew directory consists of:

a/ Declaration for fishing ship and crew registration (original);

b/ Copies of fishing ship books of each crew applying for registration (for crew working on fishing ships mentioned in Article 6 of this Regulation) or other professional qualification certificates compatible with the prescribed titles on fishing ships.

3. After registration, each fishing ship is granted a fishing ship crew directory.

4. The fishing ship registry agencies shall receive the dossiers and carry out the procedures for granting fishing ship crew directories to ship owners within seven days after receiving complete and valid dossiers.

Article 34.-

1. Fishing ship crew directories shall be granted for the first time together with the registration of fishing ships by the fishing ship registry agencies.

2. The substitution of crewmen working on fishing ships during each sea trip is prescribed as follows:

a/ For crewmen working on fishing ships of those kinds mentioned in Article 6 of this Regulation, their substitutes must have fishing ship crew books; for crewmen on fishing ships of other kinds not mentioned in Article 6 of this Regulation, their substitutes are not required to have fishing ship crew books but they must come of age, be physically fit and good at swimming.

b/ At the requests of ship owners or captains, the

competent persons (enterprise directors, for fishing ships of the enterprises; presidents of the People's Committees of the communes or wards where the ship owners reside, for fishing ships not belonging to enterprises) must inscribe the substitute crewmen's full names in the ships' crew directories, then clearly inscribe their full names and titles, sign and stamp for certification.

Chapter VII

COMMENDATION AND HANDLING OF VIOLATIONS

Article 35.-

1. Organizations and individuals that well implement this Regulation shall be commended and/or rewarded according to the State's current regulations.

2. Organizations and individuals that violate the provisions of this Regulation shall be handled according to current law provisions of Vietnam.

3. The lodging and settlement of complaints and denunciations related to the implementation of this Regulation shall comply with the Complaint and Denunciation Law.

Chapter VIII

IMPLEMENTATION PROVISIONS

Article 36.- This Regulation takes effect 15 days after its signing for promulgation.

This Regulation replaces:

1. The Regulation on fishing ship and crew registration, issued together with Decision No. 413-QĐ/BVNL of April 1, 1996 of the Minister of Aquatic Resources.

2. Decision No. 211/TS-QĐ of June 17, 1992 of the Minister of Aquatic Resources regarding the technical management and safety inspection of fishing means.

Article 37.- The director of the Aquatic Resource Protection Department shall have to guide and organize the uniform implementation of this Regulation.-