

**MINISTRY OF
TRANSPORT**

No. 17/2018/TT-BGTVT

**THE SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness**

Hanoi, April 09, 2018

CIRCULAR

MANAGEMENT AND USE OF VESSEL AUTOMATIC IDENTIFICATION INFORMATION

Pursuant to the Vietnam Maritime Code dated November 25, 2015;

Pursuant to the Law on Inland Waterway Transport dated June 15, 2004;

Pursuant to the Law on amendments to some articles of the Law on Inland Waterway Transport dated June 17, 2014;

Pursuant to the Government's Decree No. 12/2017/ND-CP dated February 10, 2017 defining functions, tasks, entitlements and organizational structure of the Ministry of Transport;

Pursuant to the Government's Decree No. 58/2017/ND-CP dated May 10, 2017 on elaboration of some articles of the Vietnam Maritime Code on management of maritime operations;

At the request of Director of Department of Science and Technology, Director of Vietnam Maritime Administration and Director of Vietnam Inland Waterways Administration;

The Minister of Transport hereby adopts a Circular on management and use of vessel automatic identification information.

Chapter I

GENERAL PROVISIONS

Article 1. Scope

This Circular provides for management and use of automatic identification information about vessels that are required to be fitted with AIS equipment and operate within seaport waters, coastal transport routes, waterway routes from shore to island, port waters, landing stages and inland waterways that are located within the AIS base station coverage area.

Article 2. Regulated entities

This Circular applies to Vietnamese and foreign organizations and individuals related to management and use of vessel automatic identification information specified in Article 1 of this Circular.

Article 3. Definitions

For the purposes of this Circular, the terms below shall be construed as follows:

1. “vessel” means a ship or inland waterway vehicle that are required to be fitted with AIS equipment according to Article 1 of this Circular.
2. “AIS” stands for Automatic Identification System. The system includes the following basic components:
 - a) AIS equipment, a technical component that is fitted on vessels and has the ability to receive and transmit AIS messages
 - b) AIS base station, a shore-based technical component that has the ability to receive AIS messages from AIS equipment; process, temporarily store and transmit such messages to AIS data center; transmit information to AIS equipment (if any);
 - c) AIS data center, a shore-based technical component that has the ability to receive AIS messages from AIS base stations; store, process and provide AIS information for users over the Internet.
3. “AIS message” means the encrypted information provided by AIS equipment. An AIS message includes vessel identification code, vessel name, IMO number (if any), call sign (if any), vessel type, vessel dimensions (length, width), position, speed and course.
4. “AIS information” means the information processed and provided by the AIS data center and includes: vessel identification code, vessel name, IMO number (if any), call sign (if any), vessel type, vessel dimensions (length, width), position, speed and course.

Article 4. Rules for management and use of AIS information

1. AIS information is used to serve safety assurance, accident investigation, search and rescue, penalties for administrative violations of regulations on sea and inland waterway; prevent environmental pollution caused by vessels and serve state management of sea and inland waterways.
2. AIS information shall be managed and used in accordance with regulations of this Circular and relevant regulations of law.

Chapter II

MANAGEMENT AND USE OF AIS INFORMATION

Article 5. Managing installation and operation of AIS equipment on vessels

1. AIS equipment installed on vessels shall at least contain the information specified in Clause 3 Article 3 and comply with applicable national technical regulations on AIS.
2. After installation and during use, AIS equipment shall be inspected by competent authorities in accordance with applicable regulations.
3. AIS equipment shall be operated on a 24/7 basis.
4. AIS shall be technically inspected and maintained on a periodic basis according to the manufacturer's recommendations.

Article 6. Requirements for AIS data center and AIS base station

1. An AIS data center shall:
 - a) have the ability to integrate AIS messages transmitted from AIS base stations for processing and storage; have an appropriate interface to access AIS information over the Internet; have ability to render data;
 - b) have the ability to store data for at least 03 years;
 - c) have its data secured.
2. An AIS base station shall:
 - a) have the ability to directly receive AIS messages from AIS equipment installed on vessels that operate within the AIS base station coverage area. The AIS base station may also transmit information to AIS equipment upon request;
 - b) be systematically established with a view to providing seaport waters, coastal transport routes, waterway routes from shore to island, port waters, landing stages and inland waterways with full coverage;
 - a) be connected to AIS data center to transmit AIS messages from AIS equipment installed on vessels to AIS data center.

Article 7. Managing provision and use of AIS information

1. AIS information is provided for users upon request. AIS information shall be used as prescribed in Clause 1 Article 4 of this Circular.
2. AIS information is provided through a user account; or provided on the web portal or website of the information provider; or provided according to each specific task for users.
3. Vietnam Inland Waterways Administration, Vietnam Maritime Communication and Electronics LLC, Maritime Security Information Center, port authorities and inland port

authorities affiliated to Vietnam Inland Waterways Administration shall provide AIS information in accordance with regulations of this Circular.

Article 8. Responsibilities of relevant organizations for management, use and provision of AIS information

1. The Vietnam Maritime Administration shall:

- a) build and perform state management of operations of AIS data centers and AIS base stations to serve management, use and provision of AIS information under its management;
- b) direct Vietnam Maritime Communication and Electronics LLC to provide sufficient user accounts, AIS information for port authorities, Maritime Security Information Center and other relevant organizations and individuals upon request to serve the purposes mentioned in Clause 1 Article 4 of this Circular;
- c) direct port authorities and Maritime Security Information Center to manage and request AIS information to serve the purposes mentioned in Clause 1 Article 4 of this Circular;

2. The Vietnam Inland Waterways Administration shall:

- a) build and perform state management of operations of AIS data centers and AIS base stations to serve management, use and provision of user accounts, management of account information and provision of AIS information under its management;
- b) direct inland port authorities manage and request AIS information to serve the purposes mentioned in Clause 1 Article 4 of this Circular;
- c) take charge of establishing economic - technical norms for operation and maintenance of the AIS managed and operated by the Vietnam Inland Waterways Administration;
- b) manage and operate AIS data center of the Vietnam Inland Waterways Administration to serve the purposes mentioned in Clause 1 Article 4 of this Circular.

3. Port authorities shall:

- a) manage and use AIS information from vessels that operate within seaport waters, direct inland port authorities manage and waterway routes from shore to island under its management to serve the purposes mentioned in Clause 1 Article 4 of this Circular. Inspect and supervise the implementation of this Circular by the vessels that are required to be fitted with AIS equipment and operate within the areas under their management;
- b) regularly use AIS information to monitor speed, course and position of vessels that operate within seaport waters and waterway routes from shore to island under their management;

c) extract AIS data and share AIS information to serve the purposes mentioned in Clause 1 Article 4 of this Circular at the request of competent authorities;

d) manage, operate and maintain their AIS data centers and AIS base stations to receive, use and share AIS information from vessels that operate within seaport waters to serve the purposes mentioned in Clause 1 Article 4 of this Circular.

4. Inland port authorities affiliated to the Vietnam Inland Waterways Administration shall:

a) manage and use AIS information from vessels that operate within seaport waters, landing stages and inland waterways under their management to serve the purposes mentioned in Clause 1 Article 4 of this Circular. Inspect and supervise the implementation of this Circular by the vessels that are required to be fitted with AIS equipment and operate within the areas under their management;

b) regularly use AIS information to monitor speed, course and position of vessels that operate within seaport waters, landing stages and inland waterways under their management;

c) extract AIS data and share AIS information to serve the purposes mentioned in Clause 1 Article 4 of this Circular at the request of competent authorities;

d) manage and operate AIS base stations to receive, use and share AIS information from vessels that operate within the areas under their management to serve the purposes mentioned in Clause 1 Article 4 of this Circular.

5. The Maritime Security Information Center shall:

a) manage and use AIS information from vessels that operate within coastal transport routes and waterway routes from shore to island under the management of the Vietnam Maritime Administration;

b) regularly use AIS information to monitor speed, course and position of vessels that operate within coastal transport routes and waterway routes from shore to island under the management of the Vietnam Maritime Administration;

c) inform the Vietnam Maritime Administration of violations of maritime laws committed by vessels;

d) extract AIS data and share AIS information to serve the purposes mentioned in Clause 1 Article 4 of this Circular at the request of competent authorities.

6. The Vietnam Maritime Communication and Electronics LLC shall:

a) manage, operate and maintain its AIS data centers and AIS base stations to ensure their continuity and stability;

b) provide user accounts, manage user account information and AIS information for port authorities, Maritime Security Information Center and other relevant organizations and individuals upon request to serve the purposes mentioned in Clause 1 Article 4 of this Circular;

c) Submit quarterly or ad hoc reports on provision of user accounts and AIS information to the Vietnam Maritime Administration;

d) Design and upgrade AIS information management and access software at the request of regulatory authorities to manage and access AIS information in accordance with this Circular;

dd) extract AIS data and share AIS information to serve the purposes mentioned in Clause 1 Article 4 of this Circular at the request of competent authorities.

7. Vessel owners, vehicle owners and captains shall:

a) maintain operation of AIS equipment installed on vessels on a 24/7 basis to transmit AIS messages according to the equipment specifications. In case of any damage to AIS equipment, immediately inform port authorities or inland port authorities affiliated to the Vietnam Inland Waterways Administration.

b) In case of change of information concerning vessel identification code, vessel name, IMO number (if any), call sign (if any), vessel type or vessel dimensions (length, width), immediately inform port authorities or inland port authorities affiliated to the Vietnam Inland Waterways Administration;

c) record operation and use of AIS equipment in the vessel's logbook.

8. AIS users shall:

a) secure their AIS account information;

b) use AIS information as prescribed in Clause 1 Article 4 of this Circular.

Chapter III

IMPLEMENTATION

Article 9. Effect

This Circular comes into force from July 01, 2018.

Article 10. Organizing implementation

Chief of Office, Chief Inspector, Directors, General Director of Vietnam Maritime Administration, General Director of Vietnam Inland Waterways Administration and relevant organizations and individuals are responsible for implementation of this Circular./.

**PP. THE MINISTER
THE DEPUTY MINISTER**

Nguyen Van Cong

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