Rules on Administration of the Prevention and Control of Pollution Caused by Vessels to Inland Water Environment

Chapter I General Principles

Article 1 These Rules are formulated in accordance with laws and administrative regulations such as the Water Pollution Prevention and Control Law of the People’s Republic of China, the Regulations on the Safety Management of Hazardous Chemicals, for the purpose of preventing and controlling of pollution caused by vessels and their relevant operations to inland waters environment as well as protecting the environment in inland waters.

Article 2 These Rules shall apply to the prevention and control of pollution caused by vessels and their relevant operations to inland waters environment in the People’s Republic of China.

Article 3 The principles of prioritizing prevention, combining prevention with control, prompt handling and comprehensive control shall be followed in the prevention and control of pollution caused by vessels and their relevant operations to inland waters environment.

Article 4 The Ministry of Transport (MOT) shall be in charge of administration on the nationwide prevention and control of pollution caused by vessels and their relevant operations to inland water environment.

The national maritime safety administration agency shall be uniformly responsible for supervision and administration on the nationwide prevention and control of pollution caused by vessels and their relevant operations to inland water environment.

The local maritime safety administrations of all administration ranks shall, pursuant to their respective limits of duties, specifically be responsible for administration and supervisions
on the prevention and control of pollution caused by vessels and their relevant operations to inland waters environment under their respective jurisdictions.

Chapter II General Provisions

Article 5 The structure, equipments and devices of a Chinese vessel in respect of prevention and control of pollution shall be in conformity with relevant specifications and standards of the State, shall be inspected and by the maritime administration agency or by a vessel inspection agency that has been recognized by the maritime administration agency, and shall be kept in good technical order and condition.

The structure, equipments and devices of a foreign vessel in respect of prevention and control of pollution shall be in conformity with relevant international Conventions concluded or acceded to by the People’s Republic of China, shall be inspected by the government of vessel’s flag state or by a vessel inspection agency recognized by the government of vessel’s flag state, and shall be kept in good technical order and condition.

Where a vessel may, upon inspection by a vessel inspection agency, be exempted from being equipped with corresponding treatment facilities for pollutants, remarks shall be made in corresponding vessel inspection certificate.

Article 6 A vessel shall, based on the requirements of the relevant laws, administrative regulations, the provisions of the competent transport department of the State Council and the international treaties and protocols concluded or acceded to by the People’s Republic of China, possess and carry onboard effective corresponding certificates and documents in respect of the prevention and control of pollution caused by vessels and their relevant operations to inland waters environment.

Article 7 The seafarers shall have the appropriate ability of professional knowledge and
skill for the prevention and control of pollution caused by vessels and their relevant operations to inland waters environment, be familiar with the procedures and requirements for preventing the pollution caused by vessels, pass corresponding professional trainings and hold valid competency certificates and conformity certificates.

Units engaged in relevant operations shall organize operating personnel of their own units to carry out professional trainings for operating skills, use of equipments, operational procedures, safety protection and emergency response in respect of prevention and control of pollution, ensure that operating personnel possess relevant professional knowledge and skills for prevention and control of pollution.

Article 8 Any port, dock, loading and unloading spot, or unit engaged in operations such as building and repairing or dismembering of vessels in the water shall, based on relevant specifications and standards of the State, be installed with corresponding facilities, equipments and devices for prevention and control of pollution, and keep them in good order and condition. Units in a same port, port area, operating area or adjacent port may establish joint prevention mechanism to deploy, allocate and use, in a uniformed manner, their facilities, equipments and devices for prevention and control of pollution.

Port, dock, loading and unloading spot shall collect vessel pollutants produced by berthed vessels during production and operation. A unit engaged in operations such as building and repairing or dismembering of vessels in the water shall, in accordance with relevant regulations, dispose of pollutants produced during the course of building, repairing and dismembering of vessels.

Article 9 Oil tankers and oil barges no less than 150 GT, vessels no less than 400 GT other than oil tanker, and tug-barge fleet of no less than 400GT other than oil barge, shall work out a “contingency plan for oil pollution caused onboard”. Oil tankers of less than 150GT shall work out procedures for emergency response to oil pollution.
A vessel no less than 150 GT carrying toxic liquid substances in bulk shall, in accordance with regulations of the MOT, work out “contingency plan for the pollution caused by the toxic liquid substances onboard” and cargo information documents, making clear of emergency response procedures and arrangement requirements.

The vessel no less than 400 GT carrying toxic liquid substances in bulk may formulate “contingency plan for pollution caused onboard” to replace the “contingency plan for the pollution caused by the toxic liquefied substances onboard” and “contingency plan for oil pollution caused onboard”.

A water transport enterprise shall, in respect of the dangerous characteristics of dangerous chemicals transported, formulate contingency rescue plan for dangerous chemicals accidents for the carrying vessels, and shall equip the carrying vessels with sufficient and effective devices and equipments for emergency rescue.

The operator of a port, dock, or a loading and unloading spot and relevant operating units shall work out a contingency plan for preventing and controlling of pollution caused by vessels and their relevant operations to inland waters environment, organize drills at least once a year, and maintain proper records thereof.

Article 10 where waters under special protection, to be set up in accordance with law, involves the prevention and control of pollution caused by vessels and their relevant operations to inland waters environment, opinions from maritime safety administration agency shall be sought in advance, and navigation notices (warnings) to be published by the maritime safety administration agency. Where waters under special protection is to be set up, facilities for collection and disposal of vessel pollutants shall also be set up concurrently.

Vessels navigating, berthing or operating within waters under special protection shall abide by relevant provisions standards for prevention of pollution in such waters.
Article 11 where a vessel or relevant operating unit causes pollution damages to environment of waters, such vessel or unit shall undertake pollution damage compensation liability in accordance with law.

For a vessel transporting dangerous chemicals by inland rivers, her owner or operator shall buy liability insurance for ship oil pollution or obtain financial security. The duplicated certificate of liability insurance policy for ship oil pollution or the financial security proof shall be carried onboard.

For a Chinese vessel transporting dangerous chemicals by inland rivers, her owner or operator shall buy civil liability insurance for ship oil pollution from commercial insurance institutes and mutual insurance institutes established in China in accordance with law. Specific rules will be formulated separately.

Article 12 For disputes of oil pollution damage compensation arising from vessel-caused pollution, the parties concerned may apply with the maritime safety administration agency for mediation. During such mediation, where a party concerned apply for arbitration, brings lawsuit with the people’s court or quits from such mediation, it shall notify the maritime safety administration agency timely, the maritime safety administration agency shall terminate such mediation and notified other parties concerned.

Where an agreement is reached after mediation, all parties concerned shall jointly sign the Ship Pollution Accident Civil Dispute Mediation Agreement. Where settlement agreement fails to be reached or no agreement seems to be reached within 3 months, the maritime administration shall terminate the mediation.

Chapter III Discharge and Collection of Vessel Pollutants

Article 13 Vessels navigating, berthing or operating within inland shall not discharge
pollutants to inland waters in violation of laws, administrative regulations, specifications and standards as well as provisions of the MOT. Vessel pollutants not meeting discharge provisions shall be handed to port, dock, loading and unloading spot or qualified unit for collection and disposal.

It is prohibited from discharging, liquid toxic substance and its residues, or ballast water, cleaning water or other mixtures containing such substance, into water body of inland rivers.

It is prohibited from using incinerators in inland waters.

It is prohibited from using oil spill dispersants in inland waters.

**Article 14** Oil tankers and oil barges no less than 150 GT, vessels no less than 400 GT other than oil tanker, and tug-barge fleet of no less than 400GT other than oil barge, shall make truthful and standardized record about the oils operation in the “oil record book” endorsed by maritime administration agency.

Oil tankers and oil barges less than 150 GT, vessels less than 400 GT other than oil tanker, and tug-barge fleet of less than 400GT other than oil barge, shall make truthful and standardized record about the oil operation in the “engine log book” or “logbook”.

The vessel carrying toxic liquid substances in bulk shall make truthful and standardized record about the relevant operation in the “cargo record book” endorsed by maritime administration agency.

The “oil record book” and “cargo record book” after use shall be kept on board for no less than 3 years.

**Article 15** The vessel, the length of which is no less than 12m, shall set up the garbage billboard in conformity with requirement of corresponding format and make the crews and
passengers aware of the requirements on the management of garbage.

The vessel no less than 100GT and the vessel, which is verified to carry no less than 15 passengers and whose single voyage is more than 2 kilometers or the duration of the voyage is more than 15 minutes, shall hold the “plan for management of the waste on board” and the “record book for garbage on board” endorsed by maritime administration agencies, and make truthful and standardized record about the collection and treatment of waste in the “record book for garbage on board”. The “record book for garbage on board” shall be available for inspection at any time and be kept on board for no less than 2 years after use.

The vessel other than those as set out in the second paragraph under this Article shall record the collection and treatment of waste in the “logbook”.

**Article 16** It is prohibited from discharging vessel pollutants to inland waters. A vessel shall equip with the garbage storage container with lid which prohibits the spillage and seepage, or shall pack the garbage in bags. The vessel shall classify, collect and store garbage so produced in accordance with the “plan for management of the waste on board”.

Where a vessel discharges garbage containing toxic and hazardous substances or other dangerous components to collection facilities of the port, or entrust vessel pollutants collection unit to collect the same, it shall provide information regarding the names, characteristics and quantity etc of substances contained in such garbage.

**Article 17** A vessel navigating within inland waters shall use sound-making apparatus and shall be in line with the relevant regulations and the requirements related to the prevention and control of the environmental noise pollution.

**Article 18** Fuels used by a vessel shall be in line with requirements of relevant laws, regulations and standards, a vessel is encouraged to use clean energies.
A vessel shall not discharge, waste gas produced from the running of vessel’s power unit and the volatile organic compounds produced on board, into the atmosphere in excess of relevant prescribed standards.

**Article 19** The vessel garbage, ballast water, domestic sewage and other vessel pollutants from the vessel that comes from epidemic area shall not be collected and treated unless being inspected by the inspection of quarantine department as qualified.

**Article 20** Any unit collecting vessel pollutants shall, after the completion of the operation on collecting pollutants, provide the pollutant-collecting document to the vessel from which it collected vessel pollutants, and hand the vessel pollutants, so collected, to relevant units ashore for disposal in accordance with corresponding regulations.

The document shall specify the names of both operating parties, the starting and ending time and place of such operation, the types and quantity of pollutants, and shall be signed by the vessel for conformation.

**Chapter IV Prevention and Control of Pollution Caused by the Operations of Vessels**

**Article 21** Those engaging in operations related to vessels such as cleansing and washing of vessel cabins, collection of vessel pollutants, supplying and receiving of fuels, ship building or repairing, ship salvaging, ship dismembering, clean-up of contamination, and other surface and underwater operation using vessels, shall comply with the relevant operation rules and procedures and take necessary measures for the prevention and control of pollution.

Where a vessel engages in relevant operations as set out in the preceding paragraph in port, it shall report information such as the time and content of such operation to maritime safety administration agency through VHF, telephone or information system at the
commencement of such operation.

**Article 22** Where a shipper hands cargo apt to cause pollution to a vessel for shipment, it shall take effective measures for prevention of pollution, ensures that condition of such cargo conforms to requirements of shipment by such vessel and requirements of preventing pollution, and mark correct name, quantity, pollution category, pollution characteristics of such cargo as well as preventative measures and emergency response measures, etc on the shipment documents.

The empty containers and transport components which have once carried cargo apt to cause pollution shall, before being thoroughly washed and eliminating the hazardous, be transported as per the requirements of those of the original goods carried in the said empty containers and transport units.

For cargo apt to cause pollution, with unclear characteristics, to be handed to a vessel for shipment, the owner or agent of such cargo shall entrust institute possessing corresponding technical capacity to assess and categorize its characteristics of pollution, determine conditions for safe carriage, before handing the same to the vessel for shipment.

**Article 23** Where a vessel is to carry cargo apt to cause pollution, it shall possess pollution prevention conditions corresponding to such cargo apt to cause pollution.

A vessel shall not carry cargo apt to cause pollution with unclear characteristics or dangerous chemicals in excess of the limited quantity as set out in relevant standards and specifications for a single vessel.

**Article 24** Vessels carrying cargos which will emit toxic and harmful gas or dust substances etc, airtight or other protective measures must be taken.

For operations of loading and unloading as well as ship-to-ship transfer of cargo set out in
the preceding paragraph, both parties to such operations shall take measures to recycle the toxic and harmful gases during operations.

**Article 25** For operations of loading and unloading bulk liquid cargo apt to cause pollution, both parties to such operations shall, before commencement of such operation, conform relevant measures for preventing pollution, fill up the pollution prevention checklist in accordance with relevant provisions, and strictly implement measures for preventing pollution during such operations.

**Article 26** When a vessel is engaging in ship-to-ship transfer of bulk liquid cargo apt to cause pollution in the water, it shall comply with relevant operating procedures, determine operating plan in conjunction with the operating unit, allocate and use pipelines and equipments for loading and unloading reasonably, fill up pollution prevention checklist as required, formulate and implement measures for preventing pollution based on characteristics of the cargo as well as the pattern of operation.

**Article 27** Where a vessel carries out the following operations, if the quantity of cargo for such operation exceeds 300ton in the main streams of Yangze River, Pearl River and Heilongjiang River 150ton in other inland waters, the port, dock, loading and unloading spot shall adopt measures for preventing pollution, including deployment of oil booms, amongst which, operation of ship-to-ship transfer shall be to the responsibility of ship-to-ship transfer operator:

1. Loading and uploading and ship-to-ship transfer of the persistent oils in bulk, excluding the operation of supplying ship fuel;
2. Loading and uploading and ship-to-ship transfer of bulk liquid toxic cargo for which the gravity is less than 1 (comparing with water) and the solubility is less than 0.1%.
3. Other operations that may cause serious pollution to the inland waters.

Due to the restriction of natural conditions under which oil booms are improper, other effective substitute measures shall be taken.
Article 28 The units engaging in supply of ship fuels shall establish the management system and contingency plan for pollution prevention, equip with sufficient equipments, facilities and qualified persons for preventing pollution.

For operations of supplying and receiving ship fuels, both parties to such operations shall, before commencement of such operation, conform relevant measures for preventing pollution, fill up the pollution prevention checklist in accordance with relevant provisions, and strictly implement measures for preventing pollution during such operations.

Article 29 A fuels filling station in the water, engaging in operations of supplying and receiving ship fuels, shall meet requirements of technical standards of the State for preventing pollution.

Where a fuels filling station in the water receives fuel supplies, the relevant formalities shall be gone through as ship-to-ship transfer of cargo apt to cause pollution.

Article 30 Pollutants produced during ship building in the water or other related operations in the water shall by eliminated timely and shall not be abandoned by throwing into the water.

Where pollutants in bunker tanks and cargo tanks of a vessel need to be delivered for storage by the way of ship-to-ship transfer, administration requirements of operations for ship-to-ship transfer of cargo apt to cause pollution shall be abided by.

After completing the operation of repairing or building a vessel conducted in a shipyard, the shipyard shall not be sunken and the dock gates shall not be open until the operation unit has cleaned the pollutant remaining in the dock and confirmed that the waters would not be polluted.
Article 31 Prior to dismembering a vessel, the unit engaging in ship dismembering shall implement measures of pollution prevention according to the regulation, eliminate thoroughly the pollutants remained onboard and the vessel shall not be dismembered until the requirements on such operation are met.

The unit engaging in ship dismembering in the water shall, after completion of dismembering the vessel, clean the dismembering site in a timely manner and dispose of the pollutants produced by dismembering operations in accordance with relevant provisions of the State.

It is prohibited to conduct operations of beach ship-dismembering.

Chapter V Emergency Handling of Vessel-caused Pollution Accidents

Article 32 Maritime safety administration agencies shall cooperate with local people’s governments to formulate contingency response plans for vessel-caused pollution accidents and carry out emergency handling works.

Article 33 Where a vessel caused pollution accident, it shall report truthfully to the nearby maritime safety administration agency, and meanwhile, activate the pollution accident emergency response plan or procedure immediately, adopt corresponding measures to control and eliminate pollution. After the preliminary report, the vessel shall, based on the progress of the pollution accident, make supplemental reports.

The maritime safety administration agency shall, upon receiving the report, immediately verify relevant situation, report in accordance with relevant provisions to its superior maritime administration agency and the local people’s government at or above the level of county. The maritime administration agency and relevant units shall, under the uniformed leadership and commanding of local people’s government, carry out corresponding emergency handling works in accordance with their respective duties.
Article 34 The vessel causing pollution accident shall submit a Report of Vessel-caused Pollution Accident to the maritime safety administration agency of the place where the accident occurred within 24 hours. Where such a Report of Vessel-caused Pollution Accident could not be submitted with prescribed time limit due to special situation, extension may be given upon consent from the maritime safety administration agency, but such Report shall be submitted no later than 48 hours in any event.

The Report of Vessel-caused Pollution Accident shall at least contain the following contents:
(1) the name, nationality and call sign or serial number of the vessel;
(2) names and addresses of the owner, operator or manager of the vessel;
(3) the time, location and the relevant meteorological and hydrological conditions of the accident;
(4) the cause of the accident or the preliminary judgment of the cause;
(5) the information on the type, quantity and location of the pollutants onboard;
(6) situation of pollution caused by the accident;
(7) situation of emergency handling; and
(8) situation of ship oil pollution liability insurance.

Article 35 Where a vessel is in danger of sinking or where crews abandon the vessel, they shall close the valves of pipelines of all cargo tanks or oil compartments (tanks) and block relevant vents as far as possible, so as to prevent leakage or spillage, and report to the maritime safety administration agency on the properties, quantities, types and locations of the fuel, the cargo apt to cause pollution and the other pollutants onboard.

Article 36 Where a vessel causes accident which has caused or might cause pollution to inland waters, her owner or operator shall eliminate the pollution affection. Where the pollution affection cannot be eliminated promptly, the maritime safety administration agency may take necessary measures such as clean-up, salvage, towing, piloting or
ship-to-ship cargo transfer, relevant expenses incurred herein shall be borne by the liable party(party/party).

The vessel, her owner or operator who shall bear the expenses referred to in the preceding paragraph in accordance with law shall, before embarking on a new voyage, pay up such expenses or provide a corresponding financial security.

**Chapter VI Investigation and Handling of Vessel-caused Pollution Accidents**

**Article 37** Investigation and handling of vessel-caused pollution accidents shall be organized and implemented in accordance with the following provisions:

(1) For a vessel-caused pollution accident more serious than the major vessel-caused pollution accident, investigation and handling of the same shall be organized by the MOT;

(2) For a major vessel-caused pollution accident, investigation and handling of the same shall be organized by the national maritime safety administration agency;

(3) For a serious vessel-caused pollution accident, investigation and handling of the same shall be organized by maritime safety administration agency directly under the national maritime safety administration agency or by maritime safety administration agency at the provincial level; and

(4) For an ordinary or less serious vessel-caused pollution accident, the maritime safety administration agency of the place where such accident occurred shall be responsible for investigation and handling of the same.

For vessel-caused pollution accident of major or less serious levels, if the places where such accidents occurred are not clear, the maritime safety administration agency of the places where such accidents were discovered shall be responsible for investigation and handling of the same. Where the place of such an accident or where the place where such an accident was discovered crossed two or more jurisdictions, or where disputes arise between/among relevant maritime safety administration agencies in respect of the
jurisdiction for the accident, the institute for investigation and handling of the same shall be determined by their common superior maritime safety administration agency.

**Article 38** The investigation institute shall investigate the accident in a timely, objective and fair manner, examine the scene of the accident, inspect the vessel in question, interview the persons concerned, so as to collect evidence, ascertain the causes of the accident and identify the responsibility of the accident.

Investigation into a vessel-caused pollution accident shall be carried out by at least two investigators.

**Article 39** Under the circumstance in which evidences might be lost or hard to obtain in the future, the investigation institute may, in accordance with law, register and preserve corresponding certificates, documents and materials in advance.

**Article 40** there are the following categories of evidences to be investigated for a vessel-caused pollution accident:

1. documentary evidences, materials evidences, audio-visual materials, electronic data;
2. testimony of witnesses;
3. statements of the parties;
4. appraisal opinions;
5. records of inspection, records of investigation and records of the scene;
6. other evidences that may prove the facts of the accident.

**Article 41** Where a vessel caused pollution to inland waters, it shall proactively cooperate with the investigation institute for the investigation. Parties involved in the accident and other relevant persons shall give a truthful account of the accident and provide the relevant materials, and shall not forge, conceal, destroy the evidence or impede, by other means, the investigation and evident collection.
Documentary evidences, material evidences and audio-visual materials shall be original, where non-original objects or copies such as transcribed or copied ones or photos are provided instead of original ones due to unable to provide original ones, conformation shall be made by signing; for those refuse to confirm, the investigators shall mark relevant situations.

**Article 42** Where any of the following situations emerges, the investigation institute may, in accordance with prescribed procedures, organize various levels of maritime safety administration agencies and relevant departments to carry out coordinated investigation for vessel-caused pollution accidents:

1. the vessel that caused the ship pollution accident escapes;
2. the vessel that is suspected to cause the pollution accident has set sail to depart the port;
3. a pollution accident occurred within its jurisdiction but the pollution source temporarily cannot be confirmed, and after analysis the pollution was possibly caused by a vessel passing by.

**Article 43** Where technical appraisal, inspection or testing is required for the investigation of a vessel-caused pollution accident, the investigation institute shall entrust an institute meeting the qualification requirements of the State to carry out the same.

**Article 44** The investigation institute shall prepare an accident identification report within 20 working days from the date of completion of the investigation, and serve the same to parties concerned.

The accident identification report shall specify the basic facts of the accident, the causes of the accident and the responsibility for the accident.

Where the pollution source cannot be ascertained or where the vessel that caused the pollution cannot be found within 6 months from the day when the maritime safety
administration agency received the report for vessel-caused pollution accident or from the day when such vessel-caused pollution accident was discovered, the investigation for the accident may be terminated upon approval be the person in charge of the investigation institute, and the reason for terminating the investigation shall be marked in the accident identification report.

**Chapter VII Legal Liability**

**Article 45** Where any of the following acts is committed in violation of the provisions of these Rules, the maritime safety administration agency shall order to make correction, and concurrently impose a fine of not less than 20,000 yuan but not more than 30,000 yuan:

1. A vessel discharges domestic sewage or oily water, etc into inland waters in excess of corresponding standards;
2. A vessel discharges waste gas produced from the running of vessel’s power unit into the atmosphere in excess of corresponding standards;
3. A vessel discharges residues of liquid toxic substances, or ballast water, cleaning water or other mixtures containing such substances, in inland waters;
4. A vessel uses incinerator in inland waters;
5. Using oil dispersant, which violates corresponding provisions.

**Article 46** Where any of the following acts is committed in violation of the provisions of Article 14, 15 or 21 of these Rules, the maritime safety administration agency shall order to make correction, and concurrently impose a fine of not less than 3,000 yuan but not more than 10,000 yuan:

1. A vessel fails to make truthful record about oils operation, bulk liquid toxic substances operation and the situation of collection and disposal of garbage;
2. A vessel fails to keep the oil record book, the cargo record book or the “record book for garbage on board”; 
3. A vessel engages in operations of cleansing and washing of vessel cabins, collection of vessel pollutants, supplying and receiving of oils, ship building or repairing, ship
salvaging, ship dismembering as well as clean-up of contamination in port whilst fails to, as required, report to maritime safety administration agency.

Article 47 Where any of the following acts is committed in violation of the provisions of Article 8, 21, 24, 27 or 31 of these Rules, the maritime safety administration agency shall order to make correction, and concurrently impose a fine of not less than 10,000 yuan but not more than 30,000 yuan:

(1) A port, dock, loading and unloading spot or unit engaged in operations such as building and repairing or salvage of vessels in the water, fails to, as required, equip with facilities, equipments and devices for prevention and control of pollution;

(2) Those engaging in operations in the water, related to vessels, such as cleansing and washing of vessel cabins, collection of vessel pollutants, supplying and receiving of fuels, ship building or repairing and ship salvaging, etc, fail to comply with the relevant operation rules and procedures or fails to take necessary measures for the prevention and control of pollution;

(3) Carrying, loading, unloading, ship-to-ship transferring of cargos which will emit toxic and harmful gas or dust substances, etc, the vessel fails to take airtight or other protective measures, or the parties to such operation of loading, unloading or ship-to-ship transfer fail to take measures to recycle the toxic and harmful gases;

(4) Fails to deploy oil booms or take other substitute measures for prevention and control of pollution;

(5) Carry out operations of beach ship-dismembering.

Article 48 Where any of the following acts is committed in violation of the provisions of Article 7, 20, 25 or 26 of these Rules, the maritime safety administration agency shall order to stop such violation, and concurrently impose a fine of not less than 5,000 yuan but not more than 10,000 yuan:

(1) Units engaged in relevant operations fail to organize relevant operating personnel of their own units to carry out professional trainings;

(2) A unit collecting vessel pollutants fails to, as required, issue pollutant-collecting
document to the vessel from which it collected vessel pollutants;

(3) For operations of loading, unloading and ship-to-ship transfer of bulk liquid cargo apt to cause pollution, parties to such operations fail, as required, to fill up the pollution prevention checklist and implement measures for preventing pollution.

Article 49 Where, in violation of Article 10 of these Rules, a vessel fails to comply with regulations and standards for preventing pollution in respect of waters under special protection, the maritime safety administration agency shall order to stop such violation, and concurrently impose a fine of not less than 10,000 yuan but not more than 30,000 yuan.

Article 50 Where a vessel, in violation of Article 23 of these Rules, carries cargo apt to cause pollution with unclear characteristics, the maritime safety administration agency shall order to make correction, and concurrently impose on such vessel a fine of not less than 5,000 yuan but not more than 10,000 yuan.

Article 51 Where a vessel causes pollution accident but fails to, as required, report or submit the Report of Vessel-caused Pollution Accident, the maritime safety administration agency shall impose on such vessel a fine of not less than 20,000 yuan but not more than 30,000 yuan, and impose a fine of not less than 10,000 yuan but not more than 20,000 yuan on the persons in charge with competent accountability and other persons with competent accountability.

Article 52 Where the administrative law enforcement official of the maritime safety administration agency abuses the authority, practices favoritism or irregularity, neglects duties or misconducts in violation of law, administrative penalty shall be imposed; where a crime is constituted, the criminal liabilities shall be prosecuted in accordance with law.

Chapter VIII Supplementary Provisions

Article 53 The meanings of the terms used in this Rules are as follows:
(1) “Toxic liquid substance” means substance the discharge of which into water will cause harm to water resources or human health or cause damage to the legal utilization of water resources, including any substance marked in the table of categories of pollution as set out in Chapter 17 or 18 of or temporarily evaluated as the substance of Group X, Y or X of the International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk.

(2) “Cargo apt to cause pollution” means cargo the discharge of which directly or indirectly into water body will cause damage to the quality of water and environment, and bring harmful affection to biotic resources and human health, etc;

(3) “Waters under special protection” means sanctuaries, drinking water sources, fishery resource waters and tourism scenic areas, etc that need special protection.

(4) “Fuels filling station in the water” means a pump-boat or a vessel, fixed in certain waters, having the function of storing fuels, for the purpose of supplying fuels to vessels.

Article 54 Where provisions in these Rules regarding prevention and control of pollution caused by vessels to boundary river waters are inconsistent with international conventions or treaties concluded or acceded to by the People’s Republic of China, such international conventions or treaties shall prevail.

These Rules shall not be applicable for work of supervision and administration on prevention and control of pollution caused by military vessels and fishing boats to inland waters environment.

Article 55 These Rules shall be effective as of May 1, 2016. The Rules on Administration of the Prevention and Control of Pollution Caused by Vessels to Inland Water Environment promulgated by the State Council on August 20, 2005 under the Decree No.11 of MOT in 2005 shall be repealed simultaneously.