

中华人民共和国海上交通事故调查处理条例

第一章 总则

第一条 为了加强海上交通安全管理，及时调查处理海上交通事故，根据《中华人民共和国海上交通安全法》的有关规定，制定本条例。

第二条 中华人民共和国港务监督机构是本条例的实施机关。

第三条 本条例适用于船舶、设施在中华人民共和国沿海水域内发生的海上交通事故。

以渔业为主的渔港水域内发生的海上交通事故和沿海水域内渔业船舶之间、军用船舶之间发生的海上交通事故的调查处理，国家法律、行政法规另有专门规定的，从其规定。

第四条 本条例所称海上交通事故是指船舶、设施发生的下列事故：

- (一) 碰撞、触碰或浪损；
- (二) 触礁或搁浅；
- (三) 火灾或爆炸；
- (四) 沉没；
- (五) 在航行中发生影响适航性能的机件或重要属具的损坏或灭失；
- (六) 其他引起财产损失和人身伤亡的海上交通事故。

第二章 报告

第五条(1) 船舶、设施发生海上交通事故，必须立即用甚高频电话、无线电报或其他有效手段向就近港口的港务监督报告。报告的内容应当包括：船舶或设施的名称、呼号、国籍、起迄港，船舶或设施的所有人或经营人名称，事故发生的时间、地点、海况以及船舶、设施的损害程度、救助要求等。

第六条 船舶、设施发生海上交通事故，除应按第五条规定立即提出扼要报告外，还必须按下列规定向港务监督提交《海上交通事故报告书》和必要的文书资料：

(一) 船舶、设施在港区水域内发生海上交通事故，必须在事故发生后二十四小时内向当地港务监督提交。

(二) 船舶、设施在港区水域以外的沿海水域发生海上交通事故，船舶必须在到达中华人民共和国的第一个港口后四十八小时内向港务监督提交；设施必须在事故发生后四十八小时内用电报向就近港口的港务监督报告《海上交通事故报告书》要求的内容。

(三) 引航员在引领船舶的过程中发生海上交通事故, 应当在返港后二十四小时内向当地港务监督提交《海上交通事故报告书》。

前款(一)、(二)项因特殊情况不能按规定时间提交《海上交通事故报告书》的, 在征得港务监督同意后可予以适当延迟。

第七条(1) 《海上交通事故报告书》应当如实写明下列情况:

- (一) 船舶、设施概况和主要性能数据;
- (二) 船舶、设施所有人或经营人的名称、地址;
- (三) 事故发生的时间和地点;
- (四) 事故发生时的气象和海况;
- (五) 事故发生的详细经过(碰撞事故应附相对运动示意图);
- (六) 损害情况(附船舶、设施受损部位简图。难以在规定时间内查清的, 应于检验后补报);
- (七) 船舶、设施沉没的, 其沉没概位;
- (八) 与事故有关的其他情况。

第八条 海上交通事故报告必须真实, 不得隐瞒或捏造。

第九条(1) 因海上交通事故致使船舶、设施发生损害, 船长、设施负责人应申请中国当地或船舶第一到达港地的检验部门进行检验或鉴定, 并应将检验报告副本送交港务监督备案。

前款检验、鉴定事项, 港务监督可委托有关单位或部门进行, 其费用由船舶、设施所有人或经营者承担。

船舶、设施发生火灾、爆炸等事故, 船长、设施负责人必须申请公安消防监督机关鉴定, 并将鉴定书副本送交港务监督备案。

第三章 调查

第十条 在港区水域内发生的海上交通事故, 由港区地的港务监督进行调查。在港区水域外发生的海上交通事故, 由就近港口的港务监督或船舶到达的中华人民共和国的第一个港口的港务监督进行调查。必要时, 由中华人民共和国港务监督局指定的港务监督进行调查。港务监督认为必要时, 可以通知有关机关和社会组织参加事故调查。

第十一条 港务监督在接到事故报告后, 应及时进行调查。调查应客观、全面, 不受事故当事人提供材料的限制。根据调查工作的需要, 港务监督有权:

- (一) 询问有关人员;
- (二) 要求被调查人员提供书面材料和证明;

(三) 要求有关当事人提供航海日志、轮机日志、车钟记录、报务日志、航向记录、海图、船舶资料、航行设备仪器的性能以及其他必要的原始文书资料;

(四) 检查船舶、设施及有关设备的证书、人员证书和核实事故发生前船舶的适航状态、设施的技术状态;

(五) 检查船舶、设施及其货物的损害情况和人员伤亡情况;

(六) 勘查事故现场, 搜集有关物证。

港务监督在调查中, 可以使用录音、照相、录相等设备, 并可采取法律允许的其他调查手段。

第十二条 被调查人必须接受调查, 如实陈述事故的有关情节, 并提供真实的文书资料。

港务监督人员在执行调查任务时, 应当向被调查人员出示证件。

第十三条 港务监督因调查海上交通事故的需要, 可以令当事船舶驶抵指定地点接受调查。当事船舶在不危及自身安全的情况下, 未经港务监督同意, 不得离开指定地点。

第十四条 港务监督的海上交通事故调查材料, 公安机关、国家安全机关、监察机关、检察机关、审判机关和海事仲裁委员会及法律规定的其他机关和人员因办案需要可以查阅、摘录或复制, 审判机关确因开庭需要可以借用。

第四章 处理

第十五条 港务监督应当根据对海上交通事故的调查, 作出《海上交通事故调查报告书》, 查明事故发生的原因, 判明当事人的责任; 构成重大事故的, 通报当地检察机关。

第十六条 《海上交通事故调查报告书》应包括以下内容:

- (一) 船舶、设施的概况和主要数据;
- (二) 船舶、设施所有人或经营人的名称和地址;
- (三) 事故发生的时间、地点、过程、气象海况、损害情况等;
- (四) 事故发生的原因及依据;
- (五) 当事人各方的责任及依据;
- (六) 其他有关情况。

第十七条 对海上交通事故的发生负有责任的人员, 港务监督可以根据其责任的性质和程度依法给予下列处罚:

(一) 对中国籍船员、引航员或设施上的工作人员, 可以给予警告、罚款或扣留、吊销职务证书;

(二) 对外国籍船员或设施上的工作人员, 可以给予警告、罚款或将其过失通报其所属国家

的主管机关。

第十八条 对海上交通事故的发生负有责任的人员及船舶、设施的所有人或经营人，需要追究其行政责任的，由港务监督提交其主管机关或行政监察机关处理；构成犯罪的，由司法机关依法追究刑事责任。

第十九条 根据海上交通事故发生的原因，港务监督可责令有关船舶、设施的所有人、经营人限期加强对所属船舶、设施的安全管理。对拒不加强安全管理或在期限内达不到安全要求的，港务监督有权责令其停航、改航、停止作业，并可采取其他必要的强制性处置措施。

第五章 调解

第二十条 对船舶、设施发生海上交通事故引进的民事侵权赔偿纠纷，当事人可以申请港务监督调解。

调解必须遵循自愿、公平的原则，不得强迫。

第二十一条 前条民事纠纷，凡已向海事法院起诉或申请海事仲裁机构仲裁的，当事人不得再申请港务监督调解。

第二十二条 调解由当事人各方在事故发生之日起三十日内向负责该事故调查的港务监督提交书面申请。港务监督要求提供担保的，当事人应附经济赔偿担保证明文件。

第二十三条 经调解达成协议的，港务监督应制作调解书。调解书应当写明当事人的姓名或名称、住所、法定代表人或代理人的姓名及职务、纠纷的主要事实、当事人的责任、协议的内容、调解费的承担、调解协议履行的期限。调解书由当事人各方共同签字，并经港务监督盖印确认。调解书应交当事方各持一份，港务监督留存一份。

第二十四条 调解达成协议的，当事人各方应当自动履行。达成协议后当事人翻悔的或逾期不履行协议的，视为调解不成。

第二十五条 凡向港务监督申请调解的民事纠纷，当事人中途不愿调解的，应当向港务监督递交撤销调解的书面申请，并通知对方当事人。

第二十六条 港务监督自收到调解申请书之日起三个月内未能使当事人各方达成调解协议的，可以宣布调解不成。

第二十七条 不愿意调解或调解不成的，当事人可以向海事法院起诉或申请海事仲裁机构仲裁。

第二十八条 凡申请港务监督调解的，应向港务监督缴纳调解费。调解的收费标准，由交通部会同国家物价局、财政部制定。

经调解达成协议的，调解费用按当事人过失比例或约定的数额分摊；调解不成的，由当事人各方平均分摊。

第六章 罚则

第二十九条(1) 违反本条例规定，有下列行为之一的，港务监督可视情节对有关当事人（自然人）处以警告或者二百元以下罚款；对船舶所有人、经营人处以警告或者五千元以下罚款：

（一）未按规定的时间向港务监督报告事故或提交《海上交通事故报告书》或本条例第三十二条要求的判决书、裁决书、调解书的副本的；

（二）未按港务监督要求驶往指定地点，或在未出现危及船舶安全的情况下未经港务监督同意擅自驶离指定地点的；

（三）事故报告或《海上交通事故报告书》的内容不符合规定要求或不真实，影响调查工作进行或给有关部门造成损失的；

（四）违反第九条规定，影响事故调查的；

（五）拒绝接受调查或无理阻挠、干扰港务监督进行调查的；

（六）在受调查时故意隐瞒事实或提供虚假证明的。

前款第（五）、（六）项行为构成犯罪的，由司法机关依法追究刑事责任。

第三十条 对违反本条例规定，玩忽职守、滥用职权、营私舞弊、索贿受贿的港务监督人员，由行政监察机关或其所在单位给予行政处分；构成犯罪的，由司法机关依法追究刑事责任。

第三十一条 当事人对港务监督依据本条例给予的处罚不服的，可以依法向人民法院提起行政诉讼。

第七章 特别规定

第三十二条(1) 中国籍船舶在中华人民共和国沿海水域以外发生的海上交通事故，其所有人或经营人应当向船籍港的港务监督报告，并于事故发生之日起六十日内提交《海上交通事故报告书》。如果事故在国外诉讼、仲裁或调解，船舶所有人或经营人应在诉讼、仲裁或调解结束后六十日内将判决书、裁决书或调解书的副本或影印件报船籍港的港务监督备案。

第三十三条 派往外国籍船舶任职的持有中华人民共和国船员职务证书的中国籍船员对海上交通事故的发生负有责任的，其派出单位应当在事故发生之日起六十日内向签发该职务证书的港务监督提交《海上交通事故报告书》。

本条第一款和第三十二条的海上交通事故的调查处理，按本条例的有关规定办理。

第八章 附则

第三十四条 对违反海上交通安全管理法规进行违章操作，虽未造成直接的交通事故，但构成重大潜在事故隐患的，港务监督可以依据本条例进行调查和处罚。

第三十五条 因海上交通事故产生的海洋环境污染，按照我国海洋环境保护的有关法律、法规处理。

第三十六条 本条例由交通部负责解释。

第三十七条 本条例自发布之日起施行。

REGULATIONS OF THE PEOPLE'S REPUBLIC OF CHINA ON THE INVESTIGATION AND HANDLING OF MARITIME TRAFFIC ACCIDENTS

Important Notice: (注意事项) 英文本源自中华人民共和国国务院法制局编译，中国法制出版社出版的《中华人民

共和国涉外法规汇编》(1991年7月版)。当发生歧意时，应以法律法规颁布单位发布的中文原文为准。

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In case of discrepancy, the original version in Chinese shall prevail.

Whole Document (法规全文)

REGULATIONS OF THE PEOPLE'S REPUBLIC OF CHINA ON THE INVESTIGATION AND HANDLING OF MARITIME TRAFFIC ACCIDENTS

(Approved by the State Council on January 11, 1990, promulgated by Decree No. 14 of the Ministry of Communications on March 3, 1990)

Chapter I General Provisions

Article 1

These Regulations are formulated according to the relevant provisions of the Maritime Traffic Safety Law of the People's Republic of China in order to strengthen the control of maritime traffic safety and

promptly

investigate and handle maritime traffic accidents.

Article 2

The harbour superintendency establishments of the People's Republic of China shall be responsible for implementing these Regulations.

Article 3

These Regulations shall apply to the maritime traffic accidents happening to the vessels and installations in the coastal waters of the People's Republic of China. If there exist special provisions in state laws and administrative regulations for the investigation and handling of the maritime traffic accidents happening in the fishing port waters or of the maritime traffic accidents happening between fishing vessels or between military vessels in the coastal waters, these special provisions shall prevail.

Article 4

The maritime traffic accidents referred to in these Regulations mean the following accidents happening to vessels and installations:

- (1) collision, strike or damage by waves;
- (2) hitting hidden rocks or running aground;
- (3) fire or explosion;
- (4) sinking;
- (5) damage or loss of machinery parts or important tools during a voyage which affects the vessel's seaworthiness;
- (6) other maritime traffic accidents which cause losses in property and human lives.

Chapter II Report

Article 5

The persons in charge of the vessels and installations which are involved in maritime traffic accidents must report immediately to the harbour superintendency administration at the nearest harbour by a high-frequency telephone, radiotelegram or other effective means. The content of the reports shall include: name of the vessel or installation, call sign, nationality, port of departure and port of arrival, owners or managers of the vessel or installation, when and where the accident happened and the attending circumstances on the sea, the extent of damage of the vessel or installation, request for salvage, etc.

Article 6

The persons in charge of the vessels and installations which are involved in maritime traffic accidents must, in addition to making brief reports immediately in accordance with the provisions in Article 5, submit the Report Concerning Maritime Traffic Accidents and other necessary documents and materials according to the following stipulations to the harbour superintendency administration:

(1) If maritime traffic accidents happen to vessels or installations within the waters of the harbour areas, it is necessary to submit a report and other materials to the local harbour superintendency administration within 24 hours after the accidents.

(2) If maritime traffic accidents happen to vessels or installations in the coastal waters beyond the waters of harbour areas, it is necessary to submit a report and other materials within 48 hours after the vessels arrive at the first harbour in the People's Republic of China to the harbour superintendency administration;

in the case of installations, it is necessary to report by telegram, the

content of which shall cover all the items required in the Report

Concerning Maritime Traffic Accidents to the harbour superintendent at the nearest harbour within 48 hours after the accidents.

(3) If a maritime traffic accident happens in the course of pilotage, the pilot shall submit the Report Concerning Maritime Traffic Accidents to the local harbour superintendency administration within 24 hours after his return to the harbour. If, because of special circumstances, the Report Concerning Maritime Traffic Accidents cannot be submitted within the time limit set in paragraphs (1) and (2) of this Article, the time limit may be appropriately extended after permission is obtained from the harbour superintendency administration.

Article 7

The following information shall be truthfully provided in the Report Concerning Maritime Traffic Accidents:

- (1) basic conditions of the vessel or installation and the data concerning its main functions;
- (2) name and address of the owner or manager of the vessel or installation;
- (3) when and where the accident happened;
- (4) the climatic conditions and the conditions on the sea when the accident happened;
- (5) a detailed description of the course of the accident (for a collision, a sketch map illustrating the face-to-face movements shall be attached);
- (6) degree of the damage (A sketch showing the damaged parts of the vessel or installation shall be attached. If it is difficult to make a thorough investigation within the set time limit, a report shall be submitted at a

later date after the examination.)

(7) estimated location of sinking in case where the vessel or installation sank;

(8) other information related to the accident.

Article 8

A report concerning maritime traffic accidents must be truthful and there must not be any concealment or falsification.

Article 9

If a vessel or an installation is damaged due to a maritime traffic

accident, the captain of the vessel or the person in charge of the

installation shall apply to China's local inspection department or the inspection department at the vessel's first port of arrival in China for inspection or appraisal and send a copy of the inspection report to the harbour superintendency administration for the record.

The harbour superintendency administration may entrust the inspection and appraisal mentioned in the preceding paragraph to relevant units or departments and the expenses shall be borne by the owner or manager of the vessel or installation. If the accident happening to a vessel or

installation involved fire or explosion, the captain or the person in charge of the installation must apply to a fire fighting brigade in the public security organ for an appraisal and send a copy of the

appraisal report to the harbour superintendency administration for the record.

Chapter III Investigation

Article 10

Harbour superintendency administration shall be responsible for the

investigation of the maritime traffic accidents which happen in the waters of their respective harbour areas. The maritime traffic accidents which happen outside the waters of harbour areas shall be investigated by the harbour superintendency administration of the nearest harbour or that of the vessel's first port of arrival in the People's Republic of China. The Harbour Superintendency Administration Bureau of the People's Republic of China may designate a harbour superintendency administration to carry out the investigation, if the Bureau deems it necessary.

When the harbour superintendency administration concerned deems it

necessary, he may request relevant departments and social organizations to take part in the investigation of the accidents.

Article 11

Upon receiving accident reports, the harbour superintendency

administration shall promptly carry out investigation. Investigation shall be carried out in an objective and all-round manner and must not be

restricted by the information provided by the parties involved in the accidents. If the investigation warrants it, the harbour superintendency administration has the right to:

- (1) question the persons concerned;
- (2) demand written material and testimonial from the persons under investigation;
- (3) demand the parties involved to provide logbooks, engine room logs, wheel-bell records, radio operation logs, course records, charts, data of

the vessel, functions of the navigation equipment and instruments and other necessary original papers and materials;

(4) examine certificates of the vessels, installations and the relevant equipment and certificates of the personnel and verify seaworthiness of the vessels and technical conditions of the installations before the accident;

(5) examine the damage to the vessels, installations and goods and

ascertain casualties of personnel;

(6) survey the scene of the accident and collect relevant material

evidence. During the investigation, the harbour superintendency administration may use recording, photographing and video equipment and may resort to other means of investigation permitted by law.

Article 12

The persons being investigated must subject themselves to the

investigation, honestly state the relevant circumstances of the accident and provide authentic papers and materials.

In conducting investigations, the personnel of harbour superintendency administration shall produce their certificates to the persons being investigated.

Article 13

If the investigation of a maritime traffic accident so requires, the harbour superintendency administration may order the vessel(s) involved to sail to the spot for investigation. Except when its (their) own safety is in danger, the vessel(s) involved must not leave the said spot without the permission of the harbour superintendency administration.

Article 14

The organs respectively in charge of public security, state security, supervision, procuratorial work, and judicial work, as well as maritime arbitration committees and other organs and personnel designated under the law may consult, make extracts of or duplicate the findings concerning maritime traffic accidents prepared by the harbour superintendency

administration for the purpose of handling cases. Judicial organs may borrow these findings if they are really needed in the trials.

Chapter IV Handling of Accidents

Article 15

The harbour superintendency administrations shall, according to the

investigations of maritime traffic accidents, work out the Report on Findings Concerning Maritime Traffic Accidents, in which causes of the accidents shall be ascertained and the responsibility of the persons concerned be determined. A serious accident shall be reported to the local procuratorial organ.

Article 16

The Report on Findings Concerning the Maritime Traffic Accident shall include the following items:

- (1) basic conditions of the vessels or installations and the main data;
- (2) names and addresses of the owners or managers of the vessels
or
installations;
- (3) when and where the accident happened, the course of the accident, weather and sea conditions at the time, seriousness of the damage;
- (4) causes of the accident and evidence thereof;
- (5) liabilities of the parties involved and evidence thereof;

(6) other relevant information.

Article 17

The harbour superintendency administrations may, according to the nature and seriousness of their liabilities, mete out the following penalties according to law to the persons who are held responsible for the maritime traffic accidents:

(1) warnings, fines, suspension or revocation of their job certificates may be resorted to when the crew, pilots or personnel working on the installations are of Chinese nationality;

(2) warnings and fines may be imposed on the crew or the personnel working on the installations who are of foreign nationalities or their faults may be reported to the competent organs of their respective countries.

Article 18

If it is necessary to pursue the administrative responsibility of the persons involved, owners or managers of the vessels or installations who are held responsible for the maritime traffic accidents, the harbour superintendency administrations shall submit the cases to their competent organs or the organs in charge of administrative supervision.

With

respect to persons whose action constitutes a crime, the judicial

authorities shall, in accordance with the law, investigate their criminal responsibility.

Article 19

The harbour superintendency administration may, in the light of the causes of the maritime traffic accidents, order the owners and managers of the vessels involved or installations involved to strengthen safety control over their vessels or installations within a time limit. In case of

refusal to strengthen safety administration or failure to meet the safety requirements within the said time limit, the harbour superintendency has the right to order the vessels or installations to suspend navigation, change courses or suspend operation and may adopt other necessary compulsory measures.

Chapter V Mediation

Article 20

If a maritime traffic accident happening to vessels or installations gives rise to a civil dispute over tort liability, the parties may apply to the harbour superintendency administration for mediation.

Mediations must be carried out on the principles of voluntariness and impartiality and no coercion shall be allowed.

Article 21

If a suit has been brought before a maritime court or an application sent to a maritime arbitration organ, the parties to the civil disputes

mentioned in the preceding article shall not apply to the harbour

superintendency administration for mediation.

Article 22

Written applications for mediations shall be submitted, by the parties within 30 days after the accident happened, to the harbour superintendency administration responsible for the investigation of the accident. If guarantees are demanded by the harbour superintendency administration the parties shall provide papers of economic compensation guarantee.

Article 23

If an agreement is reached after mediation, the harbour superintendency

administration shall prepare a mediation document. The mediation document shall include the following items: names and addresses of the parties, names and positions of the legal representatives, main points of the disputes, liabilities of the parties, content of the agreement, payment of the mediation fees and the time limit for the execution of the mediation agreement. The parties concerned shall jointly sign the mediation document and the superintendency administration shall confirm it by affixing its seal thereon. One copy of the mediation document shall be held by each party concerned and one copy kept by the harbour superintendency administration.

Article 24

All the parties concerned shall execute the agreement of mediation of their own accord. If the parties renege or fail to execute the agreements within the time limit after the agreement is reached, the mediation shall be regarded as failing.

Article 25

If a party to a civil dispute who has applied to the harbour superintendency administration for mediation wants to withdraw from it, the party shall send a written application to the harbour superintendency administration for mediation cancellation and notify the other party to the dispute at the same time.

Article 26

If the harbour superintendency administration fails to make the parties reach an agreement of mediation within 3 months as of the date of receipt of the application for mediation, the mediation may be announced as failing.

Article 27

If the parties do not want mediation or the mediation has failed, they may bring a suit in a maritime court or apply to a maritime arbitration organ for arbitration.

Article 28

Anyone who has applied to the harbour superintendency administration for mediation shall pay mediation fees. Standards for mediation charges shall be worked out by the Ministry of Communications in conjunction with the State Administration for Commodity Prices and the Ministry of Finance.

If an agreement is reached through mediation, the mediation charge shall be shared according to the seriousness of the parties' faults or the agreed proportions. If mediation has failed, the expenses shall be shared out equally among the parties.

Chapter VI Penalties

Article 29

The harbour superintendency administration may, depending on the circumstances, warn or impose a fine of not more than 200 yuan on the persons concerned (natural person), or impose a warning or a fine of not more than 5,000 yuan on the owners or managers of the vessels, if they violate these Regulations in one of the following manners:

- (1) failing to report the accident to the harbour superintendency administration or submit the Report Concerning Maritime Traffic Accident or duplicate copies of the documents of court verdict, arbitration award or mediation document as stipulated in Article 32 of these Regulations within the time limit;

(2) failing to sail to the spot designated by the harbour superintendency administration or leaving the designated spot without the permission of the harbour superintendency administration when nothing is endangering the vessel(s);

(3) affecting the progress of the investigations or causing losses to the departments concerned because the content of the accident report or the Report Concerning Maritime Traffic Accident does not meet the stipulated requirements or it is not truthful;

(4) affecting the investigation of the accident by violating the provisions of Article 9;

(5) refusing to be investigated or unjustifiably obstructing and interfering with the investigation by the harbour superintendency

administration;

(6) intentionally concealing facts or providing false testimonial during investigation. With respect to persons whose acts have constituted a crime as specified in paragraphs (5) and (6) of this Article, the judicial organs shall investigate their criminal responsibility according to law.

Article 30

Administrative sanctions shall be given by administrative supervision organs or relevant units to those persons working in harbour

superintendency administrations who violate the provisions of these

Regulation, neglect their duties, abuse their powers, engage in

malpractices for selfish ends and ask for and accept bribes. If their acts

constitute crimes, their criminal responsibilities shall be investigated

by judicial organs according to law.

Article 31

If the parties concerned do not agree with the penalties imposed on them by the harbour superintendency administration according to the provisions of these Regulations, they may bring a suit in a people's court according to law.

Chapter VII Special Provisions

Article 32

If maritime traffic accidents happen to vessels of Chinese nationality outside the coastal waters of the People's Republic of China, their owners or managers shall report to the harbour superintendency administration where the vessels have registered and shall submit the Report Concerning Maritime Traffic Accident within 60 days after the accidents happened. If lawsuits, arbitrations or mediations concerning the accidents take place abroad, the owners or managers shall submit copies or photocopies of the court verdicts, awards or mediation documents to the harbour superintendency of the harbour where the vessels have registered for the record within 60 days after the termination of the lawsuits, arbitration or mediation.

Article 33

If crew members of Chinese nationality holding job qualification certificates of the People's Republic of China are held responsible for maritime traffic accidents while they are working on board foreign vessels, their respective units in China shall submit the Report

Concerning Maritime Traffic Accidents to the harbour superintendency administration issuing the job qualification certificates within 60 days after the accidents happened.

The maritime traffic accidents mentioned in the first paragraph of this Article and in Article 32 shall be investigated and dealt with in accordance with the relevant provisions of these Regulations.

Chapter VIII Supplementary Provisions

Article 34

With respect to those operations which have violated the regulations concerning maritime traffic safety and have constituted latent threats of potential major accidents, although direct traffic accidents have not been caused, the harbour superintendency administration may carry out investigation and mete out penalties according to the provisions of these Regulations.

Article 35

The maritime traffic accidents which have caused marine environmental pollution shall be dealt with in accordance with the relevant laws and regulations of China concerning marine environmental protection.

Article 36

These Regulations shall be interpreted by the Ministry of Communications.

Article 37

These

Regulations shall go into effect as of the date of promulgation.

