

# Regulations on the Management and Approval of Foreign Flag Fishing Vessels Entering into Ports of the Republic of China

## Article 1

These regulations are established in accordance with Article 22, paragraph 3 of the Act for Distant Water Fisheries (hereinafter referred to as the Act).

## Article 2

Any foreign flag fishing vessel applying for port entry into the Republic of China shall not have any of the circumstances stipulated in Article 22, paragraph 2 of the Act, and shall meet the following conditions:

- (1) The fishing vessel is listed in the approved vessel list(s) of the international fisheries organization(s) or holds a valid fishing license or fishing authorization document issued by the flag State.
- (2) The fisheries type(s) conducted by the fishing vessel is not gillnet fishery.

## Article 3

Port entry of any foreign flag fishing vessel into the Republic of China shall be limited to Keelung Port, Kaohsiung Port, Chen-Pin Fishing Harbor, and Chien-Chen Fishing Harbor.

Activities after the port entry as referred to in the preceding paragraph shall be limited to landing in port, transshipment in port or repair of fishing vessels.

## Article 4

For any foreign flag fishing vessel intending to enter into ports of the Republic of China, the owner or the agent of such vessel shall apply, 14 days prior to arriving at the port, to the competent authority with the submission of the following documents for the port entry approval, which will be granted after examining the documents; for any foreign flag fishing vessel whose last departing port is less than 1,600 nautical miles from the port applying for entry, the application may be filed five days prior to arriving at the port:

- (1) Advance Notice of Port Entry (format as shown in Appendix 1);
- (2) Notification on Fishing, Transshipment or Landing (format as shown in Appendix 2);
- (3) A copy of nationality certificate of the vessel concerned;
- (4) A copy of the fishing license or fishing authorization document;
- (5) A list of crew members (including name, nationality, year/month/date of birth, positions on board, passports or traveling document numbers) and copies of valid Certificate of Fishing Officers;
- (6) Three photos of the portside, of the starboard, and of the stern of the vessel concerned. Each photo shall have a resolution of at least 150 pixels per inch at a size of 6 by 8 inches and shall be no greater than 500 kilobytes (kB) in size; and
- (7) For carrier vessels, the fish hold layout of the vessel concerned which can clearly distinguish catch species and quantities of each fish hold shall be provided.

The agent as referred to in the preceding paragraph shall be limited to the shipping agency of the Republic of China authorized under the Shipping Act.

In case that the documents as referred to in paragraph 1 are written in foreign language, a Chinese translation authenticated by public notary of the Republic of China shall be submitted. Such provision shall be exempted for the documents written in English.

For any foreign flag fishing vessel applying for entering Keelung Port or Kaohsiung Port, the owner or the agent of the vessel concerned shall, after obtaining the port entry approval as referred to in paragraph 1, apply for port entry from the shipping administration authority.

In case of force majeure or distress, owners or agents of foreign flag fishing vessels intending to enter Keelung Port or Kaohsiung Port may applying for emergent port entry in accordance with the Commercial Port Law, and shall be in compliance with the provisions stipulated in paragraph 1 to paragraph 3 within 24 hours after the port entry.

#### Article 5

In case that berths of Chen-Pin Fishing Harbor or Chien-Chen Fishing Harbor are insufficient, the competent authority may not approve the port entry applications offoreign flag fishing vessels.

#### Article 6

Any owner or agent of foreign flag fishing vessel shall, within 24 hours after the port entry, submit to the competent authority the Port Entry Report (format as shown in Appendix 3).

#### Article 7

Before entering Chen-Pin Fishing Harbor or Chien-Chen Fishing Harbor, any foreign flag fishing vessel shall complete inspections regarding shipping administration, customs, sanitary, immigration, disease containment, and quarantine in Keelung Port or Kaohsiung Port.

Any foreign fishing vessel approved to enter the fishing harbors as referred to in the preceding paragraph shall not berth for more than five days.

For any foreign flag fishing vessel entering into ports of the Republic of China that carries any crew from the Mainland China, such vessel shall cooperate with the Coast Guard and police authorities for security inspection(s). The Mainland Chinese crew shall be placed in the temporary boarding house on shore after inspection clearance.

The Mainland Chinese crew shall not leave the temporary boarding house on shore or return to the foreign flag fishing vessel concerned to assist in the work during the time of stay in the temporary boarding house. The cost for temporary boarding shall be borne by the owner or the agent of the foreign flag fishing vessel concerned.

#### Article 8

In case of any of the following circumstances, the competent authority may revoke the port entry approval of any foreign flag fishing vessel, and notify the shipping administration atuhority:

- (1) After the port entry, the foreign flag fishing vessel has engaged in any activity inconsistent with the purpose as indicated in the application.
- (2) The foreign flag fishing vessel has not entered the port for more than two days after its estimated time of arrival.

<p>Article 9</p> <p>Any foreign flag fishing vessel entering into ports of the Republic of China shall berth, land, transship or be repaired at the area(s) designated by the competent authority of the port.</p>
<p>Article 10</p> <p>Any foreign flag fishing vessel entering into ports of the Republic of China for landing or transshipment shall pay relevant cost incurred from inspection(s) before commencing the landing or transshipment.</p> <p>The time for landing or transshipment as referred to in the preceding paragraph shall be 6 a.m. to 18 p.m. every day. Any catch that is not yet landed or transshipped shall be sealed in the fish hold(s) by the competent authority, and such fish hold(s) shall not open unless the competent authority has approved.</p> <p>The inspection(s) and the sealing of fish hold(s) as referred to in the preceding two paragraphs may be commissioned by the competent authority to affiliated agency/institution(s), the government of municipality, county or township, or other institution(s), legal person(s), or organization(s).</p> <p>The owner or agent of any foreign flag fishing vessel shall submit the landing or transshipment declaration to the competent authority within two days after the completion of landing or transshipment.</p> <p>In case that the purpose of any foreign flag fishing vessel entering into ports of the Republic of China is for only repairing, such vessel shall not land or transship.</p>
<p>Article 11</p> <p>For any foreign flag fishing vessel entering into ports of the Republic of China for landing or transshipment, the discrepancy between the amount recorded in its Notification on Fishing, Transshipment or Landing and the actual landing or transshipment amount shall not exceed 10% of the actual landing or transshipment amount.</p>
<p>Article 12</p> <p>The owner or agent of any foreign flag fishing vessel approved to enter into ports of the Republic of China shall submit to the competent authority the Notification of Port Departure (format as shown in Appendix 4) one day prior to the port departure.</p>
<p>Article 13</p> <p>These Regulations shall enter into force on January 20, 2017.</p>

**非我國籍漁船進港申請預報表（第 聯）**  
**Advance Notice of Port Entry for Foreign Flag Fishing Vessels**

船名 Vessel Name		國籍 Nationality		船舶類型 Vessel Type	<input type="checkbox"/> 運搬船 Carrier <input type="checkbox"/> 漁船 Fishing Vessel
國際呼號 International Radio Call Sign				漁業種類 Fisheries Type	
出發港口 Port of Departure				出港日 Departure Date	
船旗國核准漁業執照編號 Fishing License No. Issued by the Flag State				國際組織編號 International Organization Identification Number	
國際海事組織船舶識別碼 IMO Number			(IMO)	外部識別碼 External Identification No.	
預定進港日期 Estimated Date of Port Entry		年 yy	月 mm	日 dd	預定出港日期 Estimated Date of Port Departure
進入領海時間 Estimated Date and Time of Arriving in the Territorial Sea		年 yy	月 mm	日 dd	時 hh
進入領海位置 Coordinates of Arriving in the Territorial Sea					
進港目的 Purpose of Port Entry		<input type="checkbox"/> 轉載 Transshipment <input type="checkbox"/> 卸魚 Landing <input type="checkbox"/> 維修 Repair			
申請進入之港口 Port for Entry		<input type="checkbox"/> 基隆港 Keelung <input type="checkbox"/> 高雄港 Kaohsiung <input type="checkbox"/> 正濱漁港 Chen-Pin Fishing Harbor <input type="checkbox"/> 前鎮漁港 Chien-Chen Fishing Harbor    _____ 碼頭 Dock			
漁船監控系統 (VMS)		無 Nil	有：船旗國 Yes: Flag State		有：RFMO Yes: RFMO
類型： VMS system type					
船舶尺寸 Vessel Size	總長度和船樑 Length overall and the Beam		吃水深度 Depth		總噸數 Gross Tonnage
船員資訊 Crew Info	船長姓名/國籍 Name of the Captain/ Nationality				船員總人數 Number of the Crew
應附文件 Required Attachments	非我國籍漁船漁撈、轉載或卸魚作業通報表（附表二） Notification of Fishing, Transshipment or Landing (as shown in Appendix 2)				
	船舶國籍證書影本 Copy of nationality certificate				
	漁業執照或漁撈許可文件影本 Copy of fishing license or fishing authorization documents				
	進出港船員名冊（包括姓名、國籍、出生年月日、船上職務、護照或旅行文件編號） A list of crew members (including name, nationality, year/month/date of birth, positions on board, passports or traveling document numbers)				
	船舶幹部有效執業證書影本 Copies of valid Certificate of Fishing Officers				
	漁船之甲板兩船側及船艉相片（長寬為六乘四吋以上）各三張 Three photos of the portside, of the starboard, and of the stern of the vessel concerned (size: 6 by 4 inches)				
	漁獲物運搬船各艙間漁獲物種類及數量的漁貨配艙圖 The fish hold layout of carrier vessel showing the catch species and quantities of each fish hold				
	（檢附之文件如非中文或英文本，應併附經法院或民間公證人認證之中文譯本一份） (If the attached documents are not written in Chinese or English, a Chinese translation authenticated by a court or public notary shall be submitted.)				
代理人及漁船所有人 Agent and the Owner	代理人 Agent		簽章 Signature or Stamp		
	聯絡電話 Contact Phone No.		傳真 Fax No.		
	地址 Address				
	電子郵件 Email				
	申請人 Applicant		申請日期 Application Date	年 yy	月 mm

註：第一聯由主管機關留存。第二聯由申請人執交商港管理機關據以申辦進、出商港區用。第三聯由申請人留存。

## Appendix 1

	漁船所有人 The Owner of the Fishing Vessel		聯絡電話 Contact Phone No.	
	地址 Address			
<b>主管機關核准：</b> <input type="checkbox"/> 同意 <input type="checkbox"/> 不同意 Competent Authority Decision:      Approve      Disapprove			<b>核章 Signature or Stamp：</b> <b>日期 Issue Date：</b>	

Note: This advance notice shall be written in triplicate. The competent authority and the applicant shall each hold a copy. The applicant shall submit another copy to the managing authority of commercial port for applying for commercial port entry or departure.

## 非我國籍漁船漁撈、轉載或卸魚作業通報表

Notification of Fishing, Transshipment or Landing for Foreign Flag Fishing Vessels

船 名 Vessel Name	國 籍 Nationality	漁業執照或漁撈許可文件編號 Fishing License / Authorization Document No.					
船 籍 港 Port of Registry	呼 號 International Radio Call Sign	漁業種類 Type of Fisheries : 漁具種類 Fishing Gear : 數量 Number(s) of Fishing Gear :					
何處來 (港口) From (which port)	往何處 To	最近一次出港日期 Last Port Departuring Date  年 月 日 Year Month Day					
載運魚貨總重量 Total Catch on Board		公噸 MT	進港前作業海域 Fishing Area before Port Entry				
有關漁撈或運搬授權 Relevant authorization(s) on the eligibility to fish or transship	認定者 Identifier						
	發證單位 Issued by						
	有效期 Validity						
	捕撈區 Fishing area(s)						
	魚種 Species (FAO-Alpha code)						
	漁具 Gear						
有關轉載授權 <input type="checkbox"/> Relevant authorization(s) on transshipment trip(s)	認定者 Identifier						
	發證單位 Issued by						
	有效期 Validity						
有關供貨漁船的轉載資訊 Transshipment information concerning donor vessel(s)	日期 Date						
	位置 Location						
	船名 Name						
	船旗國 Flag State						
	編號 ID No.						
	魚種 Species						
	產品型態 Product Type(s)						
	捕撈區 Fishing Area(s)						
	數量 Quantity (in Kg)						
船上總漁獲量 Total Catch on board	魚種 Species						
	產品型態 Product Type(s)						
	捕撈區 Fishing Area(s)						
	數量 Quantity (in Kg)						
申報卸魚量 Landing Quantities Declared	數量 Quantity (in Kg)						

漁船公司或船務代理行簽章  
Signature or Stamp of Owner or Shipping Agent

填表日期 Date : 年 yy 月 mm 日 dd

## 非我國籍漁船進港報告單

## Port Entry Report for Foreign Flag Fishing Vessels

船名 Vessel Name		國籍 Nationality		船舶類型 Vessel Type	<input type="checkbox"/> 運搬船 Carrier <input type="checkbox"/> 漁船 Fishing Vessel
國際呼號 International Radio Call Sign			漁業種類 Fisheries Type		
船旗國核准漁業執照編號 Fishing License No. Issued by the Flag State			國際組織編號 International Organization Identification Number		
原預定進港日期 Estimated Port Entry Date	年 月 日 yy mm dd	實際進港日期 Actual Port Entry Date and Time		年 月 日 時 分 yy mm dd hh mm	
原申請進入港口 The Applying Port for Entry	_____ 港 Port _____ 碼頭 Dock		核准進港之文號 Entry Approval No.		
實際港口泊靠區 Actual Berthing Area of Port	_____ 港 Port _____ 碼頭 Dock				
代理人及 漁船所有 人 Agent and the Owner	代理人 Agent	簽章 Signature or Stamp			
	聯絡電話 Contact Phone No.		傳真 Fax No.		
	地址 Address				
	電子郵件 Email				
	申請人 Applicant		報告日期 Date of Report	年 月 日 yy mm dd	
	漁船所有人 The Owner of the Fishing Vessel		聯絡電話 Contact Phone No.		
	地址 Address				
主管機關： Competent Authority			核章： Signature or Stamp		

附表四 Appendix 4

## 非我國籍漁船離港通報單

## Notification of Port Departure for Foreign Flag Fishing Vessels

船名 Vessel Name		國籍 Nationality		船舶類型 Vessel Type	<input type="checkbox"/> 運搬船 Carrier <input type="checkbox"/> 漁船 Fishing Vessel
國際呼號 International Radio Call Sign			漁業種類 Fisheries Type		
船旗國核准漁業執照編號 Fishing License No. Issued by the Flag State			國際組織編號 International Organization Identification Number		
實際進港日期 Actual Port Entry Date	年 月 日 yy mm dd	核准進港之文號 Entry Approval No.			
實際港口泊靠區 Actual Berthing Area of Port	_____ 港 Port _____ 碼頭 Dock				
原預定出港日期 Estimated Port Departure Date	年 月 日 yy mm dd	實際出港日期 Actual Port Departure Date and Time		年 月 日 時 分 yy mm dd hh mm	
代理人及 漁船所有 人 Agent and the Owner	代理人 Agent	簽章 Signature or Stamp			
	聯絡電話 Contact Phone No.		傳真 Fax No.		
	地址 Address				
	電子郵件 Email				
	申請人 Applicant		報告日期 Date of Report	年 月 日 yy mm dd	
	漁船所有人 The Owner of the Fishing Vessel		聯絡電話 Contact Phone No.		
	地址 Address				
主管機關： Competent Authority			核章： Signature or Stamp		