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China's new territorial sea baseline declaration in northern Beibu Gulf

On 1 March 2024, China published the [baselines of its territorial sea adjacent to the northern section of the Beibu Gulf](#). This delineation gives vessels distinct geographical reference points to comply with statutory regulations, such as reporting requirements for foreign vessels entering China's territorial sea, as well as the disposal of oily water, sewage, and garbage within Beibu Gulf waters.

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In 1996, China announced [the baselines of part of its territorial sea](#), encompassing the baselines adjacent to the mainland from the Shandonggaojiao basepoint 37° 24.0' N 122° 42.3' E in the north to Junbijiao 19° 21.1' N 108° 38.6' E in the south. The baselines declared on 1 March 2024 ([Chinese](#); [English](#)) are adjacent to those established in 1996, now extending from Junbijiao to the demarcation line between China and Vietnam in the Beibu Gulf (also known as Gulf of Tonkin) at 21° 28'12.5"N 108° 6'04.3"E ([Schematic diagram](#)). This delineation sets a clear baseline for the territorial waters of the northern part of Beibu Gulf, providing ships with a definitive geographical reference point, thus enabling more precise adherence to regulations ranging from the [Reporting requirement for foreign vessels entering China's territorial sea](#) to the disposal of oily water, sewage and garbage within the waters of the Beibu Gulf.

Impact on shipping and penalties for non-compliance

In the event of non-compliance with the [reporting requirements for foreign vessels entering China's territorial sea](#), the Maritime Safety Administration (MSA) of China may impose fines ranging from CNY 50,000 to CNY 500,000 on the owner, operator or manager and a fine of between CNY 10,000 and CNY 30,000 upon the Master.

The impact of the baseline declaration aligns with the entry into force on 1 January 2024 of the amended Marine Environmental Protection Law of China. Article 93 outlines stringent measures against violations related to ship pollution and specifying fines for various ship pollutants, with the [nearest land](#) serving as a pivotal reference point. Violations related to the discharge of prohibited pollutants or substances listed in

the legislation could result in fines ranging from CNY 200,000 to CNY 1 million. Additionally, other illegal discharges of pollutants and waste into the sea may incur fines of between CNY 10,000 and CNY 200,000. Detailed information regarding breaches and penalties can be found in [Oasis circular No. 2402](#).

Source of Information:

The Gard P&I Club

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