

Zhejiang Maritime Safety Administration Issues the “Notice on Initiating the Use of Unmanned Aerial Vehicles for Maritime Law Enforcement”

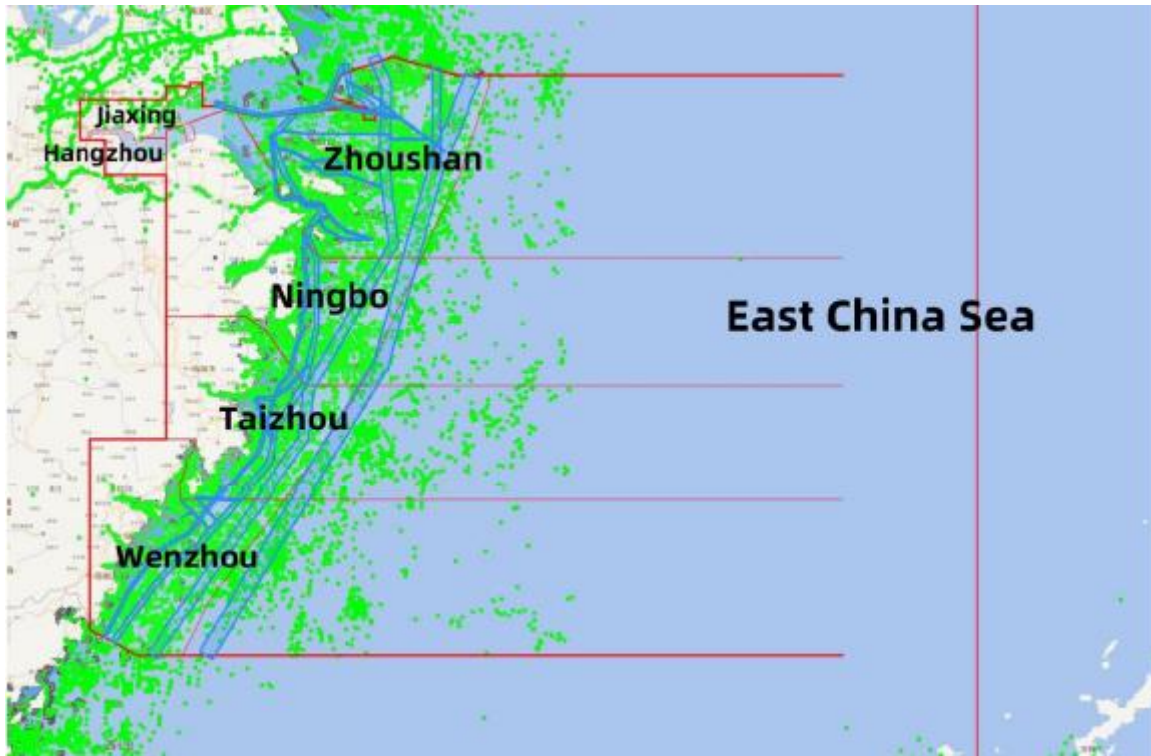


Ingosstrakh' s P&I Correspondent in China Messrs. Huatai Insurance Agency & Consultant Service Ltd., keeps us in loop of update concerning use of unmanned aerial vehicles for Maritime Law Enforcement.

On September 30, 2024, Zhejiang Maritime Safety Administration (Zhejiang MSA) issued the “Notice on Initiating the Use of Unmanned Aerial Vehicles for Maritime Law Enforcement” (hereinafter referred to as the "Notice"), deciding to use unmanned aerial vehicles (UAVs) for maritime law enforcement patrols within its jurisdiction from October 1, 2024. This Circular will introduce the main content of the Notice and its possible impacts, and provide Huatai's suggestions.

The Coverage Area and Matters of the Law Enforcement by UAVs

The Coverage Area of the Law Enforcement



The coverage area of law enforcement by UAVs is the entire area under the jurisdiction of Zhejiang MSA. UAVs shall takeoff from law enforcement personnel, law enforcement vehicles or boats, and the takeoff locations are the waters and coastal areas under the jurisdiction of the Zhejiang MSA, as well as the offices of the subordinate MSA at all levels under the management of Zhejiang MSA.

The jurisdiction area of Zhejiang MSA encompasses all waters along the coast of Zhejiang and all inland waters of Ningbo, Zhoushan, Wenzhou and Taizhou cities, as well as some inland waters of Jiaxing and Shaoxing (Shangyu).

Law Enforcement Matters

1. Navigation environment and order within the jurisdiction.
2. Navigation, berthing and operation of ships.
3. Reporting of Chinese domestic ships on the entry and exit of the port and loading and unloading stations outside the port, declaration of entry and exit of the port by foreign ships.
4. The flying of ship flags and the display of ship signals, etc.
5. The transportation of passengers and cargoes by ships, as well as the securing and lashing of cargoes.

6. Water and underwater operations and activities.
7. Pollution prevention conditions of ships.
8. Accident investigation, search and rescue.
9. Other law enforcement matters applicable to UAVs.

Possible Impacts

Huatai believes that the use of UAVs for law enforcement by the MSA may have the following impacts:

Firstly, the use of UAVs can rapidly reach the target law enforcement area without being restricted by terrain and water areas, effectively covering areas that are difficult for patrol boats to reach or patrol, therefore the law enforcement by UAVs is more efficient and could cover a broader range. In terms of ship supervision, compared to patrol boats on which the law enforcement officers conduct inspections, UAVs can reach more positions of the ship for inspection and accurately find hidden dangers such as safety and pollution prevention that are difficult to observe from patrol boats, and reduce blind spots in law enforcement.

Secondly, using UAVs for law enforcement will make on-site evidence collection more convenient. UAVs can take advantage of their equipped high-resolution cameras and sensors to conduct on-site evidence collection of explicit illegal acts in the form of static photographs or dynamic videos.

Therefore, discovering illegal acts and collecting evidence can be completed simultaneously. However, in certain cases, the captured images may be blurred due to the weather conditions or limitations of marine environmental conditions, which may cause misjudgments on the on-scene situation by UAVs and thereby triggering disputes in terms of supervision or punishment.

Loss Prevention Suggestions

The application of UAVs in maritime law enforcement has improved the effectiveness and regulatory efficiency of maritime law enforcement, and enhanced the safety of maritime traffic. In the meantime, it also put forward higher requirements for the operation and management of ships. To cope with this alteration in law enforcement approaches, Huatai suggests:

1. Ensure that the crew familiar with the content of the "Notice" and require the crew to strictly follow the operating procedures provided in the ship's safety management system and in the meantime comply with applicable local laws, regulations, rules and special requirements, etc. It has come to Huatai's knowledge that UAVs have recently captured ships' illegal or irregular behaviors such as failure to raise or lower the national flag or signal flag as required, failure to prepare anchors or to post fore-castle lookouts in accordance with relevant regulations, emitting black smoke from ship's funnel, etc in the coastal waters and inland rivers of China, and such acts were investigated by MSA and penalties were imposed to ships.

2. Due to the fact that using UAVs for maritime law enforcement will bring more comprehensive supervision and inspection of ships than using patrol boats for law enforcement, Huatai suggests that ships conduct thorough maintenance on the hull and equipment strictly in accordance with the formulated maintenance plan to eliminate the hidden dangers of ships in safety and pollution prevention. Special attention should be

paid to conducting self-inspections of areas that are difficult to be inspected physically and visually, in order to avoid defects being discovered in those areas by the MSA through UAVs.

3. If there are any issues related to the use of UAVs for maritime law enforcement, Huatai suggests that ships promptly contact their local agents or correspondents for active and proper handling to safeguard their own interests.

The jurisdiction area of Zhejiang MSA encompasses all waters along the coast of Zhejiang and all inland waters of Ningbo, Zhoushan, Wenzhou and Taizhou cities, as well as some inland waters of Jiaxing and Shaoxing (Shangyu).

Attachment

Subject: Notice of Zhejiang Maritime Safety Administration on Initiating the Use of Unmanned Aerial Vehicles for Maritime Law Enforcement

To standardize the application of unmanned aerial vehicles (UAVs) in the field of maritime law enforcement, promote intelligent, standardized, efficient and intensive maritime supervision, protect the legitimate rights and interests of citizens, legal persons and other organizations, and enhance the effectiveness of administrative law enforcement, the Zhejiang Maritime Safety Administration (Zhejiang MSA) has decided to use UAVs to conduct administrative law enforcement inspections and capture evidence of maritime violations within its jurisdiction starting from October 1, 2024. In accordance with the provisions of paragraph 1 of Article 41 of the "Administrative Sanctioning Law of the People's Republic of China", the following is a notice to the public on the setting locations, law enforcement times, coverage, law enforcement entities, law enforcement matters and legal bases for using UAVs for law enforcement:

I . The Deployment Locations of UAVs

UAVs will Take off from law enforcement personnel, law enforcement vehicles or boats. The takeoff locations are the waters and coastal areas under the jurisdiction of the Zhejiang MSA and the offices of the subordinate MSA at all levels under the management of Zhejiang MSA.

II . Law Enforcement Period

From 00:00 to 24:00 on daily basis.

III . Coverage Area

Areas under the jurisdiction of Zhejiang MSA.

IV. Law Enforcement Entities

Zhejiang MSA and its subordinate maritime administrative institutions.

V. Law Enforcement Matters

1. Navigation environment and order within the jurisdiction.
2. Navigation, berthing and operation of ships.
3. Reporting of Chinese domestic ships on the entry and exit of the port and loading and unloading stations outside the port, declaration of entry and exit of the port by foreign ship.
4. The flying of ship flags and the display of ship signals, etc.
5. The transportation of passengers and cargoes by ships, as well as the securing and lashing cargoes.
6. Water and underwater operations and activities.
7. Pollution prevention conditions of ships.
8. Accident investigation, search and rescue.
9. Other law enforcement matters applicable to UVAs.

VI. Legal Basis

The matters related to this notice are formulated in accordance with relevant laws such as the "Maritime Traffic Safety Law of the People's Republic of China" and the "Administrative Sanctioning Law of the People's Republic of China".

Full text of the Circular is available via the [link](#).