HUATAI INSURANCE AGENCY & CONSULTANT SERVICE LTD.

Ministry of Transport of the People's Republic of China Issues the Implementation Measures for Collecting Special Port Dues on US Vessels

On April 17, 2025, the USTR issued measures under Section 301 of the investigation targeting China's maritime, logistics, and shipbuilding industries. Starting from October 14, 2025, the U.S. will impose additional port service fees on vessels owned or operated by Chinese enterprises, Chinese-flagged vessels, and vessels built in China. To safeguard its legitimate rights and interests, China has established a multi-tiered countermeasure system. On September 28, the Chinese government revised the *"Regulations of the People's Republic of China on International Maritime Transportation"* (hereinafter referred to as the "Maritime Transportation Regulations") and established provisions on countermeasures. A few days later on October 10, it issued the *"Announcement on Collecting Special Port Dues from U.S. Vessels"* (hereinafter referred to as the "Announcement"), officially launching the fee-collection policy.

Earlier today (October 14), the Ministry of Transport of the People's Republic of China further issued the ***"Implementation Measures for Collecting Special Port Dues on US Vessels"*** (hereinafter referred to as the "Measures"), full text with our free translation attached below, specifying detailed operational rules such as specific fee standards, procedures, and exemptions. The aforementioned new regulations together form a comprehensive framework for collecting special Port dues from U.S. vessels.

The following is our interpretation of the Measures for reference:

1. Which Vessels are Required to Pay the Special Port Dues

The Measures cover five categories of U.S.-related vessels, specifically:

- Vessels owned by U.S. entities;
- Vessels operated by U.S. entities;
- Vessels owned or operated by enterprises in which U.S. entities hold a direct or indirect stake of 25% or more;

- Vessels flying the U.S. flag;
- Vessels built in the United States.

Exemptions include: vessels built in China among Categories 1 to 4 mentioned above, vessels in ballast condition entering Chinese shipyards solely for repairs, and other vessels exempted upon verification.

2. How is the Fee Standard Determined

The fee adopts a phased incremental model, as specified below (any fraction of 1 Net Ton shall be counted as 1 Net Ton):

- From October 14, 2025: 400 yuan per net ton;
- From April 17, 2026: 640 yuan per net ton;
- From April 17, 2027: 880 yuan per net ton;
- From April 17, 2028: 1,120 yuan per net ton.

Two fee calculation rules are also clarified:

- A single vessel shall pay the special port dues for no more than 5 voyages per year (April 17 of each year is the start date of the annual billing cycle);
- For vessels calling at multiple Chinese ports in the same voyage, the fee shall be collected only at the first port of call.

3. Fee Collection Procedures and Responsible Entities

The vessel owner or its agent shall, 7 days before the vessel is expected to arrive at the port (or upon departure from the previous port if the voyage is less than 7 days), report information such as the vessel's country of construction, owner, and operator to the Maritime Administrative Agency (MSA) at the port of call, and complete the fee payment. The special port dues shall be collected directly by the MSA. For vessels that meet the conditions for paying the special port dues, the dues must first be paid into the designated account. After the payment is received, the MSA will process the vessel's port entry approval formalities.

4. Declaration and Verification

- Vessel owners and operators shall proactively and accurately fulfill their obligations of information declaration.

- MSA shall be responsible for verifying the declared information.
- If a vessel owner or its agent is found to have concealed or omitted vessel information, the MSA shall order a supplementary declaration. Failure to make full payment of the dues may result in delays in port entry/exit approval. For vessels that have evaded payment of special port dues and have already departed from Chinese ports, the MSA will require them to settle the unpaid dues, including any potential late payment penalty fees, before their subsequent call at Chinese ports.

5. Possibility of Adjustments to the Fee Policy

The Measures clearly stipulate that the scope, standards, and validity period of the special port dues collection will be dynamically adjusted based on actual circumstances.

Comments and Suggestions

- Vessel owners and operators of vessels planning to call at Chinese ports shall focus on verifying the vessel's ownership, equity structure, and charter relationships, clarify whether the vessel falls within the fee collection scope, and ensure the declared information is true and complete (see the attached reporting form for reference).

- Since the Measures do not clearly define the term "operator" officially, and the attached reporting form also mandates the declaration of information on the "owner", bareboat charterer, and "operator", it is recommended to communicate in advance with the shipping agent and maritime authority to confirm the responsible entity.

- The Measures have explicitly specified two specific categories of exemption for the special port dues. Apart from "vessels built in China" and "vessels in ballast condition entering Chinese shipyards solely for repair purposes", the Measures further provide at the end of Article 2 that "other vessels exempted upon verification" are also eligible for exemption. This provision appears to leave room for flexibility in practice. For vessels that have to enter Chinese ports due to certain objective factors other than cargo operation, e.g., in emergencies which significantly endanger human lives, their owners or operators may attempt to apply for a dues exemption from the MSA.

- To mitigate potential liability disputes, a special clause explicitly

stipulating that "the special port dues incurred by U.S. vessels calling at Chinese ports shall be borne by XX (charterer/owner)" is suggested to be considered, and the clause shall comprehensively address all standards for the phased incremental fees. Furthermore, it is also recommended to include an indemnity clause to ensure that the party obliged to cover these fees ultimately assumes all consequential costs, including but not limited to late payment penalties.

- Closely monitor the U.S. policy trends and China's adjustment notifications, and promptly optimize shipping routes and contract terms based on vessel scheduling and cost calculation.

We will keep you continuously updated on the developments.

Best regards,

CUI Jiyu

Head of Marine Team

Attachment 1

Full Text of the "Implementation Measures for Collecting Special Port Dues on US Vessels"

Article 1 These Measures are formulated in accordance with regulations such as the "International Maritime Transportation Regulations of the People's Republic of China," to implement the requirements of the Announcement on Collecting Special Port Dues on US Vessels and to safeguard the development interests of China's shipping industry.

Article 2 Vessels engaged in international maritime transportation that call at Chinese ports and meet any of the following conditions shall be subject to Special Port Dues, payable by the shipowner or its agent:

(1) Vessels owned by enterprises, other organizations, or individuals of the United States;
(2) Vessels operated by enterprises, other organizations, or individuals of the United States;
(3) Vessels owned or operated by enterprises or other organizations in which enterprises, other organizations, or individuals of the United States directly or indirectly hold 25% or more of equity (voting rights, board seats);
(4) Vessels flying the flag of the United States;
(5) Vessels built in the United States.

Vessels built in China falling under items (1) to (4) of the preceding paragraph shall be exempt from payment. Vessels entering Chinese shipyards solely for repair in ballast condition, and other vessels recognized as exempt, shall be exempt from payment.

Article 3 The specific rates for Special Port Dues are as follows (any fraction of 1 Net Ton shall be counted as 1 Net Ton):
(1) For vessels calling at Chinese ports on or after October 14, 2025: RMB 400 per Net Ton;
(2) For vessels calling at Chinese ports on or after April 17, 2026: RMB 640 per Net Ton;
(3) For vessels calling at Chinese ports on or after April 17, 2027: RMB 880 per Net Ton;
(4) For vessels calling at Chinese ports on or after April 17, 2028: RMB 1120 per Net Ton.

The Special Port Dues for the same vessel shall be collected for no more than 5 voyages within one year. April 17 of each year shall be the start date of the annual billing cycle.

Article 4 The Special Port Dues shall be collected by the maritime authority located at the port where the vessel calls, and shall be managed and used in accordance with relevant state regulations.

Article 5 If a vessel calls at multiple Chinese ports during the same voyage, the Special Port Dues shall be paid only at the first port of call. For a vessel calling at Chinese ports for more than 5 voyages within one year, the dues shall be paid for the first 5 voyages; subsequent voyages within the same year shall be exempt upon presentation of proof of payment for the first 5 voyages.

Article 6 The shipowner or its agent shall, 7 days before the vessel's expected arrival at a Chinese port (or upon departure from the previous port if the voyage is less than 7 days), truthfully report to the maritime authority at the port of call information such as the country of build, flag state, owner, operator, charter status, and intended ports of call for the voyage, and pay the Special Port Dues.

Article 7 The maritime authority at the port of call shall verify the information of all vessels scheduled to arrive. If suspected concealment or omission of the vessel information listed in Article 6 is discovered, the shipowner or its agent shall be instructed to supplement the information.

Article 8 Vessels that have not paid the Special Port Dues in full as required by these Measures shall not be granted entry or exit port formalities by the maritime authority. If the shipowner or its agent evades payment of the Special Port Dues, the outstanding amount must be settled before the vessel's next call at a Chinese port.

Article 9 The scope, rates, start and end times for collecting Special Port Dues may be dynamically adjusted based on circumstances.

Article 10 These Measures shall be interpreted by the Ministry of Transport and shall come into effect on the date of issuance.

Attachment 2

船舶涉美信息报告表

Reporting Form of U.S.-Linked Vessel Information

船名 Vessel Name		IMO 编号 IMO No.	
国籍 Flag		建造国 Built in (country)	
所有人 Owner		地址 Address	
光船承租人 Bareboat charterer		地址 Address	
经营人 Operator		地址 Address	
靠泊港口 Arrival port		靠泊时间 Arrival time	
航次号 Voyage No.		净吨 Net tonnage	
本船是（否）为《对美船舶收取船舶特别港务费实施办法》第二条第一款第（一）至（五）项规定船舶。 This vessel is (not) as stipulated in *Article (1) to (5)*, *Paragraph 1, Section 2* of the *Implementation Measures of Special Port Fee for the U.S. Vessels*.		是（Yes）	否（No）
以下内容仅上一栏中填选“是”的船舶填写 The following is to be filled by vessels selecting *Yes* in the preceding section			
本船是（否）: This vessel is (not):			
(1)美国的企业、其他组织和个人拥有船舶所有权的船舶 (1)owned by an entity, other organization, or a citizen of the U.S.		是（Yes）	否（No）
(2)美国的企业、其他组织和个人运营的船舶 (2)operated by, or controlled by, an entity, other organization, or a citizen of the U.S.		是（Yes）	否（No）

(3)美国的企业、其他组织和个人直接或间接持有25%及以上 股权（表决权、董事会席位）的企业、其他组织拥有或运营的船舶 (3)owned by, controlled by, or operated by an entity with 25 percent or more of this entity's equity interest, outstanding voting interest, or board seats is held directly or indirectly by an entity, other organization, or a citizen of the U.S.	是（Yes)	否（No）
(4)悬挂美国旗的船舶 (4)U.S.-flagged	是（Yes)	否（No）
(5)在美国建造的船舶 (5)U.S.-built	是（Yes)	否（No）
本船本次进口岸应（否）缴纳船舶特别港务费。 This vessel shall (not) pay the special port fee for this arrival. 原因： Reason:	是（Yes)	否（No）

本船本航次船舶特别港务费缴费情况

Payment status of the special port fee of this vessel for this voyage

是否已缴费 Payed (or not)	航次号 Voyage No.	缴费日期 Payment Date	缴费港口 Payment Port

本船本收费周期内靠泊中国港口及船舶特别港务费缴费情况

Calling and payment status of the special port fee of this vessel in China in this billing year

靠泊日期 Arrival Date	航次号 Voyage No.	靠泊中国港口 Arrival Port	是否已缴费 Payed (or not)

备注：

Remarks:

签章 Signature：

日期 Date：

以下由海事管理机构填写

The following is to be filled by the Maritime Safety Administration

经核查，确认该船本次进口岸应（否）缴纳船舶特别港务费：	是	否

经办人： 日期：　　年　　月　　日