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Thursday 23rd October 2025

China's new special port charges on U.S.-linked vessels - emerging risks for ship managers and ship agents

In swift response to the USTR Section 301 measures targeting Chinese maritime and shipbuilding sectors, the Chinese Government revised the [Chinese International Transport Regulations](#) on 28th September 2025.

Subsequently, the Chinese Ministry of Transport (MOT) issued [Announcement No.54](#) on 10th October 2025, which came into effect on 14th October 2025 when the MOT released the Implementation Measures on the Special Port Charges for U.S.-Linked Vessels ([Implementation Measures](#)), and the Maritime Safety Administration (MSA) issued Guidelines for Completion of Reporting Form of U.S.-Linked Vessel Information ([Guidelines](#)).

These countermeasures introduce significant compliance and financial risks for ship managers with vessels calling at Chinese ports. Outlined below are the key points:

Scope of the special port fees

The fees apply to:

- (1) Vessels owned by an entity, other organization, or a citizen of the U.S.;
- (2) Vessels operated by an entity, other organization, or a citizen of the U.S.;
- (3) Vessels owned by, or operated by an entity with 25 percent or more equity interest, outstanding voting interest, or board seats held directly or indirectly by an entity, other organization, or a citizen, of the U.S.;
- (4) U.S.-flagged vessels;
- (5) U.S.-built vessels.

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Exemptions

- Vessels falling under any of the categories (1) through (4) above but which were built in China;
- Empty vessels entering solely for repairs in Chinese shipyards;
- Other vessels that may be recognised by the authorities as exempt.

Completion of Reporting Form and payment requirements

Vessel interests or their agents must do the following:

- Submit the completed Reporting Form to the maritime authority at the port of call at least 7 days before arrival, or upon departure from the previous port if the voyage is shorter than 7 days;
- Include details such as country of build, flag state, owner, operator, bareboat charterer, and intended ports of call;
- Pay the special port charges accordingly;

Failure to comply may result in:

- Orders to correct or supplement missing information;
- Denial of entry or departure clearance by the maritime authority.

Risks for ship managers

- Entities listed as vessel owner, bareboat charterer and/or operator on the Reporting Form are liable for the charges.
- Ship managers may inadvertently be listed as operators, exposing them to significant financial risk.
- Inadvertent exposure: U.S. ship managers may be mistakenly listed as operators, exposing them to financial liability.
- Deliberate circumvention: U.S. owners or charterers may request non-U.S. ship managers to register as operators to obscure U.S. links.

It remains unclear whether ship managers could be liable to pay the charges, which is currently set at RMB400 per net ton for targeted vessels calling at Chinese ports from 14th October 2025 to 17th April 2026, and face any possible penalties simply by being named as operators, even without commercial control over the vessel.

It is worth noting the Ministry of Transport (MOT) retains full discretion in interpreting the Implementation Measures. Furthermore, the Measures stipulate that the scope, standards, and the commencement or conclusion of special port charges may be subject to dynamic adjustments in response to evolving circumstances.

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Recommendations for ship managers

- Awareness: Ship managers need to ensure they are not listed as the vessel operator on the Reporting Form.
- Engagement: Ship managers should work closely with owners and charterers to clarify roles and responsibilities under the Special Port Charges framework.
- Contractually: Update contractual language as needed to allocate liability appropriately. BIMCO announced that it has started to develop terms specifically addressing the Measures introduced on 14th October.
- Monitoring: Stay informed about further developments and guidance as the Implementation Measures evolve.
- Integrity: Avoid acting as a shield for owners seeking to circumvent Special Port Charges scrutiny.
- Financially: Obtain payment of applicable charges from the owners in advance of the vessel's arrival.

Recommendation for ship agents operating in China

- Engagement: Collaborate with owners to clarify roles and responsibilities when required by owners to report on the vessel's information or make payments on their behalf.
- Monitoring: Stay updated on evolving Implementation Measures.

For more information, please contact your **ITIC account executive**.

Please note that this circular is intended for general information only and does not constitute legal advice. You should seek professional guidance or specialist advice before taking, or refraining from, any action based on the content herein.

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