

ประกาศกรมเจ้าท่า

ที่ ๕๔/๒๕๖๖

เรื่อง ข้อแนะนำสำหรับการควบคุมการจราจรทางทะเล

สืบเนื่องจากประเทศไทยได้เข้าเป็นภาคีอนุสัญญาระหว่างประเทศว่าด้วยความปลอดภัยแห่งชีวิตในทะเล ค.ศ. ๑๙๗๔ และที่แก้ไขเพิ่มเติม (International Convention for the Safety of Life at Sea, 1974 (SOLAS), as amended) ประกอบกับองค์การทางทะเลระหว่างประเทศ (International Maritime Organization: IMO) ได้จัดทำแนวทางเกี่ยวกับการควบคุมการจราจรทางทะเล (Guidelines For Vessel Traffic Service) ซึ่งเป็นไปตามบทบัญญัติใน Regulation V/12 Vessel traffic services (VTS) โดยกำหนดให้นายเรือ คนประจำเรือ และเจ้าหน้าที่ปฏิบัติหน้าที่ด้านการควบคุมการจราจรทางทะเลปฏิบัติตามแนวทางในการสนับสนุนข้อมูลในการเดินเรือ การตรวจสอบบริหารจัดการจราจรทางเรือ การปฏิบัติการตอบสนองเมื่อเกิดเหตุความไม่สงบภัยของเรือ และการรายงานเมื่อยูในเขตควบคุมการจราจรทางทะเล

เพื่อให้การเดินเรือมีความปลอดภัย ลดความเสี่ยงของอุบัติภัยที่จะเกิดขึ้น และเป็นไปตามเจตนาของรัฐบาลไทย SOLAS ๑๙๗๔ อาศัยอำนาจตามความในมาตรา ๒๙๑ แห่งพระราชบัญญัติการเดินเรือในน่านน้ำไทย พระพุทธศักราช ๒๕๔๖ จึงทรงพระกรุณาโปรดเกล้าฯ ให้ตราพระราชบัญญัตินี้

ทั้งนี้ ตั้งแต่บัดนี้เป็นต้นไป

ประกาศ ณ วันที่ ๑๐ กุมภาพันธ์ พ.ศ. ๒๕๖๖

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ภาคผนวก

ข้อแนะนำสำหรับการควบคุมการจราจรทางทะเล
(Guidelines For Vessel Traffic Service)

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GUIDELINES FOR VESSEL TRAFFIC SERVICES

THE ASSEMBLY,

RECALLING Article 15(j) of the Convention on the International Maritime Organization concerning the functions of the Assembly in relation to regulations and guidelines concerning maritime safety and the prevention and control of marine pollution from ships,

RECALLING ALSO regulation V/12 of the International Convention on Safety of Life at Sea, 1974 ("the Convention"), on vessel traffic services,

BEARING IN MIND the responsibility of Governments for the safety of navigation and protection of the marine environment in areas under their jurisdiction,

BEING AWARE that vessel traffic services are provided worldwide and make a valuable contribution to safety of navigation, improved efficiency of traffic flow and the protection of the marine environment,

RECOGNIZING that various organizational, operational and technological developments have taken place globally in a rapidly changing maritime domain since the adoption, in 1997, of resolution A.857(20) on *Guidelines for vessel traffic services* and that a revision of those Guidelines became necessary,

RECOGNIZING ALSO that the level of safety and efficiency in the movement of maritime traffic within an area covered by vessel traffic services is dependent upon close cooperation between those operating the vessel traffic services and participating ships,

RECOGNIZING FURTHER that the use of differing procedures may cause confusion to ship masters, and that vessel traffic services should be established and operated in a harmonized manner and in accordance with internationally approved guidelines,

NOTING that the International Association of Marine Aids to Navigation and Lighthouse Authorities (IALA) has contributed significantly to the development of internationally harmonized guidance for vessel traffic services,

HAVING CONSIDERED the recommendations made by the Maritime Safety Committee at its 102nd session,

- 1 ADOPTS the revised *Guidelines for vessel traffic services*, set out in the annex to the present resolution;
- 2 RECOMMENDS Contracting Governments and Members of the Organization which are not Contracting Governments to the Convention to take into account the Guidelines contained in the annex when planning and implementing vessel traffic services in accordance with regulation V/12 of the Convention;
- 3 RECOMMENDS Governments to encourage masters of ships navigating in an area for which a vessel traffic service is provided to make use of the service;
- 4 AUTHORIZES the Maritime Safety Committee to keep the aforementioned Guidelines under review and amend them, as appropriate;
- 5 REVOKEs resolution A.857(20).

ANNEX

GUIDELINES FOR VESSEL TRAFFIC SERVICES

1 INTRODUCTION

1.1 These Guidelines are associated with regulation V/12 of the International Convention on Safety of Life at Sea, 1974 ("the Convention") and should be taken into account by Contracting Governments to the Convention when planning, implementing and operating vessel traffic services (VTS) under national law. Members of the Organization which are not Contracting Governments to the Convention are also encouraged to take these Guidelines into account.

1.2 IMO, in its role in regulating the planning, implementation and operation of VTS, is responsible for providing guidance on their establishment, operation, qualification and training. This includes a leadership role in providing a forum and framework for cooperation among Governments to facilitate the consistent and harmonized delivery of VTS worldwide.

1.3 IALA is recognized as an important contributor to IMO's role and responsibilities relating to VTS.

1.4 In complying with these Guidelines, Contracting Governments should take account of applicable IMO instruments and refer to relevant international guidance prepared and published by appropriate international organizations.

2 TERMS AND DEFINITIONS

The following terms are used in connection with vessel traffic services:

- .1 *Vessel traffic services (VTS)* means services implemented by a Government with the capability to interact with vessel traffic and respond to developing situations within a VTS area to improve safety and efficiency of navigation, contribute to the safety of life at sea and support the protection of the environment.
- .2 *Competent authority* means the entity made responsible by the Government for vessel traffic services.
- .3 *VTS provider* means the organization or entity authorized by the Government or competent authority to provide vessel traffic services.
- .4 *VTS area* means the delineated, formally declared area for which the VTS provider is authorized to deliver vessel traffic services.
- .5 *VTS personnel* means persons performing tasks associated with vessel traffic services, trained in vessel traffic services operations and appropriately qualified.
- .6 *Allied services* means services other than vessel traffic services involved in the safe and efficient passage of a ship through a VTS area, such as pilotage, tugs and linesmen.
- .7 *Participating ship* means a ship required to participate with vessel traffic services.

3 PURPOSE OF VESSEL TRAFFIC SERVICES

3.1 The purpose of VTS is to contribute to the safety of life at sea, improve the safety and efficiency of navigation and support the protection of the environment within a VTS area by mitigating the development of unsafe situations through:

- .1 providing timely and relevant information on factors that may influence ship movements and assist onboard decision-making. This may include:
 - .1 position, identity, intention and movements of ships;
 - .2 maritime safety information;
 - .3 limitations of ships in the VTS area that may impose restrictions on the navigation of other ships (e.g. manoeuvrability), or any other potential hindrances;
 - .4 other information such as reporting formalities and International Ship and Port Facility Security Code (ISPS Code) details; and
 - .5 support for, and cooperation with, allied services;
- .2 monitoring and managing ship traffic to ensure the safety and efficiency of ship movements. This may include:
 - .1 planning ship movements in advance;
 - .2 organizing ships under way;
 - .3 organizing space allocation;
 - .4 establishing a system of traffic clearances;
 - .5 establishing a system of voyage or passage plans;
 - .6 providing route advice; and
 - .7 ensuring compliance with and enforcement of regulatory provisions for which they are empowered;
- .3 responding to developing unsafe situations, which may include:
 - .1 a ship unsure of its route or position;
 - .2 a ship deviating from the route;
 - .3 a ship requiring guidance to an anchoring position;
 - .4 a ship that has defects or deficiencies, such as navigation or manoeuvring equipment failure;
 - .5 severe meteorological conditions (e.g. low visibility, strong winds);
 - .6 a ship at risk of grounding or collision; and
 - .7 emergency response or support for emergency services.

3.2 To achieve their purpose, VTS should provide information or issue advice, warnings and instructions, as deemed necessary.

4 REGULATORY AND LEGAL FRAMEWORK

4.1 VTS are recognized internationally as a navigational safety measure through regulation V/12 of the Convention.

4.2 Under the general provisions of treaty law and of IMO conventions, Contracting Governments are responsible for promulgating laws and regulations and for taking all other steps which may be necessary to give those instruments full and complete effect.

4.3 The establishment of VTS is dependent on national law and relevant international conventions, recognizing factors such as the volume of traffic, degree of risk, and geographical and environmental conditions.

4.4 VTS may be established in association with IMO adopted ships' routeing systems or mandatory ship reporting systems, in accordance with regulations V/10 and V/11 of the Convention, respectively.

4.5 VTS may also be established beyond the territorial seas of a coastal State to provide information and advice on the basis of voluntary participation.

4.6 Contracting Governments should ensure that ships flying their flag comply with the requirements of VTS. Those Contracting Governments which have received information of an alleged violation of VTS by a ship flying their flag should provide the Government which has reported the offence with details of any appropriate action taken.

5 VESSEL TRAFFIC SERVICES RESPONSIBILITIES

5.1 The Contracting Government should:

- .1 establish a legal basis for VTS that gives effect to regulation V/12 of the Convention;
- .2 appoint and authorize a competent authority for VTS;
- .3 take appropriate action against a ship flying its flag that is reported not to have complied with the provisions of VTS; and
- .4 take account of future technical and other developments recognized by the Organization relating to VTS.

5.2 The competent authority for VTS should:

- .1 establish a regulatory framework for establishing and operating VTS in accordance with relevant international conventions and IMO instruments, IALA standards and national law;
- .2 authorize VTS providers to operate VTS within a delineated VTS area;
- .3 ensure that VTS training is approved and VTS personnel are certified; and
- .4 establish a compliance and enforcement framework with respect to violations of VTS regulatory requirements.

5.3 The VTS provider should:

- .1 ensure that VTS conform with the regulatory framework set by the competent authority for VTS;
- .2 set operational objectives for VTS that are consistent with improving the safety and efficiency of ship traffic and the protection of the environment. The objectives set should be routinely evaluated to demonstrate that they are being achieved;
- .3 ensure that appropriate equipment, systems and facilities for the delivery of VTS are provided;
- .4 ensure that VTS are adequately staffed and that VTS personnel are appropriately trained and qualified; and
- .5 ensure that information regarding requirements and procedures of VTS and the categories of ships required to participate in VTS are promulgated in appropriate nautical publications.

6 PARTICIPATING SHIPS

6.1 In a VTS area, participating ships should:

- .1 provide reports or information required by VTS;
- .2 take into account the information provided, or advice and warnings issued, by VTS;
- .3 comply with the requirements and instructions given to the ship by VTS unless contradictory safety or marine environment protection reasons exist; and
- .4 report any pollution or dangers to navigation to VTS.

6.2 Ships not designated as participating ships may take part in VTS, subject to complying with the requirements of VTS and any guidance issued by the VTS provider.

6.3 Masters may be required to report on their actions should they decide to disregard any instruction given by VTS.

7 GENERAL PRINCIPLES

7.1 Nothing in these Guidelines changes the ultimate responsibility of the master for all aspects of the operation of the ship including the responsibility for safe navigation.

7.2 The need for VTS should be assessed and reviewed through risk assessment.

7.3 VTS communications should be timely, clear, concise and unambiguous.

7.4 VTS operate within a comprehensive environment in which ships, ports, allied services and other organizations fulfil their respective roles, as appropriate.

7.5 Effective harmonized data exchange and information-sharing is fundamental to the overall operational efficiency and safety. VTS providers are encouraged to make use of automated reporting where possible.

7.6 VTS operations should be harmonized with ship reporting systems, ships' routeing measures and allied services, as appropriate.

7.7 Where two or more Governments have a common interest in establishing VTS in a particular area, they should develop coordinated VTS on the basis of an agreement between them. Where coordinated VTS are established, they should have uniform procedures and operations.

8 QUALIFICATIONS AND TRAINING

8.1 A major factor in the operation of VTS is the competence of their personnel.

8.2 VTS personnel should only be considered competent when appropriately trained and qualified for their VTS duties. This includes:

- .1 satisfactorily completing generic VTS training approved by a competent authority;
- .2 satisfactorily completing on-the-job training at the VTS where the personnel are employed;
- .3 undergoing periodic assessments and revalidation training to ensure competence is maintained; and
- .4 being in possession of appropriate certification.

9 IALA STANDARDS

9.1 IALA publishes standards and associated recommendations, guidelines and model courses specifically related to the establishment and operation of VTS to contribute to achieving worldwide harmonization of VTS.

9.2 Contracting Governments are encouraged to take into account IALA standards and associated recommendations, guidelines and model courses.
