



Office of
Deputy Commissioner
of Maritime Affairs

THE REPUBLIC OF LIBERIA LIBERIA MARITIME AUTHORITY

8619 Westwood Center Drive
Suite 300
Vienna, Virginia 22182, USA
Tel: +1 703 790 3434
Fax: +1 703 790 5655
Email: safety@liscr.com
Web: www.liscr.com

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Marine Advisory Note: 15/2012

Subject: Notifications to the Director of Marine of Activities engaged by a ship within Malaysian Waters

Re: a) Section 491B of the Malaysian Merchant Shipping Ordinance 1952 (ORD. 70/1952)
b) Act 250, Federation Light Dues Act 1953

Dear Shipowner/Operator/Master;

Your attention is directed to the requirement of the referenced Malaysian Regulation

When a vessel is anchoring within Malaysian waters, Owners/Masters and Operators are reminded to notify Malaysian authorities of the vessel's arrival and anchoring outside the outer port limits (OPL) of Tanjung Pelepas and Johor ports and for information of light dues.

When anchoring off Malaysia, it should be borne in mind that Malaysian territorial waters extend 12 nautical miles from the baseline, if not limited by other State boundaries.

Amendments to Section 491B of the Malaysian Merchant Shipping Ordinance 1952 stipulate which ships must notify the Director of Marine of activities within Malaysian waters. The Director is authorized by the Ordinance to impose terms and conditions including fees on the activities permitted in accordance with the Ordinance. The owner, master or agent of the ship may be found guilty of an offence, as well as risking a fine of MYR 100,000 or imprisonment for up to two years, for contravening the ordinance.

The Marine Department of Malaysia has amended the Merchant Shipping Ordinance to also include vessels engaged in activities such as:

- a. Laying up
- b. Welding and other hot works
- c. Anchoring in non-anchorage areas
- d. Any form of underwater operations

The Marine Department of Malaysia advises that notification to the Director of Marine can be made at the nearest port office during normal working hours.

As for the payment of Light Dues, this is regulated by Act 250, Federation Light Dues Act 1953, which states that "every ship which in the course of a voyage enters any port or place within Peninsular Malaysia, other than ships exempted, shall pay light dues as prescribed."

Note: An extract of Part XIII A – Control of Shipping relating to the required notification to the Director of Marine, Malaysia, which contains a link to the complete Ordinance is attached for your reference.

For questions regarding this note please contact Security@liscr.com.

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PART XIII A – CONTROL OF SHIPPING

Section 491B. Notification to the Director of Marine of activity engaged by a ship.

(1) Any ship which is engaged or intends to engage in any of the following activities:

(a) dredging;

(b) mining, including exploration and exploitation;

(c) cable and pipe laying;

(d) marine construction, including the construction of jetties and wharves;

(e) dumping of any material;

(f) sports, leisure or recreational activity;

(g) survey;

(h) cleaning, including cleaning of cargo tanks;

(i) transportation, discharging or loading of wastes;

(j) pilotage;

(k) ship-to-ship activity; or

(l) any other activity as determined by the Director of Marine, in Malaysian waters shall be required to notify the Director of Marine, in such form as may be prescribed by him, of such activity.

(2) Subsection (1) shall not apply to -

(a) any boat that is licensed under section 475; or

(b) any ship that is registered under this Ordinance and is solely engaged or intended to be engaged in sports, leisure or recreational activity.

(3) The Director of Marine, upon receiving the notification, may impose such terms and conditions as he thinks fit, including prescribing the fees for anything to be done or permitted to be done under this Ordinance, on the activity.

(4) The owner, master or agent of the ship or any person who contravenes subsection (1) or (3) shall be guilty of an offence and shall, on conviction, be liable to a fine not exceeding one hundred thousand ringgit or to imprisonment for a term not exceeding two years or to both.

http://www.marine.gov.my/law/MSO1952%20_Upd%20Sept%202010.pdf