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[L.N. 92/1953]

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FEDERATION PORT RULES 1953*

[L.N. 92/1953]

IN exercise of the powers conferred upon him by section 445 (1) of the Merchant Shipping Ordinance, 1952, the High Commissioner in Council hereby makes the following Rules:

PART I INTRODUCTORY

1. Citation and commencement.

(1) These Rules may be cited as the **Federation Port Rules 1953**, and shall, except as otherwise provided, apply to every port in the Federation of Malaya.

(2) These Rules shall come into force on the date appointed for the coming into force of Part XIII of the Ordinance.

2. Definitions.

In these Rules—

“collision regulations” means regulations defined by section 2 (a) of the Ordinance;

“dangerous goods” has the meaning given to it by section 289 (3) of the Ordinance;

“harbour craft” includes steam and motor launches, junks, tongkangs, twakows, lighters, vessel in tow, yachts, boats, sampans, dredgers and rafts;

“port limits” mean the limits set out in the order of the High Commissioner in Council under sections 5 and 6 of the Ordinance;

“port officer” includes a deputy Port Officer;

“steam vessel” means any vessel propelled by machinery.

PART II RULES FOR NAVIGATION

3. Lights to be carried by vessels at night.

Every vessel, other than an open boat, when under way within port limits between the hours of sunset and sunrise shall carry a green light on the starboard side and a red light on the port side of the vessel, and such lights shall be screened so that they may be visible over an arc of the horizon of ten points of the compass, namely from right ahead to two points abaft the beam on their respective sides, and at a distance of not less than one mile on a dark clear night.

*As amended by L.N. 380/55, 264/56, 301/57, 218/59, 362/61, P.U. 339/67, P.U. (A) 64/70, 165/70.

4. Every open boat when under way between the hours of sunset and sunrise shall carry a lighted lantern which shall be exhibited on the approach of or to other boats.

5. Every steam vessel of less than 40 tons gross when under way within port limits between the hours of sunset and sunrise shall carry the lights prescribed in Rule 3 and shall also exhibit a white unobscured light at a height above the gunwale of not less than 9 feet, visible over an arc of the horizon of twenty points of the compass, namely from right ahead to two points abaft the beam on either side, and at a distance of at least two miles.

6. Lights to be exhibited whilst towing.

Every steam vessel of less than 40 tons gross when towing another vessel or vessels within port limits shall in addition to the lights prescribed in Rule 3 carry two white lights in a vertical line one over the other and not less than 3 feet apart. Each of these lights shall be of the same construction and character, and shall be carried in the same position as the white light mentioned in Rule 5, except the additional light, which may be carried at a height of not less than 6 feet above the gunwale.

7. Lights to be exhibited while being towed.

Every vessel being towed shall carry the lights prescribed by Rule 3 or in the case of an open boat, the light prescribed by Rule 4, visible all round the horizon at a distance of one mile:

Provided that junks, tongkangs and lighters, other than sea-going lighters, being towed within port limits may, instead of the lights prescribed by Rule 3, carry at or near the stern and at a height of not less than six feet above the gunwale, one white light visible all round the horizon at a distance of not less than one mile;

Provided further that when more than one junk, tongkang or lighter is being towed the light shall be exhibited by the rear-most vessel to denote the end of the tow.

8. Collision regulations.

The collision regulations are to be observed within port limits unless where modified by these Rules.

PART III

ARRIVAL AND DEPARTURE

9. Entering signals.

[Subs. P.U.
339/67]

The Master of every sea-going vessel shall, during the time the vessel is in port, produce or cause to be produced for examination at the Port Office, the ship's documents, certificates of crew and any safety or other certificate as required by the Port Officer.

The Port Officer may exempt any vessel from the requirements of this rule if—

- (a) the vessel's last port of call was a port in Malaysia; and
- (b) he considers that the examination is not necessary.

10. Report of arrival.

(1) The Master of every sea-going vessel which has arrived at a port shall correctly fill up or cause to be filled up and sign a copy of the Arrival Report form available at the Port Office. A report of any casualties, accidents, births or deaths which have occurred during the voyage shall also be reported. [Am. P.U. 339/67]

Notification about arms, explosives, etc.

(2) A list of all arms and explosives which form part of the ordinary armament or of the cargo of any vessel, or are required for the service of any vessel, for the use of the crew, or the passengers thereof, shall be furnished to the Port Officer on arrival.

Notification about dangerous goods.

(3) The master, owner or agent of every vessel carrying or about to carry dangerous goods shall in each case notify the Port Officer of the nature, quantity and mode of stowage of such cargo.

11. Offence to board a vessel on arrival.

(1) No person other than the Port Officer or the Port Health Officer or their deputies may without the written permission of the Port Officer board or disembark from any ship whether at anchor or alongside a wharf until the quarantine signal, if any, has been lowered.

Offence to bring boat alongside a vessel on arrival.

(2) No boatmen or other persons shall bring a boat other than a vessel employed in mooring alongside any vessel on her arrival in port until such vessel be properly anchored or moored and the quarantine signal, if any, have been lowered. [Am. P.U. 339/67]

12. Vessels arriving in quarantine.

Vessels arriving in quarantine shall fly or show the appropriate International Quarantine Signal by day or by night and no person other than the Port Officer and Port Health Officer or their deputies may board the vessel and no person may disembark until the vessel is cleared by the Port Health Officer.

13. Native sailing craft.

The master of every native sailing ship shall report the arrival of his vessel to the Port Officer immediately after arrival and shall make declaration on the form

provided as to cargo, arms and explosives aboard his vessel, and as to whether any casualty, accident or death has occurred during the voyage.

14. Departure signal.

The master of every steam vessel about to depart from a port shall cause the "Blue Peter" (International Code Flag "P") to be hoisted, during daylight hours, for at least four hours before the vessel is due to sail.

15. Master to produce port clearance on demand.

The master or the agent of every vessel about to depart from a port shall, on demand by a Port Officer produce for inspection the port clearance issued to him under Part V of the Customs Ordinance, 1952.

16. Exemption.

Nothing contained in Rules 9, 10, 11, 13 and 14 shall be held to apply to vessels of war or vessels belonging to the Governments of the Federation or of the Colony, and nothing in Rule 15 shall apply to any vessel exempted from the provisions relating to port clearances contained in Part V of the Customs Ordinance, 1952.

PART IV

MOORING AND BERTHING

17. Stationing of vessels.

Masters of vessels in a port shall obey all directions which may be given by the Port Officer as to berths and stations to be occupied by their vessels.

18. Stationing of vessels with dangerous goods.

The master of every vessel loaded with or about to be loaded with dangerous goods shall anchor or moor at such place as the Port Officer may direct and shall not move his vessel therefrom, except for the purpose of leaving the port, without the written permission of the Port Officer.

19. Vessels moored to Port Officer's satisfaction.

The mooring of all vessels and the securing alongside of all vessels shall be carried out to the satisfaction of the Port Officer.

20. Vessels to shift berths on Port Officer's order.

Vessels required by the Port Officer to shift their berths shall do so at their own expense and shall also be liable to any expenses caused to any person by any delay in shifting.

21. Vessels to be secured before discharging passengers or cargo.

Subject to the provisions of Rule 17 and of any special rules having effect only in particular ports, every vessel coming within port limits shall anchor or be efficiently secured to a wharf or a buoy before discharging passengers or cargo.

22. Clear hawse.

Vessels required to lie to a double mooring shall keep a clear hawse.

23. Anchoring.

(1) Subject to the provisions of Rule 17 no vessel shall anchor at a less distance from another vessel or buoy than one and one half times the length of the larger vessel.

(2) All harbour craft anchoring in a port shall do so well inshore and in accordance with Rule 17.

24. Vessels to anchor clear of cables.

No vessel shall anchor within 200 yards of any submarine telegraph cable, the position of which is clearly defined by chart or notices ashore.

25. Provision of a proper gangway.

(1) The master of any vessel taking in or discharging ballast or cargo while lying alongside a wharf shall rig between his vessel and the wharf a proper gangway, having double rails or stanchions with ropes rove taut through the same, the top rail or rope being not less than three feet and three inches high, and shall securely fix one end of such gangway to the deck of the vessel.

(2) Vessels when at anchor or moored to a buoy shall provide an efficient gangway or means of boarding which must be kept clear of cargo lighters at all times.

26. Moorings to be attended.

Vessels alongside a wharf shall carefully tend their securing hawsers, especially when other vessels are passing and during the rise and fall of the tide.

27. Making fast to navigational aids.

No person shall make fast any vessel or raft to any navigational buoy, beacon or float.

PART V

REGULATING TRAFFIC AND OBSTRUCTIONS

28. Free access to pier, fairway, ferries, etc.

(1) Subject to the provisions of Rule 17, no vessel shall anchor or lie in such a manner as to obstruct or render less convenient the use of any pier, jetty, landing place, wharf, dock or other similar work.

(2) No vessel or raft shall anchor in or otherwise obstruct the fairway of any river or channel or make list to or under any bridge.

(3) No vessel shall anchor so as to obstruct the free passage of any recognised public ferry within port limits.

29. Obstructing landing places, etc.

No harbour craft shall remain alongside any public stairs, pontoon, jetty or landing place longer than is necessary to embark or disembark passengers except with the permission of the Port Officer. When so directed by the Port Officer or by any Police Officer such vessels shall move away without undue delay.

30. Vessels to navigate at slow speed.

Steam vessels when going alongside any jetty, pier, wharf, ladder, dock entrance or another vessel shall navigate at slow speed.

31. Harbour and sailing craft not to impede sea-going vessel.

Harbour craft and native sailing craft shall not cross the bows or otherwise impede the movements of sea-going vessels under way within port limits and shall give such vessels as wide a berth as possible:

Provided that this Rule shall not relieve the master or pilot of a sea-going vessel from his duty to prevent a collision or accident.

32. Report of obstruction caused by vessel.

The master of a vessel shall report immediately to the Port Officer the loss of an anchor or any obstruction caused by his vessel within port limits or in the approaches to any port stating the position on the chart.

33. Authorised landing places only to be used.

No person shall land, and no person in charge of any launch, boat or sampan shall set down, any person or the baggage of any person outside an authorised landing place where such landing places are provided within a port.

33A. Boarding or disembarking from vessels.

No person shall board or disembark from any vessel which is arriving, or has arrived, alongside any wharf, pier or jetty, or from any vessel anchoring in the

[Am. L.N.
301/57]

[Ins. L.N.
264/56]

Harbour, until such vessel is properly secured or properly moored, nor otherwise than by the gangway or other regular means provided for the purpose.

34. Loitering or hawking on public piers and landing places.

No person shall loiter, and no person shall solicit for hire, sell, hawk or peddle on any public wharf, pier or landing place within port limits.

35. Harbour craft to obey directions of Port Officer or police officer.

Harbour craft of all descriptions within a port shall on the order of the Port Officer or a police officer stop or proceed as directed by such officer.

PART VI

LOADING AND DISCHARGING

36. Vessels lying up or under repairs.

No vessel undergoing repairs, lying up or not working cargo for more than twenty-four hours shall occupy a loading or discharging berth.

37. Dangerous goods.

(1) No vessel may load or discharge dangerous goods within a port without the permission in writing of the Port Officer.

(2) Except with the permission in writing of the Port Officer, dangerous goods shall not be loaded or unloaded except between the hours of 5.30 a.m. and 6.30 p.m., nor shall any harbour craft containing dangerous goods lie alongside any vessel, wharf or other landing place without such permission.

(3) Subject to any local bye-law or rule to the contrary, dangerous goods shall be removed from any landing place immediately they are unloaded, and dangerous goods shall be loaded immediately they arrive at any loading place, failing which the Port Officer may remove, guard or destroy the goods at the expense of the owner, agent or consignee who shall also be held responsible for any damage or loss that may result from any accident arising therefrom:

Provided that this sub-rule shall not apply to dangerous goods to be landed or loaded on the premises of the Penang Harbour Board.

(4) No defective packages or containers containing dangerous goods shall be loaded or unloaded except with the permission of the Port Officer.

(5) The packing and stowage of dangerous goods shall be certified by the master or his agent on behalf of the owner of a vessel in the case of cargo being landed from a vessel, and by the shippers in the case of cargo being loaded into a vessel, to be strictly in accordance with regulations for the carriage of dangerous goods.

(6) The Port Officer may, while any dangerous goods are being lightered, landed, loaded or unloaded, control the use of fires and naked lights in such area

as he may deem fit and may totally prohibit in such area any smoking or the use of fires or naked lights or flames of any description. Any person who fails to comply with any direction of the Port Officer lawfully made under this sub-rule shall be deemed to have committed a breach of this Rule.

38. Explosives signal.

Vessels with explosives or petroleum on board shall hoist the appropriate signal listed in the Schedule to these Rules.

39. Limitation of number of lighters alongside.

Except with the permission of the Port Officer, not more than two lighters or tongkangs may lie alongside any vessel abreast of each other and not more than two lighters shall be moored astern of a vessel.

PART VII

SAFETY IN PORT

40. Report of accident, damage, etc.

In the event of any accident, damage to private or public property, or any birth or death or any casualty occurring to or on board any vessel or boat within the port, the master or a person in charge shall report the same in writing to the Port Officer.

[Am. L.N.
380/55]

41. Restriction of sound signals, etc.

No steam whistle, syren, mechanical horn or other like instrument shall be used within port limits except as a signal of danger or emergency as listed in the Schedule to these Rules or in conformity with the collision regulations or any special port rule.

[Ins. L.N.
380/55]

41A. Use of radio-communication transmitters.

The use of radio-communication transmitters is permitted within port limits subject to the restrictions imposed by the Telecommunications Ordinance, 1950, and in conformity with any licence issued in that behalf by the Director-General of Telecommunications.

[Am. P.U. (A)
64/70]

42. Procedure in case of fire.

(1) In the case of fire breaking out aboard any vessel within a port—

- (a) by day, the master shall hoist International Code Flags "J or IT" as appropriate and keep the ship's bell ringing and the ship's whistle blowing until assistance arrives;
- (b) by night, the master shall attract attention by means of flares or other appropriate means and keep the ship's bell ringing and the ship's whistle blowing until assistance arrives.

(2) The master shall cause any powder, spirits or other explosive or inflammable substance which may be on board to be removed from the vessel as soon as possible after the fire is discovered.

(3) The master of any vessel on fire shall obey or cause to be obeyed such orders relating to the movement or berthing of his vessel as may be given to him by the Port Officer.

43. Emergency signals.

Where any accident occurs aboard a ship within the port and assistance is required from the shore, such ship not being in distress or on fire, the emergency signals listed in the Schedule to these Rules shall be used.

44. Vessels to prepare towing wire in certain cases.

Vessels loading, discharging or having aboard explosives or petroleum shall have secured both forward and aft, and on the seaward side of a vessel alongside a wharf, a suitable towing wire with a steel shackle screwed to the eye splice or thimble. Such towing wire shall be ready for lowering overside at all times.

45. Vessels to be ready to move.

Every vessel shall have all ropes and appliances ready for moving whenever called upon to do so by the Port Officer.

**PART VIII
DANGEROUS GOODS**

46. Application.

This Part shall apply to the ports of Malacca, Penang and Port Swettenham.

47. Licensing of vessels used for the carriage of dangerous goods.

(1) Except with the permission of the Port Officer, no person shall use or cause, suffer or permit to be used any vessel whatever for the lighterage, landing, loading or unloading of any dangerous goods within the port unless such vessel shall have been expressly licensed for that purpose in respect of the dangerous goods concerned in accordance with this rule.

(2) Any person desirous of having any vessel licensed for any of such purposes shall apply to the Port Officer, who shall either examine the vessel or cause it to be examined and if he thinks it proper to do so, and subject to such conditions as he may deem fit to impose in the case of any particular vessel, may cause the vessel to be licensed for use for the lighterage, landing, loading or unloading within the port of such class or classes of dangerous goods, as he may deem fit.

(3) Subject to sub-rule (4) hereof every such licence shall expire on the 31st day of December of the year for which it is issued, but upon application to the Port

Officer may, if such officer thinks it proper to do so and subject to such further examination of the vessel as he may require, be renewed annually with such variations, additions or omissions in the licence or the conditions thereof as the Port Officer may deem fit to make.

(4) The Port Officer may at any time cancel any licence issued under this rule.

(5) The owner of any vessel so licensed shall cause such licence to be kept at all times on board such vessel in custody of the person in charge of the vessel and such last-mentioned person shall on demand exhibit the same to the Port Officer or any Police Officer or intending employer.

48. Unloading of calcium carbide.

(1) No person shall unload any calcium carbide from any vessel within the port into any lighter or other harbour craft or onto any wharf, jetty or other landing place within the port except with the permission in writing of the Port Officer.

(2) Applications for such permission shall be made by the person to whom the calcium is consigned or his agent and such permission shall not be granted unless the applicant proves to the satisfaction of the Port Officer that adequate arrangements have been made for the removal and storage of such calcium carbide immediately after landing in a place in which the same may lawfully be stored.

(3) Such permission may be granted subject to such conditions as the Port Officer may deem fit to impose in any particular case.

PART IX

GENERAL

49. Conservancy.

No oil or substance containing oil of any description shall be discharged or allowed to escape, and no ashes, rubbish or other nuisance likely to be detrimental to shipping or to pollute the harbour shall be discharged or thrown overboard within port limits.

50. Search-lights, projectors, etc.

No captain or master of any vessel shall permit within port limits any search-light or other projector of any description to be used on board such vessel without the permission of the Port Officer: provided that this Rule shall not apply to any vessel belonging to or in the service of Her Majesty.

51. Militia of a foreign power.

(1) No member of the armed forces in the service of a foreign power shall land within a port carrying arms without the permission of the appropriate State or Settlement authority:

Provided that—

- (a) this order shall not apply to officers landing armed for the purposes of ceremony or funeral;
- (b) permission shall ordinarily be given for landing of armed parties when required at a funeral.

(2) When one or more men-of-war or transports in the service of a foreign power are within the port members of the armed forces employed or conveyed in such men-of-war or transports may land unarmed subject to the concurrence of the appropriate State or Settlement authority and in compliance with any conditions he may prescribe. Officers landing are permitted to wear their swords. If it is desired to land large numbers of men or a body of men in military formation adequate notice shall be given to the appropriate State or Settlement authority.

(3) For the purposes of this Rule a vessel conveying over one hundred members of the armed forces in the service of a foreign power shall be deemed to be a transport.

52. Lying up.

No vessel may lie up within a port, other than for repairs, without the written permission of the Port Officer; and no vessel shall lie up for repairs for more than 14 days without the written permission of the Port Officer. Where any vessel is lying up in accordance with this Rule the Port Officer may direct such vessel to a suitable berth or station.

53. No firearms to be discharged.

No firearms or rocket signals may be discharged on board any vessel within a port except as provided in the Schedule to these Rules.

54. Shingle, etc., not to be removed or deposited within port limits.

No person shall remove or carry away any rock, stone, shingle, gravel, sand, soil or any artificial protection from any part of the bank or shore of any port, river or channel, and no person shall sink or bury in any part of such bank or shore any mooring post, anchor or any other thing which is likely to injure or to be used to injure such bank or shore, except with the written permission of the Port Officer and with the aid or under the supervision of such person or persons, if any, as he may appoint to take part in or overlook the performance of such work.

55. Saving.

These Rules shall be in addition to and not in derogation from any Rules applicable to individual ports which may from time to time be in force.

SCHEDULE

(Rules 38, 41, 43 and 53)

SIGNALS IN USE WITHIN THE LIMITS OF PORTS IN THE FEDERATION OF MALAYA

All the lights shapes and signals required by the "Collision Regulations" and all the flags and meanings of the International Code of Signals will be recognised within port limits with the following modifications and additions:

DAY	NIGHT	SOUND	MEANING
International Code Burgee "B" at foremast or triatic stay	A Red Light in the same position	—	I am taking in, or discharging, or have aboard explosives, or (cargo of an inflammable nature) petroleum.
Red Flag	—	—	When hoisted by a port service craft, or Buoy tender, will indicate that she is buoying, sweeping, or has a diver overboard, and vessels must keep well clear and reduce speed to dead slow when passing.
<i>(Deleted)</i>			
International Code Flags J or IT as appropriate	Burn flares	Continuous sounding with any fog signalling apparatus	As in International Code of Signals 1969.
International Code Flags CB3.	Three Lights in a vertical line, the centre light being red, and the higher and lower lights white, all 6 feet apart	ST in the Morse Code on fog signalling apparatus	I require a Police Boat.
International Code Flags V or CB as appropriate	Three lights in a vertical line, the two higher lights being red, and the lower light white, all 6 feet apart. Flare up lights.	Three short blasts followed by a long blast (V) with the whistle or fog horn.	<i>Emergency Signal.</i> — This is not a distress signal, but is to be used in case of accidents and emergencies only, by vessels wishing to attract attention, or to make swift contact with the shore authorities
One Black Ball at Forestay	Lights required by Article 11 of the collision regulations.	—	Vessel at anchor.
Red Flag on both sides of main yard	Red lights on both sides of main yard	—	When hoisted on a dredger: Keep well clear on either side.
Black Ball on one side of main yard	White light on one side of main yard		When hoisted on a dredger: Do not pass on the side of the red light or flag.
Red Flag on one side of main yard	Red light on one side of main yard	—	

The lights mentioned in this part — shall be visible all round the horizon at a distance of at least 2 miles.