



**JABATAN LAUT MALAYSIA
IBU PEJABAT LAUT WILAYAH TIMUR
JALAN HILIRAN
20300 KUALA TERENGGANU**

Tel : 609-6221471
Faks : 609-6233676
Laman Web : www.marine.gov.my



**PEKELILING PELABUHAN BIL 07/2023
PORT CIRCULAR NO. 07/2023**

DARIPADA : PENGARAH LAUT WILAYAH TIMUR
FROM : DIRECTOR OF MARINE EASTERN REGION

KEPADA : MASYARAKAT PERKAPALAN WILAYAH TIMUR
TO : SHIPPING COMMUNITIES EASTERN REGION

TARIKH : 18hb April 2023
DATED : 18th April 2023

**KEPERLUAN PELAPORAN BERLABUH TUNGGU KAPAL DI DALAM HAD PELABUHAN
REQUIREMENT TO REPORT SHIP ARRIVAL AND DEPARTURE AT PORT LIMIT**

Keperluan pelaporan berlabuh tunggu kapal dalam had pelabuhan;

The requirement to report for the ship lay up within the port limits;

2. Selaras dengan Kaedah 52, Kaedah Pelabuhan Persekutuan 1953 kapal-kapal yang tiba di pelabuhan hendaklah mendapatkan kebenaran bertulis Pegawai Pelabuhan jika;

2. In accordance with Rules 52, Federation Port Rules 1953, ships arriving at the port must obtain the written permission of the Port Officer if;

2.1. Kapal berlabuh tunggu melebihi 24 jam dari waktu ketibaan;

2.1. Ships lay up for more than 24 hours from the time of arrival;

2.2. Kapal yang tiba dan menjalankan kerja pembaikan hendaklah mendapatkan kebenaran bertulis jika pembaikan tersebut melebihi 14 hari dari ketibaan.

2.2. Ships that arrive and carry out repair work must obtain written permission if the repair exceeds 14 days from arrival.

3. Kapal-kapal dianggap berlabuh tunggu jika kapal berada dalam pelabuhan untuk pembaikan atau tanpa aktiviti berkaitan kargo selepas ketibaan melebihi 24 jam selaras dengan Kaedah 36, Kaedah Pelabuhan Persekutuan 1953.

3. Ships are considered to be lay up if the ship is in port for repairs or without cargo-related activity after arrival for more than 24 hours in accordance with Rules 36, Federation Port Rules 1953.

4. Pemohonan kebenaran bagi Perkara 2 hendaklah dilakukan menggunakan Lampiran 1, Notis Perkapalan Malaysia 5/2014. Kapal-kapal yang berlabuh tunggu hendaklah mematuhi keperluan yang dinyatakan dalam Annex A.

4. Application for permission for Article 2 should be made using Appendix 1, Malaysian Shipping Notice 5/2014. Ships that are lay up must comply with the requirements stated in Annex A.

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Perhatian:

Adalah menjadi satu kesalahan sekiranya gagal melaporkan ketibaan dan pelepasan kapal, ianya boleh disabitkan di bawah Seksyen 449 Ordinan Perkapalan Saudagar (OPS 1952) dan Kaedah 10 (1) Kaedah Pelabuhan Persekutuan 1953.

Manakala mana-mana kapal yang melanggar ketetapan yang dinyatakan dalam perkara 2 adalah melakukan kesalahan bawah Seksyen 491B(1)(I), OPS 1952 yang dijelaskan pada Perkara 2.a, Notis Perkapalan Malaysia 15/2009 yang dikeluarkan selari dengan Seksyen 519A OPS 1952.

Caution:

It is an offense to fail to report the arrival and departure of a ship, it can be convicted under Section 449 of the Merchant Shipping Ordinance (MSO 1952) and Rule 10 (1) of the Federation Port Rules 1953.

Whereas any ship that violates the provisions stated in item 2 is committing an offense under Section 491B(1)(I), MSO 1952 which is explained in Article 2.a, Malaysia Shipping Notice 15/2009 issued in parallel with Section 519A MSO 1952.


(HJ ABD MAJID BIN HJ RAIS)
Pengarah Laut Wilayah Timur
Director Of Marine Eastern Region

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Annex A : KEPERLUAN DALAM MEMASTIKAN KESELAMATAN KAPAL DAN PERLINDUNGAN PERSEKITARAN MARIN SELARAS DENGAN KEHENDAK OPS 1952

BIL	KEPERLUAN
1	Penempatan kapal di lokasi yang bersesuaian/ selamat/ kawasan labuhan yang diwartakan/ ditetapkan dan diperakukan Jabatan Laut
2	Memastikan Kapal berkeadaan selamat dengan memiliki Sijil-sijil statutori yang masih sah laku. Sijil dengan tempoh sah laku 5 tahun hendaklah disahkan (endorsement) secara tahunan.
3	Kapal memiliki perlindungan insurans/ jaminan kewangan yang berkaitan dan masih sah laku. Antara Sijil Insurans (Blue Card) yang perlu dikemukakan adalah : A. Nairobi International Convention on The Removal of Wreck (WRC 2007) Untuk kapal bersaiz melebihi 300 GT; B. International Convention on Civil Liability for Bunker Oil Pollution Damage (BCC 2001) untuk kapal dengan saiz melebihi 1000 GT dan membawa bahan bakar (bunker oil); C. International Convention on Civil Liability for Oil Pollution Damage (CLC 1992) untuk kapal yang membawa lebih 2,000 tan minyak sebagai kargo; D. Insurans yang memenuhi Convention on Liability of Liability for Maritime Claims 1976 as amended by Protocol of 1996 (P&I).
4.	Kapal sentiasa dikendalikan bilangan kru yang menepati Sijil Keanggotaan Selamat. Kru yang berkhidmat hendaklah mampu mengendalikan kapal (beralih ke lokasi perlindungan yang selamat) jika diperlukan.
5.	Keperluan dan kebajikan kru meliputi gaji, bekalan bahan bakar, makanan/ minuman, air tawar, alat ganti, pertukaran kru serta lain-lain perkara yang ditetapkan sepertimana Maritime Labour Convention (MLC) dan Seksyen 107 Ordinan Perkapalan Saudagar 1952.
6.	Keperluan pematuhan pengoperasian bagi bagi Automatic Identification System (AIS) di atas kapal di dalam perairan Malaysia merujuk kepada Notis Perkapalan Malaysia (NPM 05/2019) .

Annex A : THE NEED TO ENSURE SHIP SAFETY AND MARINE ENVIRONMENT PROTECTION IN ACCORDANCE WITH THE REQUIREMENTS OF THE MSO 1952

NO	REQUIREMENTS
1	<i>Placement of the ship in an appropriate/ safe location/ port area gazetted/ designated and certified by the Department of Sea.</i>
2	<i>Ensuring the Ship is in a safe condition by having Statutory Certificates that are still valid. Certificates with a validity period of 5 years must be endorsed (endorsed) annually.</i>
3	<i>The vessel has relevant insurance/financial guarantee coverage and is still valid. Among the Insurance Certificates (Blue Card) that need to be submitted are:</i> <i>A. Nairobi International Convention on The Removal of Wreck (WRC 2007) For ships over 300 GT;</i> <i>B. International Convention on Civil Liability for Bunker Oil Pollution Damage (BCC 2001) for ships over 1000 GT and carrying fuel (bunker oil);</i> <i>C. International Convention on Civil Liability for Oil Pollution Damage (CLC 1992) for ships carrying more than 2,000 tons of oil as cargo;</i> <i>D. Insurance that meets the Convention on Liability of Liability for Maritime Claims 1976 as amended by Protocol of 1996 (P&I).</i>
4	<i>The ship is always manned by a crew that meets the Minimum Safe Manning Certificate. Serving crew should be able to maneuver the vessel (move to a safe shelter location) if required.</i>
5.	<i>The crew's needs and welfare include wages, fuel supply, food/drinks, fresh water, spare parts, crew change and other matters stipulated in the Maritime Labor Convention (MLC) and Section 107 of the Merchant Shipping Ordinance 1952.</i>
6.	<i>Compliance requirements for the operation of the Automatic Identification System (AIS) on board ships in Malaysian waters refer to the Malaysian Shipping Notice (MSN 05/2019).</i>