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PORT AUTHORITIES ORDINANCE, 1961

TANJUNG MANIS PORT AUTHORITY
(CONTROL OF ENTRY AND SECURITY) BY-LAWS, 2018

ARRANGEMENT OF BY-LAWS

PART I
INTRODUCTION

By-Law

1. Citation and commencement
2. Interpretation

PART II
SECURITY

3. Admittance to Authority's premises
4. Entering and leaving Authority's premises
5. Wharves and premises may be closed

6. Labour to carry identification
7. Passenger carrying vehicle
8. Vehicles to park at assigned places
9. Vehicles to move when required
10. Behaviour of motorists
11. Dangerous driving
12. Danger signal
13. Dock passes for parcels, *etc.*
14. Unauthorized craft not to lie at wharves
15. No hawking in Authority's premises
16. Offence and penalty

PORT AUTHORITIES ORDINANCE, 1961
TANJUNG MANIS PORT AUTHORITY
(CONTROL OF ENTRY AND SECURITY) BY-LAWS, 2018
(Made under section 64(3)(d))

In exercise of the powers conferred upon the Tanjung Manis Port Authority by section 64(3)(d) of the Port Authorities Ordinance, 1961 [*Ord. No. 1/61*], the following By-laws have been made:

PART I
INTRODUCTION

Citation and commencement

1. These By-laws may be cited as the **Tanjung Manis Port Authority (Control of Entry and Security) By-laws, 2018**, and shall be deemed to have come into force on the 1st day of April, 2013.

Interpretation

2. In these By-laws—

“approved port operator” has the same meaning assigned to that expression under the Ordinance;

“Authority” means the Tanjung Manis Port Authority established under section 3(1) of the Ordinance;

“Authority’s premises” means all immovable properties belonging to, occupied by or vested in the Authority and includes wharf, dock, pier, landing places and water limit under the control of the Authority;

“Authority’s wharf” or “wharf” means a quay, pier, jetty or other landing place and includes any wall or building adjoining the foreshore, seabed or river bed;

“officer of Customs” means an authorised officer from the Royal Malaysian Customs;

“Ordinance” means the Port Authorities Ordinance, 1961 [*Ord. No. 1/61*];

“port security officer” means the person or persons appointed by the Authority or the approved port operator as provided for by Part X of the Ordinance;

“vehicle” includes a carriage travelling on its own wheels or runners and used or intended to be used for the conveyance or carriage of persons, animals or goods;

PART II
SECURITY

Admittance to Authority’s premises

3.—(1) No person shall enter the Authority’s premises or remain therein without the written permission of the Authority or the approved port operator and every person shall, when asked by any officer or employee of the Authority or the approved port operator, state the nature of his business.

(2) Every person entering the Authority’s premises shall produce identification documents and other documents on demand by any port security officer.

(3) Any person who contravenes this by-law may, without prejudice to his liability to any other proceedings, be forthwith removed from the Authority’s premises and excluded therefrom.

Entering and leaving Authority’s premises

4. Any person entering or leaving the Authority’s premises shall do so through the entrances or exits provided for the purpose and shall, while within the Authority’s premises, be subject to the lawful order of the Authority or the approved port operator.

Wharves and premises may be closed

5. The Authority or the approved port operator may, when it considers desirable to do so, close to the public any part of the Authority’s premises, and may prohibit the use thereof save in accordance with such conditions including the payment of charges as the Authority or the approved port operator may deem fit to impose.

Labour to carry identification

6. The Authority or the approved port operator may require any workman employed within the Authority’s premises to carry and exhibit an identification document.

Passenger carrying vehicle

7. No passenger or passenger carrying vehicle shall enter the Authority's premises save under and in accordance with the terms and conditions of a permit issued by the Authority or the approved port operator.

Vehicles to park at assigned places

8. Every vehicle within the Authority's premises shall be parked in such a place as may be assigned to it by the Authority or the approved port operator.

Vehicles to move when required

9. Every person in charge of a vehicle within the Authority's premises shall move his vehicle if required to do so by the Authority or the approved port operator.

Behaviour of motorists

10. Any driver or person in charge of any vehicle shall, at all times when arriving at, while within or when leaving the Authority's premises conduct himself in an orderly manner, and shall comply with such directions as may from time to time be issued by the Authority or the approved port operator, and with the terms of all notices or signs exhibited by the Authority or the approved port operator.

Dangerous driving

11. No person shall drive a vehicle on any road within the Authority's premises in a manner which is dangerous to other users of that road.

Danger signal

12. No person shall while in the Authority's premises disregard any danger signal or refuse to stop when called upon to do so by a port security officer or any other person authorized on behalf of the Authority or the approved port operator.

Dock passes for parcels, etc.

13.—(1) Any officer of Customs, police officer, port security officer or other person authorized in that behalf by the Authority or the approved port operator may refuse to allow any person to remove from the Authority's premises any parcel, package or other article unless such person produces in relation to that parcel, package or other article a dock pass issued by the Authority or the approved port operator.

(2) No dock pass in respect of manifested cargo, passenger's baggage or manifested articles "ex ship" shall be issued until all requirements of the Royal Customs Malaysia have been complied with in respect thereof, and until all port dues, rents, rates and charges in respect thereof have been paid or secured.

Unauthorized craft not to lie at wharves

14. No vessel shall, without the Authority's or the approved port operator's permission, lie alongside any of the Authority's wharf or close to any of the Authority's premises or lie alongside any vessel occupying one of the Authority's berths.

No hawking in Authority's premises

15. No person shall vend refreshments, exchange money, sell or expose for sale any goods, hold auctions or solicit customs on the Authority's premises, or from vessels alongside the Authority's premises, unless he has been authorized in writing by the Authority or the approved port operator.

Offence and penalty

16. Any person who contravenes any provision of these By-laws shall be guilty of an offence and shall, upon conviction, be punished with a fine of not exceeding one thousand ringgit:

Provided that this offence may be compounded in accordance with section 53A of the Ordinance.

Made this 20th day of July, 2017.

ABDULLAH BIN HAJI SAIDOL,
Chairman
Tanjung Manis Port Authority