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PORT AUTHORITIES ORDINANCE, 1961

TANJUNG MANIS PORT AUTHORITY ( PLACES FOR DISCHARGING AND  
LOADING OF CARGO) ORDER, 2018

ARRANGEMENT OF ORDERS

*Order*

1. Citation, commencement and application
2. Interpretation
3. Handling of cargo
4. Application for use of sufferance wharf
5. Offence and penalty

SCHEDULE

PORT AUTHORITIES ORDINANCE, 1961  
TANJUNG MANIS PORT AUTHORITY (PLACES FOR DISCHARGING AND  
LOADING OF CARGO) ORDER, 2018

(Made under section 62)

In exercise of the powers conferred upon the Minister by section 62 of the Port Authorities Ordinance, 1961 [*Ord. No. 1/61*], the following Order has been made:

**Citation, commencement and application**

1.—(1) This Order may be cited as the **Tanjung Manis Port Authority (Places for Discharging and Loading of Cargo) Order, 2018**, and shall be deemed to have come into force on the 1st day of April, 2013.

(2) The Order shall apply to all cargoes which may be discharged from or loaded into any vessel in the port being cargo:

- (a) imported on that vessel; or
- (b) to be exported on that vessel,

into or from Sarawak respectively.

**Interpretation**

2. In this Order—

“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;

“cargo” means any cargo including container—

- (a) which is imported through the port from any places outside of Sarawak;
- (b) in respect of which the original packaging or volume of content or the name of the consignee remains unchanged, at the time of entering the port;

(c) which is exported from the port to any places outside of Sarawak;  
or

(d) in respect of which the original packaging or volume of content or the name of the consignor remains unchanged, at the time of leaving the Tanjung Manis Port.

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

“port” means the Tanjung Manis Port within the limits declared under the Ordinance.

#### **Handling of cargo**

3. All cargoes to which this order applies shall be discharged or loaded—

(a) at the Authority’s premises; or

(b) with the prior written permission of the Authority or the approved port operator, at any private anchorage or private wharf within the limit of the port.

#### **Application for use of sufferance wharf**

4. Any person who wishes to discharge or load any cargo at any private anchorage or private wharf located outside the Authority’s premises (in this Order referred to as “sufferance wharf”) and within the limit of the port shall apply for a permit in the form prescribed in the Schedule.

#### **Offence and penalty**

5. Any person who contravenes order 3 shall be guilty of an offence and shall, upon conviction, be punished with a fine of not exceeding fifteen thousand ringgit or imprisonment not exceeding three years or to both:

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

*SCHEDULE*

APPLICATION FOR PERMIT FOR THE USE OF A SUFFERANCE WHARF

(Made under order 4)

To: The General Manager/Approved Port Operator,  
Tanjung Manis Port Authority

We wish to apply for permission to use a sufferance wharf for vessel/barge.....  
.....from.....to load/discharge cargo at  
.....on.....

Type of cargoes (per attached manifest):

.....  
(Authorized Signature & Name)  
Official Stamp of Ships Agent

Date: .....

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(For official use by Tanjung Manis Port Authority)

Reference No: .....

This application for sufferance wharf is \* Approved/Not Approved

.....  
(General Manager/Approved Port  
Operator)

Date: .....

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(For official use by Royal Customs, Malaysia)

Reference No: .....

This application for sufferance wharf is \* Approved/Not Approved

.....  
(Authorized Customs Officer)

Date: .....

*\*Delete whichever is not applicable.*

Made this 11th day of September, 2017.

DATUK AMAR TAN SRI DR. JAMES JEMUT ANAK MASING,  
Minister for Infrastructure, Development and Transportation  
Sarawak