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PORT AUTHORITIES ORDINANCE, 1961

BINTULU PORT AUTHORITY (SARAWAK)
(DUES, RATES AND CHARGES FOR LNG VESSELS) REGULATIONS, 2026

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PORT AUTHORITIES ORDINANCE, 1961
BINTULU PORT AUTHORITY (SARAWAK)
(DUES, RATES AND CHARGES FOR LNG VESSELS) REGULATIONS, 2026
(Made under Section 64(1))

In exercise of the powers conferred upon the Bintulu Port Authority (Sarawak) by section 64(1) of the Port Authorities Ordinance, 1961 [*Ord. No. 1/61*], and with the approval of Majlis Mesyuarat Kerajaan Negeri, the following Regulations have been made:

Citation and commencement

1. These Regulations may be cited as the **Bintulu Port Authority (Sarawak) (Dues, Rates and Charges for LNG Vessels) Regulations, 2026**, and shall be deemed to have come into force on the 1st day of September, 2026.

Interpretation

2. In these Regulations, unless the context otherwise requires—

“Authority” means the Bintulu Port Authority (Sarawak) established under section 3 of the Ordinance;

“Authority’s tug” means a tug either owned or chartered by the Authority;

“base”, in respect of towage, firefighting services, ambulance services or any other services provided by the Authority, means an area normally occupied by the Authority’s tugs, firefighting personnel, firefighting vessels and equipment when not attending any function or performing any service or activity;

“day” in relation to a transaction, means the period of twenty-four hours from the time of the commencement of the transaction;

“day movement” means the period from 0600 hours to 1759 hours lies with the operation time;

“LNG vessel” means a vessel that carries liquefied natural gas as its cargo;

“night movement” means the period from 1800 hours on one day to 0559 hours on the next day;

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

“Pilot Boarding Ground” means the area where a pilot embarks a vessel for the purpose of piloting a vessel at any point determined by the Authority;

“Port” means the Bintulu Port within the limits declared under the Ordinance;

“port users” means the owner of the vessels, goods or operators including their representatives, successors and permitted assigns of such persons, shippers or agents for the custody, shipping and landing of goods or any person transacting business or entered into a contractual obligation with the Authority; and

“public holiday” means public holidays as enumerated in the First Schedule and Second Schedule to the Public Holidays Ordinance [*Cap. 8 (1958 Ed.)*] and includes any special public holidays declared from time to time under that Ordinance.

Chargeable tonnage

3.—(1) LNG tonnage for each shipment shall be calculated according to the prescribed formula in Item 1 of the Schedule.

(2) The Authority may levy charges on the measurement tonnage if the weight tonnage cannot be ascertained.

Charge rates applied

4. The Authority may charge the LNG vessels at different rates when—

(a) operations commence during the night movement and end in the day movement, the night movement’s rate is to be applied;

(b) operations commence during the day movement and end in the night movement, the day movement’s rate is to be applied;

(c) operations commence on public holiday and end on a normal day, the public holiday’s rate is to be applied throughout the period;

(d) operations commence on a normal day and end on a public holiday, the normal day’s rate is to be applied throughout the period.

Payment of charges

5.—(1) Any payment of charges shall be payable by ledger or other credit account accompanied by a financial security.

(2) Where credit facilities are made available by the Authority to a port user, the outstanding amount shall be settled within a period of fifteen days from the date of the invoice.

(3) Accounts which are not settled within the period specified in sub-regulation (2) shall be subject to a surcharge of ten percent thereof and any account which is not settled within a subsequent period of fifteen days shall be subject to a further surcharge of ten percent.

Responsibility for charges

6. Unless otherwise specifically provided or previously agreed, responsibility for all charges shall be as prescribed in the Schedule.

Undercharge

7.—(1) The Authority shall be entitled to collect any amount which may be ascertained to have been undercharged or that which may otherwise be found to be due and shall demand in writing the payment of any such amount within three years from the date the transaction is completed.

(2) In this Regulation, “transaction” shall include all services rendered, supplies provided or contracts to which the Authority is a party.

Overcharge

8.—(1) A person shall not be entitled to a refund of any overcharge unless such person refers in writing to the Authority within three years from the date the delivery bill or the shipment bill is issued to him, giving full information and supported by such other documentary evidence as may be required.

(2) Where any goods have been measured or weighed by the Authority, no claim for a refund shall be accepted by the Authority unless the person claiming the refund had disputed the measurement or weight of such goods at the time such goods were measured or weighed.

General conditions

9.—(1) The Authority shall not provide any service to any person unless such person makes a request in writing for the same, and where such request is made, the Authority may, where it deems fit to do so in the interests of the Authority, refuse the request without assigning any reason therefor.

(2) Customs requirements shall be complied with before delivery or shipment is carried out.

Imposition of port dues, rates, charges, etc.

10. The Authority may, with the approval of Majlis Mesyuarat Kerajaan Negeri, impose on the port users, such port dues, rates, charges, etc. as prescribed in the Schedule.

SCHEDULE

CHARGES FOR ACCOUNT OF VESSEL

Items

1. CHARGEABLE TONNAGE FORMULA

$$\text{Weight (tonne)} = \frac{\text{Volume (cu. metres)} \times \text{Density (kg/cu. metre)}}{1,000}$$

2. HARBOUR SERVICE

Subject to the exceptions specified hereunder, harbour service is payable by all LNG vessels entering the Port at the following rates—

- | | | |
|-----|---------------|--|
| (a) | 1 - 30 days | RM1,966.00 per metre visit or part thereof |
| (b) | above 30 days | RM5,898.00 per metre visit or part thereof |

Exceptions:

- (i) Vessels which call at the Port solely for seeking medical aid and disembarking persons who are ill, or vessels forced to seek shelter in a Port because of damage, storms or other adverse weather conditions;
- (ii) Vessels passing through Port limit on innocent passage; or
- (iii) Other vessels as may be exempted by the Minister.

3. PILOTAGE

For piloting an LNG vessel from the Pilot Boarding Ground inwards to anchorage or LNG Jetty or *vice versa*, the charges payable shall be as follows—

3.1 Movement Within Port Limits—

Per movement RM2,260.00

3.2 Movement Outside Port Limits—

All assistance rendered outside Port limits will be charged at three times the rate for movement within Port limits.

3.3 Pilot Cancellation or Amendment—

If pilot cancellation or amendment is made less than four hours before the time requested on the original booking, pilot charges shall be charged at RM200.00 per occasion.

3.4 Pilot Detention—

Where a pilot is detained on board an LNG vessel, the following detention charges shall be payable—

- | | | |
|-------|----------------------|-----------------------|
| (i) | under 30 minutes | NIL |
| (ii) | 30-60 minutes | RM60.00 |
| (iii) | more than 60 minutes | RM200.00 per occasion |

3.5 Night Movement—

All pilotage services shall incur an additional charge of twenty percent.

3.6 Public Holidays—

When pilotage services are rendered on a gazette public holiday, all the charges payable in the Schedule shall be doubled.

4. TOWAGE

Charges for tug services rendered are as follows—

4.1 Berthing and Unberthing—

- | | |
|--------------------------------------|--|
| (a) large tug
(2000 HP and above) | RM5,297.00 per tug per half hour or part thereof |
| (b) small tug
(below 2000 HP) | RM955.00 per tug per half hour or part thereof |

4.2 Standby Duty When LNG Vessel Is Alongside—

Charges for a tug standby is calculated from the time the pilot leaves the vessel after berthing till the time he reboards the vessel for sailing, at the rate of RM1,250.00 per half hour or part thereof.

4.3 Tug Cancellation or Amendment—

When a tug is ordered but cancelled before the operation of berthing and unberthing commences, there will be a charge of RM200.00 per tug per occasion if cancellation or amendment is made less than four hours before the time requested on the original booking.

4.4 Tug Detention—

When a tug is ordered and attends but is detained or not further employed, the following detention charges shall be payable:

(i)	under 30 minutes	NIL
(ii)	30-60 minutes	RM60.00 per tug per occasion
(iii)	above 60 minutes	RM200.00 per tug per occasion

4.5 Firefighting Services—

The use of tugs for firefighting shall be charged at the applicable berthing and unberthing towage rates.

4.6 Night movement—

All towage services shall incur an additional charge of twenty percent.

4.7 Miscellaneous—

- | | | |
|-----|---|---|
| (a) | Assisting LNG vessel in difficulties, including attendance using the Authority's tug | RM1,200.00 per tug per half hour or part thereof |
| (b) | For anti-pollution operations at sea, including attendance or any assistance provided in connection with the operation, using the Authority's tug. | RM1,200.00 per tug per half hour or part thereof |
| (c) | Launches and barges used, or in attendance, for any general work in connection with firefighting, anti-pollution or salvage operations. | RM200.00 per vessel per half hour or part thereof |
| (d) | <p>(i) All forms of dry powder, chemicals or other equipment used in firefighting, anti-pollution, clean up, salvage operations or in rendering any other assistance shall be replaced by the owner or master, agent or charterer of the LNG vessel concerned.</p> <p>(ii) Any equipment damaged or lost shall be replaced at the expense of the owner, master, agent or charterer of the LNG vessel concerned.</p> | |
| (e) | Any assistance rendered outside Port limits will be charged at three times the rates applicable. | |
| (f) | Charges for tug services shall commence from the time the tug leaves its base until the time it returns to the base. | |
| (g) | When a towage service is rendered on a gazetted public holiday, all the charges payable in this Schedule shall be doubled. | |

- (h) Any overtime incurred by the crew in firefighting, salvage operations or in rendering any other assistance shall be borne by the owner, master, agent or charterer of the LNG vessel concerned.

5. BERTH OCCUPANCY

Berth occupancy charges shall be payable by every vessel using the Authority's LNG jetty at the rate of RM8.00 per metre hour or part thereof.

6. FRESH WATER SUPPLY

(a) At Jetty—

Fresh water supplied to ships from the Authority's water main is charged at the rate of RM3.00 per 1,000 litres or part thereof, subject to a minimum charge of RM100.00 per occasion.

(b) From Water Boat—

Fresh water supplied to ships from a water boat or other vessel is charged at the rate of RM5.50 per 1,000 litres or part thereof, subject to a minimum charge of RM120.00 per occasion.

CHARGES FOR ACCOUNT OF CONSIGNEE OR CONSIGNOR

7. INDIRECT CHARGE

Indirect charge in respect of LNG vessels is charged at the rate of RM0.50 per tonne or part thereof.

8. FIREFIGHTING SERVICES

Charges for the deployment of firemen or fire engine equipment or Port personnel shall be as follows—

	Per hour or part thereof (RM)
(a) Fire engine/salvage equipment	200.00
(b) Senior Fire Officer	50.00
(c) Junior Fire Officer	40.00
(d) Non-Commissioned Officer	30.00
(e) Fireman	20.00
(f) Port personnel	at such rates as are agreed between the parties

Charges shall be calculated from the time the fire engine, firefighting vessel or Port personnel leaves its base to the time of return to base.

9. AMBULANCE SERVICES

Charges for ambulance services shall be calculated from the time the ambulance leaves its base to the time it returns to base at the rate of RM60.00 per ambulance per hour or part thereof.

10. OIL SPILL RESPONSE SERVICES

Charges for the deployment of oil spill equipment or vessel or personnel shall be as follows—

	Description	Rates (RM) Standby		Rates (RM) Deployment	
		30 min or part thereof	60 min or part thereof	30 min or part thereof	60 min or part thereof
(a)	Containment Boom (250m) c/w Power Pack and Boom Reel including clean-up costs after deployment	400.00	800.00	800.00	1,600.00
(b)	Tugboat or Mooring Boat used as an anti-oil pollution craft. Boat is manned by one steersman and 5 workmen	1,200.00	2,250.00	2,400.00	4,500.00
(c)	Pilot Boat / Security Boat – To control traffic movement within channel	200.00	400.00	400.00	800.00
(d)	Oil Spill Response Workboat (rubber Dinghy c/w 30hp) and crew	150.00	300.00	300.00	600.00
(e)	Skimmer (30 tonnes per hour) c/w Temporary Storage Tank – 10,000 litres	350.00	550.00	700.00	1,100.00
(f)	Consumables – Absorbent Pads / Absorbent Booms (Actual Cost plus 15% administrative charge thereon)				
(i)	Imbiber Beads, Pillow 14" x 21"	300.00 per unit			
(ii)	Imbiber Beads, Mini Boom 7" x 42"	300.00 per unit			
(iii)	Imbiber Beads, Blanket Boom 21" x 42"	700.00 per unit			
(iv)	Imbiber Beads, Floating Boom 4.5" x 7"	1,200.00 per unit			
(v)	Imbiber Beads, Blanket 21" x 35"	560.00 per unit			
(vi)	Imbiber Beads, Absorbent Pad 7" x 7"	100.00 per unit			
(vii)	Imbiber Beads, Sand Blend 8" x 8" x 13 ¼" H (9.1kg)	1,300.00 per unit			

(viii)	3M Absorbent Pad	20.00	
(ix)	3M Floating Boom 5" x 7"	40.00	
(g)	Dispersants (Actual Cost plus 15% administrative charge thereon)	100.00 per liter	
	Manpower	Per hour or part thereof – Standby	Per hour or part thereof – Deployment
(h)	On-scene Commander – (Pilot on duty of Executive Safety or Senior Fire Officer)	350.00	700.00
	Fire Supervisor or Safety or Environment or Health Officer	250.00	500.00
	Lead Fireman or Oil Spill Operator	150.00	300.00
	Fireman or Port personnel	100.00	200.00
(i)	Gas Detector plus Competent Gas Tester Personnel	300.00	600.00

Charges shall be calculated from time the oil spill equipment or vessel or personnel leaves the base to the time of return to the base.

Made this 15th day of September, 2026.

DATUK AMAR DOUGLAS UGGAH EMBAS
Chairman
Bintulu Port Authority (Sarawak)

Approved by the Majlis Mesyuarat Kerajaan Negeri this 24th day of September, 2026.

HAJAH HAIRANI BINTI MOHAMAD ISMAIL
Clerk To Majlis Mesyuarat Kerajaan Negeri

[To be laid before the Dewan Undangan Negeri pursuant to section 64(2) of the Port Authorities Ordinance, 1961 (**Ord. No. 1/61**).]

SARAWAK LAWNET



DICETAK OLEH PERCETAKAN NASIONAL MALAYSIA BERHAD, KUCHING, SARAWAK
BAGI PIHAK DAN DENGAN KUASA PERINTAH KERAJAAN SARAWAK