

BOAT RULES 1953

[L.N. 312/1953]

ARRANGEMENT OF RULES

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BOAT RULES 1953*

[L.N. 312/1953]

In exercise of the powers conferred upon him by sections 445 and 483 of the Merchant Shipping Ordinance, 1952, the High Commissioner in Council hereby makes the following Rules:

1. Citation and commencement.

- 1) These Rules may be cited as the **Boat Rules, 1953**.
- 2) These Rules shall have effect from the date appointed for the coming into force of Part XIII of the Ordinance.

2. Definitions.

In these Rules:

"**Ordinance**" means the Merchant Shipping Ordinance, 1952;

"**Passenger**" includes any person carried by a boat, provided that a child of less than one year of age shall not be taken into account.

3. Renewal of licences.

Applications for the renewal of licences for passenger, cargo and fishing boats shall be made to the Port Officer within seven days of the date of expiry shown thereon. All boats for which licences are required shall be brought to such place as the Port Officer may direct.

4. Production of N.R.I.C. to Port Officer.

The owner of every passenger, cargo or fishing boat shall, at the time of application for a licence, produce his National Registration Identity Card to the Port Officer and the Port Officer shall enter the serial number of such Identity Card on the licence and in the appropriate register.

5. Owner to furnish names on demand.

When any offence is alleged to have been committed against the Ordinance or any of the rules made there under the owner of any licensed boat shall furnish on demand to the Port Officer or any police officer the name and address of the person who was in charge of this boat on any specified occasion.

6. Boat and licence plate to be kept clean.

The owner of a licensed boat shall keep the boat in a clean and sanitary condition and shall keep the licence number or plate of such boat clean and clearly visible to the satisfaction of the Port Officer.

* As amended by L.N. 790/53, 262/55, 303/57, 361/58, 196/59.

7. Report of change, loss, damage, etc., to Port Officer.

- 1) The owner of every licensed boat shall at once report to the Port Officer every change of his address, sale, breaking up or loss of a boat, collision or serious damage through collision or otherwise, or the laying up of a boat for repairs. The licence of such boat and the number plate shall be produced to the Port Officer at the same time.
- 2) The owner of any boat not intending to renew his boat licence shall, within one week of the date of expiry thereof, notify the Port Officer in writing of such intention and give the location of his boat:

?Provided that failure to comply with this Rule may make the owner liable to payment of all arrears of licence fees due from the last expiry date, and where licence fees have been in arrears for a period of not less than two years, the Port Office may at his discretion cause the register of licences to be closed.

8. Deaths, accidents and articles left in boat.

The owner, manager of boatman of every licensed boat shall immediately report to the Port Officer or nearest police station any death or accident caused by or to his boat or to a passenger or a member of the crew in his boat and shall deposit any article left in boat at the nearest police station.

9. Limitation of number of passengers.

- 1) No licensed boat shall carry a greater number of passengers than the number allowed by its licence or under these Rules.
- 2) No licensed boat shall be unduly immersed, taking into consideration the state of the weather.

Limits within which boat may ply.

- 3) No licensed boat shall ply or go beyond the limits (if any) specified in its licence and no such boat other than a fishing boat shall leave port limits without having obtained a port clearance.

10. Cargo boats carrying passengers.

- 1) Except as provided in paragraphs (2) and (3) of this rule no passenger shall be carried in a licensed cargo boat.
- 2) The Port Officer may, if he considers it in the public interest so to do and in every case with the approval of the Director of Marine, license a cargo boat to carry passengers subject to the following conditions:
 - a) that not more than twelve passengers may be carried at any one time or not more than three passengers per measurement ton (whichever shall be the less);
 - b) that where a cargo boat is licensed under this rule is not fully loaded with cargo, the measurement ton for the purposes of paragraph (a) shall be calculated on the gross tonnage of such boat less the weight of the cargo;
and
 - c) that every cargo boat licensed under this rule to carry passengers shall carry one efficient life jacket for every person the boat is licensed to carry.

- 3) The Port Officer may in his discretion impose such further conditions on the licence as he may consider fit having regard to the safety of the boat cargo and passengers.
- 4) Any persons who contravenes the provisions of this rule shall be guilty of an offence against these rules and shall, on conviction, be liable to the prescribed penalties and shall, in addition, be liable to have his licence cancelled

11. Fishing boat not to carry passengers or cargo.

No licensed fishing boat shall carry passengers or cargo.

12. Manning.

Every licensed boat when under way shall be adequately manned to the satisfaction of the Port Officer.

13. Water-boats and bum-boats to be so marked.

All water-boats and bum-boats shall have the words "Water-boat" or "Bum-boat" painted in large white letters on each side of the boat.

14. Copy of fares and charges to be kept in the boat.

- 1) A copy of the fares and charges payable for the use of a boat as specified in the First Schedule to these Rules shall be kept in the boat and produced for inspection when demanded.
- 2) No person in charge of a licensed boat or his agent shall demand more than the charge so specified.

15. Owner's liability.

The owner as well as the person in charge of a licensed boat shall be held responsible for any breach of the Rules.

16. Forfeiture of a boat.

When a Port Officer or a police officer is unable after due enquiry to find the owner of a licensed boat he may seize such boat and shall thereupon report the matter to a Court and the Court may, after directing such enquiries and taking such action as it thinks fit, and after the expiration of one month from the date of such report, make an order for the forfeiture of the boat.

17. Loss of licence.

In the event of loss or destruction of a boat licence the owner shall forthwith report such loss or destruction to the Port Officer or to the nearest police station. Penghulu or Peggawa. On production of a certified copy of such a report or a statutory declaration affirming such loss or destruction, the Port Officer shall, if he is satisfied as to the validity of the report, issue a copy of the licence upon payment of a fee of two dollars in the case of a passenger or cargo boat and fifty cents in the case of a fishing boat.

18. Safety equipment.

- (1) Licensed boats, other than open boats and licensed fishing boat shall, before the granting of a licence, be equipped with the life-saving and fire-fighting equipment specified in paragraph (3) of this Rule.
- (2) Where any licensed boat, other than a licensed fishing boat becomes unseaworthy or is not provided with the equipment required by paragraph (3) hereof, the licence issued in respect thereof shall cease to be valid.
- (3)
 - (a) Every mechanically propelled boat licensed under these Rules shall carry fire-fighting appliances of the kind specified hereunder:
 - i) one box containing not less than two cubic feet of sand;
 - ii) one scoop;
 - iii) one foam type extinguisher of not less than two gallons capacity or one tetrachloride extinguisher of not less than one quart capacity.
 - a) Every boat licensed under these Rules shall carry life-saving equipment of the kind specified hereunder:
 - i) one efficient life-jacket for every person the boat is licensed to carry;
 - ii) one efficient sound signaling apparatus, either mechanically or hand operated;
 - iii) two life-buoys stowed in a position for quick release.
 - b) Every mechanically propelled boat licensed under these Rules and which may proceed beyond port limits shall, in addition,
 - i) fit one life-buoys with a self-igniting lights;
 - ii) carry one dozen red flares in a watertight container; and
 - iii) be fitted with an efficient mechanical or hand pump.
 - ?
- 4) Every fishing boat licensed under these Rules shall carry life-saving equipment of the kind specified hereunder:

Type of Fishing Boat	Safety Equipment to be carried
i)	Every sailing boat, and every boat propelled by oars or paddles which is not mechanically propelled.
ii)	Every sailing or rowing boat to which an outboard engine is fitted and whose overall length is less than 35 feet.
iii)	Every sailing or rowing boat to which an outboard engine is fitted and whose overall length is 35 feet or more.
iv)	Every fishing boat without a full permanent deck but fitted with an inboard diesel engine and whose overall length is 35 feet or less.
v)	Every fishing boat without a full permanent deck but fitted with an inboard petrol engine and whose overall length is 35 feet or less.
vi)	Every fishing boat without a full permanent deck but fitted with an inboard engine and whose overall length exceeds 35 feet but is less than 70 feet.

- vii) Every fishing boat with a full permanent deck and fitted with an inboard engine and whose overall length is 35 feet or less.
- viii) Every fishing boat with a full permanent deck and fitted with an inboard engine and whose overall length exceeds 35 feet but is less than 70 feet.
- ix) Every fishing boat of overall length exceeding 70 feet.

NIL

NIL

1 life jacket per man

1 life jacket per man
6 red flares

1 life jacket per man
1 tetrachloride fire extinguisher
6 red flares

1 life jacket per man
1 lifebuoy
1 tetrachloride fire extinguisher
1 dozen red flares
1 mechanical or hand pump

1 life jacket per man
1 fire extinguisher
6 red flares

1 life jacket per man
1 lifebuoy
1 tetrachloride fire extinguisher
12 red flares
1 mechanical or hand pump

As per U.K. requirements for ocean-going trawlers.

19. Revocation.

The Notifications specified in the first and second columns of the Second Schedule to these Rules are hereby revoked to the extent specified in the third column of the said Schedule.

First Schedule.

(Rule 14)
BOAT FARES
JOHORE

(1) The fares to be paid for the use of a cargo boat or passenger boat:

- a) between Bandar Maharani and Tanjong Agas within the Port of Muar; and
- b) between Bandar Penggaram and Peserai within the Port of Batu Pahat

are specified below:

Between 6 a.m. and 6 p.m.	
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\$.	C.	Between 6 p. m. and 6 a.m.
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(a) Per passenger

10

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20

(b) Per passenger with cycle	20	...	30
(c) Per tricycle	40	...	50
(d) Per motorcycle	1	00	1 00
(e) Per motor car or jeep	..	...	...	...	1	50	2 00
(f) Per van	...	...	...	...	2	50	3 00
(g) Per empty lorry ...	...	...	...	...	2	50	3 00
(h) Per loaded lorry...	...	...	...	...	3	50	4 00
(i) Per bull, buffalo or horse	...	...	...	...	1	00	1 50
(j) Per bullock cart, including bullocks thereof	...	3	00	...	3	50	