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(JABATAN ZON BEBAS & JABATAN DAGANGAN BERBAHAYA)

Ruj. Tuan:

Ruj. Kami: LPK:PB/600-4/1 Jld.4 (9)

Tarikh : 18 March 2022

**DISTRIBUTION TO:**

**TERMINAL OPERATORS AND PORT USERS**

YBhg. Dato' / Sir / Madam,

**PORT KELANG AUTHORITY GENERAL MANAGER CIRCULAR NO. 4/2022**

**ENFORCEMENT OF COMPOUNDABLE OFFENCES UNDER THE PORT  
AUTHORITIES ACT 1963 AND KELANG PORT AUTHORITY BY-LAWS 1965.**

The abovementioned subject is duly referred.

2. Port Kelang Authority (PKA) in carrying out its roles and functions as the port authority under the Port Authorities Act 1963 [Act488] and the regulator for port activities in setting standards for facilities and operations under the Ports (Privatisation) Act 1990 [Act 422], with the permission from the Attorney General shall exercise its powers under the Kelang Port Authority (Compounding of Offences) Order 1995 [P.U.(A) 268/1995].

3. Therefore, with effect from **1 April 2022**, PKA will be enforcing its compounding powers for port offences subject to a compound of **RM500.00 (Ringgit Malaysia Five Hundred)** under Act 488 and Kelang Port Authority By-Laws 1965 [L.N.127/1965] which has been gazetted in accordance to Section 29 of Act 488 as per attached in this circular.

4. In line with this, YBhg. Dato' / Sir / Madam is advised to always comply with all port laws and regulations so as to ensure operations in Port Klang are conducted in accordance to the highest standard of safety.

5. Further enquiries in regards to this implementation can be directed to PKA's Security Manager at +603-31688211 ext. 3026 or by email at [halid@pka.gov.my](mailto:halid@pka.gov.my).

Thank you.

**"WAWASAN KEMAKMURAN BERSAMA 2030"**

**" BERKHIDMAT UNTUK NEGARA "**

Saya yang menjalankan amanah,



**(CAPT. K. SUBRAMANIAM)**

General Manager  
Port Kelang Authority

**LIST OF COMPOUNDABLE OFFENCES UNDER THE PORT AUTHORITIES ACT 1963 AND  
KELANG PORT AUTHORITY BY-LAWS 1965**

No.	Type Of Offences	Legal Provisions
1.	Handling goods or cargo across, over or under foreshores without the written permission of the authority or not in accordance with such conditions prescribed by the authority	20 PAA
2.	Handling goods or cargo across or over any quay, wharf, dock, pier or other place without a written permission of the authority or not in accordance with such conditions prescribed by the authority	21 PAA
3.	Failure to attend a pilotage inquiry	29I(3)(a) PAA
4.	Offers any act of disrespect or any insult or threat to the Pilotage Committee or any member thereof during an inquiry.	29I(3)(b) PAA
5.	Refuses to give evidence on oath or affirmation or to produce a document or other thing when required by the Pilotage Committee	29I(3)(c) PAA
6.	Failure of owner, master or agent to sign and leave such list prescribed in s.32(1)(a)&(b).	32(2) PAA
7.	Failure of owner, charterer, consignor, agent or other person to prepare such list or manifest, and to sign and deliver such transcript.	32(4) PAA
8.	If the master of any vessel without the permission of the authority brings in vessel, or causes it to be placed, alongside any wharf or dock entrance.	34(1)(a) PAA
9.	Failure of master of any to comply with the order of the wharf superintendent in relation to the time and manner listed in (i)-(iii).	34(1)(b) PAA
10.	Master of any vessel disobeys any order to remove his vessel from any berth.	34(1)(c) PAA
11.	Failure for not keeping a vessel loaded with ballast or otherwise as to be safely removed.	35(1) PAA
12.	A person who is not a licensed pilot engages in any pilotage act or attempts to obtain employment as a pilot of a vessel entering or being within any pilotage district.	35A(1) PAA
13.	Employs as pilot any person who is not an authority pilot or an employee licensed operator.	35A(2) PAA
14.	<del>Licensed operator shall not demand or receive, and a master, owner or agent shall not offer or pay to any pilot, any other rate in respect of pilotage services, whether greater or less than the rate.</del>	35B PAA
15.	<del>Offences of an authority pilot.</del>	35C PAA
16.	<del>Pilot endangering ship, life or limb.</del>	35D PAA
17.	Failure to employ authority pilot or licensed pilot under certain circumstances.	35E PAA
18.	Giving a false draught of water.	36 PAA
19.	Giving false statement in return, claim, application, declaration or other documents.	36A PAA
20.	Throwing ballast or emptying into any dock any ballast, rubbish, dust, ashes, stones, etc. into docks.	37 PAA

21.	Vessel not to lie, die alongside berths unless authorised by the Traffic Manager.	BY-LAWS15
22.	Use of inflammable material in the Port or on board.	BY-LAWS 18
23.	No refuse, filth or excreta shall be discharged from any discharge pipe, water closet or latrine upon any portion of the wharf.	BY-LAWS 19(3)
24.	Smoking on deck or in cargo compartments of any vessel when the vessel is loading or discharging any dangerous or inflammable goods.	BY-LAWS 30
25.	Working as a stevedore on or about any vessel in the port without a license from the Authority.	BY-LAWS 49
26.	Taking photograph of the port premises or any part thereof without the permission of the Authority.	BY-LAW 63(3)
27.	Hawkers or contractors entering the port premises for the purpose of carrying on their business without the permission of the General Manager.	BY-LAWS 63(4)
28.	Smoking, using naked light or lighting unprotected fire within the port premises, except under such conditions as may be permitted by the Authority.	BY-LAWS 65
29.	Bathing or fishing at any wharf or committing any nuisance in the port precincts.	BY-LAWS 66
30.	Accumulation of goods on wharves, docks or piers.	BY-LAWS 67
31.	Offering coopers and carpenters services without a license.	BY-LAWS 71
32.	Carrying out ship-chandling business within the port limits without a license by the Authority.	BY-LAWS 79
33.	Remove or destroy or damage any rolling stock, barrier, fencing, signal, lamp, light or any other property appertaining to or connected with the railway in the port premises.	BY-LAWS 80
34.	Failure to comply with traffic signs and Authority's orders	BY-LAWS 81
35.	Possession of valid license.	BY-LAWS 82/83
36.	Entry to port premises without valid pass.	BY-LAWS 84
37.	Does not comply with speed limits signs.	BY-LAWS 86
38.	Obstruction by vehicles and removal.	BY-LAWS 89(1)
39.	Taking or driving any vehicle along or upon any wharf, dock or pier, or inside any shed or warehouse without the permission of the Authority.	BY-LAWS 89(2)
40.	Unauthorised person placing any obstruction or walk on or along the railway track within the port premises.	BY-LAWS 89(3)
41.	Loads not to leak, spill or drop from the vehicle.	BY-LAWS 92
42.	The owner, driver or other person in charge of a vehicle in the port premises shall ensure that any load carried thereon or therein is properly secured and that it complies with all such statutory restrictions on the weight of goods to be so carried as are applicable on public roads	BY-LAWS 93
43.	Failure to classify the dangerous goods on board any vessel entering the port area.	BY-LAWS 122
44.	Bring or cause to be brought into the port any dangerous goods without the approval of the Authority.	BY-LAWS 123(1)
45.	Placing on any vessel or wharf defective or damaged receptacles containing any dangerous goods without the permission in writing from the Authority.	BY-LAWS 123(3)

46.	The master of a vessel fails to take all precautionary measures to prevent any dangerous chemical reaction from occurring while the vessel is in the port.	BY-LAWS 124(2)
47.	Failure to display the International Code Flag "B" which has on board relevant dangerous goods.	BY-LAWS 125
48.	Failure to comply with the berthing procedures for any vessel which has any dangerous goods to be handled in the port	BY-LAWS 126
49.	The Authority shall grant permission for a vessel carrying relevant dangerous goods in transit to come alongside the Authority's berth.	BY-LAWS 127
50.	The master of any vessel berthing at any of the Authority's berth fails to comply the conditions when having on board or carrying any relevant dangerous goods in transit or for handling in the port.	BY-LAWS 128
51.	Dangerous goods worked other than during the hours of determined or directed by the designated officer.	BY-LAWS 129
52.	The master of a vessel having dangerous goods on board fails to ensure that at all times while the vessel is in the port, a proper watch is maintained by the crew or other personnel	BY-LAWS 131
53.	Failure to report to the designated officer or the officer in charge of any incidents during the handling of dangerous goods.	BY-LAWS 132A
54.	The master of a vessel or the berth operator fails to ensure that no person who to his knowledge is under the influence of drinks or drugs is allowed to participate in any operation involving the handling of dangerous goods	BY-LAWS 132C
55.	No person shall smoke in any godown or within five metres of any godown door in the port.	BY-LAWS 132D
56.	Failure to obtain a repair work permit to undertake repair works aboard a ship or anywhere within the port premises which may be hazardous due to the presence of dangerous goods	BY-LAWS 132E
57.	Failure to comply with the conditions and regulations relating to packaging, marking and labelling	BY-LAWS 132G
58.	Failure to comply with the conditions and regulations relating to marking and placarding in accordance with the requirements in the IMDG Code.	BY-LAWS 132H
59.	Interfering with any cautionary notice put in the port by the Authority in relation to any dangerous goods.	BY-LAWS 132I
60.	The owner, agent, master or person in charge of any vessel shall be responsible for the compliance with these By-laws insofar as the same relates to such vessel.	BY-LAWS 132J
61.	Failure of the master of a vessel (or his agent) and berth operator fail to comply with the conditions imposed in handling, storing and transporting liquid bulk dangerous bulk goods	BY-LAWS 132K
62.	Enter to the port or permitted to load or discharge any liquid bulk dangerous goods without a valid certificate of fitness.	BY-LAWS 132L
63.	The master of a vessel or installation operator fail to ensure that where liquid bulk dangerous goods are transferred into a tank such goods are compatible with any other goods already in the tank.	BY-LAWS 132N

64.	No carrying out gasfreeing, tank cleaning and purging with inert gas while the vessel is in the port is allowed without obtaining the permission of the Authority.	BY-LAWS 132O
65.	The master of vessel fails to ensure that any tank or cargo space used for the carriage or storage of solid bulk dangerous goods is adequately ventilated before any person re-enter such tank or cargo space.	BY-LAWS 132P
66.	The master of vessel and berth operator fails to ensure that all reasonable precautions are taken to prevent any spillage of such dangerous goods onto the vessel, berth or into the drainage and sewage systems and into the waters in the port.	BY-LAWS 132Q
67.	The master of a vessel and berth operator fails to ensure that any pipelines used for the transfer of liquid bulk dangerous goods are of adequate strength, suitable design, maintained and under constant supervision when used.	BY-LAWS 132R
68.	The master of a vessel and berth operator fails to ensure that no flexible pipelines used for any substances other than that for which it is suitable in handling liquid bulk dangerous goods.	BY-LAWS 132S
69.	The master of a vessel fails to ensure that the mooring lines are adequate and properly managed to avoid placing stress on or to avoid rupture of the pipeline during loading and discharging liquid bulk dangerous goods.	BY-LAWS 132T
70.	The master of a vessel and the berth operator fail to ensure that all sources of ignition are eliminated during the transfer of liquid bulk dangerous goods.	BY-LAWS 132U
71.	The master of a vessel and berth operator fail to ensure that only explosive proof lamps and electrical fittings of a type certified safe for use in a flammable atmosphere are installed.	BY-LAWS 132V
72.	The master of a vessel and the berth operator fail to ensure that all precautions are taken to render safe pipeline, valve and ancillary equipment after the completion of every transfer of liquid bulk dangerous goods.	BY-LAWS 132W
73.	The master of a vessel and the berth operator fail to complete, sign and keep a safety checklist in a form before the commencement of any operation for the transfer of liquid bulk dangerous goods.	BY-LAWS 132X
74.	The berth operator fail to ensure that appropriate warning notices are posted whenever the transfer of liquid bulk dangerous goods is in progress.	BY-LAWS 132Y
75.	The master of a vessel and the berth operator fail to ensure loading and unloading of liquefied gas at low temperature.	BY-LAWS 132AA
76.	Liquid bulk dangerous goods shall not be transferred from vessel to vessel without permission.	BY-LAWS 132AC
77.	The master of a vessel or the berth operator, do not readily available the following information concerning the solid bulk dangerous handled, stored and transported in the port.	BY-LAWS 132AD
78.	The master of a vessel or the berth operator, fail to ensure that where the handling of solid bulk dangerous good may give rise to the generation of dusts harmful to personnel, adequate precautions are taken to prevent the escape of such dusts into the atmosphere.	BY-LAWS 132AE

79.	The master of a vessel and the berth operator, fail to ensure that where solid bulk dangerous goods are being handled in a manner which may give rise to the generation of dusts liable to explode on ignition, all precautions are taken to prevent an explosion.	BY-LAWS 132AF
80.	The master of a vessel and the berth operator, fail to ensure that where solid bulk dangerous goods are substances or contain substances which on contact with water may evolve flammable or toxic gas or become liable to spontaneous combustion, all precautions are taken to avoid contact with water.	BY-LAWS 132AG
81.	The master of a vessel and the berth operator, fail to ensure that where solid bulk dangerous goods are oxidising substances or contain oxidising substances they are stored and handled.	BY-LAWS 132AH
82.	Other offences under any by-laws made under section 29 of the Port Authorities Act 1963.	Sec.3 Kelang Port Authority (Compounding of Offences) Order 1995