



LAWS OF MALAYSIA

Act A1551

MERCHANT SHIPPING (AMENDMENT) ACT 2017

Date of Royal Assent	10 November 2017
Date of publication in the <i>Gazette</i>	30 November 2017

LAWS OF MALAYSIA

Act A1551

MERCHANT SHIPPING (AMENDMENT) ACT 2017

An Act to amend the Merchant Shipping Ordinance 1952 and to extend specified provisions of the Ordinance to the States of Sabah and Sarawak, and to provide for matters connected therewith.

[]

ENACTED by the Parliament of Malaysia as follows:

Short title and commencement

1. (1) This Act may be cited as the Merchant Shipping (Amendment) Act 2017.

(2) Subject to subsection (3), this Act comes into operation on a date to be appointed by the Minister by notification in the *Gazette* and the Minister may appoint different dates for the coming into operation of different provisions of this Act.

(3) This Act comes into operation in the States of Sabah and Sarawak on such date as the Minister may, after consultation with the State Authorities of Sabah and Sarawak, appoint by notification in the *Gazette*.

General amendment

2. The Merchant Shipping Ordinance 1952 [*Ordinance 70/1952*], which is referred to as “the Ordinance” in this Act, is amended—

- (a) by substituting for the words “steamer” and “steamship” wherever appearing the word “ship”; and
- (b) by substituting for the words “steamers” and “steamships” wherever appearing the word “ships”.

Amendment of section 2

3. Section 2 of the Ordinance is amended—

- (a) by substituting for the definition of “Malaysian ship” the following definition:

‘ “Malaysian ship” means a ship registered or licensed under Part II;’;

- (b) by inserting after the definition of “port officer” the following definition:

‘ “port undertakings” means the operation and maintenance of port and includes port-related activities at a port which is under the authority of the Director of Marine;’;

- (c) by substituting for the definition of “registrar” the following definition:

‘ “Registrar” means the Registrar of Ships appointed under subsection 12(1);’;

- (d) by deleting the definition of “Registrar General”; and

- (e) by inserting after the definition of “seafarer” the following definition:

‘ “service undertakings” means any services rendered by the Director of Marine to implement Malaysia’s flag state obligations or other services rendered by him to facilitate the shipping industry;’.

Deletion of section 3

4. The Ordinance is amended by deleting section 3.

Amendment of section 10

5. Section 10 of the Ordinance is amended—

(a) by substituting for the words “Yang di-Pertuan Agong” wherever appearing the words “Director of Marine”;

(b) in subsection (2A)—

(i) by substituting for the words “, for special purposes and on special occasions, any person, whether or not a citizen of Malaysia,” the words “any person or organization”; and

(ii) by inserting after the words “such a person” the words “or organization”; and

(c) in subsection (5)—

(i) in paragraph (a), by deleting the words “such steamers and”;

(ii) by substituting for the words “; and” at the end of paragraph (b) a semicolon;

(iii) by substituting for the full stop at the end of paragraph (c) a semicolon; and

(iv) by inserting after paragraph (c) the following paragraphs:

“(d) the requirements for appointment of any person or organization under subsection (2A);

(e) the requirements that the person or organization appointed under subsection (2A) shall fulfil when performing his or its functions; and

(f) the manner in which the person or organization appointed under subsection (2A) is to be regulated.”.