

PETROLEUM (SAFETY MEASURES) (TRANSPORTATION OF PETROLEUM BY WATER) REGULATIONS 1985, PU(A) 84/1985

IN exercise of the powers conferred by Section 45 of the Petroleum (Safety Measures) Act 1984, the Minister makes the following regulations:

**PART I
PRELIMINARY**

1. Citation and commencement.

These Regulations may be cited as the Petroleum (Safety Measures) (Transportation of Petroleum by Water) Regulations 1985 and shall come into force on the 1st March 1985.

2. Interpretation.

(1) In these Regulations, unless the context otherwise requires, words and expressions shall have the same meaning as in the Petroleum (Safety Measures) Act 1984.

(2) For the purpose of these Regulations -

"Classification Society" shall mean those classification societies that are endorsed by the Surveyor General of Ships;

"foreign going ship", "home trade ship" and "local-trade ship" shall have the same meaning as in the Merchant Shipping Ordinance 1952, the Merchant Shipping Ordinance 1960 of Sabah and the Merchant Shipping Ordinance 1960 of Sarawak;

"International Maritime Organization" means the organization formerly known as the Inter-Governmental Maritime Consultative Organization established by the convention in the Inter-Governmental Maritime Consultative Organization 1948;

"recognised authority" means the Surveyor General of Ships of the national authority of the flag state of the vessel as the case may be;

"senior officer of Customs" shall have the same meaning as in the Customs Act 1967;

"Surveyor General of Ships" means the person appointed under subsection (2) of section 10 of the Merchant Shipping Ordinance 1952; and

"vessel" shall be deemed to be a vessel constructed to carry petroleum of Class IA, Class IB or Class IC in bulk or to carry Class IA, Class IB or Class IC petroleum in packages as the case may be, and such vessel -

(a) possesses a certificate certifying that it is so constructed issued by a Classification Society endorsed for this purpose by the Surveyor General of Ships; or

(b) certified by the Surveyor General of Ships as having been so constructed.

**PART II
TRANSPORTATION OF PETROLEUM BY WATER**

3. Dangerous petroleum anchorages, prohibited areas, dangerous areas and non-dangerous areas of ports.

(1) For the purpose of these Regulations, the areas specified in the second, third, fourth and fifth columns of the First Schedule shall be, respectively, dangerous petroleum anchorages, prohibited areas, dangerous areas and non-dangerous areas of the ports specified opposite thereto in the first column of the said Schedule:

Provided that the Minister may, from time to time, by a notification in the Gazette, amend the said Schedule.

(2) Vessels loaded with Class IA, Class IB or Class IC petroleum shall, if for the purpose of handling and discharging such classes of petroleum, only anchor or berth within the dangerous petroleum anchorage of any of the port specified in the First Schedule unless permitted otherwise by the Port Officer whose permission shall be in writing.

4. Procedure for inspection and importation.

(1) Upon the arrival of a vessel carrying Class I, Class II or Class III petroleum, or as soon thereafter as possible, the master, owner, agent or consignee shall send to an Inspector a notice in Part I of Form A of the Second Schedule giving the name of the vessel, the quantity and the description of the petroleum on board, the name of the owner, agent or consignee and any other information required to enable the Inspector to effect satisfactory inspection.

(2) Upon the receipt of the notice referred to in paragraph (1), the Inspector may board the vessel and take samples to be tested.

(3) Immediately upon the completion of such testing, the Inspector shall issue a certificate as in Part II of Form A of the Second Schedule to the Port Officer together with the notice as in Part I of Form A referred to in paragraph (1).

(4) Where the Inspector dispenses with inspection, he shall forthwith send Part II of Form A to the Port Officer and notify the Port Officer of the existence of Class IA, Class IB or Class IC petroleum on board.

5. Application for permit.

Every application for a permit to land or tranship any Class I, Class II or Class III petroleum shall be in writing and made to the Port Officer and if need be, the nearest Port Officer through an Inspector. Every application and every permit shall be as Part I and Part III of Form A of the Second Schedule.

6. Discharge of petroleum.

After the Inspector has boarded any vessel and either has taken samples to be tested or dispensed with such inspection, the Port Officer may, with the consent of the Inspector or for some special reason refuses to give permission to the owner, agent or consignee of the Class I, Class II or Class III petroleum to begin discharging the petroleum into lighters or ashore:

Provided that -

(i) where the Inspector has taken samples from the petroleum, no petroleum shall be landed until the Port Officer has received the Inspector's reports;

(ii) in the case of vessels carrying Class I, Class II or Class III petroleum in bulk, permission may be granted by the Port Officer to discharge the petroleum direct into the tanks of a bulk installation; and

(iii) nothing in these Regulations shall be deemed to authorise the discharge of any petroleum being dutiable goods without the authority of a senior officer of Customs.

7. Export notice.

The agent or master of any vessel about to leave a port in Malaysia with Class I, Class II or Class III petroleum on board shall give a notice in writing to the Port Officer of the intention to carry such petroleum as cargo and of the maximum quantity intended to be carried. Such notice shall be given not less than six hours before applying for the port clearance.

8. Supervision by a competent person.

No Class IA, Class IB or Class IC petroleum shall, while within the limits of any port, be taken out of any vessel in which it has been carried except under the direct supervision of a competent person.

9. Provision to be observed by any vessel carrying petroleum within any port.

Any vessel carrying petroleum within any port shall comply with the following:

(a) no loading or discharging of Class IA, Class IB or Class IC petroleum or ballast water shall be carried out at any place other than such place as the Port Officer shall from time to time direct;

(b) before any Class IA, Class IB or Class IC petroleum contained in drums or other containers is carried out of the vessel, the holds of such vessel shall be thoroughly ventilated;

(c) after all Class IA, Class IB or Class IC petroleum has been removed from any vessel carrying petroleum, the holds and tanks of such vessel shall be rendered gas-free except if the vessel -

(i) leaves the port immediately after the discharge of Class IA, Class IB or Class IC petroleum;

(ii) remains only for the purpose of taking on board, bunkers, store or ballast; or

(iii) remains for such other purpose as may be approved by the Port Officer:

Provided that where the vessel remains in the port for the purposes provided in sub-paragraph (ii) and (iii), the tanks are closed down immediately after the discharge of such petroleum and are not re-opened whilst the vessel is within the port except -

(i) for ullaging or sounding while taking in or discharging ballast water; or

(ii) with the permission of the Port Officer;

(d) the loading or discharging of Class IA, Class IB or Class IC petroleum or ballast water, and the rigging and disconnecting of hoses shall not be permitted between sunset and sunrise unless -

(i) adequate safe illumination is provided on board the ship and the equipment used for such illumination is or was designed, constructed and maintained in accordance with any rules that are approved by the Surveyor General of Ships;

(ii) adequate safe lighting is provided on shore to illuminate the vessel when alongside the quay:

Provided that if an accident occurs during the loading or discharging of Class IA, Class IB or Class IC petroleum or ballast water between sunset and sunrise and -

(i) a repair to the plant pipes or connections is required; or

(ii) there is interference in any way with the uninterrupted flow of the Class IA, Class IB or Class IC petroleum or ballast waters,

such loading or discharging operations shall stop and not resume until adequate safety measures have been taken;

(e) there shall be no fire or artificial light holds or tanks of a vessel carrying petroleum are first opened for the purpose of loading or discharging Class IA, Class IB or Class IC petroleum ballast water until such time as the holds or tanks of the vessel shall have been securely closed down and in the case of a complete discharge such holds or tanks have been rendered gas-free as required under paragraph (c) above except that this requirement shall not -

(i) prevent the use of lamps, heaters, cookers or other apparatus, electric or otherwise, designed and constructed in accordance with any rules that are approved by the Surveyor General of Ships;

(ii) prohibit the loading, discharging, ballasting, gas-freeing or tank cleaning of a vessel under conditions approved by the Port Officer by means of power generated on board by electrical plant or internal combustion engines or steam engines designed, constructed, installed, positioned and maintained in accordance with any rules that are approved by the Surveyor General of Ships or by steam or electric power supplied from the shore and connected by equipment which shall comply with such requirements relating to electrical equipment and the following:

(A) the connection between the shore cable and the vessel shall be made by means of a connection box designed, constructed, positioned and maintained in accordance with any rules that are approved by the Surveyor General of Ships;

(B) the cable shall be of a sheathed type in accordance with an approved standard or other cable equally suitable for the purpose;

(C) apparatus, as by a changeover switch or suitable interlocking device, shall be installed at the vessel's switchboard or at any terminal board in the vessel to which electrical cable from shore supply is connected to prevent the shore supply from being connected to vessel's switchboard while this is connected to the vessel's generating plant; and

(D) all electrical equipment used in or in connection with the shore supply to the vessel shall be maintained in such conditions as to prevent danger from electrical shock or fire;

- (f) unless with the special permission of the Port Officer, all opening from cargo tanks except the gas escape line shall be kept closed during the loading or discharging of Class I, Class II or Class III petroleum or ballast water except -
- (i) ullage plugs or sighting ports not situated in enclosed or partially enclosed spaces may be removed for ullaging, sounding or sampling. However such ullage plugs or sighting ports shall be closed immediately after this has been done unless they are adequately protected by strong non-corroding flame arrestor which shall be -
 - (a) kept clean and free from obstruction; and
 - (b) of a dimension and gauge in accordance with any rules that are approved by the Surveyor General of Ships; or
 - (c) other flame proof device which complies with the requirements of the Surveyor General of Ships; and
 - (ii) ullage plug or sighting ports situated in enclosed or partially enclosed space may be removed for the purpose of ullaging, sounding or sampling but such ullage plugs or sighting ports shall be closed immediately after this has been done;
 - (g) all pipes and other appliances used in the loading or discharging of Class IA, Class IB or Class IC petroleum in bulk or ballast water shall be free from leakage. All pipelines and hoses shall, while rigged for loading or discharging Class I, Class II or Class III petroleum or ballast water, be adequately and continuously earthed and kept under close supervision;
 - (h) the discharging and loading of Class IA, Class IB or Class IC petroleum shall be carried out with due diligence and if discontinued, the tanks and holds of the vessel shall be closed immediately;
 - (i) no Class IA, Class IB or Class IC petroleum shall be discharged at any quay until -
 - (i) the vessel or carriage receiving such petroleum is at its place to receive such petroleum; and
 - (ii) all such petroleum discharged at any port shall be forthwith removed therefrom or to some duly licensed place of storage;
 - (j) no Class IA, Class IB or Class IC petroleum contained in drums or other containers shall be brought to the vessel into which it is to be loaded until such vessel is ready to receive it; and
 - (k) the owner, master or agent of a vessel shall take all due precautions for the prevention of accident by fire during the discharging or loading of Class IA, Class IB or Class IC petroleum or ballast water or during gas-freeing or tank cleaning.

10. Licences and certificates.

- (1) A licence for a boat or similar craft, whether specially constructed for the carriage of Class IA, Class IB or Class IC petroleum or not to carry such petroleum or other classes of petroleum within the prohibited, dangerous and non-dangerous areas of a port, shall be as in Form C of the Second Schedule and shall not be issued until the boat or similar craft has been certified by a Surveyor of Ships to be fit to carry Class IA, Class IB or Class IC petroleum or other classes of petroleum in accordance with the requirements of the Third Schedule.
- (2) (i) A certificate as in Form D of the Second Schedule to load and carry Class IA, Class IB or Class IC petroleum or other classes of petroleum below deck in a mechanically propelled boat or similar craft not constructed to carry petroleum shall not be granted until such boat or similar craft has been examined by a Surveyor General of Ships. Such certificate shall be subject to any conditions as provided in the Fourth Schedule which the Surveyor General of Ships deems it necessary to impose.
- (ii) Any application for a licence or certificate under subregulation (1) and (2) shall be in writing and forwarded to the Surveyor General of Ships at least twenty-four hours before the boat or similar craft's departure.
- (3) All licences and certificates referred to in this regulation shall be valid for one year and is revocable at will by the person granting it.

11. Class IA, Class IB or Class IC petroleum within a prohibited area of a port.

No Class IA, Class IB or Class IC petroleum may be loaded or transported within a prohibited area of a port:

Provided that -

- (a) quantities not exceeding 400 litres water capacity of Class IA, Class IB or Class IC petroleum or the total of any petroleum may, with the approval of the Port Officer in writing, be transported within a prohibited area in a vessel, boat or similar craft licensed under Form C of the Second Schedule if such class of petroleum is not intended to be shipped as cargo;
- (b) quantities not exceeding 400 litres may be loaded in a vessel, boat or similar craft within the prohibited area if the petroleum is required for consumption on board.

12. Class IA, Class IB or Class IC petroleum in dangerous area of a port.

(1) The transportation and loading of Class IA, Class IB or Class IC petroleum within a dangerous area of a port is permitted provided that -

- (a) such class of petroleum is for discharge or has been loaded at a shore installation within the dangerous area and is carried in a vessel, boat or similar craft licensed under Form C of the Second Schedule to carry such class of petroleum within the dangerous area;
- (b) the total quantity carried in any such vessel, boat or similar craft referred to in paragraph (a) does not exceed 45,000 litres;

(c) quantities not exceeding 400 litres may be loaded or carried in any vessel, boat or similar craft within the dangerous area of a port if such class of petroleum is required for consumption on board.

(2) The refuelling of seaplanes by means of refuelling launches of type approved by the Surveyor General of Ships and licensed in Form C of the Second Schedule may be carried out within the dangerous area of a port and Class IA, Class IB or Class IC petroleum may be transported and unloaded by such launches to the amount prescribed in the said Form C.

13. Class IA, Class IB or Class IC petroleum within a non-dangerous area of a port.

The transportation and loading of Class IA, Class IB or Class IC petroleum within the non-dangerous area of a port is permitted in -

- (a) a vessel constructed to carry Class IA, Class IB or Class IC petroleum;
- (b) a boat or similar craft licensed in Form C of the Second Schedule to carry such class of petroleum within that non-dangerous areas;
- (c) a vessel which has been granted a certificate by a Surveyor General of Ships in Form D of the Second Schedule for carriage of Class IA, Class IB or Class IC petroleum below deck;
- (d) a vessel, boat or similar craft which is permitted under this regulation to carry Class IA, Class IB or Class IC petroleum on deck.

14. Conditions when carrying Class IA, Class IB or Class IC petroleum as cargo on deck of a ship, local-trade ship, etc.

When Class IA, Class IB or Class IC petroleum is to be carried as cargo on deck of a ship which plies or goes beyond the limits of any port in Malaysia, a local-trade or home-trade ship or a foreign-going ship -

- (a) such class of petroleum shall be properly fenced off and stored on the main deck of the ship at a distance of not less than nine metres from any galley, funnel or exhaust and not less than three metres from any part of the deck which is occupied by or accessible to passengers; and
- (b) conspicuous notices shall be put up for the purpose of drawing attention to the danger arising from smoking or using or exposing naked flame near the deck cargo.

15. Quantity of Class IA, Class IB or Class IC petroleum on deck.

The quantity of Class IA, Class IB or Class IC petroleum carried as cargo on deck under regulation 14 shall not exceed -

- (a) 400 litres on any vessel, boat or similar craft within the prohibited or dangerous area of a port;

- (b) 400 litres on a ship which plies or goes only within fifty kilometres of any port in Malaysia;
- (c) 300 litres for every 25,500 kilogramme of the gross weight of a local-trade ship, up to a maximum of 23,000 litres for a passenger ship and 36,600 litres for a cargo ship; or
- (d) 3,600 litres on a local-trade or home-trade ship or a foreign-going ship.

16. Class I, Class II or Class III petroleum under deck.

(1) Where any Class I, Class II or Class III petroleum is carried as cargo under deck in a boat or similar craft not constructed for the carriage of petroleum in bulk -

- (a) such class of petroleum shall be stowed in watertight compartment and shall not be contiguous to any other cargo in that hold;
 - (b) such class of petroleum shall be separated from the engine and boiler space, crew space, store, chain locker or any cargo other than petroleum by two efficient bulk heads; and from any buoyancy or water space which is entered only by a manhole by one efficient bulkhead;
 - (c) the gas-freeing arrangements and hatchways shall be to the satisfaction of a Surveyor General of Ships;
 - (d) any tin that is not protected by any form of packing or any form of metal container that is not provided with sufficient stiffeners, shall not be stowed beneath cases of metal drums;
 - (e) such tin or metal container referred to in paragraph (d) shall not be stowed in tiers exceeding eight in height; and
 - (f) if the petroleum to be carried included Class IA, Class IB or Class IC petroleum, loading shall not commence until a certificate has been obtained from a Surveyor General of Ships certifying that the provisions of this regulation have been complied with.
- (2) No Class IA, Class IB or Class IC petroleum shall be carried under deck in any passenger ship.

17. Class I, Class II, Class III petroleum as deck cargo.

Where Class I, Class II or Class III petroleum is to be carried as deck cargo in any vessel, or in the open hold of any undecked boat or similar craft -

- (a) there shall be a distance of not less than three metres between such class of petroleum and the cooking galley and not less than 1.22 metres between such class of petroleum and the engine room hatch, boiler casing or exhaust of such boat or similar craft or vessel;
- (b) such class of petroleum shall be stored in a distance of not less than three metres from any part of the deck occupied by or accessible to passengers; and
- (c) conspicuous notices shall be put up drawing attention to the danger arising from smoking or using or exposing naked flame near such class petroleum.

18. Rules within the prohibited area of a port.

Within the prohibited area of any port -

- (a) no Class I, Class II or Class III petroleum shall be transported or loaded into any boat or similar craft unless such boat or similar craft has a licence as in Form C of the Second Schedule;
- (b) no wooden boat or similar craft shall transport Class I, Class II or Class III petroleum which exceeds 23,000 litres;
- (c) no person shall load or discharge more than 23,000 litres of Class I, Class II or Class III petroleum in or from any boat or similar craft or vessel berthed alongside any public wharf; and
- (d) no person shall load Class I, Class II or Class III petroleum under deck in any vessel unless he has been granted a certificate as in Form D by a Surveyor General of Ships for the carriage of Class I, Class II or Class III petroleum under deck.

19. Rules within the dangerous area of a port.

Within the dangerous area of any port -

- (a) no Class I, Class II or Class III petroleum may be loaded or transported in any boat or similar craft unless such boat or similar craft has a licence as in Form C;

- (b) no Class I, Class II or Class III petroleum exceeding 23,000 litres shall be carried on deck of any ship, vessel, boat or similar craft; and
- (c) no person shall load Class I, Class II or Class III petroleum under deck in any boat or similar craft or vessel unless the boat or similar craft or vessel has been granted a certificate as in Form D by a Surveyor General of Ships to carry Class I, Class II or Class III petroleum below deck.

20. Rules within the non-dangerous area of a port.

The loading and transportation of Class I, Class II or Class III petroleum within the non-dangerous area of a port is permitted in -

- (a) a vessel constructed to carry Class I, Class II or Class III petroleum or any petroleum,
- (b) a boat or similar craft which has been issued with a licence as in Form C to carry Class I, Class II or Class III petroleum within the non-dangerous area of a port;
- (c) a vessel which has been granted a certificate as in Form D by a Surveyor General of Ships to carry Class I, Class II or Class III petroleum below deck; and
- (d) a vessel which has been granted a permit to carry Class I, Class II or Class III petroleum below or on deck to other ports.

21. Class I, Class II or Class III or Class IA, Class IB or Class IC petroleum not in bulk.

- (1) Class I, Class II or Class III petroleum not carried in bulk shall be carried either -
 - (a) in appropriate receptacles -
 - (i) constructed in accordance with recommendations laid down by the International Maritime Organisation as published in the International Maritime Dangerous Goods Code;
 - (ii) each containing not less than 35 litres of any or a total of such class of petroleum but not more than 95 percent of liquid;
 - (iii) marked with the correct technical name; and
 - (iv) identified with distinctive labels on stencils in accordance with the International Maritime Dangerous Goods Code for inflammable gases and liquids; or
 - (b) in steel drums each containing not more than 200 litres of any or a total of such class of petroleum but not more than 95 percent of liquid.
- (2) For Class IA, Class IB or Class IC petroleum not carried in bulk shall be carried in tins provided, that such tins -
 - (a) shall be carried in a boat or similar craft which complies with conditions of the Third Schedule and is licensed in Form C of the Second Schedule;
 - (b) need not be packed in cases; and
 - (c) shall not contain more than 95 percent of liquid.
- (3) No Class I, Class II or Class III petroleum shall be loaded into any vessel, boat or similar craft within the limits of any port except under the direct supervision of a competent person; and a competent person shall remain in direct charge of each of such vessel, boat or similar craft during the whole time that any Class IA, Class IB or Class IC petroleum is on board.
- (4) Class I, Class II or Class III petroleum when not carried under deck shall, during transportation, be under a specially constructed wooden covering or suitable tarpaulins.
- (5) No smoking, fire or artificial light of any description, other than the regulatory navigation and anchor lights rendered necessary by exceptional circumstances, shall be allowed on any vessel, boat or similar craft or within nine metres of Class I, Class II or Class III petroleum carried as deck cargo on any such vessel, boat or similar craft.
- (6) No flame, naked or exposed, shall be used or exposed in the hold of any vessel, boat or similar craft where Class I, Class II or Class III petroleum is carried as cargo under deck and no artificial light shall be used other than approved self-contained battery-lamps.
- (7) The loading of more than 400 litres of Class IA, Class IB or Class IC petroleum in any vessel shall only be carried out at -
 - (a) dangerous petroleum anchorages;
 - (b) an installation situated in dangerous or non dangerous areas and licensed for the storage of Class IA, Class IB or Class IC petroleum; or
 - (c) such other places as may be specifically approved by the Port Officer.

(8) Wooden vessels carrying packed cargoes of Class I, Class II or Class III petroleum to outports shall leave on courses specified in the Port Rules for that port, if any.

(9) No person shall carry passengers on any boat or similar craft licensed in Form C of the Second Schedule to carry Class IA, Class IB or Class IC petroleum within port limits, while such class of petroleum is on board.

22. To berth at the wharf of any port.

Notwithstanding anything contained in these Regulations, vessels carrying as cargo Class IA, Class IB or Class IC petroleum not exceeding 1,300 litres may, with the permission in writing of the Port Officer previously obtained and subject to the regulations and by-laws relating to dangerous goods, berth at the wharves of any port.

23. No smoking, fire, etc., on vessels.

No person shall smoke, no fire or artificial light other than properly guarded electric light or such lights as are required to be shown by any written law for preventing collision at sea shall be lit or used in any vessel handling Class IA, Class IB or Class IC petroleum except in specifically designated areas on board.

24. Provisions relating to wire hawsers and ropes.

(1) Every vessel carrying Class I, Class II or Class III petroleum when berthed alongside shall have or be provided by the terminal operator with wire hawsers and ropes of sufficient strength and length to tow the vessel.

(2) The master, owner, agent or consignee of the vessel shall ensure that -

(a) one end of the wire hawser shall be hung over the offshore bow to the water line so that a tug can readily reach the end nearest the water;

(b) the other end of the wire hawser shall be made fast to the towing bollards;

(c) the slack of the wire hawser shall be stopped lightly to the guard rails in such a manner that should a fire occur, a tug would be able to pull the wire hawser loose and with a fair lead tow the vessel without any aid therefrom, clear of the wharf or jetty; and

(d) the ropes and wire hawsers used for securing or mooring the vessel shall be made fast in such a way they can be readily cast off.

25. Immobilization of vessel, etc., having Class I, Class II or Class III petroleum as cargo.

Any vessel, boat or similar craft having as part or all of its cargo Class I, Class II or Class III petroleum shall not be immobilised without the written permission of a Port Officer.

26. Master to ensure.

While a vessel is in port, the master of such vessel shall display no smoking symbols of a minimum size of 15.24 centimetres at all entry and exit points of the vessel and shall take adequate steps to prevent any person from -

(a) smoking;

(b) carrying matches;

(c) carrying any appliances whatsoever for producing ignition;

at or near any place where Class IA, Class IB, Class IC, Class I, Class II or Class III petroleum or ballast water is being discharged or loaded or when gas-freeing or tank cleaning work is being carried out.

27. Stationing of watchman.

The master, owner, agent or consignee shall ensure that a watchman shall be stationed at each gangway leading on to any vessel, boat or similar craft or to prevent smoking, unauthorised access to the vessel, boat or similar craft and to warn every person that Class I, Class II or Class III petroleum is being loaded or unloaded.

28. Use of iron and steel hammers, etc., prohibited.

Iron and steel hammers or other instruments capable of causing a spark shall not be used for the purpose of opening or closing hatches or tank lids or loading arms of a vessel carrying, loading or unloading Class IA, Class IB or Class IC petroleum.

29. Chipping, scaling or hammering of iron or steel prohibited.

Except with the written approval of the Port Officer there should be no chipping, scaling or hammering of iron or steel -

- (a) when any hold which contains or has recently contained Class IA, Class IB or Class IC petroleum is open; or
- (b) while there is any Class IA, Class IB or Class IC petroleum on deck.

30. Escape of petroleum in the form of liquid or vapour prohibited.

(1) No Class I, Class II or Class III petroleum shall be conveyed, loaded or unloaded on, into or from any vessel in containers from which in the opinion of the Port Officer, the petroleum can escape in the form of liquid or vapour.

(2) It shall be an offence under these Regulations for any person to ship Class I, Class II or Class III petroleum, or to cause or allow such petroleum to be shipped, if any such petroleum or any petroleum vapour is escaping or is likely to escape from any container in which it is contained.

(3) It shall be an offence under these Regulations for the master or owner of any vessel to receive on board that vessel any Class I, Class II or Class III petroleum if to his knowledge any such petroleum or any petroleum vapour is escaping or is likely to escape from any other container in which it is contained.

31. Dangerous vapours.

Except to anchor for inspection at a dangerous petroleum anchorage or at a place exempted by order made under the Petroleum (Safety Measures) Act 1984, no vessel, other than a vessel licensed under regulation 10, which has carried Class IA, Class IB or Class IC petroleum as the whole or part of her cargo since she was last certified by a recognised authority as free from inflammable vapour shall enter the limits of any port unless -

- (a) where the petroleum has been carried in bulk, the master has certified -
 - (i) in Form B in the Second Schedule that all empty cofferdams and all compartments, pumps and pipelines which contained petroleum have been thoroughly cleansed by washing or by an alternative standard method approved by an Inspector; and
 - (ii) that the vessel is, to the best of his knowledge, free from inflammable vapour; or
- (b) where the vessel is not constructed for carrying Class IA, Class IB or Class IC petroleum in bulk, the master has certified -
 - (i) in Form B in the Second Schedule that since the discharge of the cargo of Class IA, Class IB or Class IC petroleum, the vessel has been thoroughly cleansed by washing or by suction fans or by windsails or by an alternative standard method approved by an Inspector; and
 - (ii) that the vessel is, to the best of his knowledge, free from inflammable vapour; and
- (c) an Inspector has certified as in Form B the Second Schedule that he has examined every accessible part and that the vessel is, in his opinion, free from inflammable vapour.

32. Certificate to be forwarded.

The certificate in Form B of the Second Schedule referred to in regulation 31 shall be forwarded to the Port Officer as soon as possible after the inspection of the vessel is completed.

33. Examination before repairs, etc.

Within the limits of any port, no repairs or other operations necessitating the opening of receptacle for the storage of Class IA, Class IB or Class IC petroleum on any vessel shall be carried out or begun unless an Inspector has certified in Form B of the Second Schedule that -

- (a) he has examined every accessible part of the vessel; and
- (b) the vessel is, in his opinion, free from inflammable vapour.

34. Certification before repairs.

(1) Within the limits of a port, no repairs or other similar operations to any compartment or pipeline of a vessel which has contained petroleum other than Class IA, Class IB or Class IC petroleum shall commence or be carried out unless an Inspector has certified -

(a) that he has examined such compartments or pipelines and such other parts of the vessel as he may think fit; and

(b) that he is of the opinion that such other parts as mentioned in paragraph (a) are free from inflammable vapour.

(2) Paragraph (1) of this regulation shall not apply, to repairs which are carried out externally and do not involve the use of burning, welding or rivetting to any compartment or pipelines.

(3) The certificate of the Inspector shall be as in Form B in the Second Schedule.

35. Delegation of functions by Surveyor General of Ships.

The Surveyor General of Ships may delegate the exercise of any of the functions conferred upon him by these Regulations to such person as he may think fit.

36. Fees.

The fees in respect of all licences, permits and certificates referred to in these Regulations shall be in accordance with the Fifth Schedule.

37. Prohibitions when inflammable liquid is on board any boat or similar craft.

No person shall smoke and no fire or artificial light of any description (other than the regulatory navigation and anchor lights necessary by exceptional circumstances) shall be lighted or kept alight on any boat or similar craft having on board any inflammable liquid having a flash point below 60 degreesC.

38. Penalty.

Any person who contravenes any provision of these Regulations shall be guilty of an offence and shall, on conviction, be liable to a fine not exceeding five thousand ringgit and in the case of a continuing offence, he shall be liable to a further fine not exceeding five thousand ringgit for each or part of the day during which the offence continues.

39. Regulations do not apply.

Except as provided in regulations 37 and 38 nothing in these Regulations shall apply to acetic ether (ethyl acetate), acetone or methylated spirit.

40. Repeal and saving.

(1) Parts I, II, III and IV of the Petroleum Regulations 1953 and Part III of the Petroleum Rules, 1960 are hereby repealed.

(2) Notwithstanding the revocation of the said Regulations, any certificate, licence, permit or exemption granted under any of the said Regulations shall, so far as it could have been granted under these Regulations, continue in force until superceded, revoked, cancelled or otherwise terminated and shall have effect as if granted under these Regulations.

Provided that any such certificate, licence, permit or exemption which is expressed to remain in force for a definite period shall not remain in force after the expiration of that period unless it shall be renewed in accordance with the provisions of these Regulations.

