



LAWS OF MALAYSIA

REPRINT

Act 250

FEDERATION LIGHT DUES ACT 1953

Incorporating all amendments up to 1 January 2006

PUBLISHED BY
THE COMMISSIONER OF LAW REVISION, MALAYSIA
UNDER THE AUTHORITY OF THE REVISION OF LAWS ACT 1968
IN COLLABORATION WITH
PERCETAKAN NASIONAL MALAYSIA BHD
2006

LAWS OF MALAYSIA**Act 250****FEDERATION LIGHT DUES ACT 1953**

ARRANGEMENT OF SECTIONS

Section

1. Short title and application
2. Interpretation
3. Light dues
4. Receipts
5. Distress
6. Constitution and duties of Light Dues Board
7. Regulations
8. Power to exempt
9. Penalties
10. *(Deleted)*

SCHEDULE

LAWS OF MALAYSIA**Act 250****FEDERATION LIGHT DUES ACT 1953**

An Act to impose Light Dues.

[30 April 1953]

Short title and application

1. (1) This Act may be cited as the Federation Light Dues Act 1953.

(2) This Act shall apply to Peninsular Malaysia only.

Interpretation

2. In this Act, unless the context otherwise requires—

“Minister” means the Minister charged with responsibility for merchant shipping;

“Peninsular Malaysia” has the meaning assigned thereto in section 3 of the Interpretation Acts 1948 and 1967 [*Act 388*], and includes the Federal Territory;

“ship” has the same meaning as in the Merchant Shipping Ordinance 1952 [*Ord. 70 of 1952*];

“tonnage” means net registered tonnage:

Provided that in the case of any ship whose net registered tonnage has not been ascertained, the gross tonnage shall be deemed to be the net registered tonnage;

“year” means a period beginning on the 1st day of January and ending on the 31st day of December next ensuing.

Light dues

3. (1) The owner, agent or master of every ship which in the course of a voyage enters any port or place within Peninsular Malaysia, other than ships exempted under subsection (3), shall pay light dues as prescribed by the Minister under this Act to such officer (hereinafter in this Act referred to as “the collector”) as may be appointed by regulations to collect such light dues:

Provided that dues shall not be payable more than ten times in any one year in respect of the same ship.

(2) Where in any one year a ship—

- (a) departs on a round voyage from the port at which it is registered; and
- (b) after such departure enters any port or place within Peninsular Malaysia more than once in the course of such voyage,

light dues shall be payable under subsection (1) in respect of the first such entry only.

(3) There shall be exempted from the payment of light dues under this Act—

- (a) ships belonging to or chartered by the Government of Malaysia or the Government of any part of the Commonwealth;
- (b) foreign ships of war;
- (c) ships of under fifteen tons;
- (d) fishing craft;
- (e) such other class or description of ships as the Minister may by order prescribe.

Receipts

4. The collector shall give a receipt for the said dues to every person paying the same, and any ship in respect of which such receipt is not produced when demanded by a Port Officer or officer of customs may be detained.

Distress

5. If the owner, agent or master of any ship fails on demand of the collector to pay the said dues in respect thereof the collector may in addition to any other remedy which he is entitled to use enter upon such ship and distrain the goods, guns, tackle or any other things of or belonging to or on board such ship, and detain such distress until the said dues are paid. If payment of the same is not made within the three days next ensuing such distress, the collector may at any time during the continuance of such non-payment cause the distress to be appraised by two sufficient persons and thereupon sell the same and apply the proceeds in payment of the dues unpaid together with reasonable expenses incurred by him under this section, paying the surplus, if any, on demand to the said owner, agent or master.

Constitution and duties of Light Dues Board

6. (1) For the purposes of this Act there shall be established a Light Dues Board, which shall consist of the Director of Marine as Chairman and not less than four and not more than six other members to be appointed by the Minister.

(2) All dues collected under this Act shall be paid into a fund to be known as the Light Dues Fund and to be administered by the Board.

(3) It shall be the duty of the Board to expend the moneys of the fund on the establishment, maintenance and improvement of lighthouses, buoys, beacons and other navigational aids in the waters of the Federation and for purposes ancillary thereto.

(4) The Board may make rules for the conduct of its own proceedings.

(5) All expenses incurred in connection with the administration of the fund shall be paid out of moneys of the fund.

Regulations

7. (1) The Minister may by regulations prescribe the rates of dues to be collected and the times, places and manner at or in which such dues shall be payable under this Act.

(2) Tables of all dues and a copy of any regulations made under this section in respect thereof shall be posted up at the office of the collector.

Power to exempt

8. The Minister may remit the whole or any part of any dues payable under this Act if in his opinion undue hardship would be caused by the payment thereof.

Penalties

9. The master of any ship who—

- (a) departs or attempts to depart from any port leaving unpaid any dues required to be paid under this Act; or
- (b) obstructs any person in the performance of the duties of his office under the Act,

shall, on conviction, be liable to a fine not exceeding one thousand ringgit.

10. (*Deleted by Act A601*).

SCHEDULE

(*Deleted by Act A601*)

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LIST OF AMENDMENTS

Amending law	Short title	In force from
L.N. 332/1958	Federal Constitution (Modification of Laws) (Ordinances and Proclamations) Order 1958	13-11-1958
Act 21/1961	Federation Light Dues (Amendment) Act 1961	30-04-1953; 01-09-1961
Act 23/1967	Interpretation Act 1967	18-05-1967
Act 160	Malaysian Currency (Ringgit) Act 1975	29-08-1975
Act A601	Federation Light Dues (Amendment) Act 1984	01-03-1985

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LIST OF SECTIONS AMENDED

Section	Amending authority	In force from
2	Act A601	01-03-1985
3	Act A601	01-03-1985
7	Act A601	01-03-1985
9	Act 160	29-08-1975
10	Act A601	01-03-1985
Schedule	Act A601	01-03-1985

