



## LEMBAGA PELABUHAN-PELABUHAN SABAH

Bangunan Ibu Pejabat LPPS,  
Jalan Tun Fuad, Tanjung Lipat,  
Beg Berkunci No. 2005,  
88617 KOTA KINABALU, SABAH,  
MALAYSIA.



Telefon : 088-538400 / 635  
Faks : 088-223036  
Portal Rasmi : [www.lpps.sabah.gov.my](http://www.lpps.sabah.gov.my)

File : LPPS 100-4/4

Date : 06 JUNE 2024

### **SABAH PORTS AUTHORITY PORT CIRCULAR NO. 01/2024**

**TO : All Port Users  
Marine Service Providers  
Shipping & Logistic Community**

**SUBJECT : 1. Declared Port Limit at Sipitang  
2. Notice of Regulation and Control of Ship-To-Ship (STS) Operations, including Cargo Transshipment and Bunkering Activities**

#### **1. NOTICE**

This circular is issued pursuant to Sabah Ports Authority Enactment 1981 (Enactment No.17 of 1981), which empowers the Sabah Ports Authority (SPA) to control and regulate all port and related activities within the declared port.

This circular seeks to notify all port users and shipping community of a new port limit at Sipitang, declared by the Minister of Public Works of Sabah in accordance to Section 3 of the Sabah Ports Authority Enactment 1981 through Sabah State Government Gazette No. 93 dated 18 April 2024. The new port limit is to take effect on 25<sup>th</sup> January 2024.

While this circular is focus on the new port limit at Sipitang, the contents and principles are applicable to all ports under Sabah Ports Authority.

#### **2. INTERPRETATION**

“Port” means any place declared to be a port under Section 3 of Sabah Ports Authority Enactment 1981.

**“Port Undertakings”** means the undertakings of the Port Authority that relate to the provision by the Port Authority of any facility or service of any description in connection with the exercise and performance of its power and duties under any written law and includes any movable and immovable property and the rights of the Port Authority that relate to such facility or service.

### 3. DECLARED PORT LIMIT AT SIPITANG

The Minister of Public Works of Sabah, via Sabah State Government Gazette No. 93 dated 18<sup>th</sup> April 2024, has pursuant to Section 3 of Sabah Ports Authority Enactment 1981, declared new port limit at Sipitang effective 25<sup>th</sup> January 2024.

The Sipitang Sea Area port limit is represented by the following location below:

**Point A**

Coordinate (DMS) : 04°59'05" N, 115°27'11" E  
Converted XY : Lat: 4.9847057, Long: 115.4530435

**Point B**

Coordinate (DMS) : 05°03'60" N, 115°19'30" E  
Converted XY : Lat: 5.0516889, Long: 115.3249909

**Point C**

Coordinate (DMS) : 05°06'00" N, 115°18'36" E  
Converted XY : Lat: 5.0999897, Long: 115.3100026

**Point D**

Coordinate (DMS) : 05°09'30" N, 115°22'26" E  
Converted XY : Lat: 5.1583328, Long: 115.3738852

**Point E**

Coordinate (DMS) : 05°09'31" N, 115°34'08" E  
Converted XY : Lat: 5.1585995, Long: 115.568916

Please refer Sipitang Sea Area Port Limit in **APPENDIX A**.

### 4. PORT FACILITIES AND SERVICES UNDER APPLICABLE LAWS

Under **Section 25** of Sabah Ports Authority Enactment 1981, SPA is to provide port facilities and services and to co-ordinate all activities of or within such port.

Port services and activities under **Section 26** of Sabah Ports Authority Enactment 1981 include Ship-to-Ship (STS) Operations, Cargo Transshipment at sea and Bunkering Activities.

In addition to the above, **Section 50** and **Section 51** of Sabah Ports Authority Enactment 1981 empowers SPA to regulate the following :

- (i) Regulating traffic navigation within ports;
- (ii) Regulating the manner in which and the conditions under which the loading and discharging of vessels shall be carried out;
- (iii) Regulating the anchoring, fastening, mooring and unmooring, and warping of all vessels, mooring buoys, chain and other moorings;
- (iv) Direct where any vessel shall be berthed, moored or anchored, and the method of anchoring, within a port or the approaches to a port;
- (v) Regulate the mooring of vessels within a port.

## **5. RESTRICTIONS UNDER APPLICABLE LAWS**

Pursuant to **Section 3(2)** and **Section 9(1)** of Sabah Ports (Privatisation) Enactment 1998, no person shall carry out port undertakings other than a person licensed by SPA.

## **6. CONDUCT OF STS OPERATIONS, CARGO TRANSSHIPMENT AND BUNKERING ACTIVITIES**

Pursuant to powers vested in SPA, no port activities as described under or within the definition of SPA Enactment 1981 shall be conducted at the new Port Limit at Sipitang, or any port limit without the approval of SPA.

Application and conduct of STS Operations, including Cargo Transshipment and Bunkering Activities within any declared port limit must be submitted to and approved by SPA.

All marine service providers operating within any declared port limit shall be registered and licensed by SPA.

All marine service providers to operate within any declared port limit shall be subject to assessment screening based on the type of services to be provided in accordance to qualification standards to be determined by SPA. These services include but not limited to the following :

- (i) STS transfer equipment including transfer hoses and fenders;
- (ii) STS Superintendents / Person in Overall Advisory Control (POAC);

- (iii) Pilotage and berthing / mooring master services;
- (iv) Tugboats and towage services;
- (v) Service boats and launch services;
- (vi) Vessel traffic monitoring and reporting services;
- (vii) Weather monitoring and forecasting services;
- (viii) Marine contingency response services;

All Ship-to-Ship (STS) Support Service Permit issued by SPA will be **temporarily revoked until further notice**.

## **7. MARINE ENVIRONMENTAL IMPACT STUDIES AND MANAGEMENT PLANS**

All applicants intending to conduct Ship-to-Ship (STS) operations, including cargo transshipment and bunkering activities within the declared port limit shall submit a marine environmental impact study and management plan for specific cargo and/or bunker type(s) to be handled.

The submission shall provide information on the following :

- (i) Complete list of cargo and/or bunker inventory being handled including Material Safety Data Sheets (MSDS);
- (ii) Identification of all marine environmentally sensitive area(s) and receptors in proximity of the STS transfer area;
- (iii) For bulk petroleum and oil cargoes, an oil spill trajectory report providing numerical estimates on oil spill trajectories for specific cargo and/or bunker inventory handled including minimum time to identified environmental sensitive receptors and nearest shoreline;
- (iv) For liquefied gas cargoes, a gas release and dispersion report providing numerical estimates on gas dispersion trajectories for specific cargo and/or bunker inventory handled including determination of Lower Flammability Limit (LFL) zones as applicable;
- (v) Marine environmental management plan providing detailed plans to reduce risk and minimize impact of release of handled inventory into the marine environment.

## **8. SAFETY AND MARINE CONTINGENCY RESPONSE**

Applicants shall submit marine contingency response plans and demonstrate availability of environmental protection equipment and capability to manage and mitigate any potential risks associated with the STS and at-sea cargo transshipment and bunkering activities. The submission shall include but not limited to the following:

- (i) Complete list of pollution response equipment inventory including stockpile location(s);
- (ii) Pollution response equipment deployment plan(s) covering credible contingency scenarios;
- (iii) Emergency response contact list including appointed Designated Person Ashore;

In lieu of the above, applicants may demonstrate contracting arrangements with SPA-registered third-party Contingency Response service providers.

## 9. COMPLIANCE OF LAWS

Any party intending to carry out port activities in the sea area of port limit shall comply with Sabah Ports Authority Enactment 1981, Sabah Ports (Privatisation) Enactment 1998, Sabah Ports Authority (Scale of Dues and Charges) Regulations 1977 and any other applicable laws imposed from time to time.

## 10. CONTACT FOR FURTHER ENQUIRIES

Sabah Ports Authority seeks the full cooperation of all parties involved for compliance of all applicable policies and procedures. All queries related to this circular can be directed to the Sabah Ports Authority General Manager's office.

**Khairi bin Alias**  
**General Manager**  
Tel No. : 088-538400 / 016 835 7802  
Email : [khairi@lpps.com.my](mailto:khairi@lpps.com.my)

Thank you.

Regards,



**[ KHAIRI BIN ALIAS ]**  
GENERAL MANAGER  
SABAH PORTS AUTHORITY

**APPENDIX A**

