

# **MEMBER ALERT**

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## **RISK OF DETENTION FOR ANCHORING IN MALAYSIAN WATERS**

The Malaysian Maritime Enforcement Agency (MMEA) recently launched an initiative that targets vessels anchoring in Malaysian waters. The MMEA is officially urging shipowners to seek permission to anchor their vessels in the eastern waters of Johor (South China Sea). Failure to do so, it is reported, will result in vessels being ordered out of the area.

The MMEA has stated that it will take action against the owners of vessels which anchor illegally in the eastern waters of Johor. Since March 24, 2021, 31 vessels have anchored without the permission of the Malaysian Director of the Marine Department and have consequently been detained. The reason for these detentions – without prior warning – is unclear.

The owners of detained vessels will in all likelihood face charges in Malaysian courts. If found guilty, fines may be levied, typically in the region of MYR50,000 (US\$12,000) per offense. Furthermore, Malaysian government procedures may take weeks to conclude before a vessel is released from arrest.

To avoid such arrests, Members are recommended to ensure that anchoring or non-anchoring activities within Malaysian waters are undertaken with the prior notification and approval of the Malaysian Marine Department. It is also recommended that Members contact their agent or the Club correspondent accordingly in advance.

Your Managers recommend that Members take note of this information and be guided accordingly. They also wish to thank the Club's correspondents, SPICA Services (M) Sdn Bhd., and TS Oon and Partners for their assistance in providing the information contained above.