

account the views of the Director of the Department of Town and Regional Planning regarding the effect of the order on any draft or approved scheme or plan and the need for amendment to such schemes or plans.

**46.** Any person who contravenes or fails to comply with a direction of the Director under subsection (5) of section 38, subsection (4) of section 39 and subsection (2) of section 41 or is otherwise guilty of an offence under this Part shall be liable on conviction, to a fine not exceeding fifty thousand ringgit or to imprisonment not exceeding five years or to both and, in the case of a continuing offence, to a further fine of five hundred ringgit for every day during which the offence continues.

Offences.

## PART VII

### ACTIVITIES IN AND ON WATER BODIES

**47.** (1) This section applies to navigation on inland waters, being waters not covered by Federal law.

Navigation.

(2) The Director may by order determine, having regard to the effect on the quality of water and the stability of the beds, banks and shores of water bodies and the aquatic environment —

- (a) the types or classes of vessel;
- (b) the maximum speed; and
- (c) the maximum draught of a vessel,

that are appropriate for navigation on a specified river or stretch of river or other water body.

(3) The Minister may, on the advice of the Council, make rules governing the matters referred to in subsection (2).

(4) A person shall not, except with the approval in writing of the Director, dispose of waste from a vessel or cause any substance to spill or escape from a vessel in a manner which pollutes or is likely to pollute water in a water body or cause damage to the aquatic environment.

(5) The Director may require a vessel to be fitted with facilities

for the storage and safe discharge or disposal of waste, and facilities for the same purposes to be installed on land.

(6) A person who fails to comply with a provision of this section shall be guilty of an offence.

Recreation.

**48.** (1) The Director may require an activity on or in a water body, including a recreational or leisure activity specified in the rules, to be registered, if satisfied that such an activity is causing or may cause —

- (a) damage to the bed, bank or shore of the water body;
- (b) pollution or degradation of the water in the water body;
- (c) harm or threat to the aquatic environment;
- (d) harm or threat to licensed water activities;
- (e) obstruction to navigation; or
- (f) danger or nuisance.

(2) The Director may issue, to a person undertaking or organising an activity registered under subsection (1), directions regarding the manner, location and timing according to which the activity may be undertaken, for the purpose of protecting —

- (a) the bed, banks or shores of a water body;
- (b) the quantity and quality of water in a water body;
- (c) the aquatic environment;
- (d) authorised water activities; or
- (e) safety,

and any such person shall comply with such directions.

(3) Any person who contravenes or fails to comply with subsection (2), shall be guilty of an offence and shall be liable, on conviction to a fine not exceeding fifty thousand ringgit or to imprisonment not exceeding five years or to both, and in the case of a continuing offence, to a further fine of five hundred ringgit for every day during which the offence continues.