

**MALAYSIAN PALM OIL BOARD (LICENSING) (AMENDMENT) REGULATIONS
2011**

PU(A) 068/2011

IN exercise of the powers conferred by section 78 of the **Malaysian Palm Oil Board Act 1998**[Act 582], the Minister makes the following regulations:-

3 March 2011

1. Citation and commencement

- (1) These regulations may be cited as the **Malaysian Palm Oil Board (Licensing) (Amendment) Regulations 2011**.
- (2) These Regulations come into operation on 3 March 2011.

2. Amendment of regulation 3

The **Malaysian Palm Oil (Licensing) Regulations 2005**[P.U. (A) 516/2005], which are referred to as the "principal Regulations", in these Regulations, by substituting for regulation 3 the following regulation:-

3. "Forms

- (1) The Forms listed in the Third Schedule shall be used for the purposes mentioned in the respective Forms.
- (2) The contents of the Forms listed in the Schedule, shall be such as may, from time to time, be determined by the Board."

3. Amendment of regulation 6

The principal Regulations are amended in paragraph 6(b), by deleting the words "palm oil" wherever they appear in that paragraph.

4. New regulation 26A

The principal Regulations are amended by inserting after regulation 26 the following regulation:-

"Registration of conveyance for moving palm oil

26A. Any licensee for the activity of moving palm oil in relation to the palm oil transporter category, shall register with the Board every conveyance used to move palm oil."

5. Amendment of regulation 28

Regulation 28 of the principal Regulations is amended by substituting for subregulation (4) the following subregulation:-

"(4) All records, books and documents shall be kept in the licensed premises or in the premises approved in writing by the Director General and all subsequent records, books and documents shall be kept in the same premises."

6. Amendment of regulation 37

Regulation 37 of the principal Regulations is amended:-

(a) in the national language text in subregulation (1) by substituting for the words "pemegang lesen" the words "pemunya berlesen";

(b) in the national language text in paragraph (a) by substituting for the words "pemegang lesen" the words "pemunya berlesen"; and

(c) by inserting after subregulation (1), the following subregulation:

"(1A) The licensee or consignor of palm oil or licensee who received such consignment or a person who received such consignment on behalf of the licensee shall furnish to the Board Form MPOB L3 containing complete, true and accurate information for every consignment which is moved or received and shall be received by the Board in the manner determined by the Board."

7. Amendment of regulation 40

Regulation 40 of the principal Regulations is amended:-

(a) by renumbering the existing regulation as subregulation (1) of the regulation; and

(b) by inserting after subregulation (1), the following subregulation:-

"(2) For the purpose of this regulation, "pilfering any oil palm product" includes:-

(a) moving, removing or receiving any oil palm product in any quantity without permission from the owner of any oil palm product; or

(b) permitting any oil palm product in his possession to be moved, removed or received in any quantity by any person without any permission from the owner of the oil palm product."

8. Amendment of Third Schedule

The principal Regulations are amended by substituting for the Third Schedule the following Schedule:-

"THIRD SCHEDULE

(Regulations 3, 7, 8 and 37)

NAME OF FORMS

(1)	(2) Category	(3)	(4) Application Form	(5) Renewal Form	(6) Daily Records	Month
			Series 1	Series 2	Series 3	S
1.	PALM KERNEL CRUSHING FACTORY	CF	MPOB (EL) CF 1	MPOB (EL) CF 2	MPOB (EL) CF 3-2(PK) MPOB (EL) CF 3-2(PO) MPOB (EL) CF 3-3(PK) MPOB (EL) CF 3-3(PO) MPOB (EL) CF 3-4(PO) MPOB (EL) CF 3-4(PK) MPOB (EL) CF 3-4(PKC)	MPOB CF 4
2.	PALM OLEOCHEMICALS PLANTS	CM	MPOB (EL) CM 1	MPOB (EL) CM 2	MPOB (EL) CM 3-2(PCM) MPOB (EL) CM 3-3(PO) MPOB (EL) CM 3-3(PFA) MPOB (EL) CM 3-4(PO) MPOB (EL) CM 3-4(PFA) MPOB (EL) CM 3-4(PCM)	MPOB CM 4
3.	PALM FATTY ACIDS DEALERS	DA	MPOB (EL) DA 1	MPOB (EL) DA 2	MPOB (EL) DA 3-2(PFA) MPOB (EL) DA 3-3(PFA) MPOB (EL) DA 3-4(PFA)	MPOB DA 4
4.	OIL PALM FRUIT DEALERS	DF	MPOB (EL) DF 1	MPOB (EL) DF 2	MPOB (EL) DF 3-2(FFB) MPOB (EL) DF 3-3(FFB)	MPOB DF 4
5.	PALM KERNEL DEALERS	DK	MPOB (EL) DK 1	MPOB (EL) DK 2	MPOB (EL) DK 3-2(PK) MPOB (EL) DK 3-3(PK) MPOB (EL) DK 3-4(PK)	MPOB DK 4
6.	PALM OIL DEALERS	DL	MPOB (EL) DL 1	MPOB (EL) DL 2	MPOB (EL) DL 3-2(PO) MPOB (EL) DL 3-3(PO) MPOB (EL) DL 3-4(PO)	MPOB DL 4
7.	PALM OLEOCHEMICAL DEALERS	DM	MPOB (EL) DM 1	MPOB (EL) DM 2		MPOB DM 4
8.	OIL PALM SEEDS AND SEEDLING DEALERS	DN	MPOB (EL) DN 1	MPOB (EL) DN 2	MPOB (EL) DN 3-2(SDS) MPOB (EL) DN 3-2(SLG)	MPOB DN 4
9.	PLANTS FROM OIL PALM TISSUES DEALERS	DT	MPOB (EL) DT 1	MPOB (EL) DT 2	MPOB (EL) DT 3-2(PFOPT)	MPOB DT 4

10.	ESTATE	ET	MPOB (EL) ET 1	MPOB (EL) ET 2	MPOB (EL) ET 3-2(FFB)	MPOB ET 4
11.	COMMENCEMENT OF CONSTRUCTION OF BULKING FACILITIES	KB	MPOB (EL) KB 1	MPOB (EL) KB 2		MPOB KB 4
12.	BULKING FACILITIES	KS	MPOB (EL) KS 1	MPOB (EL) KS 2	MPOB (EL) KS 3-4(PO) MPOB (EL) KS 3-4(PCM) MPOB (EL) KS 3-4(PFA)	MPOB KS 4
13.	LABORATORY	LB	MPOB (EL) LB 1	MPOB (EL) LB 2	MPOB (EL) LB 3-9(FFB) MPOB (EL) LB 3-9(OPPM) MPOB (EL) LB 3-9(PO) MPOB (EL) LB 3-9(PCM) MPOB (EL) LB 3-9(PFA) MPOB (EL) LB 3-9(PK) MPOB (EL) LB 3-9(PKC)	MPOB LB 4
14.	COMMENCEMENT OF CONSTRUCTION OF OIL PALM MILL	MB	MPOB (EL) MB 1	MPOB (EL) MB 2		MPOB MB 4
15.	OIL PALM MILL	MF	MPOB (EL) MF 1 MPOB (EL) MF 1A	MPOB (EL) MF 2	MPOB (EL) MF 3-2(FFB) MPOB (EL) MF 3-2(PK) MPOB (EL) MF 3-2(PO) MPOB (EL) MF 3-3(FFB) MPOB (EL) MF 3-3(PK) MPOB (EL) MF 3-3(PO) MPOB (EL) MF 3-4(PK) MPOB (EL) MF 3-4(PO) MPOB (EL) KS 3-6(FFB)	MPOB MF 4 MPOB 4A
16.	NURSERY	NN	MPOB (EL) NN 1	MPOB (EL) NN 2	MPOB (EL) NN 3-1(SLG) MPOB (EL) NN 3-2(SLG)	MPOB NN 4
17.	OIL PALM SEEDS PRODUCERS	NS	MPOB (EL) NS 1	MPOB (EL) NS 2	MPOB (EL) NS 3-1(SDS) MPOB (EL) NS 3-2(SDS)	MPOB NS 4
18.	PLANTS FROM OIL PALM TISSUES PRODUCERS	NT	MPOB (EL) NT 1	MPOB (EL) NT 2	MPOB (EL) NT 3-1(PFOPT) MPOB (EL) NT 3-2(PFOPT)	MPOB NT 4
19.	OIL PALM PRODUCT IMPORTER	PM	MPOB (EL) PM 1	MPOB (EL) PM 2	MPOB (EL) PM 3-11(FFB) MPOB (EL) PM 3-11(OPPM) MPOB (EL) PM 3-11(PO) MPOB (EL) PM 3-11(PCM) MPOB (EL) PM 3-11(PFA) MPOB (EL) PM 3-11(PK) MPOB (EL) PM 3-11(PKC)	MPOB 4 -CF MPOB 4 -CM MPOB 4 -DA MPOB 4 -DK MPOB 4 -DL MPOB 4 -DM MPOB 4 -MF MPOB 4 -RF

20.	OIL PALM PRODUCT EXPORTER	PX	MPOB (EL) PX 1	MPOB (EL) PX 2	MPOB (EL) PX 3-10(FFB) MPOB (EL) PX 3-10(OPPM) MPOB (EL) PX 3-10(PO) MPOB (EL) PX 3-10(PCM) MPOB (EL) PX 3-10(PFA) MPOB (EL) PX 3-10(PK) MPOB (EL) PX 3-10(PKC)	MPOB 4 -CF MPOB 4 -CM MPOB 4 -DA MPOB 4 -DK MPOB 4 -DL MPOB 4 -DM MPOB 4 -DN MPOB 4 -DT MPOB 4 -MF MPOB 4 -NN MPOB 4 -NS MPOB 4 -NT MPOB 4 -RF
21.	REFINERY	RF	MPOB (EL) RF 1	MPOB (EL) RF 2	MPOB (EL) RF 3-2(PO) MPOB (EL) RF 3-2(PFA) MPOB (EL) RF 3-2(PCM) MPOB (EL) RF 3-3(PO) MPOB (EL) RF 3-3(PFA) MPOB (EL) RF 3-4(PO) MPOB (EL) RF 3-4(PFA)	MPOB RF-4 MPOB PX 1- MPOB PM 1-
22.	SMALL HOLDING	SH	MPOB (EL) SH 1	MPOB (EL) SH 2		
23.	SURVEYING OF OIL PALM PRODUCTS	UK	MPOB (EL) UK 1	MPOB (EL) UK 2	MPOB (EL) UK 3-8(FFB) MPOB (EL) UK 3-8(OPPM) MPOB (EL) UK 3-8(PO) MPOB (EL) UK 3-8(PCM) MPOB (EL) UK 3-8(PFA) MPOB (EL) UK 3-8(PK) MPOB (EL) UK 3-8(PKC)	MPOB UK 4
24.	PALM OIL TRANSPORTER	TL	MPOB (EL) TL 1	MPOB (EL) TL 2	MPOB (EL) TL 3-12 (PO)	MPOB TL 4

9. Amendment of Fourth Schedule

Part II of the Fourth Schedule of the principal Regulations is amended by inserting after the item "Importing" the following item:-

10. Amendment of Fifth Schedule

The principal Regulations are amended by substituting for the Fifth Schedule the following Schedule:-

"FIFTH SCHEDULE

(Subregulation 10(3) and regulations 16, 20, 27, 31 and 32)

FEES

<i>No.</i>	<i>Regulation</i>	<i>Matter</i>
1.	Subregulation 10(3) and regulation 31	Fee per year or part thereof for issue, or renewal of licence
		(a) Produce each class of oil palm planting material
		(b) Sell and move each class of oil palm planting material, oil palm fruit, palm kernel, palm fatty acids or palm oleochemicals
		(c) Sell and move each class of palm oil (for CF, DL, MF and RF categories)
		(d) Purchase and move oil palm fruit, palm kernel or palm fatty acids
		(e) Purchase and move each class of palm oil (for CF, CM, DL, MF and RF categories)
		(f) Store each class of oil palm planting material, each class of palm oil, palm kernel, palm kernel cake, palm fatty acids or palm oleochemicals
		(g) Commence construction of oil palm mill, commence construction of bulking facilities
		(h) Milling of oil palm fruit

		(i) Surveying or testing each class of oil palm planting material, oil palm fruit, each class of palm oil, palm kernel, palm kernel cake, palm fatty acids or palm oleochemicals
		(j) Export or import of each class of oil palm planting material, oil palm fruit, each class of palm oil, palm kernel, palm kernel cake, palm fatty acids or palm oleochemicals
		(k) Moving each class of palm oil (for TL category)
		(Fee is exempted in respect of owners of small holdings)
2.	Regulation 16	For amendment of particulars in licence (per amendment)
3.	Regulation 20	For issue of a temporary licence not more than six months (per activity and per classification of oil palm product)
4.	Regulation 27	For issue of a certified copy of licence (per copy)
5.	Regulation 32	Appeal licensing for categories MF and PM
		Appeal licensing for any categories

11. Amendment of Sixth Schedule

The Sixth Schedule of the principal Regulations is amended by inserting after the heading of CONDITIONS FOR LICENSEE IN THE CATEGORY OF SMALL HOLDING (SH) and the items under the heading, the following heading and items:-

"CONDITIONS FOR LICENSEE IN THE CATEGORY OF PALM OIL TRANSPORTER (TL)

Licensed activities:-

MOVING PALM OIL

Conditions:-

1. A licensee is not permitted to move palm oil for any person unless for a person who has a licence to sell or purchase palm oil.
2. A licensee shall ensure that the moving of palm oil is secured to protect any person or property from any danger related to such moving.

3. A licensee shall take necessary measure to ensure that any person employed by him, servant or agent in respect of the moving of palm oil in the conveyance comply with the requirements of other written laws regulating such moving activity.
4. A licensee shall ensure that every conveyance used to move palm oil is equipped with equipment and global positioning system which complied with the standards and other requirements determined by the Board.
5. A licensee shall ensure that the equipment and global positioning system that are being used, are properly maintained and functioning at all times.
6. A licensee shall install any equipment, instrument or device as directed or specified by the Board to replace or as addition to the existing equipment and global positioning system.
7. A licensee shall be required to register with the Board, any driver of a conveyance who is employed by him for the purpose of moving palm oil.
8. A licensee shall register with the Board every conveyance that is used to move palm oil.
9. A licensee shall be responsible for any act or omission of any person employed by him, servant, agent or his partner, which may be an offence under the **Malaysian Palm Oil Board Act 1998**[Act 582], including any subsidiary legislation made under the Act.
10. A licensee shall report to the Board every uncertainty concerning the safety of palm oil which is being moved by him, by telephone, telex, facsimile or by other electronic means within thirty minutes from the time such uncertainty is detected."

12. Amendment of Seventh Schedule

The Seventh Schedule of the principal Regulations is amended by inserting after item 23 the following item:-

"	24.	Palm Oil Transporter	TL	.
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