

**SOLID WASTE AND PUBLIC CLEANSING MANAGEMENT (LICENSING)
(UNDERTAKING OR PROVISION OF PUBLIC CLEANSING MANAGEMENT SERVICES)
REGULATIONS 2011**

PU(A) 306/2011

26 August 2011

Jil 55; No 17; 26 August 2011; Tambahan No 118; Perundangan (A)

IN exercise of the powers conferred by section 108 of the **Solid Waste and Public Cleansing Management Act 2007**[*Act 672*], the Minister makes the following regulations:

1. Citation and commencement

(1) These regulations may be cited as the **Solid Waste and Public Cleansing Management (Licensing) (Undertaking or Provision of Public Cleansing Management Services) Regulations 2011**.

(2) These Regulations come into operation on 1 September 2011.

2. Application for licence

(1) Any person who intends to undertake or provide public cleansing management services shall apply to the Director General by submitting a written application for a licence to the Corporation in the form as provided by the Director General which shall contain the information specified in the First Schedule, and shall be accompanied by the processing fee specified in regulation 5.

(2) An application made under this regulation may be withdrawn at any time before it is granted or refused by the Director General.

3. Grant or refusal of licence

(1) The Director General may, after considering the application for a licence under regulation 2, and any additional information or document provided in pursuance of section 17 of the Act and having due regard to the recommendation of the Corporation made in pursuance of section 18 of the Act, grant the licence or refuse to grant the licence.

(2) If the Director General decides to grant a licence under subregulation (1), he shall-

(a) require the licensee to pay the licence fee specified in regulation 6; and

(b) impose the conditions of licence as set out in the Second Schedule and any other conditions as he thinks fit.

(3) The decision of the Director General to grant a licence or refuse to grant a licence shall be communicated to the applicant by written notice as soon as practicable.

(4) The written notice by the Director General under subregulation (3) shall specify-

(a) in the case where the licence is granted, the fact of such grant and the requirements and conditions imposed under subregulation (2); and

(b) in the case of a refusal to grant a licence, the fact of such refusal and the reason for the refusal.

4. Duration of licence

The duration of a licence shall be for a period of not less than two years but shall not exceed five years.

5. Processing fee

(1) The processing fee for an application for a licence or renewal of a licence under these Regulations shall be one hundred ringgit and shall not be refundable.

(2) The payment of the processing fee shall be made to the Corporation in cash, cheque, bank draft or any other form as determined by the Corporation, and the Corporation shall issue an official receipt for such payment.

6. Licence fee

(1) The annual licence fee for a licence granted under these Regulations shall be one hundred ringgit.

(2) The licence fee shall be paid for the whole duration of the licence upon issuance of the licence and shall not be refundable.

(3) The payment of the licence fee shall be made to the Director General in cash, cheque, bank draft or any other form as determined by the Director General, and the Director General shall issue an official receipt for such payment.

7. Renewal of licence

(1) A licensee may apply for a renewal of the licence to the Director General in accordance with section 26 of the Act.

(2) The Director General shall, on the recommendation of the Corporation, and upon payment of the licence fee specified in regulation 6, renew an existing licence for the duration specified in regulation 4.

(3) If the Director General decides not to renew the licence, he shall notify the licensee as soon as practicable of the said decision and the reason for his decision.

8. Fee for copy of or extract from entry in register of licence

An application to the Director General under section 28 of the Act for a copy of or an extract from an entry in the register of licence shall be accompanied by a fee of ten ringgit per entry.

FIRST SCHEDULE

[Subregulation 2(1)]

INFORMATION FOR APPLICATION FOR A LICENCE TO UNDERTAKE OR PROVIDE PUBLIC CLEANSING MANAGEMENT SERVICES

PART A: DETAILS OF APPLICANT

1. Particulars of applicant:

- (a) name
- (b) address
- (c) NRIC number (if applicable)
- (d) company/business registration number (if applicable)
- (e) registered address (if applicable)
- (f) telephone number
- (g) fax number
- (h) e-mail address
- (i) contact person
- (j) address of operating office (if different from registered address)

2. Financial capability of applicant:

- (a) authorized paid-up capital
- (b) name of bankers of the applicant

Note: Provide supporting documents for the above information and attach documentation to prove that the applicant's financial capacity is adequate to discharge the obligations arising from the licence

PART B: DETAILS OF PUBLIC CLEANSING MANAGEMENT SERVICES TO BE UNDERTAKEN OR PROVIDED

- 1. Area to be served
- 2. Types of public cleansing management services to be provided
- 3. Quantity and type of vehicles, equipment and machineries used for public cleansing management services
- 4. Facilities available for public cleansing management services
- 5. Details of a service work plan, including performance monitoring, complaint management and contingency planning

PART C: DETAILS OF EXPERIENCE

Applicant's experience and previous performance in public cleansing management services (within or outside the area to be served)

PART D: OTHER DETAILS AND DECLARATION

1. Any other information relevant for the consideration of the application
2. Declaration to be a fit and proper person in which the applicant with his signature shall declare if there has been proven against him, or he has been convicted of, a charge in respect of-
 - (a) any offence under any law relating to solid waste management and public cleansing;
 - (b) any offence under any law relating to corruption; or
 - (c) any other offence punishable with imprisonment (in itself only or in addition to or in lieu of a fine) for more than two years
3. Declaration in accordance with the **Statutory Declarations Act 1960***[Act 13]* that all information given in the application and in the attached appendices is true and accurate.

SECOND SCHEDULE

[Paragraph 3(2)(b)]

CONDITIONS OF LICENCE TO UNDERTAKE OR PROVIDE PUBLIC CLEANSING MANAGEMENT SERVICES

1. Operational procedures in respect of the public cleansing management services
2. Qualification for personnel
3. Requirement for data submission
4. Requirement for vehicles, equipment, machinery, data system or any facility for management and maintenance of vehicles used for public cleansing management services
5. Notification of vehicles and equipment to be used and labelling of such vehicles and equipment
6. Handling of the solid waste in undertaking or providing public cleansing management services.