

## SEWERAGE SERVICES (LICENSING) REGULATIONS 1994

### PU(A) 114/1994

IN exercise of the powers conferred by section 45 of the Sewerage Services Act 1993, the Minister makes the following regulations:

#### 1. Citation and commencement.

These regulations may be cited as the Sewerage Services (Licensing) Regulations 1994 and shall come into force on the 1st April 1994

#### 2. Interpretation.

In these Regulations, unless the context otherwise requires —

"licence" means a licence issued under section 32 of the Act;

"licensee" means a person or company issued with a licence under these Regulations.

#### 3. Application for a licence.

(1) An applicant for a licence under section 33 of the Act shall —

(a) submit a separate application for each category of work provided in subsection 32(1) in the appropriate form prescribed in the First Schedule; and

(b) supply such other relevant particulars or information as may be required by the Director General.

(2) Any misrepresentation of the particulars or information required under paragraph (1)(b) shall be an offence under these Regulations.

(3) Every application by a body corporate or an unincorporated body for the grant of a licence under section 33 shall be made by a director or a proprietor, as the case may be, or by a person authorised to accept service of notices or other documents on behalf of the body and, in the case of a partnership, the application shall be signed by all the partners.

#### 4. Category of licence.

A separate licence shall be required of a person who intends to carry out any of the following works under subsection 32(1):

(a) a Class A licence for maintaining or operating a sewerage system;

(b) a Class B licence for undertaking, providing or making available sewerage services;

(c) a Class C licence for carrying out any connection; or

(d) a Class D licence for constructing or installing any part of a sewerage system.

#### 5. Form of a licence.

A licence issued under these Regulations shall be in the form prescribed in the First Schedule.

**6. Fee.**

(1) The fee payable for the processing of an application for a licence shall be thirty ringgit.

(2) The fee payable for the issue or renewal of a licence shall be on an annual basis and shall be at the rate as prescribed in the Second Schedule.

**7. Validity of a licence.**

A licence issued under these Regulations shall be valid for a period of two years unless otherwise specified or revoked by the Director General.

**8. Renewal of a licence.**

(1) An application for the renewal of a licence shall be made thirty days before the date of the expiry of the licence and the Director General may grant a renewal of the licence with or without conditions or refuse to grant a renewal of the licence.

(2) An applicant for the renewal of a licence shall —

(a) submit the application in the appropriate form prescribed in the First Schedule; and

(b) supply such other relevant particulars or information as may be required by the Director General.

(3) Any misrepresentation of the particulars or information required under paragraph (2)(b) shall be an offence under these Regulations.

**8. Renewal of a licence.**

(1) An application for the renewal of a licence shall be made thirty days before the date of the expiry of the licence and the Director General may grant a renewal of the licence with or without conditions or refuse to grant a renewal of the licence.

(2) An applicant for the renewal of a licence shall —

(a) submit the application in the appropriate form prescribed in the First Schedule; and

(b) supply such other relevant particulars or information as may be required by the Director General.

(3) Any misrepresentation of the particulars or information required under paragraph (2)(b) shall be an offence under these Regulations.

**9. Revocation of a licence.**

(1) The Director General may by written notice revoke a licence issued under these Regulations or suspend the licence for such period as he thinks fit if the licensee —

(a) fails to comply with any term or condition of the licence;

(b) fails to comply with the Act or any regulations made under the Act;

(c) goes into liquidation or be adjudicated a bankrupt; or

(d) ceases to carry on its business or an action is taken for the voluntary or compulsory winding-up or dissolution of the licensee's company.

(2) Before revoking a licence under regulation 9, or before varying, cancelling or altering any condition of a licence or imposing thereon any new or additional condition under regulation 8, the Director General shall notify the licensee of his proposed action or decision and shall give the licensee an opportunity to explain or give reasons as to why the proposed action or decision should not be carried out.

**10. Appeal.**

An applicant applying for a licence under regulation 3 or a licensee, as the case may be, who is aggrieved by the action or decision of the Director General —

(a) in refusing to grant a licence to him or a renewal of the licence;

(b) in varying, altering or cancelling any condition of his licence or imposing thereon any new or additional condition under regulation 8; or

(c) in revoking or suspending his licence under regulation 9,

may, within thirty days after having been notified of the action or decision, appeal to the Minister whose decision shall be final and conclusive.

**11. Penalty.**

A person who contravenes sub-regulation 3(2) or 8(3) shall be guilty of an offence and shall, on conviction, be liable to a fine not exceeding five thousand ringgit or to imprisonment for a term not exceeding six months or to both.

**FIRST SCHEDULE**

**FORM SSA 1**

**SEWERAGE SERVICES ACT 1993**

**SEWERAGE SERVICES (LICENSING) REGULATIONS 1994**

*(Regulation 3)*

**APPLICATION FOR A LICENCE**

To:

The Director General of Sewerage Services,

Ministry of Housing and Local Government

\*I/We, the undersigned, hereby apply for a \*Class A/Class B/ Class C/ Class D Licence to . . . . .  
. . . . . (state purpose of licence) in . . . . . (state place or location) or in the local authority areas listed in Appendix A in accordance with the provisions of the Sewerage Services (Licensing) Regulations 1994, and submit the following particulars:

**1. Particulars of Applicant** (if not a company)

- (a) Name of applicants .....
- (b) Position of applicant in firm, etc: .....
- (c) Address of applicant —
  - (i) Business : .....
  - Telephone no : .....
  - (ii) Residences .....
  - (d) Nationality .....

**2. Particulars of Company**

- (a) Name of company : .....
- (b) Company's registration no : .....
- (c) Company's address : .....
- (d) Paid-up capital : .....
- (e) Authorised capital : .....
- (f) Year of incorporation : .....
- (g) Name of company's bankers : .....

**3. Has applicant been registered with Pusat Khidmat Kontraktor ?**

\*YES/NO

If yes, please specify —

- (a) Class :
- (b) Subclass :
- (c) Registration no :

**4. Particulars of qualification and experience of applicant or applicant's employees** (use additional sheet if required).

No.	Name	Nationality	Qualification	Experience

**5. Required Information and Documents**

- (a) Certified true copies of Business Registration Certificate or Memorandum and Articles of Association.
- (b) Organisation set up and manpower of company.

(c) Documents/Certificates to prove competency and qualification of personnel to carry out the works as specified in regulation 4 of the Sewerage Services (Licensing) **Regulations 1994.**

\*I/We . . . . . the applicant hereby declare that all the information given in this application is to the best of \*my/our knowledge and belief true and correct.

\* Delete where inapplicable.

.....  
*Signature of applicant*

.....  
*For and on behalf of applicant*

*(Company's Seal)*

**FORM SSA 2**  
SEWERAGE SERVICES ACT 1993  
**SEWERAGE SERVICES (LICENSING) REGULATIONS 1994**  
*(Regulation 8)*

**APPLICATION FOR A RENEWAL OF LICENCE**

To:

The Director General of Sewerage Services,  
Ministry of Housing and Local Government

\*I/We the holder of \*a Class A/Class B/Class C/Class D Licence No . . . . . hereby apply for a renewal of \*my/our licence in accordance with the provisions of the Sewerage Services (Licensing) Regulations 1994, and submit the following particulars :

**Particulars of Applicant (Firm or Company)**

(a) Name of applicants . . . . .

(b) Address of applicant . . . . .

(c) Telephone No: . . . . .

(d) Name of company . . . . .

(e) Position of applicant in firm, etc: . . . . .

(f) Please specify the class or classes of Licence issued previously by the Director General :  
CLASS/LICENCE No.:

(i) Class A Licence No: . . . . .

(ii) Class B Licence No: .....

(iii) Class C Licence No: .....

(iv) Class D Licence No .....

(g) If any previous licence issued to the applicant by the has been suspended or cancelled, please Director General specify details:

	<i>Class</i>	<i>Licence</i>	<i>No.</i>	<i>Duration</i>
(i)	Class A			
(ii)	Class B			
(iii)	Class C			
(iv)	Class D			

(h) Has applicant been registered with Pusat Khidmat Kontraktor?

\*YES/NO

If yes, please specify —

(i) Class .....

(ii) Subclass .....

(iii) Registration No: .....

(i) Has applicant been charged in any court of law for an offence during the tenure of the previous licence issued under these Regulations?

\*YES/NO

If yes, please specify — .....  
.....  
.....

(j) Has there been any material change in the \*firm/company since the previous licence was issued under these Regulations?

\*YES/NO

\*I/We the applicant hereby declare that all the information given in this application is to the best of \*my/our knowledge and belief true and correct.

\* Delete where inapplicable.

.....  
*Signature of applicant*

.....  
*For and on behalf of applicant*

*(Company's Seal)*

SEWERAGE SERVICES ACT 1993

**SEWERAGE SERVICES (LICENSING) REGULATIONS 1994**

*(Regulation 4)*

**CLASS A LICENCE**

Licence Number . . . . .

Name of Licence Holder: . . . . .

Address of Licence Holder. . . . .

Purpose of Licence: To maintain or operate a sewerage system.

Local Authority Areas. . . . .

Licence valid from: . . . . . to. . . . .

Licence subject to terms and conditions as attached

Licence Fee: . . . . .

Receipt No: . . . . .

Date of \*issue/renewal: . . . . .

.....  
*Director General of Sewerage Services,  
Ministry of Housing and Local Government*

\* Delete where inapplicable.

**FORM SSA 4**

SEWERAGE SERVICES ACT 1993

**SEWERAGE SERVICES (LICENSING) REGULATIONS 1994**

*(Regulation 4)*

**CLASS B LICENCE**

Licence Number. . . . .

Name of Licence Holder: . . . . .

Address of Licence Holder: . . . . .

.....

Purpose of Licence: To undertake, provide or make available sewerage services.

Local Authority Area: . . . . .

Licence valid from: . . . . . to. . . . .

Licence subject to terms and conditions as attached.

Licence Fee: . . . . .

Receipt No: . . . . . *Director General of Sewerage Services, Ministry  
of Housing and Local Government*

Date of \*issue/renewal: . . . . .

\* Delete where inapplicable.

**FORM SSA 5**

SEWERAGE SERVICES ACT 1993

**SEWERAGE SERVICES (LICENSING) REGULATIONS 1994**

*(Regulation 4)*

**CLASS C LICENCE**

Licence Number . . . . .

Name of Licence Holder. . . . .

Address of Licence Holder. . . . .

Purpose of Licence: To carry out connections.

Licence valid from : . . . . . to. . . . .

Licence subject to terms and conditions as attached.

Licence Fee: . . . . .

Receipt No: . . . . . *Director General of Sewerage Services, Ministry  
of Housing and Local Government*

Date of \*issue/renewal: . . . . .

\* Delete where inapplicable.

**FORM SSA 6**

SEWERAGE SERVICES ACT 1993

**SEWERAGE SERVICES (LICENSING) REGULATIONS 1994**

*(Regulation 4)*

**CLASS D LICENCE**

Licence Number . . . . .

Name of Licence Holder: . . . . .

Address of Licence Holder: . . . . .

.....  
Purpose of Licence: To construct or install any part of a sewerage system.

Licence valid from: ..... to.....

Licence subject to terms and conditions as attached.

Licence Fee: .....

Receipt No: .....

.....  
*Director General of Sewerage Services, Ministry  
of Housing and Local Government*

Date of \*issue/renewal: .....

\* Delete where inapplicable.

## **SECOND SCHEDULE**

### **SEWERAGE SERVICES ACT 1993**

#### **SEWERAGE SERVICES (LICENSING) REGULATIONS 1994**

*(Regulation 6)*

#### **FEES FOR THE ISSUE OR RENEWAL OF A LICENCE**

Fees according to the following scale shall be payable for the issue or renewal of a licence under regulation 3 or 8 :

<i>Class of Licence</i>	<i>Fees per year</i>
(a) Class A	RM200.00 per local authority area or part thereof
(b) Class B	RM300.00 per local authority area or part thereof
(c) Class C	RM300.00
(d) Class D	RM5,000.00