

# SEWERAGE SERVICES (CHARGES) REGULATIONS 1994

## PU(A) 115/1994

IN exercise of the powers conferred by subsection 30(1) of the Sewerage Service Act 1993, the Minister makes the following regulations :

### 1. Short title and commencement.

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

### 2. Interpretation.

In these Regulations, unless the context otherwise requires —

"annual value" —

(a) in respect of premises, means the basis for assessment of rates used by the relevant local authority under the Local Government Act 1976; or

(b) in respect of subdivided premises, means the said annual value apportioned under regulation 6; [*Subs. PU (A) 627/96*]

"commercial premises" means any premises used wholly or partly for trade, business, provision of services or facilities or any other activity, whether for profit or otherwise;

"connected services" means the receiving, collecting, conveying, gathering, storing, transporting, treating and disposing of sewage and sewage sludge from private connection pipes entering the sewerage systems;

"domestic premises" means any premises built, constructed, adapted or intended to be used exclusively for human habitation;

"estate dwelling house" means any domestic premises located on land designated by the relevant State Authority for agricultural purposes under sections 52 and 53 of the National Land Code 1965 in that such land on which the said domestic premises is located includes such land used for the purpose or purposes of cultivation of any crop (including trees cultivated for the purpose of their produce), market gardening, the breeding and keeping of honey-bees, livestock and reptiles, and aquaculture; [*Ins. PU (A) 627/96*]

"government premises" means any premises owned or occupied by the Federal Government, the Government of a State, a local authority, a statutory body established by Federal or State law, a court or tribunal; [*Ins. PU (A) 627/96*]

"improved value" —

(a) in respect of premises, means the basis for assessment of rates used by the relevant local authority under the Local Government Act 1976; or

(b) in respect of subdivided premises, means the said improved value apportioned under regulation 6;

[*Ins. PU(A) 627/96*]

"industrial premises" means any premises in which the principal activity carried out involves the making, altering, blending, ornamenting, finishing or otherwise treating or adapting of any article or substance with a view to its use, sale, transport, delivery or disposal and includes the assembly of parts and ship repairing but does not include any activity normally associated with retail or wholesale trade;

[*Sub. PU (A) 627/96*]

"low-cost dwelling house" means any domestic premises classified by the relevant local authority or State Authority as a 'low cost house'

[*Ins. PU(A) 627/96*]

"new village dwelling house" means any domestic premises located on land designated by the relevant State Authority as a 'new village'

[*Ins. PU(A) 627/96*]

"[septic tank services](#)" means the clearing, cleansing, emptying, removing and transporting of the sewage sludge from septic tanks and includes the operation and maintenance of a sewerage system for the proper treatment and disposal of the sewage sludge collected therefrom;

"[user](#)" means the owner or occupier of a government premise, or any person, firm, body corporate or other legal entity who is the owner or occupier of any domestic, commercial or industrial premises, as the case may be, provided with connected services or septic tank services;

[Am. PU(A) 459/94]

"[village dwelling house](#)" means any domestic premises situated on land declared to be a village by the relevant State Authority in accordance with section 11 of the National Land Code 1965, or deemed as a duly constituted village by virtue of section 442 of the National Land Code 1965.

[Ins. PU(A) 627/96]

### **3. Classification of premises.**

For the purpose of these Regulations, premises to which sewerage services either in the form of connected services or septic tank services are provided shall be classified as —

- (a) a domestic premise;
- (b) a commercial premise;
- (c) an industrial premise; or
- (d) a government premise.

### **4. Sewerage charges.**

[Subs. PU(A) 627/96]

(1) The monthly sewerage charges payable —

(a) by a user in respect of a domestic premise classified according to the categories specified in column (1) of the First Schedule, shall be as specified in column (2);

(b) by a user in respect of a commercial premise receiving —

(i) septic tank services and whose commercial premise falls within the categories of a annual value specified in the Second Schedule or the categories of improved value s pecified in the Third Schedule, whichever is applicable, shall be as specified in the r espective Schedules; or

(ii) connected services and whose commercial premise falls within the categories of a nnu al value specified in the Second Schedule or the categories of improved value in the T hird Schedule, whichever is applicable, shall be as specified in the r espective S chedules:

Provided that in the event the amount of water consumed by any user of a commercial premise exceeds one hundred cubic metres in one month, then an additional charge shall be payable at the rate of sixty-five sen for every cubic metre of water that exceeds one hundred cubic metres as specified in the Schedules;

(c) by a user in respect of a government premise receiving the type of services specified in column (1) of the Fourth Schedule, shall be as specified in column (2) thereof:

Provided that in the event the amount of water consumed by any user of a government premise exceeds one hundred cubic metres in one month, then an additional charge shall be payable at the rate of sixty-five sen for every cubic metre of water that exceeds one hundred cubic metres as specified in the Schedule;

(d) by a user in respect of an industrial premise receiving the type of services specified in column (1) of the Fifth Schedule, shall be as specified in column (2) thereof, multiplied by the number of workers employed on the premises.

(2) For the purpose of paragraph (1) (d) the number of workers employed on an industrial premise shall be as declared by the user in the form and manner as may be determined by the Director General from time to time.

(3) For the purpose of subregulation (2), "[workers](#)" means all persons working on the premises in any form of employment whether by way of contract, casual, temporary or permanent employment and receiving any form or rate of payment or wages whether monthly, daily or hourly and the term "worker" shall be construed to include all contractors, consultants, agents or representatives of the users who are based on the premises.

## **5. Determination of water consumed.**

(1) In the event that the details of the volume of water consumed at any commercial premises or government premises to which connected services or septic tank services have been provided are not available, then the volume of water consumed over the relevant period for which monthly sewerage charges are payable shall be estimated by reference to the average monthly volume of water consumed at those premises during the previous twelve months.

*[Am. PU(A)627/96]*

(2) A user may apply to the Director General to adjust the average monthly volume of water estimated in accordance with subregulation (1) in the event of a change of ownership or change of category of use of the premises.

*[Ins. PU (A) 627/96]*

(3) A certificate issued by the relevant water authority or corporation responsible for supplying water stating the amount of water supplied to the premises of the user for a period of time shall, until the contrary is proved, be sufficient evidence of the volume of water consumed by the user for that same period.

*[Ins. PU(A) 627/96]*

## **6. Subdivided premises.**

Where a premise is subdivided and each parcel thereof is not subject to a separate and distinct annual value or improved value as applicable, then for the purpose of determining sewerage charges under regulation 4, the respective value of each parcel shall be calculated by apportioning the annual value or improved value, as applicable, of the premise by the number of parcels comprised within that premise.

## **6. Subdivided premises.**

Where a premise is subdivided and each parcel thereof is not subject to a separate and distinct annual value or improved value as applicable, then for the purpose of determining sewerage charges under regulation 4, the respective value of each parcel shall be calculated by apportioning the annual value or improved value, as applicable, of the premise by the number of parcels comprised within that premise.

## **8. Adjustment of sewerage charges.**

If it is proved that monies have been overpaid or erroneously paid as a monthly sewerage charge under these Regulations, corresponding adjustments to the subsequent monthly sewerage charge bills shall be made or cause to be made.

*[Am. PU(A) 627/96]*

## **9. Exemption.**

Any premises or part thereof used exclusively as a place for religious or charitable purposes shall be exempted from paying monthly sewerage charges.

## **10. Determination by Director General.**

Any dispute arising from —

(a) the classification of premises under regulation 3;

(b) (Deleted).

(c) the apportionment of annual value or improved value between the parcels of a premise under regulation 6;

(d) the adjustment of monthly sewerage charges under regulation 8; or

(e) the exemption from payment of monthly sewerage charges under regulation 9,

shall be referred to the Director General, whose decision shall be final.

## **11. Recovery of sewerage charges.**

The owner and occupier of a premise to which sewerage services has been provided by a sewerage services contractor under these Regulations shall be jointly and severally liable to pay the sewerage charges, provided the owner of the premise shall, in the absence of any agreement to the contrary, be entitled to recover from the occupier of the said premise any such charges paid by him at the time of occupation by the occupier.

*[Ins. PU(A) 627/96]*

## **12. Notice of transfer of ownership of premises.**

(1) Any user who sells or transfers any premises in respect of which sewerage charges have been incurred for sewerage services as provided under the Act, shall continue to be liable for the payment of all such sewerage charges payable in respect of the premises unless prior notice has been given to the sewerage services contractor of such sale or transfer.

*[Ins. PU(A) 927/96]*

(2) Nothing in this regulation shall affect the liability of the purchaser or transferee to pay sewerage charges as a user in respect of the premises referred to in subregulation (1) or the right of the sewerage services contractor to recover those sewerage charges from the purchaser or transferee

## FIRST SCHEDULE

*[Paragraph 4(1)(a)]*

### MONTHLY SEWERAGE CHARGES FOR DOMESTIC USERS

<i>(1)</i> Category	<i>(2)</i> Charge RM/month
Low Cost House or Annual Value < < Value Improved or 600>	2.00
Village Dwelling House, New Village Dwelling House, Estate Dwelling House	3.00
Premises receiving individual Septic Tank Services	6.00
Premises receiving Connected Services	8.00

Note : < = less than

*[Subs. PU(A) 627/96]*

**SECOND SCHEDULE**

*[Paragraph 4(1)(b)]*

**MONTHLY SEWERAGE CHARGES FOR COMMERCIAL USERS WHOSE PREMISES FALL WITHIN THE CATEGORY OF ANNUAL VALUE**

CATEGORIES OF ANNUAL VALUE										
	<2K	>2K	>5K	>10k	>50K	>100K	>200K	>500K	>1000K	+3000K
	Category	Category	Category	Category	Category	Category	Category	Category	Category	Category
	1	2	3	4	5	6	7	8	9	10
										+3000K
										Category
										10
Monthly charge for Septic Tank Services (RM)	10.00	12.00	25.00	45.00	65.00	220.00	650.00	2,500	5,000	11,500
Monthly charge for Connected Services (RM)	10.00	20.00	40.00	70.00	100.00	330.00	900.00	3,500	7,000	15,000

Additional charge for every metre<sup>3</sup> of water used in excess of 100 metre<sup>3</sup> per month is RM 0.65

Note:

K = RM1000

< = less than and equivalent to

> = more than

+ = more than and equivalent to

*[Ins. PU(A) 627/96]*

**THIRD SCHEDULE***[Paragraph 4(1)(b)]*

**MONTHLY SEWERAGE CHARGES FOR COMMERCIAL USERS WHOSE PREMISES FALL WITHIN THE CATEGORY OF IMPROVED VALUE**

CATEGORIES OF ANNUAL VALUE										
	<12K Cat.	>12K Cat.	>30K Cat.	>60k Cat.	>300K> Cat.	>600K Cat.	>1200K Cat.	>3000K Cat.	>6000K Cat.	+18000K  Cat.  10
Monthly charge for Septic Tank Services (RM)	10.00	12.00	25.00	45.00	65.00	220.00	650.00	2,500	5,000	11,500
Monthly charge for Connected Services (RM)	10.00	20.00	40.00	70.00	100.00	330.00	900.00	3,500	7,000	15,000
Additional charge for every metre <sup>3</sup> of water used in excess of 100 metre <sup>3</sup> per month is RM 0.65										

Note:

K = RM1000

< = less than and equivalent to

> = more than

+ = more than and equivalent to

*[Ins. PU(A) 62]*

**FOURTH SCHEDULE**

*[Paragraph 4(1)(c)]*

**MONTHLY SEWERAGE CHARGES FOR USERS OF GOVERNMENT PREMISES**

(1)	(2)
Category	Category
Individual Septic Tank Services	25.00
Connected Services	40.00
Additional charge for every metre <sup>3</sup> of water used in excess of 100 metre <sup>3</sup> per month	

[Ins. PU(A) 62]

## FIFTH SCHEDULE

[Paragraph 4(1)(d)]

### MONTHLY SEWERAGE CHARGES FOR USERS OF INDUSTRIAL PREMISES

(1)	(2)
Category	Charge based on number of workers RM/month/worker
Individual Septic Tank Service	2.00
Connected Service	2.50