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P.U. (A)

WARTA KERAJAAN PERSEKUTUAN

*FEDERAL GOVERNMENT
GAZETTE*

PERATURAN-PERATURAN PENGURUSAN SISA PEPEJAL
DAN PEMBERSIHAN AWAM (PELESENAN)
(PENGURUSAN ATAU PENGENDALIAN KEMUDAHAN
PENGURUSAN SISA PEPEJAL) (AKTIVITI MENGITAR
SEMULA) 202X

*SOLID WASTE AND PUBLIC CLEANSING MANAGEMENT
(LICENSING) (MANAGEMENT OR OPERATION OF SOLID
WASTE MANAGEMENT FACILITIES) (RECYCLING
ACTIVITY) REGULATIONS 202X*

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SOLID WASTE AND PUBLIC CLEANSING MANAGEMENT ACT 2007

SOLID WASTE AND PUBLIC CLEANSING MANAGEMENT (LICENSING) (MANAGEMENT
OR OPERATION OF SOLID WASTE MANAGEMENT FACILITIES) (RECYCLING ACTIVITY)
REGULATIONS 202X

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SOLID WASTE AND PUBLIC CLEANSING MANAGEMENT ACT 2007

SOLID WASTE AND PUBLIC CLEANSING MANAGEMENT (LICENSING) (MANAGEMENT OR OPERATION OF SOLID WASTE MANAGEMENT FACILITIES) (RECYCLING ACTIVITY) REGULATIONS 202X

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:

Citation and commencement

1. (1) These regulations may be cited as the **Solid Waste and Public Cleansing Management (Licensing) (Management or Operation of Solid Waste Management Facilities) (Recycling Activity) Regulations 202X**.

(2) These Regulations come into operation on 202X.

Non-application

2. These Regulations shall not apply to prescribed facilities as defined under the Solid Waste and Public Cleansing Management (Licensing) (Management or Operation of Prescribed Solid Waste Management Facilities) Regulations 2011 [*P.U. (A) 304/2011*].

Interpretation

3. In these Regulations, unless the context otherwise requires—

“solid waste management facilities” as defined in section 2 Solid Waste and Public Cleansing Management Act 2007 [Act 672];

“recycling center” as defined in section 2 Solid Waste and Public Cleansing Management Act 2007 [Act 672];

“recycling facility ” means a facility where the recyclable solid waste is processed for the purpose of producing products;

“recyclable solid waste” as defined in section 2 Solid Waste and Public Cleansing Management Act 2007 [Act 672].

Types of solid waste management facilities (recycling activity)

4. The types of solid waste management facilities (recycling activity) are as follows:

(a) recycling center; and

(b) recycling facility.

Application for licence

5. (1) Any person who intends to manage or operate a solid waste management facilities (recycling activity) shall apply for a licence to the Director General by submitting a written application to the Corporation in the form as determined by the Director General, and shall be accompanied by the documents as specified in the First Schedule and the processing fee specified in regulation 8.

(2) The application under subregulation (1) may be made for any type of solid waste management facilities (recycling activity) as specified in regulation 4.

(3) Pursuant to section 17 of the Act, the Corporation may, in writing at any time after the receipt of an application under subregulation (1), request the applicant to give to the Corporation within the period specified in the request additional information or document on the application.

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

Grant or refusal of licence

6. (1) The Director General may, after considering the application for a licence under regulation 5 and having due regard to the recommendation of the Corporation made pursuant to 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 9;
and

(b) impose any 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.

Duration of licence

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

Processing fee

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

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

Licence fee

9. (1) The annual licence fee for a licence granted under these Regulations shall be as specified in the Second Schedule.

(2) The licence fee shall be paid for the whole duration of the licence upon the grant 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, money order, postal order, online payment or in any other form as determined by the Director General, and the Director General shall issue an official receipt for such payment.

Renewal of licence

10. (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 application for the renewal of the licence under subregulation (1) shall be accompanied by the processing fee specified in regulation 8.

(3) The Director General shall, on the recommendation of the Corporation, and upon payment of the licence fee specified in regulation 9, renew an existing licence for the duration as specified in regulation 7.

(4) 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.

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

11. 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.

Reporting

12. (1) Every licensee shall prepare and submit a report containing informations as required by the Corporation at any interval and in any manner determined by the Corporation.

FIRST SCHEDULE
[Regulation 5(1)]

DOCUMENTS FOR APPLICATION OF LICENCE TO MANAGE OR OPERATE SOLID WASTE
MANAGEMENT FACILITIES

1. A copy of Registration of Business Certificate or Registrar of Company or Registrar of Society (ROS) of the applicant
2. A copy of business licence from Local Authority
3. A list of equipment or machinery of the applicant (if necessary)

SECOND SCHEDULE
[Subregulation 9(1)]

LICENCE FEE

Type of solid waste management facility	Licence Fee (RM) (per annum)
Recycling centre	50.00
Recycling facility	100.00

Made **202X**
[KPKT.100-1/1/10 JLD.2; PN(PU2) 671/VI]

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