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DISTRIBUTION OF GAS ORDINANCE, 2016

DISTRIBUTION OF GAS (LICENSING) REGULATIONS, 2018

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SCHEDULE

DISTRIBUTION OF GAS ORDINANCE, 2016
DISTRIBUTION OF GAS (LICENSING) REGULATIONS, 2018
(Made under section 32)

In exercise of the powers conferred by section 32 of the Distribution of Gas Ordinance, 2016 [*Cap. 72*], the Minister, with the approval of the Majlis Mesyuarat Kerajaan Negeri, has made the following Regulations:

Citation and commencement

1. These Regulations may be cited as the **Distribution of Gas (Licensing) Regulations, 2018**, and shall be deemed to have come into force on the 1st day of July, 2018.

Interpretation

2. In these Regulations—

“Director” means the Director of Gas Distribution, appointed under section 3 of the Ordinance, and includes any person who is acting or temporarily discharging the duties of that office;

“Minister” means the Minister for the time being charged with the responsibility for distribution of gas; and

“Ordinance” means the Distribution of Gas Ordinance, 2016 [*Cap. 72*].

Application for licence

3. A person applying for a licence to carry out any activity stipulated under section 7 of the Ordinance shall submit the application to the Director together with the following details:

(a) a description of the area where the applicant intends to carry out any of the activities listed in section 7;

(b) where applicable:

(i) site location plan showing the proposed location of the premises to be installed with the gas pipeline and its neighbouring area;

(ii) piping layout showing details of pipeline, routes including the location of any storage tank or cylinder, site boundary, deflection wall and the nearest sources of ignition;

(iii) technical specifications of the pipeline or installation; and

(iv) certification of the pipeline or installation;

(c) an application fee to be determined by the Director with the approval of the Minister; and

- (d) any other information as may be required by the Director.

Form and duration of licence

4. Upon approval of the application by the Director, a licence for a period of twelve months or for such longer period as may be approved by the Minister in writing, in the form prescribed in the Schedule, shall be issued to the applicant, containing such terms and conditions as the Director may impose.

Fee for licence

5.—(1) The person issued with a licence shall pay a fee at the rate as may be approved by the Majlis Mesyuarat Kerajaan Negeri from time to time.

(2) The fee shall be paid upon the issuance of the licence and thereafter upon renewal of the licence.

Renewal of licence

6.—(1) An application for renewal of a licence shall be made before the expiry thereof.

(2) The application for renewal of a licence may be approved by the Director after an inspection or test of the gas installation has been carried out but the Director may, in his discretion, renew the licence without any inspection or test.

Display of licence

7.—(1) The licence issued shall be displayed at the registered address of the licensee and a copy of the licence shall also be displayed at any other premises or conveyance where the licensee conducts his business.

(2) For the purpose of this regulation, “conveyance” includes ship, boat, vessel, train, vehicle or any other means of transport by which gas can be conveyed.

Suspension or revocation of licence

8.—(1) A licence issued under these Regulations may be suspended or revoked by the Director on the grounds mentioned in section 9 of the Ordinance and in situations where the holder of the licence has failed to comply with these Regulations.

(2) Upon the suspension of a licence under section 9(7) of the Ordinance or the revocation of a licence under sub-regulation (1), the holder of the licence shall, within fourteen days from the date he is notified in writing of the suspension or revocation, surrender the licence to the Director.

Duty of a licensee to keep and maintain record

9.—(1) The licensee shall keep and maintain a proper record of all installations for the inspection and approval of the Director.

(2) The record shall contain the following details:

- (a) the location of the installation;
- (b) name and address of the owner of the premises;
- (c) name and address of the occupier of the premises; and
- (d) any other information as the Director deems necessary.

(3) In addition to the records kept and maintained under sub-regulations (1) and (2), a licensee shall keep and maintain the following records and produce them within the specified time when required to do so by the Director:

- (a) the quantity of gas sold per month;
- (b) the number of breakdown of installations and incidents involving distribution pipelines or piping system, as the case may be;
- (c) a list of all consumers; or
- (d) any other information as the Director may deem necessary.

Tariffs

10.—(1) A licensee may, in relation to the supply of gas or providing related services to any consumers, levy such tariffs as may be approved by the Majlis Mesyuarat Kerajaan Negeri from time to time.

(2) In levying the tariffs pursuant to sub-regulation (1), a licensee shall not show undue preference or discrimination as among consumers or persons and shall not without reasonable cause refuse to supply gas or provide related services to any person who is able and willing to pay the tariffs approved pursuant to sub-regulation (1).

(3) The tariffs fixed pursuant to sub-regulation (1) shall be published in the *Gazette*.

SCHEDULE
 DISTRIBUTION OF GAS LICENCE
 (Regulation 4)

Licence No.:

In accordance with section 7 of the Distribution of Gas Ordinance, 2016 [*Cap. 72*], this licence is issued to.....

(Name of Licensee)

of

(Address of Licensee)

for the supply of gas to or/and operation of, in accordance with the Distribution of Gas (Licensing) Regulations, 2018 [*Swk. L.N. 146 /2018*], at

.....

(Location)

in the Division of

This licence is subject to the following requirements:

- (a) Class of installation :
- (b) Capacity of gas supplied : MMBTU
- (c) Type of gas :
- (d) Duration of licence (from) : (to)
- (e) National Safety, Health & Measurement Standards:
- (f) Other terms and conditions :

Date of issue :
 Place of Issue :

.....
Director of Distribution of Gas,
Sarawak

Note:
Application for renewal of the licence to be made at least two months before the date of its expiry.

Made this 4th day of July, 2018.

DATO SRI DR STEPHEN RUNDI UTOM,
Minister for Utilities, Sarawak

Approved by Majlis Mesyuarat Kerajaan Negeri this 28th day of June, 2018.

HAJAH SUTIN BINTI SAHMAT,
Clerk to Majlis Mesyuarat Kerajaan Negeri

S/KKA/600-8/7 JLD. 2 (17)

SARAWAK LAWNET

