

THE LOCAL AUTHORITIES ORDINANCE, 1996
**THE LOCAL AUTHORITIES (COMPULSORY DESLUDGING
OF SEPTIC TANKS) BYLAWS, 1998**

[Swk. L.G. 35/98]

(Made under sections 93 and 105(a)(i))

Pursuant to section 105(a)(i) of the Local Authorities Ordinance, 1996 [*Cap. 20*], and in exercise of the powers conferred upon the Yang di-Petua Negeri by section 93 of the said Ordinance, the following Bylaws have been made:

Citation application and commencement

1.—(1) These Bylaws may be cited as the **Local Authorities (Compulsory Desludging of Septic Tanks) Bylaws, 1998**.

(2) These Bylaws shall come into operation on a date, to be appointed by the Yang di-Petua Negeri by notification in the *Gazette* and the Yang di-Petua Negeri may appoint different dates for the coming into operation of these Bylaws in different local authority areas.

Interpretation

2. In these Bylaws—

“local authority” has the same meaning assigned to it in the Ordinance;

“Minister” means the Minister in the State Government charged with the responsibility for local government;

“occupier” has the same meaning assigned to it in the Ordinance;

“owner” has the same meaning assigned to it in the Ordinance;

“premises” includes messuages, houses, buildings, lands, tenements, easements and hereditaments of any tenure, whether open or enclosed, whether built or not, whether public or private and wherter maintained or not under statutory authority;

“septic tank” means a settlement tank with one or more compartments forming a system or part of a system to treat either partially or fully, sewage from one premises or a group of premises. And includes any mechanized plant or other similar plant for the treatment of sewage.

Power to cause private septic tanks to be cleansed, etc.

3.—(1)(a) A local authority shall cause septic tanks in rateable holdings within its area of jurisdiction to be properly cleared, cleansed and emptied at the frequencies stated hereunder:

<i>Category of rateable holding</i>	<i>Frequency</i>
(a) Residential, including government staff quarters	Once in 4 years
(b) Commercial, including commercial complexes	Once in 2 years
(c) Government buildings, schools and premises used for religious purposes	Once a year
(d) Hotels, hostels, lodging houses and industrial properties	Once in 6 months

(b) The period stipulated above shall be reckoned from the date of the issue of occupation permit by the local authority for the rateable holding or from the date of the date of the last desludging, whichever is the later.

[Sub. Swk. L.G. 53/2002]

(2) A local authority may provide the desludging services itself or may authorize any other person to provide the desludging services upon terms and conditions as the local authority may deem fit to impose.

Desludging fee

4. The local authority may charge such fee for the provision of desludging services as may be determined by the local authority with the prior approval of the Minister.

Duly of owner to maintain septic tank

5.—(1) The owner or occupier of any premises having septic tank shall maintain the septic tank in good working order at all times ensure adequate access to the septic tank for the purpose of enabling the septic tank to be serviced and desludged

(2) Any person who contravenes paragraph (1) shall be guilty of an offence: Penalty, a fine not exceeding one thousand ringgit and a further fine not exceeding one hundred ringgit for each day during which the offence continues after conviction.

Power to enter premises

6.—(1) The local authority or any person authorized by it in writing may, for the purposes of these Bylaws, enter at all reasonable hours upon any land or other premises for the purpose of clearing, cleansing or emptying any septic tank.

(2) No person shall enter any land or other premises for the purpose mentioned in paragraph (1) except with the consent of the owner or occupier or after giving twenty-four hours previous

Made this 5th day of October, 1998.

By Command,

DATUK AMAR JAMES WONG KIM MIN,
Minister of Environment and Public Health