



PEJABAT KETUA PENDAFTAR
Office of the Chief Registrar
MAHKAMAH PERSEKUTUAN MALAYSIA
Federal Court of Malaysia
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Tarikh : Ogos 2012

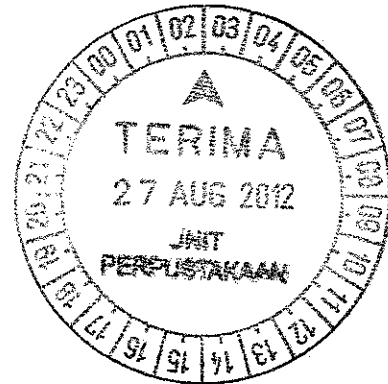
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Hakim Mahkamah Sesyen
Seluruh Malaysia

Timbalan Pendaftar / Penolong Kanan Pendaftar
Mahkamah Tinggi
Seluruh Malaysia

Majistret Kanan / Majistret
Mahkamah Majistret
Seluruh Malaysia

Pendaftar Kanan / Pendaftar
Mahkamah Rendah
Seluruh Malaysia



YBhg. Dato' / Datin / Tuan / Puan,

**ARAHAN AMALAN KETUA PENDAFTAR MAHKAMAH PERSEKUTUAN
BIL 3 TAHUN 2012
PENUBUHAN MAHKAMAH ALAM SEKITAR**

Saya telah diarahkan oleh YAA Ketua Hakim Negara untuk merujuk YBhg. Dato' / Datin / Tuan / Puan kepada perkara berkaitan dengan penubuhan **Mahkamah Alam Sekitar** yang akan mula beroperasi pada **3 September 2012**. Penubuhan Mahkamah Alam Sekitar adalah bertujuan untuk menambahbaik urusan pentadbiran keadilan jenayah kes-kes berkaitan alam sekitar di mahkamah sesyen dan majistret. Dengan adanya mahkamah khas tersebut, kes-kes alam sekitar dapat dipantau dan diselesaikan secara lebih efisien. Bagi tujuan penyeragaman, YAA Ketua Hakim Negara telah mengarahkan supaya arahan-arahan berikut dipatuhi oleh pegawai kehakiman yang terlibat :

1. Semua mahkamah sesyen dan majistret hendaklah memberikan keutamaan kepada kes-kes alam sekitar dengan menyediakan jadual tetap pendengaran kes-kes tersebut, termasuklah pendengaran di mahkamah litar yang bersidang sebagai Mahkamah Majistret Alam Sekitar.

...2/-

2. Pendaftaran dan pendengaran kes-kes alam sekitar adalah ditetapkan seperti mana berikut :
 - a) Bagi daerah yang mempunyai lebih daripada satu mahkamah sesyen dan satu atau beberapa mahkamah majistret, kes-kes alam sekitar di bawah bidang kuasa mahkamah sesyen dan majistret, hendaklah didaftar dan didengar di satu mahkamah sesyen yang dikenal pasti;
 - b) Bagi daerah yang mempunyai hanya satu mahkamah sesyen dan satu atau beberapa mahkamah majistret, kes-kes alam sekitar di bawah bidang kuasa mahkamah sesyen dan majistret, hendaklah didaftar dan didengar di mahkamah sesyen daerah tersebut;
 - c) Bagi daerah yang tidak mempunyai mahkamah sesyen, kes-kes alam sekitar dalam bidang kuasa mahkamah sesyen hendaklah didaftar dan didengar di mahkamah sesyen yang mempunyai had bidang kuasa;
 - d) Bagi daerah yang mempunyai lebih daripada satu mahkamah majistret, kes-kes alam sekitar di bawah bidang kuasa mahkamah majistret, hendaklah didaftar dan didengar di satu mahkamah majistret yang dikenal pasti; dan
 - e) Bagi daerah yang mempunyai hanya satu mahkamah majistret atau satu mahkamah majistret litar, kes-kes alam sekitar di bawah bidang kuasanya hendaklah didaftar dan didengar oleh majistret daerah tersebut. Sekiranya perlu hendaklah ditetapkan hari tertentu yang khusus untuk mendengar dan mengendalikan kes-kes alam sekitar.
[Rujuk **Lampiran A** sebagai panduan]
3. Terdapat 38 Akta dan 17 Peraturan yang telah dikenal pasti mempunyai hubungan kait dengan kesalahan-kesalahan alam sekitar sepertimana disenaraikan di **Lampiran B**. Walau bagaimanapun, senarai tersebut bukanlah muktamad (*exhaustive*).
4. Peruntukan berkaitan dengan kesalahan di dalam setiap Akta atau Peraturan berkenaan dikategorikan kepada 2 (dua) jenis kesalahan iaitu **Kesalahan Spesifik** dan **Kesalahan Am** dan diberikan Kod pendaftaran yang berbeza. Senarai peruntukan Akta atau Peraturan di bawah kategori Kesalahan Spesifik adalah seperti mana di **Lampiran C**. Sementara itu semua peruntukan kesalahan lain di dalam Akta atau Peraturan berkenaan hendaklah dikategorikan sebagai Kesalahan Am.

5. Kod pendaftaran bagi kes-kes Kesalahan Spesifik di bawah bidang kuasa mahkamah sesyen hendaklah didaftar di bawah Kod 62ES/63ES dan 83 ES/87ES bagi mahkamah majistret. Manakala Kod pendaftaran bagi kes-kes Kesalahan Am di bawah bidang kuasa mahkamah sesyen adalah Kod 62EG/63EG dan 83EG/87EG bagi mahkamah majistret. Kod pendaftaran bagi kesalahan di bawah bidang kuasa majistret akan kekal digunakan walaupun didengar oleh hakim mahkamah sesyen di atas kapasiti sebagai majistret.
6. Kedua-dua katogeri kesalahan tersebut hendaklah dipantau secara berasingan menggunakan format statistik bulanan seperti mana di **Lampiran D**.
7. Kes-kes alam sekitar yang telah bermula dengan perbicaraan hendaklah diteruskan di hadapan hakim/majistret yang mendengar perbicaraan tersebut. Kes-kes yang belum dibicarakan hendaklah dipindahkan ke Mahkamah Alam Sekitar.
8. Kes-kes Alam Sekitar hendaklah diselesaikan dalam tempoh enam (6) bulan dari tarikh tertuduh pertama kali dituduh di mahkamah. Bagi Mahkamah Alam Sekitar di Sabah dan Sarawak kes-kes tersebut hendaklah diselesaikan dalam tempoh tiga (3) bulan dan enam (6) bulan masing-masingnya untuk kes yang didaftarkan di mahkamah majistret dan mahkamah sesyen.
9. Kes-kes Alam Sekitar yang difailkan rayuan ke Mahkamah Tinggi hendaklah diberi Kod 41EG/ES dan 42EG/ES.
10. Arahan Amalan ini berkuat kuasa mulai 10 September 2012.

Sekian, terima kasih.

"BERKHIDMAT UNTUK NEGARA"

Saya yang menurut perintah,

(DATO' HASHIM BIN HAMZAH)
Ketua Pendaftar
Mahkamah Persekutuan Malaysia
Istana Kehakiman
PUTRAJAYA

s.k

YAA Ketua Hakim Negara
Mahkamah Persekutuan Malaysia
Istana Kehakiman
PUTRAJAYA

YBhg. Tan Sri Peguam Negara
Jabatan Peguam Negara Malaysia
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YAA Presiden Mahkamah Rayuan
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YAA Hakim Besar Malaya
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Istana Kehakiman
PUTRAJAYA

YAA Hakim Besar Sabah dan Sarawak
Mahkamah Persekutuan Malaysia
Istana Kehakiman
PUTRAJAYA

Timbalan Ketua Pendaftar
Mahkamah Persekutuan Malaysia
Istana Kehakiman
PUTRAJAYA

Pendaftar Mahkamah Rayuan
Mahkamah Rayuan Malaysia
Istana Kehakiman
PUTRAJAYA

Pendaftar
Mahkamah Tinggi Malaya
Istana Kehakiman
PUTRAJAYA

Pendaftar
Mahkamah Tinggi Sabah dan Sarawak
Mahkamah Tinggi Kuching
SARAWAK

Pengarah Mahkamah Negeri
SELURUH MALAYSIA

Pengarah Bahagian Pengurusan
Mahkamah Persekutuan Malaysia
Istana Kehakiman
PUTRAJAYA

Ketua Bahagian Pentadbiran Kehakiman
Mahkamah Persekutuan Malaysia
Istana Kehakiman
PUTRAJAYA

Ketua Bahagian Teknologi Maklumat
Mahkamah Persekutuan Malaysia
Istana Kehakiman
PUTRAJAYA

Pustakawan
Mahkamah Persekutuan Malaysia
Istana Kehakiman
PUTRAJAYA

Presiden
Majlis Peguam Malaysia
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Persatuan Peguambela Sarawak
Bilik Peguam, Kompleks Mahkamah Kuching
Jalan Gersik, Petrajaya
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SARAWAK

LAMPIRAN A

Jenis Daerah	Daerah utama yang mempunyai lebih dari 1 mahkamah sesyen	Daerah yang mempunyai 1 mahkamah sesyen dan 1 atau beberapa mahkamah majistret di bawahnya	Daerah yang mempunyai lebih daripada 1 mahkamah majistret	Daerah yang mempunyai 1 mahkamah majistret
Contoh Daerah	Johor Bahru / Shah Alam / Ipoh	Batu Pahat	Seri Manjung	Grik
Struktur	Satu mahkamah sesyen yang dikenalpasti hendaklah mendengar kes-kes alam sekitar di bawah bidang kuasa sesyen/majistret daerah tersebut	Mahkamah sesyen hendaklah mendengar semua kes alam sekitar di bawah bidang kuasa sesyen /majistret daerah tersebut	Satu mahkamah majistret yang dikenalpasti hendaklah ditugaskan mendengar kes-kes alam sekitar di bawah bidang kuasa majistret daerah tersebut	Mahkamah majistret tersebut hendaklah mendengar semua kes alam sekitar di bawah bidang kuasa tempatannya di daerah tersebut

LAMPIRAN B

AKTA YANG TERTAKLUK DI BAWAH BIDANG KUASA MAHKAMAH ALAM SEKITAR

1. INTERNATIONAL TRADE IN ENDANGERED SPECIES ACT 2008
2. ATOMIC ENERGY LICENSING ACT 1984
3. WATERS ACT 1920
4. DRAINAGE WORKS ACT 1954
5. SEWERAGE SERVICES ACT 1993
6. FISHERIES ACT 1985
7. WILD CONSERVATION ACT 2010
8. IRRIGATION AREAS ACT 1953
9. NATIONAL PARKS ACT 1980
10. PEARL OYSTER SHELL FISHERY ORDINANCE (SABAH ORDINANCE)
11. NATIONAL FORESTRY ACT 1984
12. LAND CONSERVATION ACT 1960
13. PARKS ENACTMENT 1984
14. LOCAL GOVERNMENT ACT 1969
15. PLANT QUARANTINE ACT 1976
16. PESTICIDES ACT 1974
17. SABAH BIODIVERSITY ENACTMENT 2000
18. SARAWAK BIODIVERSITY CENTRE ORDINANCE, 1997
19. SABAH ENVIRONMENT PROTECTION ENACTMENT 2002
20. SABAH FOREST ENACTMENT ACT 1968
21. SABAH ANIMAL ORDINANCE 1962
22. SABAH DRAINAGE AND IRRIGATION ORDINANCE 1956
23. SABAH WILDLIFE CONSERVATION ENACTMENT 1997
24. SABAH MINING ORDINANCE 1960
25. SOLID WASTE AND PUBLIC CLEANSING MANAGEMENT ACT 2007
26. STREET, DRAINAGE AND BUILDING ACT 1974
27. BIOSAFETY ACT 2007
28. ENVIRONMENTAL QUALITY ACT 1974
29. ANIMAL ACT 1953
30. EXCLUSIVE ECONOMIC ZONE ACT, 1984

31. NATURAL RESOURCES AND ENVIRONMENT ORDINANCE
32. SARAWAK RIVER ORDINANCE, 1993
33. FISHERIES (ADOPTION) ORDINANCE, 1994 (REPEALED BY STATE FISHERIES ORDINANCE, 2003 (CAP. 54))
34. WATER ORDINANCE, 1994
35. FOREST ORDINANCE, 1958 (Chapter 126)
36. LOCAL AUTHORITIES ORDINANCE, 1996
37. NATIONAL PARKS AND NATURE RESERVES ORDINANCE, 1998
38. VETERINARY PUBLIC HEALTH ORDINANCE, 1999

**PERATURAN- PERATURAN YANG TERTAKLUK DI BAWAH BIDANG KUASA
MAHKAMAH ALAM SEKITAR**

1. ENVIRONMENTAL QUALITY (PRESCRIBED PREMISES)(CRUDE PALM OIL) REGULATIONS 1977
2. ENVIRONMENTAL QUALITY (CLEAN AIR) REGULATION 1978
3. ENVIRONMENTAL QUALITY (PRESCRIBED PREMISES)(RAW NATURAL RUBBER) REGULATIONS 1978
4. ENVIRONMENTAL QUALITY (MOTOR VEHICLE NOISE) REGULATIONS 1987
5. ENVIRONMENTAL QUALITY (CONTROL OF EMISSION FROM DIESEL ENGINES) REGULATIONS 1996
6. ENVIRONMENTAL QUALITY (REFRIGERANT MANAGEMENT) REGULATIONS 1999
7. ENVIRONMENTAL QUALITY (HALON MANAGEMENT) REGULATIONS 2000
8. ENVIRONMENTAL QUALITY (CONTROL OF EMISSION FROM PETROL ENGINES) REGULATIONS 1996
9. ENVIRONMENTAL QUALITY (DIOXIN AND FURAN) REGULATIONS 2004
10. ENVIRONMENTAL QUALITY (CONTROL OF LEAD CONCENTRATION IN MOTOR GASOLINE) REGULATIONS 1985
11. ENVIRONMENTAL QUALITY (SEWAGE AND INDUSTRIAL EFFLUENTS) REGULATIONS 1979
12. ENVIRONMENTAL QUALITY (CONTROL OF EMISSION FROM MOTORCYCLES) REGULATIONS 2003
13. ENVIRONMENTAL QUALITY (CONTROL OF PETROL AND DIESEL PROPERTIES) REGULATIONS 2007
14. ENVIRONMENTAL QUALITY (CONTROL OF POLLUTION FROM SOLID WASTE TRANSFER STATION AND LANDFILL) REGULATIONS 2009
15. ENVIRONMENTAL QUALITY (INDUSTRIAL EFFLUENT) REGULATIONS 2009
16. ENVIRONMENTAL QUALITY (SEWAGE) REGULATIONS 2009
17. ENVIRONMENTAL QUALITY (SCHEDULED WASTES) REGULATIONS 2005

**THE PROVISIONS IN THE ACT WITHIN THE JURISDICTION OF THE ENVIRONMENTAL COURT
(SPECIFIC ENVIRONMENTAL OFFENCES)
PENINSULAR MALAYSIA**

	ACT	SECTION
1.	INTERNATIONAL TRADE IN ENDANGERED SPECIES ACT 2008	<ul style="list-style-type: none"> • s.10 - Import and export • s.11 - Re-export and introduction from the sea • s.12 - Possession of scheduled species • s.13 - Scheduled species in transit • s.14 - Breeding or propagation of scheduled species • s.15 - Power to require scheduled species to be marked, etc
2.	ATOMIC ENERGY LICENSING ACT 1984	<ul style="list-style-type: none"> • s.12 - Licensing of nuclear installation and of activities • s.26 - Control of disposal of radioactive waste • s.27 - Control of accumulation of radioactive waste • s.33 - Search warrant • s.58 - Compulsory examination and treatment
3.	WATERS ACT 1920	<ul style="list-style-type: none"> • s.5 - Prohibition of acts affecting rivers, except under license • s.7 - Prohibition of diversion of water from rivers, except under license • s.7A - Prohibition of pollution of rivers • s.14 - Restriction on construction of walls and buildings on banks of rivers or within flood channels
4.	DRAINAGE WORKS ACT 1954	<ul style="list-style-type: none"> • s.11 - Interference with drainage works • s.12 - Construction of unauthorized drains
5.	SEWERAGE SERVICES ACT 1993	<ul style="list-style-type: none"> • s.18 - Unauthorized connection to public sewer, <i>etc.</i> • s.19 - Industrial effluent or noxious matter not to communicate with public sewer, <i>etc.</i> • s.25 - Duty of owner to operate and maintain private sewerage system or septic tank • s.26 - Penalty in respect of nuisance, <i>etc.</i>, caused by private sewerage system

6.	FISHERIES ACT 1985	<ul style="list-style-type: none"> • s.15 - Fishing, <i>etc.</i>, by foreign fishing vessel in Malaysian fisheries waters • s.20 - Bringing into or having in Malaysian fisheries waters fish taken or received from foreign fishing vessel • s.25 - Offences under Act • s.26 - Fishing with explosives, poisons, <i>etc.</i> • s.27 - Aquatic mammals or turtles in Malaysian fisheries waters • s.28 - Wilful damage to fishing vessel, <i>etc.</i> • s.29 - Destroying incriminating evidence • s.44 - Absolute prohibition of certain weapons
7.	WILDLIFE CONSERVATION ACT 2010	<ul style="list-style-type: none"> • s.9 - Requirement for licence • s.10 - Requirement for permit • s.11 - Requirement for special permit • s.21 - Assignment of licence, <i>etc.</i> • s.22 - Return of licence, <i>etc.</i>, upon expiry • s.29 - Prohibition of possessing, <i>etc.</i>, snares • s.40 - Sale of protected wildlife by licensed hunter • s.41 - Sale of birds' nest by birds' nest collector • s.42 - Purchase of protected wildlife by licensed dealer or licensed taxidermist • s.43 - Period during which wildlife may be sold by licensed dealer • s.46 - Keeping wildlife at other premises • s.49 - Prohibition of certain acts in wildlife reserves and wildlife sanctuaries • s.51 - Aborigine may hunt certain wildlife • s.53 - Owner or occupier of land may use birdlime to destroy grain-eating birds • s.54 - Capturing or killing of wildlife for protection of crops • s.55 - Wildlife which is an immediate danger to human life may be killed • s.60 - Hunting, <i>etc.</i>, protected wildlife without licence • s.61. Hunting, <i>etc.</i>, immature protected wildlife without licence • s.62. Hunting, <i>etc.</i>, female of protected wildlife without licence • s.63. Carrying out business of dealing, <i>etc.</i>, without licence • s.64. Collecting birds' nests without licence • s.65. Importing, <i>etc.</i>, protected wildlife without licence • s.66. Operating zoo, <i>etc.</i>, without permit • s.67. Carrying out research or study without permit • s.68. Hunting, <i>etc.</i>, totally protected wildlife without special permit

		<ul style="list-style-type: none"> • s.69. Hunting, <i>etc.</i>, immature totally protected wildlife without special permit • s.70. Hunting, <i>etc.</i>, female of totally protected wildlife without special permit • s.71. Importing, <i>etc.</i>, totally protected wildlife without special permit • s.72. Using, <i>etc.</i>, totally protected wildlife without special permit • s.73. Carrying out research or study without special permit • s.74. Damaging, <i>etc.</i>, nest or egg of protected wildlife • s.75. Damaging, <i>etc.</i>, nest or egg of totally protected wildlife • s.76. Hunting, <i>etc.</i>, wildlife in wildlife reserve or wildlife sanctuary • s.77. Hunting wildlife during prohibited hours • s.78. Hunting protected wildlife during close season • s.79. Hunting wildlife with poison, <i>etc.</i> • s.80. Hunting wildlife with arms or traps other than prescribed • s.81. Hunting, <i>etc.</i>, wildlife within four hundred metres of salt lick • s.82. Hunting wildlife from conveyance • s.85. Disturbing salt lick or its vicinity • s.86. Cruelty to wildlife • s.87. Things containing derivative of totally protected wildlife • s.88. Provocation of wildlife • s.117. Controlled species • s.119. Prohibition on hybridization activity • s.120. Purchase of protected wildlife, <i>etc.</i>, by persons other than licensed dealer, <i>etc.</i>
8.	IRRIGATION AREAS ACT 1953	<ul style="list-style-type: none"> • s.15. Obstruction or damage • s.16. Waste or obstruction of water • s.19. Refusal to allow passage of water • s.20. Construction of unauthorized water-ways • s.21. Allowing animals to stray • s.22. Unauthorized use of vehicles and boats • s.23. Pollution of water • s.24. Tampering with irrigation works
9.	NATIONAL PARKS ACT 1980	<ul style="list-style-type: none"> • s.10. General prohibition of mining within National Park

10.	NATIONAL FORESTRY ACT 1984	<ul style="list-style-type: none"> • s.15. Prohibition on taking of forest produce from permanent reserved forest or State land unless licensed, etc. • s.25 Director may order licensee to cease operations where there has been a contravention of the Act or licence • s. 32. Occupations of, or carrying out activities upon, permanent reserved forest prohibited • s. 40. Removal licence is required for the removal of forest produce from certain land • s.47. No entry into closed forests with certain exceptions • s.66. Place of measurement of forest produce removed from licence area • s.67. Place of measurement of forest produce removed from alienated land and mining land • s.68. Removal pass • s.69. Conversion plant operator required to have removal pass and record of measurement • s.81. Acts prohibited in permanent reserved forests • s.82. Prohibition as to fire • s.83. Offensive littering • s.84. Unlawful possession of forest produce • s.85. Removal pass required for inter-State movement of forest produce • s.86. Penalty for counterfeiting or defacing, or possessing implements for counterfeiting, marks on trees and timber and altering boundary marks • s.97. Director may for certain reasons prohibit the taking of forest produce • s.98 Director may close watercourse or forest road
11.	LAND CONSERVATION ACT 1960	<ul style="list-style-type: none"> • s.5. Prohibition of short-term crops except under permit • s.6. Restrictions on clearing and cultivation of hill land
12.	PARKS ENACTMENT 1984	<ul style="list-style-type: none"> • s.48 - Prohibition of certain acts except with permission of Board, etc. • s.53 - Offence. • s.58 - Penalties. • s.58C - Endangering Park Area or Nature Reserve Area by Fire.
13.	LOCAL GOVERNMENT ACT 1969	<ul style="list-style-type: none"> • s. 69. Committing nuisance in streams, etc. • s.70. Pollution of streams with trade refuse, etc.

14.	PLANT QUARANTINE ACT 1976	<ul style="list-style-type: none"> • s.6. Power to direct destruction or treatment of plants and pests or treatment of land • s.8. Penalty for default • s.11. Duty on appearance of a dangerous pest • s.14. Prohibition of importation or possession of noxious plants and pests • s.15. Duty to destroy noxious plants • s.19. Transfer of dangerous pest or noxious plant • s.19A. General penalty
15.	PESTICIDES ACT 1974	<ul style="list-style-type: none"> • s.20. Offences relating to manufacture, sale and storage for sale • s.53A. Possession or use of unregistered pesticides and unapproved use of pesticides • s.56. General penalty
16.	STREET, DRAINAGE AND BUILDING ACT 1974	<ul style="list-style-type: none"> • s.47. Depositing dirt on streets, <i>etc.</i>
17.	ENVIRONMENTAL QUALITY ACT 1974	<ul style="list-style-type: none"> • s. 16 Licensee to comply with licence • s.18. Prescribed premises to be licensed • s.22. Restrictions on pollution of the atmosphere • s.23. Restrictions on noise pollution • s.24. Restrictions on pollution of the soil • s.25. Restrictions on pollution of inland waters • s.27. Prohibition of discharge of oil into Malaysian waters • s.29. Prohibition of discharge of wastes into Malaysian waters • s.29A. Prohibition on open burning • s.31 Power to require owner or occupier to install, operate, repair, <i>etc.</i> • s. 31A Prohibition Order • s.33. Power to prohibit or control licensed persons from discharging, <i>etc.</i> of wastes in certain circumstances • s.34A Report on impact on environment resulting from prescribed activities • s.34A(7) -conditions attached to the report are being complied with • s. 34AA <i>Perintah Larangan bagi aktiviti yang ditetapkan (Pindaan AKAS 2012)</i> • s.34B. Prohibition against placing, deposit, <i>etc.</i>, of scheduled waste
18.	BIOSAFETY ACT 2007	<ul style="list-style-type: none"> • s.22. Requirement for notification • s.26. Specific measures to be taken in contained use

19.	WATER SERVICES INDUSTRIES ACT 2006	<ul style="list-style-type: none"> • s.41. Water quality • s.61. Prohibited effluent or noxious matter not to be discharged into public sewer, <i>etc.</i> • s.66. Penalty in respect of nuisance, <i>etc.</i>, caused by private sewerage system or septic tank • s.121. Offence of contamination of water • s.122. Wrongful acts
20.	ANIMALS ACT 1953 [ACT 647]	<ul style="list-style-type: none"> • s.19. Destruction of diseased animal or bird • s. 22. Diseased and contact animals and birds • s. 23. Disinfection of stables, etc • s. 24. Destruction of stables, etc • s. 25. Disinfection or destruction of articles • s. 26 Disinfection of person and clothing • s. 27. Disinfection of vehicles • s. 28. Disposal of infected animal, bird or carcass • s. 33. Disposal of dead animal and bird • s. 34 Moving or disposal of diseased or suspected animals • s. 35. removal of articles from infected premises • s. 36. infected area, diseased control area and disease eradication area • s. 39. Rabies- infected areas • s. 40. Destruction or detention of animals suspected to be infected with rabies
21.	EXCLUSIVE ECONOMIC ZONE ACT, 1984 [ACT 311]	<ul style="list-style-type: none"> • s.10 Offence in respect the discharge or escape of certain substances • s.14 Directions and action to remove, disperse, destroy or mitigate damage etc.

SABAH

	ACT	SECTION
1.	SABAH MINING ORDINANCE 1960	<ul style="list-style-type: none"> • s.10. Preservation of timber • s.27. Offences and penalties.
2.	SABAH WILDLIFE CONSERVATION ENACTMENT 1997	<ul style="list-style-type: none"> • s.14 - Demarcation of boundaries of Wildlife Sanctuary. • s.15 - Restriction of residence in and entry into a Wildlife Sanctuary. • s.16 - Hunting of animals and harvesting of plants in a Wild Sanctuary. • s.17 - Other prohibited acts within a Wildlife Sanctuary. • s.18 - Environmental offences in Wildlife Sanctuary. • s.25 - Animals that shall not be hunted. • s.33 - Prohibited methods of hunting. • s.37 - Reckless injury or killing of animal. • s.40 - Animals the property of the Government. • s.41 - Possession of protected animals and animal products. • s.46 - Causing suffering to animals. • s.48 - Control of safe and purchase of protected animals and animal products. • s.51 - Animal dealer's permit. • s.52 - Control of trade in meat. • s.53 - Control of movement of protected animals into or out of the State. • s.54 - Plants that may not be harvested. • s.55 - Special exemption. • s.61 - Plant dealer's permit. • s.62 - Possession of protected plant. • s.63 - Control of movement of protected plants into or out of the State. • s.71 - Hunting of animals and harvesting of plants in a Wildlife Hunting Area. • s.72 - Other prohibited acts within a Wildlife Hunting Area. • s.73 - Environmental offences in Wildlife Hunting Area. • s.78 - Animal farming. • s.79 - Plant cultivation permit. • s.84 - Control of collection of animal products. • s.85 - Edible birds' nests and guano. • s.87 - Declaration of turtle egg traditional collection area. • s.96 - Offences, penalties and proceedings. • s.112 - Introduction of exotic animals and plants into the State.

3.	SABAH DRAINAGE AND IRRIGATION ORDINANCE 1956	<ul style="list-style-type: none"> • s.17 - Obstruction or damage. • s.18 - Waste or obstruction of water.
4.	SABAH ENVIRONMENT PROTECTION ENACTMENT 2002	<ul style="list-style-type: none"> • s.12. Reports on prescribed activities. • s.28. Restrictions on the use of land. • s.29. Restrictions on activities along coastal area. • s.30. Restrictions on activities affecting bed of lake or river. • s.31. Restrictions on activities affecting water. • s.32. Restrictions on discharge of pollutants. • s.33. Restrictions on activities affecting vegetation. • s.34. Control of genetically modified organisms or plants.
5.	SABAH FOREST ENACTMENT ACT 1968	<ul style="list-style-type: none"> • s.19 - Endangering Forest Reserve by fire. • s.20 - Acts prohibited in Forest Reserves. • s.23 - Forest produce on State and alienated land. • s.30 - General offences. • s.33 - Penalties.
6.	SABAH ANIMAL ORDINANCE 1962	<ul style="list-style-type: none"> • s.3 - Prohibition as to importation. • s.4 - Licence to import animal, bird, animal product or bird product. • s.12 - Exportation of animal, bird, animal product, bird product or carcass. • s.19 - Infected animals and birds. • s.20 - Disinfection of stables, etc. • s.25 - Disposal of infected animal, bird or carcass. • s.30 - Disposal of dead animal and bird. • s.31 - Moving or disposal of diseased or suspected animals. • S.67 - Importation of noxious insects or pests.
7.	SABAH BIODIVERSITY ENACTMENT 2000	<ul style="list-style-type: none"> • s.26 - Offences. • S.28 - Prohibition against export of Biological Resources.
8.	PEARL OYSTER SHELL FISHERY ORDINANCE (SABAH ORDINANCE)	<ul style="list-style-type: none"> • s.8. Unlicensed vessels. • s.11. Declaration of sea produce taken • s.13. Size of pearl oyster shell restricted.

SARAWAK

	ACT	SECTION
1.	SARAWAK BIODIVERSITY CENTRE ORDINANCE, 1997	<ul style="list-style-type: none"> • s.3. Collection of biological resources • s.26. Offences for propagation, <i>etc.</i>, of protected species • s.28. Sale of protected resources • s.46. Offence
2.	NATURAL RESOURCES AND ENVIRONMENT ORDINANCE	<ul style="list-style-type: none"> • s 30 (1)(a) and (b) open burning (refuse or combustible material on any land) without permission of the controller • s.30 (2) permission of the Controller, cuts, destroys or burns vegetation in any area which is not NCR land or Native Area Land • s. 30A: Activity knowing that it will pollute or contaminate any inland waters • s. 30B: offences for pollution of land
3.	SARAWAK RIVER ORDINANCE, 1993	<ul style="list-style-type: none"> • s.33(1)(f); Dump into any river to which the Ordinance applies the carcass of any animal or bird, dredging, earth, garbage, pollutant and other refuse materials of every kind or description
4.	FISHERIES (ADOPTION) ORDINANCE, 1994 (REPEALED BY STATE FISHERIES ORDINANCE, 2003 (CAP. 54))	<ul style="list-style-type: none"> • s.10: Licence for fishing stake and stow net • s.20: prohibited activities within fisheries sanctuary • s.22: power to restrict riverine fishing • s. 24 Restricted species of fish • s.25: Fishing appliance
5.	WATER ORDINANCE, 1994	<ul style="list-style-type: none"> • s. 40 Offences relating to water and waterworks • s.43: Water from unauthorised source • s.45: Pollution
6.	FOREST ORDINANCE, 1958 (Chapter 126)	<ul style="list-style-type: none"> • S.71: in respect of power to seize forest produce and other property • S.77: Penalty for trespassing in forest reserves and protected forests. • s.78 and 79: penalty for offence in forest reserves and protected forests. • S. 80: penalty for illegal collection of forest produce in other cases • s. 82: in respect of converting timber trees into fuel • s.83: in respect of penalty for illegal export of logs • s.85: for unlawful possession of forest produce • s.86: for unlawful possession of forest produce not bearing or bearing property mark.

7.	LOCAL AUTHORITIES ORDINANCE, 1996	<ul style="list-style-type: none"> • s.117 pollution of streams with trade refuse,etc
8.	NATIONAL PARKS AND NATURE RESERVES ORDINANCE, 1998	<ul style="list-style-type: none"> • s.35 : Abetment and attempt
9.	VETERINARY PUBLIC HEALTH ORDINANCE, 1999	<ul style="list-style-type: none"> • s.19: examination for animal, fish, products suspected of disease • s.23: Diseased and contact animal or fish • s.24: Disinfection of premises • s.26: Disinfection or destructions of article • s.27 Disinfection of person and clothing • s.28 Disinfection of vehicle • s.32 Disposal of dead animal or fish • s.33 Moving or disposal of diseased or suspected animals or fish • s.34 Removal of articles from infected premises • s.35(1)(2)(7) Infected area, disease control area and disease eradication area • s.37(4)(5) rabies- infected area • s.38 (1)(6) Destruction or detention of animal suspected to be infected with rabies • s.53: Animals feed containing harmful ingredients

REGULATIONS UNDER ENVIRONMENTAL QUALITY ACT 1974

	REGULATIONS	PROVISIONS
1.	ENVIRONMENTAL QUALITY (CLEAN AIR) REGULATIONS 1978	<ul style="list-style-type: none"> • Regulation 7. Burning of trade waste in incinerator only. • Regulation 14. Permissible dark smoke limit for new facilities. • Regulation 15. Permissible dark smoke limit for existing facilities. • Regulation 26. Metals and metallic compounds. • Regulation 27. Gaseous substance. • Regulation 28. Asphalt concrete plant. • Regulation 29. Portland cement plant. • Regulation 30. Facilities discharging asbestos and free silica. • Regulation 31. Emission standards in specific areas. • Regulation 35. Unburnt waste and ash from incinerator.
2.	ENVIRONMENTAL QUALITY (CONTROL OF EMISSION FROM DIESEL ENGINES) REGULATIONS 1996	<ul style="list-style-type: none"> • Regulation 4. Restriction on installation or replacing of engine system. • Regulation 16. Engine to be put off in enclosed area.
3.	ENVIRONMENTAL QUALITY (PRESCRIBED PREMISES)(RAW NATURAL RUBBER) REGULATIONS 1978	<ul style="list-style-type: none"> • Regulation 6. Making changes that alter quality of effluent.
4.	ENVIRONMENTAL QUALITY (MOTOR VEHICLE NOISE) REGULATIONS 1987	<ul style="list-style-type: none"> • Regulation 4. Maximum sound level permitted for motor vehicles having two wheels or three wheels. • Regulation 5. Maximum sound level permitted for motor vehicles having more than three wheels. • Regulation 6. Tests to be conducted by assembler or manufacturer.
5.	ENVIRONMENTAL QUALITY (PRESCRIBED PREMISES)(CRUDE PALM OIL) REGULATIONS 1977	<ul style="list-style-type: none"> • Regulation 6. Making changes that alter quality of effluent.
6.	ENVIRONMENTAL QUALITY (REFRIGERANT MANAGEMENT) REGULATIONS 1999	<ul style="list-style-type: none"> • Regulation 4. Prohibition on the use of refrigerant environmentally hazardous substance. • Regulation 5. Handling of refrigerant environmentally hazardous substance. • Regulation 6. Offence to vent refrigerant environmentally hazardous substance. • Regulation 7. Prohibition on moving refrigerant environmentally hazardous substance out of Malaysia.

7.	ENVIRONMENTAL QUALITY (HALON MANAGEMENT) REGULATIONS 2000	<ul style="list-style-type: none"> • Regulation 4. Prohibition on the use of portable Halon fire extinguisher. • Regulation 7. Prohibition on the installation of new fixed Halon fire extinguishing system. • Regulation 12. Prohibition on the discharge of Halon. • Regulation 16. Prohibition on the moving of Halon out of Malaysia.
8.	ENVIRONMENTAL QUALITY (CONTROL OF EMISSION FROM PETROL ENGINES) REGULATIONS 1996	<ul style="list-style-type: none"> • Regulation 4. Restriction on installation or replacing of engine system. • Regulation 16. Engine to be put off in enclosed area.
9.	ENVIRONMENTAL QUALITY (DIOXIN AND FURAN) REGULATIONS 2004	<ul style="list-style-type: none"> • Regulation 4. Permissible air emission limit for new facilities • Regulation 5. Permissible air emission limit for existing facilities • Regulation 6. Method of computing air emission limit of dioxin and furan
10.	ENVIRONMENTAL QUALITY (CONTROL OF LEAD CONCENTRATION IN MOTOR GASOLINE) REGULATIONS 1985	<ul style="list-style-type: none"> • Regulation 3. Restriction on import or manufacture. • Regulation 4. Restriction on possession, etc. • Regulation 5. Restriction on import, etc.
11.	ENVIRONMENTAL QUALITY (SEWAGE) REGULATIONS 2009	<ul style="list-style-type: none"> • Regulation 12. Prohibition against sewage discharge through by-pass • Regulation 13. Spill or accidental discharge of sewage • Regulation 14. Prohibition against discharge of sludge into inland waters or Malaysian waters • Regulation 15. Restriction on the disposal of sludge onto land
12.	ENVIRONMENTAL QUALITY (CONTROL OF POLLUTION FROM SOLID WASTE TRANSFER STATION AND LANDFILL) REGULATIONS 2009	<ul style="list-style-type: none"> • Regulation 16. Point of discharge of leachate • Regulation 17. Prohibition against leachate discharge or release through by-pass • Regulation 18. Dilution of leachate • Regulation 19. Spill, accidental discharge or leakage of leachate • Regulation 20. Making changes that alter quality of leachate
13.	ENVIRONMENTAL QUALITY (CONTROL OF EMISSION FROM MOTORCYCLES) REGULATIONS 2003	<ul style="list-style-type: none"> • Regulation 10. Idling gaseous emission limit for motorcycle in use.
14.	ENVIRONMENTAL QUALITY (CONTROL OF PETROL AND DIESEL PROPERTIES) REGULATIONS 2007	<ul style="list-style-type: none"> • Regulation 4. Compliance to the properties.

15.	ENVIRONMENTAL QUALITY (INDUSTRIAL EFFLUENT) REGULATIONS 2009	<ul style="list-style-type: none"> • Regulation 18. Prohibition against industrial effluent or mixed effluent discharge through by-pass • Regulation 19. Dilution of industrial effluent or mixed effluent • Regulation 20. Spill, accidental discharge or leakage of industrial effluent or mixed effluent • Regulation 21. Prohibition against discharge of industrial effluent or mixed effluent containing certain substances • Regulation 22. Making changes that alter quality of industrial effluent or mixed effluent • Regulation 23. Restriction on discharge or disposal of sludge
16.	ENVIRONMENTAL QUALITY (SCHEDULED WASTES) REGULATIONS 2005	<ul style="list-style-type: none"> • Regulation 4. Disposal of scheduled wastes • Regulation 5. Treatment of scheduled wastes • Regulation 6. Recovery of material or product from scheduled wastes • Regulation 9. Storage of scheduled wastes
17.	ENVIRONMENTAL QUALITY (SEWAGE AND INDUSTRIAL EFFLUENTS)	<ul style="list-style-type: none"> • Regulation 4. Prohibition against new and altered sources of effluent discharge • Regulation 6. Prohibition of discharge of effluent containing certain substances • Regulation 9. Restrictions on the discharge of effluents • Regulation 10. Restrictions on disposal sludges. • Regulation 13. Making changes that alter quality of effluent. • Regulation 17. Dilution of effluent

LAMPIRAN D

KES-KES ALAM SEKITAR (PERUNTUKAN SPESIFIK)

BIL	NOMBOR KES	TARIKH BICARA BERMULA	SEKSYEN PERTUDUHAN	STATUS KES DAN PELUPUSAN BARANG KES
1.	63ES-8-2012	25-06-2012	S.15 National Forestry Act 1984	-SP 1 dan SP 2 memberi keterangan - Kes ditangguh untuk SP3 beri keterangan
2.	63ES-11-2012	28-06-2012	S.25 Environmental Quality Act 1974	-Keputusan: 27.07.2012- OKT disabitkan atas pertuduhan. -Denda RM 50,000 gagal bayar 6 bulan penjara -Barang kes diserahkan kepada Pegawai Pendakwa untuk dilupuskan.

KES-KES ALAM SEKITAR (PERUNTUKAN AM)

BIL	NOMBOR KES	TARIKH BICARA BERMULA	SEKSYEN PERTUDUHAN	STATUS KES DAN PELUPUSAN BARANG KES
1.	63EG-8-2012	25-06-2012	S.50 National Forestry Act 1984	-SP 1 dan SP 2 memberi keterangan - Kes ditangguh untuk SP3 beri keterangan
2.	63EG-11-2012	28-06-2012	S.37 Environmental Quality Act 1974	-Keputusan: -Denda RM 1000 gagal bayar 1 bulan penjara