

WATER SERVICES INDUSTRY ACT 2006

WATER SERVICES INDUSTRY
(SEWERAGE SERVICES CHARGES) REGULATIONS 2022

IN exercise of the powers conferred by subsection 84(1), section 85 and paragraph 179(i) of the Water Services Industry Act 2006 [Act 655], the Minister, on the recommendation of the Commission, makes the following regulations:

Citation and commencement

1. (1) These regulations may be cited as the **Water Services Industry (Sewerage Services Charges) Regulations 2022**.

(2) These Regulations come into operation on 1 October 2022.

Interpretation

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

“annual value” has the same meaning assigned to it in the Local Government Act 1976 [Act 171];

“worker” means any person working in or based at an industrial premises and includes contractor, consultant, agent or representative of the owner or occupier of the premises;

“connected services” means the collection, conveyance, treatment and disposal of sewage and sewage sludge received through private connection pipes connected to a public sewerage system or any part of the public sewerage system;

“desludging services” means the draining, removal and transportation of sewage and sewage sludge from septic tank for proper treatment and disposal;

“domestic premises” means any premises used exclusively for human habitation and does not include premises that are partly used for industrial or commercial activities;

“Government premises” means any premises 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;

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

“industrial premises” means any premises used wholly or partly for industrial activities which include the manufacturing, processing or assembling of goods or substance;

“estate dwelling house” means any domestic premises located on land designated by the relevant State Authority for agricultural purposes under the National Land Code [Act 828] including such land used for the purpose 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;

“village dwelling house” means any domestic premises situated on land declared to be a village by the relevant State Authority, or deemed as a duly constituted village under the National Land Code;

“new village dwelling house” means any domestic premises located on land designated by the relevant State Authority as a ‘new village’;

“low-cost house” means any domestic premises classified by the relevant local authority or State Authority as a ‘low cost house’;

“non-approved septic tank” means any septic tank which is constructed or installed not in accordance with the plans or specifications approved under the Act or the Sewerage Services Act 1993 [Act 508].

Sewerage services charges

3. The sewerage services charges either connected services or desludging services payable for—

- (a) domestic premises shall be as prescribed in the First Schedule;
- (b) commercial premises shall be as prescribed in the Second Schedule;
- (c) Government premises shall be as prescribed in the Third Schedule; and
- (d) industrial premises shall be as prescribed in the Fourth Schedule.

Determination of water consumed

4. (1) If the details of the amount of water consumed at any commercial or Government premises provided with sewerage services are not available at the time the bill for sewerage services charges is to be issued by the service licensee, the amount of water consumed for the billing period shall be estimated by reference to the average monthly amount of water consumed at the premises during the previous twelve months.

(2) The service licensee shall make adjustment to the billing made under subregulation (1) upon the service licensee receiving—

- (a) from the water distribution licensee, the actual data of the water consumption at the premises; or
- (b) from the owner or occupier of the premises, the water supply bill issued by the water distribution licensee for the billing period.

(3) A written statement duly certified by the water distribution licensee or any person authorized by the water distribution licensee specifying the amount of water supplied to the commercial or Government premises for

any billing period shall be *prima facie* evidence of the amount of water consumed at the premises over that same period.

Minimum charges for connected services

5. (1) The owner, management corporation or occupier of a premises receiving connected services shall inform the service licensee if the premises is vacant and the duration the premises will be vacant in the form and manner required by the service licensee.

(2) Upon the service licensee confirming that the premises is vacant, the owner, management corporation or occupier of the premises receiving the connected services shall pay the minimum charges for the relevant category of premises as prescribed in the Fifth Schedule for the duration the premises is vacant.

Desludging services charges

6. (1) The owner, management corporation or occupier of a premises receiving desludging services after the commencement of these Regulations and charged for the services rendered shall pay the desludging services charges in lump sum unless the service licensee allows the owner, management corporation or occupier of the premises to pay the charges by instalment for a duration agreed by the service licensee.

(2) The desludging services charges for any repeated or additional desludging services made at the request of the owner, management corporation or occupier of a premises exceeding the frequency specified under the Water Services Industry (Desludging Services) Regulations 2021 [*P.U. (A) 140/2021*] shall be as prescribed in the Sixth Schedule.

Cancellation charges of desludging services

7. (1) The owner, management corporation or occupier of a premises shall pay the cancellation charges of desludging services after a written notice is issued by the service licensee under the Water Services Industry (Desludging Services) Regulations 2021 if—

- (a) the owner, management corporation or occupier of the premises fails to give adequate access to the septic tank for the purposes of enabling the septic tank to be desludged;
- (b) the owner, management corporation or occupier of the premises refuses to allow the scheduled desludging services to be carried out; or
- (c) it appears to the service licensee that the septic tank is empty upon inspection.

(2) The cancellation charges of desludging services mentioned under subregulation (1) shall be as prescribed in the Seventh Schedule.

Exemption

8. Any premises used exclusively as a place for religious or charitable purposes and approved by the relevant authorities under any written laws shall be exempted from paying the sewerage services charges.

Notice of transfer of premises

9. (1) Any person who sells or transfers any premises in respect of which sewerage services charges have been incurred for sewerage services provided by the services licensee, shall continue to be liable for the payment of all sewerage services charges payable in respect of the premises unless prior notice has been given to the service licensee in relation to such sale or transfer.

(2) Nothing in these Regulations shall affect the liability of the purchaser or transferee to pay the sewerage services charges in respect of the premises referred to in subregulation (1) or affect the right of the service licensee to recover the sewerage services charges from the purchaser or transferee.

Revocation

10. The Sewerage Services (Charges) Regulations 1994 [P.U. (A) 115/1994] and the Water Services Industry (Modification of the Sewerage Services (Charges) Regulations 1994) Order 2018 [P.U. (A) 46/2018] are revoked.

FIRST SCHEDULE

[Paragraph 3(a)]

SEWERAGE SERVICES CHARGES FOR DOMESTIC PREMISES

(1) <i>Item</i>	(2) <i>Category</i>	(3) <i>Connected services</i>		(4) <i>Desludging services</i>	
		<i>Charge (RM/per month)</i>		<i>Charge (RM)</i>	
1.	Low cost house or any house with annual value of less than RM600.00 (including Government quarters categories F, G, H and I as determined by the relevant authority)	Effective until 31 December 2023	2.00	Effective until 30 September 2022	2.00 per month
		Effective from 1 January 2024	4.00	Effective from 1 October 2022	192.00 per service
2.	Village dwelling house, new village dwelling house and estate dwelling house	Effective until 31 December 2023	3.00	Effective until 30 September 2022	3.00 per month
		Effective from 1 January 2024	5.00	Effective from 1 October 2022	192.00 per service

(1) <i>Item</i>	(2) <i>Category</i>	(3)	(4)		
		<i>Connected services</i>	<i>Desludging services</i>		
		<i>Charge (RM/per month)</i>	<i>Charge (RM)</i>		
3.	Domestic premises other than those specified in items (1), (2) and (4)	Effective until 31 December 2022	8.00	Effective until 30 September 2022	6.00 per month
		Effective from 1 January 2023	10.00		
		Effective from 1 January 2024	12.00	Effective from 1 October 2022	192.00 per service
		Effective from 1 January 2026	15.00		
4.	Domestic premises with non-approved septic tank	-		For tank size < 2.5m ³ effective from 1 October 2022	260.00
				For tank size > 2.5m ³ up to 4.5m ³ effective from 1 October 2022	390.00
				For tank size > 4.5 m ³ effective from 1 October 2022	390.00+ (130.00 for every additional m ³ tank size)

SECOND SCHEDULE

[Paragraph 3(b)]

SEWERAGE SERVICES CHARGES FOR COMMERCIAL PREMISES

(1) <i>Item</i>	(2) <i>Minimum annual value (RM)</i>	(3) <i>Maximum annual value (RM)</i>	(4)	(5)
			<i>Connected services Charge (RM/per month)</i>	<i>Desludging services Charge (RM/per month)</i>
1.	0	2,000	8.00	7.00
2.	2,001	5,000	14.00	8.00
3.	5,001	10,000	20.00	14.00
4.	10,001	20,000	26.00	19.00
5.	20,001	30,000	29.00	21.00
6.	30,001	40,000	32.00	23.00
7.	40,001	50,000	35.00	25.00
8.	50,001	60,000	38.00	27.00
9.	60,001	70,000	41.00	29.00
10.	70,001	80,000	44.00	31.00
11.	80,001	90,000	47.00	33.00
12.	90,001	100,000	50.00	35.00
13.	100,001	200,000	180.00	120.00
14.	200,001	400,000	495.00	330.00
15.	400,001	600,000	522.00	348.00
16.	600,001	800,000	1,980.00	1,320.00
17.	800,001	1,000,000	2,160.00	1,440.00

(1) <i>Item</i>	(2) <i>Minimum annual value (RM)</i>	(3) <i>Maximum annual value (RM)</i>	(4)	(5)
			<i>Connected services</i>	<i>Desludging services</i>
			<i>Charge (RM/per month)</i>	<i>Charge (RM/per month)</i>
18.	1,000,001	3,000,000	4,320.00	2,880.00
19.	3,000,001	5,000,000	8,880.00	5,400.00
20.	5,000,001	7,000,000	9,200.00	6,000.00
21.	7,000,001	above	9,600.00	6,600.00
For water consumed from 101m ³ - 200m ³ a month, an additional charge will be imposed			30 cent for every m ³	
For water consumed exceeding 200m ³ a month, an additional charge will be imposed			45 cent for every m ³	

Note: For premises without annual value, a charge based on minimum annual value of RM0.00 to maximum annual value of RM2,000.00 will be imposed.

THIRD SCHEDULE

[Paragraph 3(c)]

SEWERAGE SERVICES CHARGES FOR GOVERNMENT PREMISES

(1) <i>Category</i>	(2) <i>Connected services</i>	(3) <i>Desludging services</i>
	<i>Charge (RM/per month)</i>	<i>Charge (RM/per month)</i>
Government premises	40.00	25.00
For water consumed from 101m ³ - 200m ³ a month, an additional charge will be imposed	RM0.45 for every m ³	
For water consumed exceeding 200m ³ a month, an additional charge will be imposed	RM0.95 for every m ³	

FOURTH SCHEDULE

[Paragraph 3(d)]

SEWERAGE SERVICES CHARGES FOR INDUSTRIAL PREMISES

(1) <i>Category</i>	(2)	(3)
	<i>Connected services</i>	<i>Desludging services</i>
	<i>Charge (per worker) (RM/per month)</i>	<i>Charge (per worker) (RM/per month)</i>
Industrial premises	2.50	2.00

FIFTH SCHEDULE

[Subregulation 5(2)]

MINIMUM CHARGES FOR CONNECTED SERVICES

(1) <i>Item</i>	(2) <i>Category</i>	(3) <i>Minimum charge (RM)</i>
1.	Domestic premises effective from 1 October 2022 (i) Low cost house or any house with annual value of less than RM600.00 (ii) Village dwelling house, new village dwelling house and estate dwelling house (iii) Domestic premises other than those specified in items (i) and (ii)	50% of the current charge rate
2.	Government quarters effective from 1 October 2022 (i) Categories F, G, H and I as determined by the relevant authority (ii) Categories A, B, C, D and E as determined by the relevant authority	50% of the current charge rate

(1) <i>Item</i>	(2) <i>Category</i>		(3) <i>Minimum charge (RM)</i>
3.	Commercial premises effective from 1 October 2022	(i) Annual value of RM0 up to RM2,000.00 (ii) Annual value in excess of RM2,000.00	50% of the current charge rate 8.00
4.	Industrial premises effective from 1 October 2022		8.00
5.	Government premises effective from 1 October 2022		8.00

SIXTH SCHEDULE

[Subregulation 6(2)]

REPEATED OR ADDITIONAL DESLUDGING SERVICES CHARGES

(1) <i>Item</i>	(2) <i>Charge (RM/per trip)</i>
Repeated or additional desludging services charges effective from 1 October 2022	192.00

SEVENTH SCHEDULE

[Subregulation 7(2)]

CANCELLATION CHARGES OF DESLUDGING SERVICES

(1) <i>Item</i>	(2) <i>Charge (RM/per service)</i>
Cancellation charges of desludging services effective from 1 October 2022	80.00

Made 14 September 2022

[KASA.BAP.(S).700-1/1/1 KLT.5(13); PN(PU2)660/JLD.17]

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