



FEDERAL SUBSIDIARY LEGISLATION

ENVIRONMENTAL QUALITY ACT 1974 [ACT 127]

P.U.(A) 296/85

ENVIRONMENTAL QUALITY (CONTROL OF LEAD CONCENTRATION IN MOTOR GASOLINE) REGULATIONS 1985

Publication : 11th July 1985
Date of coming into operation : 12th July 1985

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Preamble

In exercise of the powers conferred by section 51 of the Environmental Quality Act, 1974, the Minister after consultation with the Council, makes the following regulations:

Regulation 1. Citation.

These Regulations may be cited as the **Environmental Quality (Control of Lead Concentration in Motor Gasoline) Regulations, 1985.**

Regulation 2. Interpretation.

In these Regulations, unless the context otherwise requires

"authorised officer" means such officer appointed under section 3 of the Act or any other officer to whom the Director General has delegated his power under section 49 of the Act.

Regulation 3. Restriction on import or manufacture.

No person shall import or manufacture any motor gasoline which contains lead or lead compounds expressed as lead in excess of 0.40 gramme per litre on and after the date following the date of publication of these Regulations in the *Gazette*.

Regulation 4. Restriction on possession, etc.

No person shall be in possession, offer or exhibit for sale, sell, deliver for use or exchange for use any motor gasoline which contains lead or lead compounds expressed as lead in excess of 0.40 gramme per litre on and after the 1st January 1986.

Regulation 5. Restriction on import, etc.

Notwithstanding the provisions in regulations 3 and 4, no person shall import, manufacture, possess, offer or exhibit for sale, sell, deliver for use or exchange for use any motor gasoline which contains lead or lead compounds expressed as lead in excess of 0.15 gramme per litre on and after the 1st January 1990.

Regulation 6. Manufacture for export.

Regulations 3, 4 and 5 shall not apply if the motor gasoline is manufactured for export outside Malaysia provided prior notice on the date of manufacture, quantity, place of storage, name of customers and anticipated date of export have been communicated to the Director General.

Regulation 7. Waiver of notification.

(1) For the purpose of effecting exemption under regulation 6 the Director General may establish a recording procedure to be followed by the manufacturer.

(2) Where an application has been made to the Director General by the manufacturer to adopt such procedure the requirement to give prior notice as prescribed under regulation 6 may be waived.

Regulation 8. Authorised officer to produce identification and issue receipt.

Every authorised officer shall produce his identification before the collection of samples of motor gasoline and shall issue receipt for such quantity of sample collected.

Regulation 9. Collection, sampling and analysing procedures.

For the purpose of determining the lead contents prescribed in these Regulations, the motor gasoline shall be collected, sampled and analysed in accordance with the procedures specified in the First Schedule.

Regulation 10. Obstruction of authorised officer.

No person shall obstruct or delay any authorised officer in the collection and sampling of motor gasoline under regulation 8.

Regulation 11. Licence required to contravene conditions.

No person shall, unless licensed, contravene the conditions specified in regulations 3, 4 and 5.

Regulation 12. Granting of licence.

(1) Where the Director General is satisfied that

(a) (i) the motor gasoline with higher lead concentration is needed for the investigation or research relevant to pollution problems; or

(ii) the motor gasoline with higher lead concentration is required for the operation of certain vehicles for raffles or racing purposes; or

(iii) the motor gasoline with higher lead concentration is required for specific uses which in the opinion of the Director General are not contrary to the intent and spirit of these Regulations; and

(b) that the use of such motor gasoline is confined to a small segment of the environment and for such period that the accumulated level of lead is not likely to cause adverse effect on the environment, he may grant a licence to contravene the conditions in regulation 3, 4 or 5.

(2) Application for such licence shall be made in such forms as may be prescribed by the Director-General.

Regulation 13. Compounding of offences.

Offences against regulations 3, 4, 5 and 10 shall be offences which may be compounded by the Director-General, or any officer specifically authorised by the Director-General.

Regulation 14. Fees payable.

(1) Every application for a licence under regulation 12 shall be accompanied by the necessary fees specified in the Second Schedule provided that such fees shall not be required in respect of plant, facilities or vehicles wholly owned by the Government of Malaysia.

(2) Payment of fees shall be made by cash, money order, postal order bank draft payable to the Director General who shall issue a receipt upon realisation of the payment.

FIRST SCHEDULE

COLLECTION, SAMPLING AND ANALYSING PROCEDURES (Regulation 9)

| Parameters | Methods |
|---------------------------|---|
| Lead Concentration | Malaysian Standards MS 118 and MS912 or ASTM D 3341 |

ASTM American Society for Testing and Materials, U.S.A.

SECOND SCHEDULE

FEEES PAYABLE TO OBTAIN LICENCE (Regulation 14)

1. Application under regulation 12 (1) (a) (i) and 12 (1) (a) (iii) - \$300.00.
2. Application under regulation 12 (1) (a) (ii) - \$500.00.

Dated the 27th June 1985.

[KST & AS. (U) 902/JAS/2/2; PN. (PU²) 280/II.]

DATUK AMAR STEPHEN K.T.YONG,

Minister of Science, Technology and Environment

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