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THE PROTECTION OF PUBLIC HEALTH ORDINANCE, 1999

THE PROTECTION OF PUBLIC HEALTH (LAUNDRIES) REGULATIONS, 2008

(Made under section 64)

In exercise of the powers conferred by section 64 of the Protection of Public Health Ordinance, 1999 [*Cap. 30*], the Majlis Mesyuarat Kerajaan Negeri has made the following Regulations:

Citation and application

1.—(1) These Regulations may be cited as the **Protection of Public Health (Laundries) Regulations, 2008**, and shall, subject to subregulation (2), come into force on such date as the Minister may, by notification published in the *Gazette*, appoint.

(2) Without prejudice to subregulation (1), the Minister may appoint different dates for the coming into force of these Regulations in different local authority areas.

Interpretation

2. In these Regulations—

“article” includes carpet, clothing, towel, linen, rug, cushion cover, table cloth, blanket, pillow cover, bedsheet, curtain or any other washable items;

“authorized officer” means an officer or an employee of any local authority duly authorized by that local authority to discharge or carry out any of the duties or responsibilities conferred by these Regulations on the local authority or any authorized officer;

“company” means a company incorporated under the Companies Act 1965 [Act 125];

“firm” means any business being carried on as sole proprietor, or in association with two or more other persons in the form of partnership;

“inland waters” means any public drain, reservoir, pond, lake, river, stream, canal, spring, well, channel or any watercourse;

“laundry” means any place, building or part of a building where articles are cleaned or washed, dried or pressed either manually or mechanically for profit or gain, and includes steam laundries, dry cleaning establishments and laundrettes;

“laundry effluent” means any liquid water, waste water, any substance whether in a solid, semi solid or liquid form or in a mixture of at least two of these substances which are discharged by reason of the processes taking place at any laundry premises, and include any liquids and substances containing chemical in solution;

“licensed premises” means any premises licensed under these Regulations, and shall include the land appurtenant to it;

“licensee” means any person to whom a licence has been granted under these Regulations, and includes, in the case where a licence is issued to a company, the person having control or management of the laundry;

“local authority” means a local authority designated or named in the Schedule to the Local Authorities Ordinance, 1996 [Cap. 20].

Licence

3. No person shall use any place or premises as a laundry without a licence issued under these Regulations by a local authority.

Application for and grant of a licence

4.—(1) Every application for a licence or a renewal of it shall be made in writing to a local authority in such form as may be determined.

(2) Every licence shall be in such form as a local authority may determine.

(3)(a) Where a licence is granted to an individual, the local authority shall require the applicant to submit three recent passport size photographs of the applicant which shall portray a recognizable likeness of the applicant.

(b)(i) Where a licence is granted to a company or a firm, the local authority shall require the company or firm to name and appoint a person who shall be in charge of the management and control of the laundry and require three passport size of his photograph to be submitted.

(ii) A licensee shall not during the currency of the licence, change the person having the management and control of the laundry without the prior written approval of the local authority.

(4) (a) Where an application for a licence or a renewal of it is approved by a local authority, a licence shall be issued on payment of the fee prescribed in the Schedule.

(b) Every licence shall—

(i) specify the name and address of the licensee and the address and description of the licensed premises;

(ii) specify the period for which the licence shall be valid;

(iii) specify the terms, conditions and restrictions as the local authority may think fit to impose;

(iv) have fixed to it a recent photograph of the licensee or the person having the management and control of the company or firm, as the case may be; and

(v) specify such other particulars as the local authority may consider necessary.

(5) Any person whose licence has been lost, stolen, destroyed or defaced may apply to a local authority for the issue of a duplicate licence on payment of the fee prescribed in the Schedule.

(6) The fee for a laundry licence is as prescribed in the Schedule.

Duration of licence

5.—(1) A licence issued under these Regulations shall be valid for a period not exceeding two years from the date of issuance of it as may be determined by a local authority.

(2) A local authority may at its discretion—

(a) refuse to grant any licence; or

(b) refuse to renew a licence, if the holder of it has committed any breach of the provisions of these Regulations or any other written law or any condition of the licence.

Suspension, cancellation or revocation of licence

6.—(1) A local authority may at any time by notice suspend, cancel or revoke the licence issued under these Regulations if it is satisfied that—

(a) the licensee has obstructed, abused or harassed any officer of the local authority who is exercising his powers or performing his duties under these Regulations; or

(b) the licensee has breached any of the provisions of these Regulations or any condition specified in the licence; or

(c) the laundry business is conducted at any place or premises other than the licensed premises:

Provided that before a decision is made to suspend, cancel or revoke a licence, the local authority shall give the licensee an opportunity to make representation in writing within a period of not less than fourteen days from the date of receipt of the decision of the local authority as to why the licence shall not be suspended, cancelled or revoked, as the case may be.

(2) A licensee shall surrender his licence to the local authority within thirty days from the date of the expiry, revocation, cancellation or suspension of the licence.

Licence to be exhibited

7. Every person to whom a licence has been granted shall exhibit the licence at all times in some prominent place at the licensed premises and shall produce such licence for inspection if required to do so by an authorized officer.

Licence not transferable

8.—(1) A licensee shall not transfer, let or sublet his licence to any other person without the prior approval in writing of the local authority.

(2) For the purpose of this regulation, a licence shall be deemed to have been transferred in the case where the licensee is a company, if there has been a change in the ownership of more than fifty percent of the issued and paid up capital of the company.

Restriction on issue of licence

9. A licence shall not be issued to any person who is under eighteen years of age.

Prohibition of discharge of laundry effluent

10. A licensee shall not discharge or cause or permit the discharge of laundry effluent into any inland waters which can cause pollution to the environment.

Laundry effluent

11. A licensee shall cause the laundry effluent to be discharged into the drain within the immediate vicinity of the licensed premises.

Permitted buildings

12. No building shall be used as a laundry, unless the building has been built or renovated in accordance with plans approved under these Regulations and the Buildings Ordinance, 1994 [Cap. 8], and any other written law applicable to the local authority.

Wall specification

13. The walls of the area where washing is done manually shall be provided with glazed tiles in accordance with the specification approved by the local authority.

Floor specification

14. The floors of the area where washing is carried out shall be made of smooth impervious material and graded or in accordance with the specification approved by the local authority so that all fluids flow speedily into the drains.

Cleanliness of licensee, etc.

15. Any person employed within the laundry shall maintain his body and clothing in a state of cleanliness.

Diseased person not to work on laundry

16.—(1) No person suffering from any skin disease or infectious disease shall enter, live, work or be employed in any laundry.

(2) The occurrence of any infectious or contagious disease on any premises used as a laundry shall immediately be reported to the local authority by the licensee.

(3) No licensee shall knowingly receive any article whatsoever from or belonging to or used by any person living in any house or institution where there is an infectious or contagious disease.

(4) Any licensee of a laundry who unknowingly receives infected clothes shall immediately on becoming aware of the fact notify the local authority by giving the name and address of the person from whom such clothes were received, and shall take steps to ensure that the infected clothes be set aside and dealt with in such manner as may be directed by the local authority.

Cleanliness

17.—(1) Premises used at a laundry and all utensils, equipments, fittings and machinery in it shall be kept in a clean and sanitary condition.

(2) No dogs, poultry or any other animals shall be kept on the premises of any laundry.

(3) Where clothes are dried out of doors they shall be dried on clothes lines above the ground. No clothes shall be dried on the ground.

(4) Separate receptacles shall be provided for clean and soiled clothes, bedding and other articles.

(5) All washed clothes shall be kept on shelves, containers or tables and receptacles used to keep these washed clothing must be kept clean and disinfected.

(6) No person shall sit, recline or sleep among the clothes in any laundry and no portion of any laundry work room shall be used or occupied as sleeping quotas or for the purpose of preparing or cooking food.

(7) An adequate supply of water shall be continuously provided in laundry premises.

Lending out clothes forbidden

18. No licensee shall lend or hire out or himself use any clothes entrusted to him in the course of his business.

Ventilation

19. The licensee shall take steps to ensure that there is adequate ventilation in the licensed premises to the satisfaction of the local authority and shall cause every means of such ventilation to be kept in good order and in efficient working condition.

Power of closure

20.—(1) The Chief Administrative Officer or any authorized officer of a local authority may, without prejudice to the exercise of any other powers conferred under these Regulations, order the closure of the licensed premises—

- (a) where the licence to operate the laundry business in respect of it has been suspended or cancelled or revoked; or
- (b) where there has been a breach of any of the provisions of these Regulations or any condition specified in the licence; or
- (c) where the licensed premises is found to be prejudicial to public health or cause nuisance to the public or pollution to inland waters.

Service of notices, etc.

21. Every notice, order, demand or document required or authorized by these Regulations to be served shall be effected by—

- (a) serving a copy of it on the licensee or the person having the management and control of the laundry;
- (b) in the case where the licensee and the person referred to in paragraph (a) is not the same person, serving a copy of it on the person who is the owner of the licensed premises;
- (c) affixing a copy of it on the licensed premises or; or
- (d) if any of the above means of service cannot be effected, then the local authority may effect service of the notice, order, demand, or document, by publication of it in a newspaper circulating in the area of jurisdiction of that local authority.

Penalty

22. Any person who contravenes any of the provisions of these Regulations is guilty of an offence and is liable, on conviction, to a fine not exceeding three thousand ringgit and, in the case of a continuing offence, to a further fine not exceeding two hundred and fifty ringgit for every day during which the offence continues.

Revocation and saving

23.—(1) The Public Health (Laundries) By-laws in the Seventh Schedule to the Public Health Ordinance, 1962 [*Ord. No. 24/62, p.66*] (now repealed), are revoked.

(2) Section A of the Schedule to the Public Health (Fees) By-laws in the Seventh Schedule to the Public Health Ordinance, 1962 [*Ord. No. 24/62, p. 65*] (now repealed) is amended by deleting all references to "licence to keep a laundry" under "by-law 3 of the Public Health (Laundries) By-laws".

(3) Any licence issued by a local authority under the revoked By-laws specified in subregulation (1) shall continue in force until the expiry of that licence.

SCHEDULE

(Regulation 4(5) and (6))

FEEs

(a)	Laundry licence	RM120.00 per annum
(b)	Duplicate licence	RM 15.00

Made by the Majlis Mesyuarat Kerajaan Negeri this 24th day of April, 2008.

HAJJAH MASBAH HAJI ARIFFIN,
Clerk to Majlis Mesyuarat Kerajaan Negeri

KAS/115/1(13)

