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GAS SUPPLY ENACTMENT AND REGULATION GUIDELINES



GAS SUPPLY ENACTMENT 2023

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In exercise of the power conferred by Section 72 of the Gas Supply Enactment 2023, the Energy Commission of Sabah (ECoS) issues these guidelines.

Citation and Commencement

1. These Guidelines may be cited as the Gas Supply Enactment and Regulation Guidelines (“Guidelines”).
2. These Guidelines shall come into operation with immediate effect.

Purpose of these Guidelines

The purpose of these Guidelines is to explain the scope and matters as stipulated within the Gas Supply Enactment 2023 and Gas Supply Regulations 2023 which were enforced since 10th January 2023.

Application of these Guidelines

These Guidelines shall be applicable to : -

- Gas installation or molecule owners and licensees
- Gas competent persons
- Gas contractors
- Manufacturers, assemblers, importer of gas fitting, appliance or equipment

Amendment and Variation

ECoS may at any time modify, vary, review or revoke these Guidelines.

Dated: 10th January 2023

A handwritten signature in black ink, appearing to read 'Datuk Ir. Abdul Nasser Bin Abdul Wahid', positioned above the printed name and title.

DATUK Ir. ABDUL NASSER BIN ABDUL WAHID
Chief Executive Officer
Energy Commission of Sabah

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1. INTRODUCTION

The Gas Supply Enactment 2023 and Gas Supply Regulations 2023 have been enforced since 10th January 2023. With these legislations in force, all activities pertaining to the supply of hydrocarbon gas through pipelines, its supply to consumers and use will be regulated by the Regulatory Agency. The purpose of such regulation is to ensure that the interests of all stakeholders, i.e. the gas supply industry, consumers and public on safety, economy, reliability, quality and efficiency aspects are taken care of.

2. SCOPE OF THE ENACTMENT

The types of gas supplied to consumers that fall within the regulatory scope of the Gas Supply Enactment are methane, ethane, propane, butane or hydrocarbons which may consist of one or more of the aforesaid gases, either in the form of gas or liquid. Generally, for the local gas industry, methane gas supplied to consumers through pipelines is commonly known as natural gas (NG) whereas, the mixture of propane and butane gas is known as liquefied petroleum gas (LPG).

In order to avoid conflicts with other relevant laws in the country, Section 78 of the Gas Supply Enactment 2023 provides exemption to gas supply pipes and gas installations within premises which is defined as “factories” under the Factories and Machinery Act 1967 (Act 139) from any safety aspect provisions as stated in the Factory and Machinery Act 139. The Act 139 is under the regulatory powers of the Department of Occupational Safety and Health (DOSH).

In principle, the Gas Supply Enactment 2023 applies to gas supply activities to consumers through a pipeline:

- i. In relation to liquefied natural gas, from the connection flange of the loading arm at the regasification terminal;
- ii. In relation to natural gas from a gas processing plant or an onshore gas terminal, from the last flange of the gas processing plant or onshore gas terminal;
- iii. In relation to natural gas imported into Sabah through pipelines from the boundary of the State, excluding pipelines upstream of a gas processing plant or an onshore gas terminal, from the international border

to the transmission or distribution pipelines; and from the storage tank or cylinder specifically used for reticulation of gas to any apparatus in any premises. This includes, in respect of safety and technical matters, the delivery of gas to consumers from the distribution pipelines or piping systems to gas appliance in the premises of a consumer (Diagram 1); and

from the filling connection of a storage tank or cylinder specifically used for reticulation of gas to any apparatus in any premises (Diagram 2).

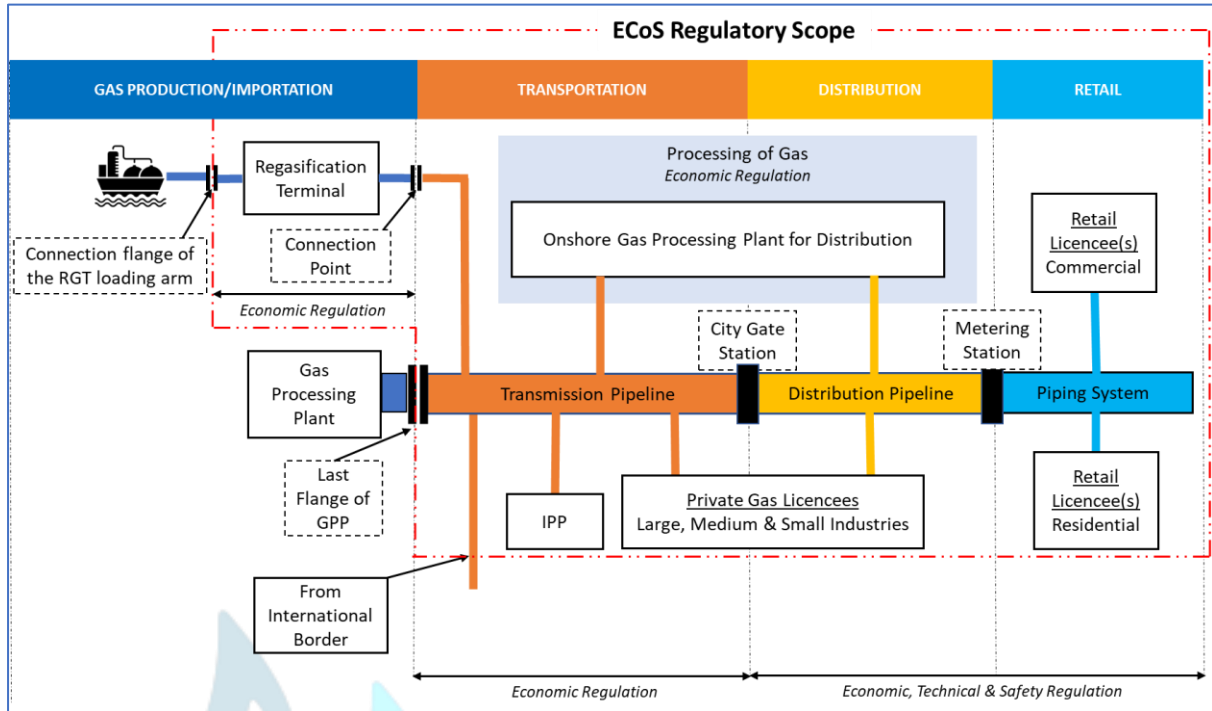


Diagram 1: Natural Gas

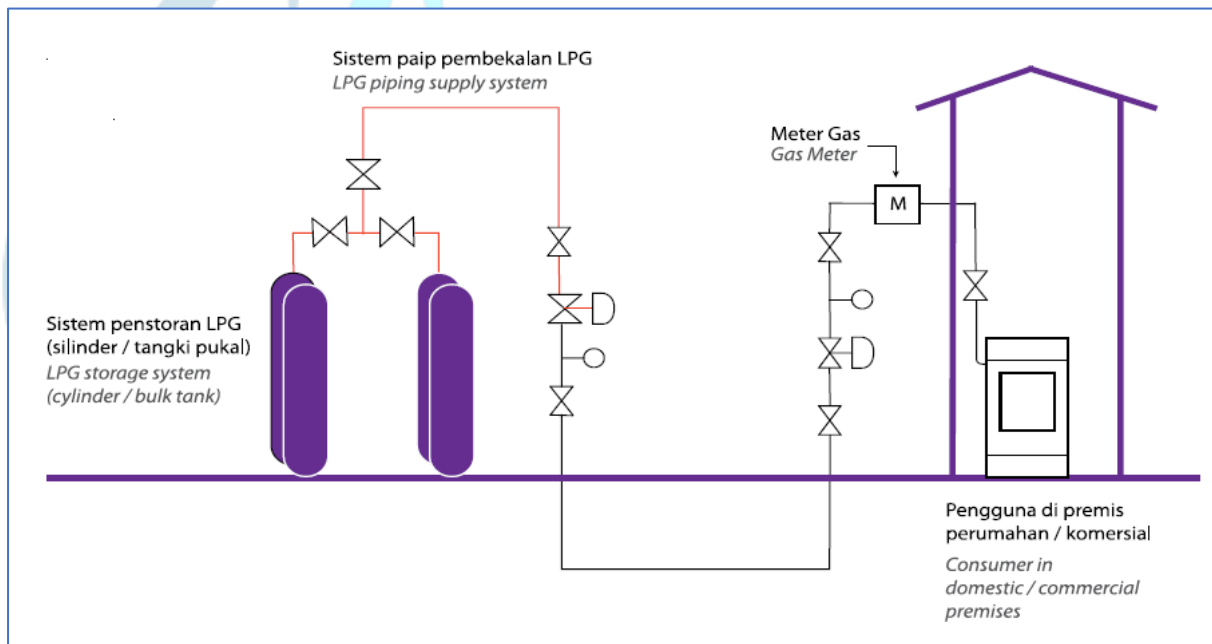


Diagram 2: Liquefied Petroleum Gas

3. OBJECTIVES OF THE ENACTMENT

Through the Energy Commission of Sabah's functions, Section 3 of the Gas Supply Enactment 2023 defines specifically the objectives to be fulfilled. These objectives consist of nine (9) main aspects of the activity of gas supply through pipelines as follows:

- i. To ensure that licensees that supply gas through pipelines satisfy all reasonable demands for gas and access to the facility;
- ii. To ensure that licensees are able to finance the provision of gas supply services;
- iii. To protect the interests of consumers in terms of the prices charged, continuity of supply and the quality of the gas supply services provided;
- iv. To regulate the composition, pressure, purity and volume of gas supplied through pipelines;
- v. To promote efficiency and economy in the supply of gas through pipelines;
- vi. To promote efficiency in the use of gas supplied through pipelines;
- vii. To protect the public from dangers arising from the distribution of gas through pipelines or from the use of gas supplied through pipelines;
- viii. To investigate any complaints by consumers relating to the supply of gas and to resolve such complains; and
- ix. To investigate any accident or fire involving any gas pipeline or installation.

Based on the above objectives, it is clear that the main thrust of the Enactment is to ensure that the activities of supplying gas through pipelines is undertaken in an orderly and efficient manner, besides protecting the interests of consumers on the aspect of safety, continuity of supply and economy.

4. APPROACH OF THE ENACTMENT

The Gas Supply Enactment 2023 provides a regulatory framework in which both the government and the industry play respective roles to ensure the attainment of the objectives of the Enactment. The government identifies and generally specifies the minimum requirements to be performed by the industry with respect to the activity of supplying gas through pipelines to the consumers.

The Minister has been given the power to formulate detailed regulations which contain technical and administrative procedures to ensure that consumers and public interests are protected. For this purpose, the Minister has legislated the Gas Supply Regulations 2023, which comprises comprehensive technical and administrative provisions to ensure that the safety and reliability aspects of the gas piping system and installation are given priority

at all stages of development and system management i.e. the design, installation, testing, operations, maintenance, rectification, upgrading and termination of the system.

Priority is also given to prevention and control procedures in order to address the operational problems that are usually faced by the gas utility industry such as the malfunction and leakage in the piping system in public areas due to third party work near the pipelines and the low quality of maintenance.

The Energy Commission of Sabah has also been given the power to come out with instructions or additional conditions to ensure that more specific and detailed requirements are met in all works in relation to gas installations particularly in cases not provided for in the Gas Supply Regulations.

Besides the officers of the Energy Commission of Sabah, competent persons within the industry workforce, legally regulate the implementation of the requirements of the Enactment and Regulations. The government regulatory mechanism on the quality of these competent persons is created by the certification of competency and registration of individuals who have the knowledge and the skills in designing, constructing, installing, testing, operating, maintaining and repairing the gas pipeline system. Apart of that, those who are directly involved in the industry such as the gas suppliers, installation and maintenance contractors; manufacturers and suppliers of gas piping system equipment also have a role to ensure that the objectives of the enactment are met. They are accountable in this respect legally through the licensing and registration mechanisms.

The Enactment and Regulations provide seven types of permits that are needed for those involved in activities related to the supply of gas through pipelines. These permits are as follows:

- i. License to import into regasification terminal, processing of gas, regasification of gas, shipping of gas, transportation of gas, distribution of gas, retail of gas and use of gas through pipelines
- ii. Certificate of competency and registration as gas competent person
- iii. Registration as gas contractor
- iv. Approval to manufacture, assemble or import gas fittings, appliances and equipment
- v. Approval of gas fittings, appliances and equipment
- vi. Approval to install gas installations
- vii. Approval to operate gas installations

The main provisions with regards to each of the above permit are clarified in the following paragraphs. It is hoped that with these clarifications, all relevant parties understand the purpose, categories and basis for the issuance of the permits.

5. LICENSE TO SUPPLY GAS THROUGH PIPELINES

The main mechanism to ensure that the gas reticulation industry functions in an orderly, safe and economic manner is through the licensing of firms that supply gas through pipelines. Section 4(1) states that no person shall supply gas through pipelines unless licensed under the Enactment. The Energy Commission of Sabah is given the power to issue the license on the approval of the Minister. A license may also be suspended or revoked by the Energy Commission of Sabah upon breach of any of the stated license conditions.

To protect the interests of consumers and to assist the licensee in its gas supply operations, the licensee has been given responsibilities and powers pertaining to the construction and operation of the pipelines and gas installations. A licensee is responsible under the Section 17 of the Gas Supply Enactment to supply gas upon being required by the owner or occupier of any premise situated within the licensee's area of supply. For such services, the licensee is allowed to charge a tariff, and obtain payments and deposits for the gas supply.

The licensee is also allowed to stop supplying the gas in specific situations as stated in the Enactment, including in dangerous situations such as leakages, fires or pipe explosions or other incidents that might jeopardise the safety of the consumers and the public. The licensee can also enter any land other than State land after giving notice and compensation or gas installation. The licensee should also be informed by written notice and information on the location of pipelines be obtained before any excavation work can be undertaken by other parties within the vicinity of the pipelines. Any person who damages the pipelines should report it to the licensee immediately.

The Gas Supply Regulations has provisions for two types of licenses which can be issued under Section 4 of the Gas Supply Enactment, i.e. a Private Gas License to license those supplying and using gas through a gas pipeline in his own property or premises, and a Retail License to license those supplying gas through a gas pipeline to other parties other than Private Gas Licensees. Those who get their supply of gas from a retail licensee, need not obtain a private gas license.

Application for the license to supply gas through pipelines can be made via ECoS Online Services and fees shall be as stated in the Third Schedule of the Gas Supply Enactment 2023.

6. CERTIFICATE OF COMPETENCY AND REGISTRATION AS A GAS COMPETENT PERSON

Any competency of those who work on a gas pipeline and installation is regulated by Section 66 of the Gas Supply Enactment which states that "unless otherwise exempted, no work in respect of installing, constructing, maintaining, repairing or operating any gas pipeline or installation or part thereof shall be carried out except by or under the supervision of and certified by a competent person". Regulation 18 of the Gas Supply Regulations 2023 states that every work on a gas installation shall be supervised by a

competent person employed by the Gas Contractor who is carrying out the installation work.

The Gas Supply Regulations 2023 details out the provisions on the qualifications, competency evaluations and the scope of work of competent persons. The Regulations states five (5) competency classes of competent person as follows:

- i. Gas Engineer
- ii. Gas Engineering Supervisor
- iii. Gas Fitter Class I
- vi. Gas Fitter Class II
- v. Gas Fitter Class III

The minimum academic requirements and experience of candidates are as follows:

- i. Candidates for Gas Engineer should hold a degree in engineering, be registered as a professional engineer with the Board of Engineers and have not less than two (2) years working experience in gas pipelines or gas installations.
- ii. Candidates for Gas Engineering Supervisor should hold a degree or diploma in engineering and have not less than two (2) years working experience in gas pipelines or gas installations.
- iii. Candidates for Gas Fitter Class III should have a suitable educational qualification as determined by the Panel and not less than one (1) year working experience in gas pipelines or gas installations.
- iv. Candidates for Gas Fitter Class II should have not less than two (2) years working experience as Gas Fitter Class III.
- v. Candidates for Gas Fitter Class I should have not less than one (1) year working experience as Gas Fitter Class II.

Before being certified as a competent person, candidates need to sit for a written competency examination and an interview conducted by the Energy Commission of Sabah. However, candidates who have passed gas engineering courses in gas engineering accredited or recognized by the Energy Commission of Sabah can be exempted by the Panel from the need to sit for the written examination.

The scope of work for competent persons are specified in the second schedule of the Gas Supply Enactment 2023 (refer to Appendix B). In principle, the scope of work for competent persons is divided into five (5) types as follows:

- i. Endorsement of gas installation plans

- ii. Endorsement of certificates of completion of gas installations
- iii. Endorsement of test certificates of gas installations
- iv. Repair of gas installations
- v. Maintenance of gas installations

Gas Installations are categorised in Table 1 of Second Schedule of the Gas Supply Enactment 2023 into three (3) classes, i.e. Class I, Class II and Class III (refer to Appendix A). In principle, the criteria of classification of gas installations are based on their relative difficulty of construction and safety risks. Class I installations are the most difficult and have high risk whereas Class III gas installations are the least difficult and have low risk compared to Class I and Class II installations.

The class of gas installations which are included in the scope of work of the various classes of competent persons depends on the knowledge and technical experience required for the respective competency class. For example, Gas Engineers and Gas Engineering Supervisors can perform all the scope of work and installation above with the exception that Gas Engineering Supervisors can only endorse Class II and Class III installations. Class I Gas Fitters can perform work on Class II and Class III installations and can endorse the plans for Class III installations, whereas, Class II Gas Fitters can only perform work on Class III installations and endorse the plans of Class III installations only.

Apart from the competent persons' involvement in the scope of works as above, their services are also required for the inspection on gas installations at frequencies as specified by the Regulations. Domestic installations should be checked, tested and certified by a competent person every three (3) years, but other gas installations should be checked, tested and certified every two (2) years. However, apart from the periodic inspections by competent persons, the Regulations also empower the Energy Commission of Sabah to inspect or direct an inspection, test and certification of the gas installation to be carried out at any time in the interest of safety.

To have an effective supervision of the competent persons' activities, they are required to register with the Energy Commission of Sabah before they can perform any work as accredited competent persons. The registration of competent persons is valid for a period of 12 months and they need to renew it at least two (2) months before the end of the expiry date.

The Gas Supply Regulations also provide the requirements pertaining to the need of using competent persons for welding and jointing pipes for gas installations. It is stated that a person should have a certification from authorities such as the Department of Safety and Health and/ or Energy Commission before they can perform welding on pipes or jointing non-metallic pipes.

To further ensure that all gas installations are well maintained, the Gas Supply Regulations 2023 provides for another category of officials or individuals who have roles in managing

gas installations. They are categorised as “Responsible Persons”. A Responsible Person, who can be a licensee, consumer, occupier or owner of a gas installation premise, is a person who has been empowered by the consumer or the occupier of the premise, to look after the gas pipeline or gas installation in the premise. His role is to ensure that all safety requirements are followed while the gas pipeline or gas installation is in operation.

Application for the certificate of competency and registration as a gas competent person can be made via ECoS Online Services and fees shall be as stated in the Third Schedule of the Gas Supply Enactment 2023.

7. REGISTRATION AS GAS CONTRACTOR

To ensure that only skilled and capable gas contractors are allowed to carry out gas installation works, Regulation 100 stipulates that no person should perform or carry out installing, constructing, testing, commissioning, calibrating, maintaining, repairing or operating a gas pipeline or gas installation or part of it unless he holds a valid Certificate of Registration as a Gas Contractor issued under the Regulations.

For registration purposes, gas contractors are classified into 4 classes, i.e. Class A, B, C and D. The highest class, i.e. Class A contractor can undertake to design, install, test, commission and maintain all classes of gas installations whereas a Class D contractor can only undertake the maintenance and repair for Class III installations.

The competency of contractors is controlled by the provision which requires that competent persons of the relevant class of competency have to be employed by the contractor. For example, a Class A contractor should have under his employment at least a Gas Engineer or a Gas Engineering Supervisor and a Class I Gas Fitter whereas a Class D contractor should have at least a Class III Gas Fitter. Any work performed by the gas contractor must be undertaken in accordance with the competency class of the persons employed.

Information pertaining to the scope of works for various classes of contractors and classifications of gas installations are listed in Table 3 of the Second Schedule of the Gas Supply Enactment 2023 and information on the classification of competent persons to be employed full time for each class of gas contractors is listed in Table 4 Second Schedule of Gas Supply Enactment 2023. (Appendix C and D)

Application for the registration as gas contractor can be made via ECoS Online Services and fees shall be as stated in the Third Schedule of the Gas Supply Enactment 2023.

8. APPROVAL TO MANUFACTURE, ASSEMBLE OR IMPORT GAS FITTINGS, APPLIANCES AND EQUIPMENT

Any weakness in the system of production of gas pipeline components would jeopardise the safety of the gas pipeline system. Hence, it is important for the firms that manufacture, assemble or import components such as gas fittings, appliances or equipment have

adequate technical capabilities and quality control systems to ensure that their products are of high quality and meet the determined quality standards.

Besides that, the importers should also have the capabilities to offer effective technical services to the users of gas fittings, appliances and equipment to ensure that their operations and maintenance are in accordance to the standards and specifications determined by the manufacturers or installers.

Regulation 114 (1) specifies that no person should assemble, manufacture or import a gas fitting, gas appliance or gas equipment without getting the approval from the Energy Commission of Sabah. The approval is valid for a period of 12 months and the application for renewal should be made at least two (2) months before the expiry of the certification.

Application for the approval to manufacture, assemble or import gas fittings, appliances and equipment can be made via ECoS Online Services and fees shall be as stated in the Third Schedule of the Gas Supply Enactment 2023.

9. APPROVAL FOR TYPES OF GAS FITTINGS, APPLIANCES AND EQUIPMENT

To ensure that the specifications and the quality of material and components of gas pipelines and installations used in the gas reticulation industry are safe and suitable, the specifications of all types or models of fittings, appliances or equipment must meet the relevant gas reticulation industry standards and the product quality must be certified by Testing Bodies accredited by the government.

Regulation 115 (1) states that no gas fitting, gas appliance or gas equipment should be assembled, manufactured, imported, sold or used unless the type or model of the fitting, appliance or equipment has been tested and certified and approved by the Government or its agent or a person accredited by the government. For approval purposes, the details of the specifications, standards and testing records which have been certified by accredited Testing Bodies such as SIRIM has to be forwarded to the Energy Commission of Sabah.

The Malaysian standards relating to gas fittings, appliances or equipment or the equivalent international standards are accepted by the Energy Commission of Sabah as the basis to grant such approvals. In addition, to assist the industry in identifying and using approved fittings, appliances or equipment, regulation 117 requires that the fitting, appliance or equipment be labelled with marks of approval certification.

Apart from that, detailed provisions on safety steps and procedures that need to be taken for installing, testing and using gas appliances and equipment are also included in the Gas Supply Regulations. For example, no person should install gas appliances in any premises without:

- i. Testing the connections to the pipelines to ensure no leakages.
- ii. Ensuring that all safety equipment are in order.

- iii. Ensuring that there is sufficient ventilation.
- iv. Ensuring that the operating pressure is in accordance with the manufacturer's specifications.

Application for the approval for types of gas fittings, appliances and equipment can be made via ECoS Online Services and fees shall be as stated in the Third Schedule of the Gas Supply Enactment 2023.

10. APPROVAL TO INSTALL GAS INSTALLATIONS

In ensure that the design and specifications of the gas pipeline system or installation that is being constructed are in accordance with the requirements of the laws, Regulation 12(1) of the Gas Supply Regulations 2023 stipulates that an Approval to Install has to be obtained from the Energy Commission of Sabah before commencing work on an installation which is new, being extended or being modified. To obtain an Approval to Install, the design plan, engineering calculations and the specifications of the gas equipment which have been endorsed by competent persons qualified for the class of the installation concerned, have to be submitted to the Energy Commission of Sabah.

Regulation 11 stipulates that every work on a gas installation should be carried out in accordance with the Regulations and any conditions as may be determined by the Energy Commission of Sabah. For this purpose, the Energy Commission of Sabah has specified that the design codes which have to be used as the basis for designing gas pipeline systems and installations are as follows:

- MS 830 - Malaysian Code of Practice for the Storage, Handling and Transportation of Liquefied Petroleum Gas.
- MS 930 - Malaysian Code of Practice for the Installation of Fuel Gas Piping Systems and Appliances.
- ANSI/ASME B31.8 - American National Standard for Gas Transmission and Distribution Piping Systems.

Application for the approval to install gas installations can be made via ECoS Online Services and fees shall be as stated in the Third Schedule of the Gas Supply Enactment 2023.

11. APPROVAL TO OPERATE GAS INSTALLATIONS

The mechanism to ensure the safety and quality of the installation of gas pipeline systems at the final stage of the project implementation is through the provision of Regulation 13(1) which requires an Approval to Operate from the Energy Commission of Sabah upon completion of the installation work. The Certificate of Completion and Test Certificate signed by the competent person who supervised the work has to be submitted to the Energy Commission of Sabah to obtain the Approval to Operate.

The procedures for the pressure test in the Approval to Install, issued by the Energy Commission of Sabah, is based on the requirements of the Codes listed in the Approval to Install. All inspection and testing records together with the certificates shall be submitted to the Energy Commission of Sabah for its assessment. In special cases, if needed, the authorized officer (appointed by the Energy Commission of Sabah) would participate in or witness the test on the installation before issuing the Approval to Operate.

Besides the Approval to Operate the pipeline or the gas installation, the licensing requirements would also have to be complied with i.e. the owner or occupier concerned must ensure that the installation has at all times a valid Private Gas License if the gas supply for his own use to his premise is not obtained from a gas utility licensee.

A comprehensive maintenance program for the gas installation has also to be drawn up by the licensee and all works needed are to be performed by or under the supervision of a competent person as stated in the Gas Supply Regulations. The Private Gas License is valid for 12 months and it should be renewed two (2) months before its expiry.

Application for the approval to operate gas installations can be made via ECoS Online Services and fees shall be as stated in the Third Schedule of the Gas Supply Enactment 2023.

12. ENFORCEMENT AND LIABILITY

The Energy Commission of Sabah and its officers have been given wide powers to ensure the effective enforcement of the Enactment and Gas Supply Regulations. They can enter at any reasonable time any land, house or building to inspect any pipeline or gas installation, take sample, test, issue notice, search with or without a warrant, stop the supply of gas, shut or and seal pipelines, seize articles, investigate any offence and compound and prosecute (with the sanction from the public prosecutor).

The Energy Commission of Sabah can also prohibit the use or sale of any fitting, appliance and equipment for safety reasons. The Commission can also investigate any conflict between a licensee and the consumers pertaining to matters related to the legislations. Besides that, the Commission can investigate and take necessary action on any reported case of serious accident or fire.

To safeguard all stakeholders' interests, the Enactment provides that appeals to the Minister can be made on licensing matters, where the Minister's decision is final. Appeals on land use for the installation of pipelines can be made to the District Land Administer and State Authority. In such cases the decision by State Authority is final.

As a last measure to ensure that all parties adhere to the laws, Gas Supply Enactment provides for penalties for those found guilty by the court of law for offences such as:

1. Offence for supplying gas through pipelines without a license:
 - A fine to a maximum of RM100,000 or five (5) years imprisonment or both and RM1,000 for every day during which the offence continues after conviction.

2. Offence for carrying out any activity of import into regassification terminal, processing of gas, regasification, shipping, transportation or distribution of gas through pipelines without any license:
 - A fine to a maximum of RM100,000 or five (5) years imprisonment or both and RM1,000 for every day during which the offence continues after conviction.
3. Offence for obstructing an authorised officer
 - A fine to a maximum of RM10,000 or imprisonment for a term not exceeding two (2) years or both.
4. Offence by licensee of import into regasification terminal, processing, shipping, retail or private gas for failing to adhere to licensing conditions
 - A fine to a maximum of RM100,000 and a further fine not exceeding RM1,000 for every day during which the offence continues after conviction.
5. Offence by regasification, transportation or distribution licensee for failing to adhere to licensing conditions
 - A fine to a maximum of RM500,000 and a further fine not exceeding RM5,000 for every day during which the offence continues after conviction.
6. Offence for dishonestly or negligently tampering with or damaging gas pipelines or installations which are likely to cause injury or damage to property
 - A fine to a maximum of RM200,000 or imprisonment for two (2) years or both.
7. Offence for diverting a pipeline to abstract gas, altering the meter index, preventing the accurate recording by the meter or damage any meter
 - A fine to a maximum of RM200,000 or imprisonment for a term not exceeding two(2) years or both.
8. Offence for undertaking work in the vicinity of a gas pipeline or installation without the permission of the licensee
 - A fine to a maximum of RM50,000 or imprisonment for one (1) year or both.
9. Other offences for which penalties are not stated
 - A fine to a maximum of RM100,000 or RM2,000 for every day during which the offence continues after conviction.
10. Other offences by a body corporate for which penalties are not stated
 - A fine to a maximum of RM500,000 or RM10,000 for every day during which the offence continues after conviction.

Apart from that, the Chairman of the Energy Commission of Sabah with the consent of the Public Prosecutor may compound not exceeding fifty percent of the maximum fine amount for specific offences listed in the gazette. Action can be taken on an individual or a corporate body or both for any offence. However, only fines can be imposed by the court if any action is to be taken against the corporate body.

13. POWER TO ENTER AND EXAMINE NON-STATE LAND

- a. In exercising Section 27 of the Enactment, a notice is to be submitted to the occupier in not less than twenty-four hours: -
- i. by delivering it to the occupier;
 - ii. in the case of an incorporated company or body, by delivering it to the secretary or clerk of the company or body at their registered or principal office; or
 - iii. if it is not practicable after reasonable inquiry to ascertain the name or address of any person on whom it should be served, by addressing it to him by the description of "owner" or "lessee" or "occupier" (or as the case may be) of the premises (naming them) to which it relates, and by delivering it to some person on the premises or, if there is no person on the premises to whom it can be delivered by affixing it, or a copy of it, to some conspicuous part of the premises.

For the purpose of this guideline, "occupier" means any person in actual occupation of land or building, or any person having the charge, management or control thereof, whether on his own account or as agent of another person.

- b. The notice shall include details, not limited to the following: -
- i. the name and address of the Licensee;
 - ii. details of its representative(s) or any person authorized or acting on behalf of the Licensee to enter and examine the occupier's land;
 - iii. Time, date and duration of entry;
 - iv. a copy of the license (certified true copy by the Commission);
 - v. justification for the need to enter the occupier's land (project proposal with its preliminary layout and engineering drawings);
 - vi. activities to be executed (Survey method, etc).
- c. Activities that can be executed by the Licensee are as follows: -
- i. Pipeline route center line survey

To identify the termination location and route of the pipeline

ii. Detailed pipeline route survey

To reconfirm the pipeline alignment on ground, finalise crossing locations and crossing angles, to obtain cross-section details and topographic features at all crossings, to obtain detailed topographic features within 30 meters on either side of center line, to obtain ground levels and/or contours, to determine exact pipeline route length with due consideration to ground profile of the route, establish survey monuments on ground along pipeline route, gather details of land use pattern and soil characteristics.

iii. Soil investigation survey

To obtain visual engineering classification of soil and geotechnical properties of soil for design and engineering of various facilities required along the pipeline route.

iv. any other activities necessary to ascertain the suitability of the land, in so far as the same may be possible without causing damage or disturbance.

- d. For the avoidance of doubt, the Licensee or its authorized person shall not cause any damage or disturbance to the occupier's land, including cutting down or clearing of any vegetation or any fence or other erection or entering into any building or upon any enclosure attached to any building, unless agreed by the occupier.
- e. The Licensee shall be liable to indemnify the occupier from any damages, losses and expenses arising out of or in connection with any damage caused by the Licensee during entry into the land.
- f. Any acts or activities beyond the provisions of Section 27 of the Enactment, the Licensee is required to liaise with the State Land and Survey Department.

14. FINAL REMARKS

All the provisions in the Enactment and Regulations are meant to ensure that the activity for supplying gas to consumers through pipelines is undertaken in an orderly, safe and economic manner. In this regard, it is the responsibility of all stakeholders to undertake the activities in accordance with the requirements and standards that have been determined.

15. DISCLAIMER

This Guideline is to be read as a guide for the Enactment and Regulations. In the event of any inconsistencies between this Guideline with the Enactment or Regulations, provisions in the Enactment and Regulations will prevail. It is the responsibility of all stakeholders to obtain professional legal advice in the event of doubt.

APPENDIX A**SECOND SCHEDULE GAS SUPPLY ENACTMENT 2023 CLASSIFICATION OF GAS INSTALLATION**

Table 1

No.	Class of Installation	Criteria of Classification
1	Class I	<p>Natural Gas Installation with maximum operating pressure exceeding 60 psig</p> <p>Liquid Petroleum Gas Installation with storage tank exceeding 10 kl aggregate water capacity on land and all installations with underground storage tanks. And Pipelines with maximum operating pressure of 20 psig after the first stage regulator.</p>
2	Class II	<p>Natural Gas Installation with maximum operating pressure of more than 5 psig but not exceeding 60 psig</p> <p>Liquid Petroleum Gas Installation with storage tank not exceeding 10 kl aggregate water capacity on land; Or Installation with manifold cylinder exceeding 2.5 kl aggregate water capacity (vapour withdrawal or vapour and liquid withdrawal with vaporiser) And Pipeline with maximum operating pressure of over 5 psig but not more than 20 psig after first stage regulator.</p>
3	Class III	<p>Natural Gas Installation with maximum operating pressure not exceeding 5 psig</p> <p>Liquid Petroleum Gas Installation with manifold cylinder not exceeding 2.5 kl aggregate water capacity (vapour withdrawal only) And Pipeline with maximum operating pressure not exceeding 5 psig after first stage regulator.</p>

APPENDIX B

SECOND SCHEDULE GAS SUPPLY ENACTMENT 2023 SCOPE OF WORK OF VARIOUS CLASSES OF COMPETENT PERSON

Table 2

No.	Competent Person	Endorsement of Plan	Endorsement of Certificate of Completion	Endorsement of Test Certificate	Gas Repair of gas Maintenance	Maintenance of Gas Installation
1	Gas Engineer	All classes of gas installation	All classes of gas installation	All classes of gas installation	All classes of gas installation	All classes of gas installation
2	Gas Engineering Supervisor	Class II & Class III gas installation	All classes of gas installation	All classes of gas installation	All classes of gas installation	All classes of gas installation
3	Gas Fitter					
	a) Class I	Class III gas installation	Class II & Class III gas installation	Class II & Class III gas installation	Class II & Class III gas installation	Class II & Class III gas installation
	b) Class II	Class III gas installation	Class III gas installation	Class III gas installation	Class III gas installation	Class III gas installation
	c) Class III		Class III gas installation (repair work only)	Class III gas installation (repair work only)	Class III gas installation	Class III gas installation



APPENDIX C

SECOND SCHEDULE GAS SUPPLY ENACTMENT 2023 SCOPE OF WORK OF VARIOUS CLASSES OF GAS CONTRACTORS

Table 3

No.	Classes of Contractor	Design of Gas Installation	Installation	Testing	Commissioning	Maintenance and Repair
1	Class A	All classes of gas installation	All classes of gas installation	All classes of gas installation	All classes of gas installation	All classes of gas installation
2	Class B	Class III gas installation	Class II & Class III gas installation	Class II & Class III gas installation	Class II & Class III gas installation	Class II & Class III gas installation
3	Class C	Class III gas installation	Class III gas installation	Class III gas installation	Class III gas installation	Class III gas installation
4	Class D					Class III gas installation

APPENDIX D

SECOND SCHEDULE GAS SUPPLY ENACTMENT 2023 COMPETENT PERSON REQUIRED FOR CERTAIN CLASSES OF GAS CONTRACTORS

Table 4

No.	Gas Contractor	Minimum Standard For Competent Person Required
1	Class A	(i) Gas engineer or gas engineering supervisor, and (ii) Class I Gas Fitter
2	Class B	(i) Class I Gas Fitter
3	Class C	(i) Class II Gas Fitter
4	Class D	(i) Class III Gas Fitter