



**Department Of Environment**  
Ministry of Natural Resources and Environment



# Malaysia : Updates on National Regulations and Good Practices for Enforcement of the Basel Convention

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## **Introduction**

- ✓ **Malaysia acceded to the Basel Convention on 8 October 1993**
  
- ✓ **Malaysia restricts the import or export of hazardous wastes through Provision under Environmental Quality Act, 1974 and Scheduled Wastes Regulation, 2005 (Amendment 2007)**
  
- ✓ **Custom Act, 1967**
  - **Customs (Prohibition of Imports) Order 2008**
  - **Customs (Prohibition of Exports) Order 2008**



## **POLICY ON IMPORT/EXPORT OF SCHEDULED WASTES**

- **Import/export shall be in compliance with the requirements and procedures as specified in the Basel Convention.**
- **Import/export of scheduled wastes and other wastes for final disposal are not allowed.**
- **Export permit will be issued if there was no local recovery facility.**
- **Export permit will not be issued if local recovery facility has the capability and capacity to process the scheduled wastes.**



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- **Import/export of scheduled wastes shall be permitted only among Parties to the Basel Convention with exception of Article 11( Bilateral Agreement) of Basel Convention**
- **Import of scheduled waste from Annex VII ( OECD,EU, Liechtenstein) countries are not permitted**
- **Application to import/export of scheduled wastes shall be from the end-user/waste generator only, import/export by third party is not allowed**





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## **Environmental Quality Act 1974 - Section 31.**

Power to require occupier to install, operate, repair, etc.

Where any environmentally hazardous substances, pollutants or wastes are being or are likely to be emitted, discharged or deposited from any vehicle, ship or premises irrespective of whether the vehicle, ship or premises are prescribed under section 18 or otherwise, or from any aircraft, the Director General may by notice in writing require the owner or occupier of the vehicle, ship or premises, or aircraft, to-

*(g) adopt any measure to reduce, mitigate, disperse, remove, eliminate, destroy or dispose of pollution,*

**within such time and in such manner as may be specified in the notice.**



## **Environmental Quality Act 1974 - Section 34B (1)**

Prohibition against placing, deposit, etc., of scheduled wastes.

No Person Shall –

- (a) place, deposit or dispose of, or cause or permit to place, deposit or dispose of, except at prescribed premises only, any scheduled wastes on land or into Malaysian waters;
- (b) receive or send, or cause or permit to be received or sent any scheduled wastes in or out of Malaysia; or
- (c) transit or cause or permit the transit of scheduled wastes without any prior written approval of the Director General

**without any prior written approval of the Director General**



## Penalty For Offences

### Section 31

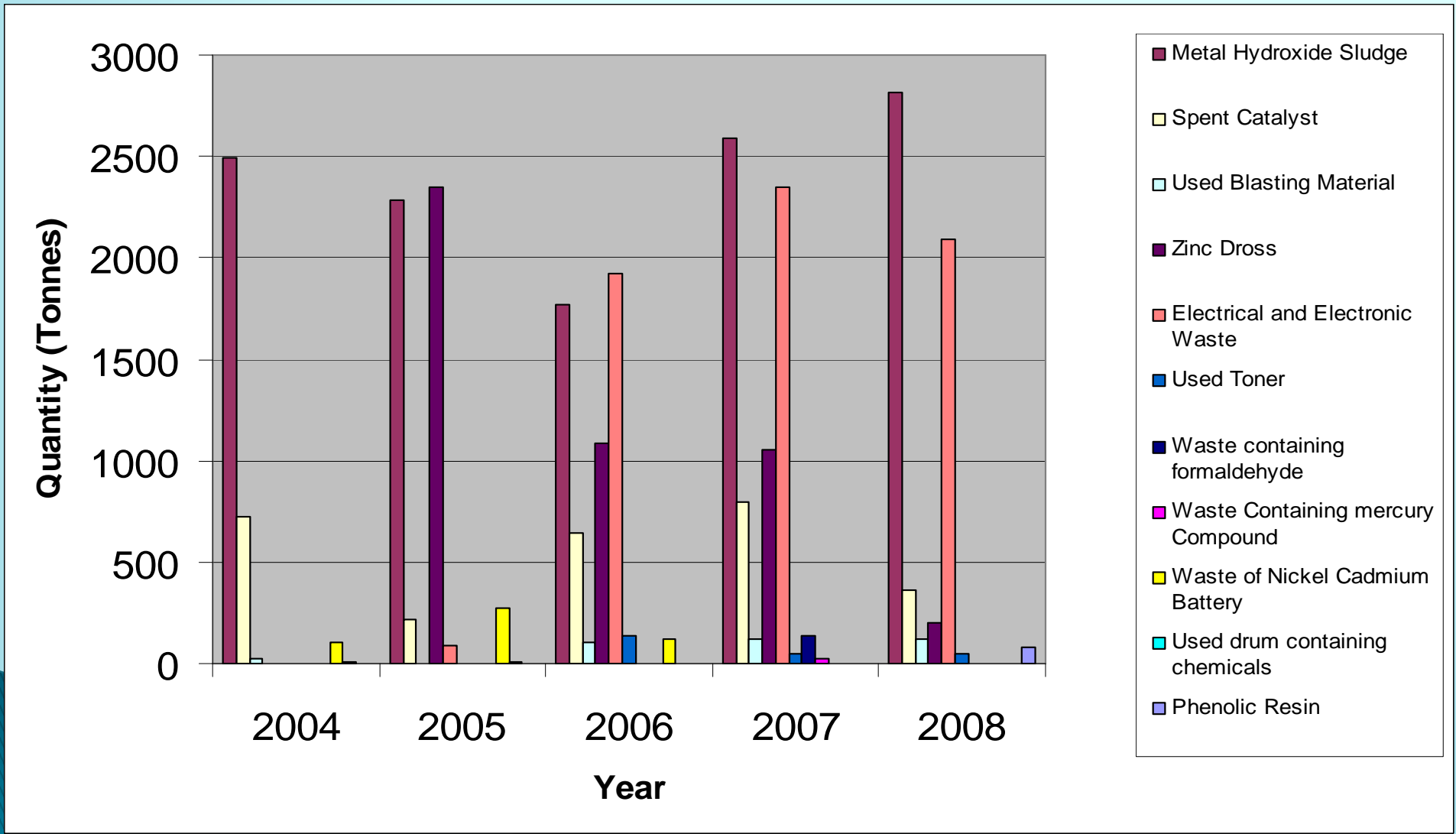
Any person who contravenes the notice issued under subsection (1) or (2) shall be guilty of an offence and shall be liable to a **fine not exceeding twenty-five thousand ringgit or to imprisonment for a period not exceeding two years or to both and to a further fine not exceeding one thousand ringgit a day for every day** that the offence is continued after service on him of the notice specified in subsection (1) or (2).

### Section 34B (1)

Any person who contravenes this section shall be guilty of an offence and shall on conviction be **punished with imprisonment for a term not exceeding five years and also be liable to a fine not exceeding five hundred thousand ringgit.**



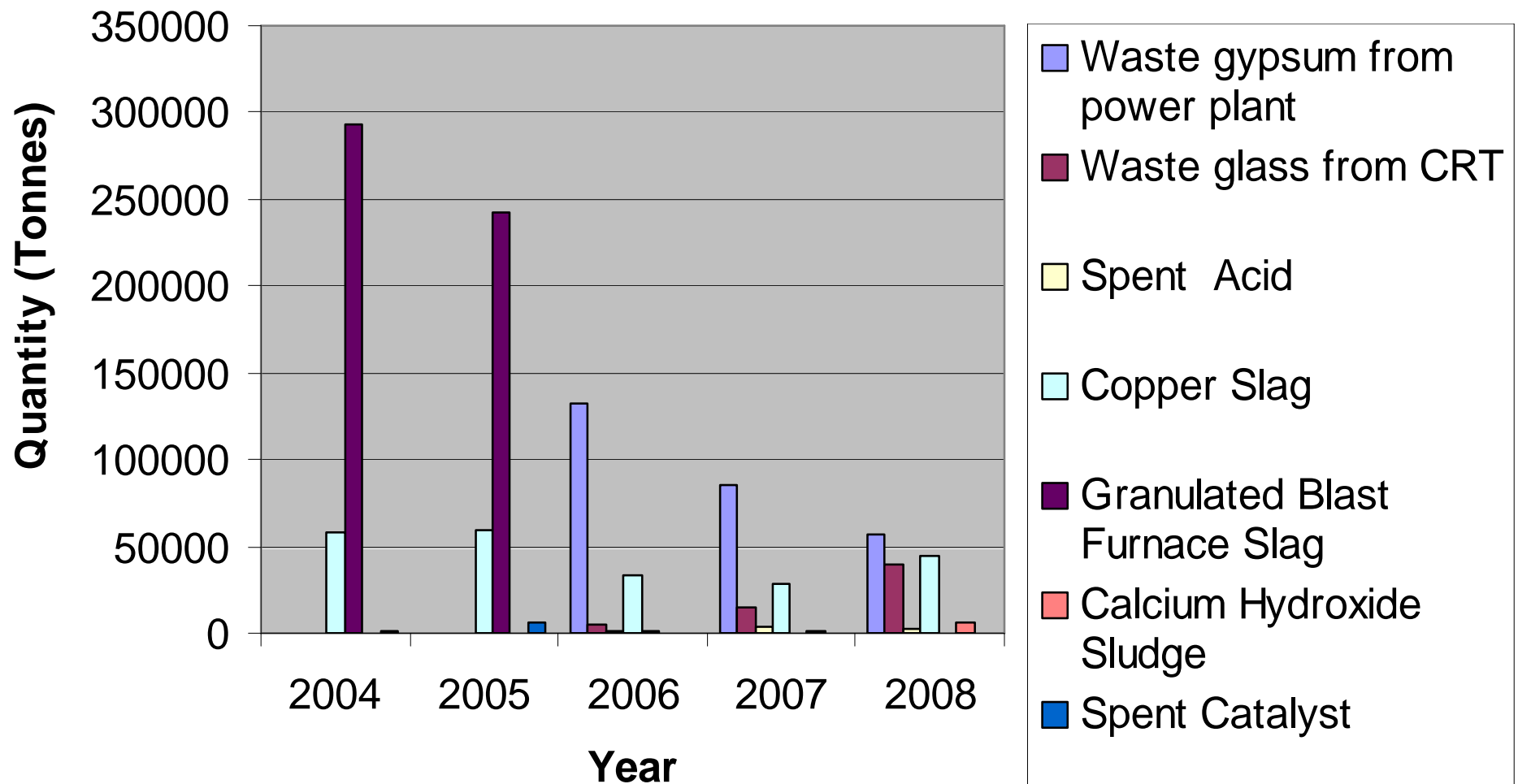
### Quantity and Type Of Scheduled Wastes Exported (Tonnes), 2004-2008







## Quantity and Type of Scheduled Wastes Imported (Tonnes), 2004 - 2008





## QUANTITY AND DESTINATION OF SCHEDULED WASTES EXPORTED (TONNES), 2004-2008

IMPORTING COUNTRY	YEAR				
	2004	2005	2006	2007	2008
America	25		1,847	1,721	1,882
Australia					
Belgium	51		119	807	242
China			79		
Estonia				33	
Philippines	1,000	1,000	1,280		
Finland	190		381	360	333
Holland	295				
Italy			98	92	90
Japan	1,019	1,793	660	2,092	1,462
Germany	476	492	537	1,681	1,396
South Korea			117		
Canada	80				
France	189	272			
Singapore	23	14	10	11	
Sweden	6	8	21	35	66
South Africa		1,555	424	140	160
Thailand		90	233	136	89
<b>Total (Tonnes)</b>	<b>3,354</b>	<b>5,224</b>	<b>5,806</b>	<b>7,108</b>	<b>5,720</b>



## QUANTITY AND TYPES OF SCHEDULED WASTES EXPORTED (TONNES), 2004-2008

TYPE OF WASTE	YEAR				
	2004	2005	2006	2007	2008
Metal Hydroxide Sludge	2,494	2,288	1,769	2,592	2,816
Spent Catalyst	722	215	645	794	364
Used Blasting Material	25		105	120	120
Zinc Dross		2,347	1,082	1,050	200
Waste of Nickel Cadmium Battery	103	272	117		
Used Toner			139	47	50
Waste Containing Formaldehyde			24	132	
Electrical and Electronic Wastes		90	1,925	2,350	2,089
Solid Waste Containing Mercury Compound				23	
Used Drums Containing Chemicals	10	12			
Phenolic Resin					
<b>Total (Tonnes)</b>	<b>3,354</b>	<b>5,224</b>	<b>5,806</b>	<b>7,108</b>	<b>5,720</b>



## QUANTITY, TYPES AND ORIGIN OF SCHEDULED WASTES IMPORTED (TONNES) BY TYPE AND ORIGIN

TYPE OF WASTE	YEAR		2004	2005	2006	2007	2008
	COUNTRY						
Copper Slag	Singapore		58,723	58,774	33,674	28,400	44,000
Granulated Blast Furnace Slag	Singapore		70				
	Japan		293,614	241,872			
	China						
Waste Gypsum From Power Plant	Singapore			132,833	84,890	56,400	
Waste Glass From CRT	United States			4,628	14,966	40,000	
Spent Ultra High Acid	Singapore			1,016	3,276	2,540	
Spent Catalyst	Singapore		1,108	6,000			
Sludge Calcium Hydroxide	Singapore					1,542	6,595
<b>Total (Tonnes)</b>			<b>353,515</b>	<b>306,646</b>	<b>172,151</b>	<b>133,074</b>	<b>149,535</b>





## Difficulty and Challenges for Take Back

- ❖ Absence of exporter (exporter was dummy company)
- ❖ Origin country not a member of Basel Convention
- ✓ Treated and/or disposed in environmentally sound way to DOE approved facilities.



## LICENSED SCHEDULED WASTE TREATMENT AND DISPOSAL FACILITIES, 2009

FACILITY	TOTAL
Full Off Site Recovery None e-Waste	123
Full Off Site Recovery e-Waste	16
Partial Off Site Recovery e-Waste	122



## Activities Conducted In 2010

- ✓ Course on Control of Import and Export of Scheduled Wastes for DOE Officers and Customs Officers (42 participants - Oct 2010)
- ✓ Course on Procedure of Import and Export of Scheduled Wastes for Forwarding and Shipping Agents (120 participants-Mei 2010)
- ✓ Course on Management of Scheduled Wastes for industries in Selangor State (450 participants - Jan-Nov 2010)





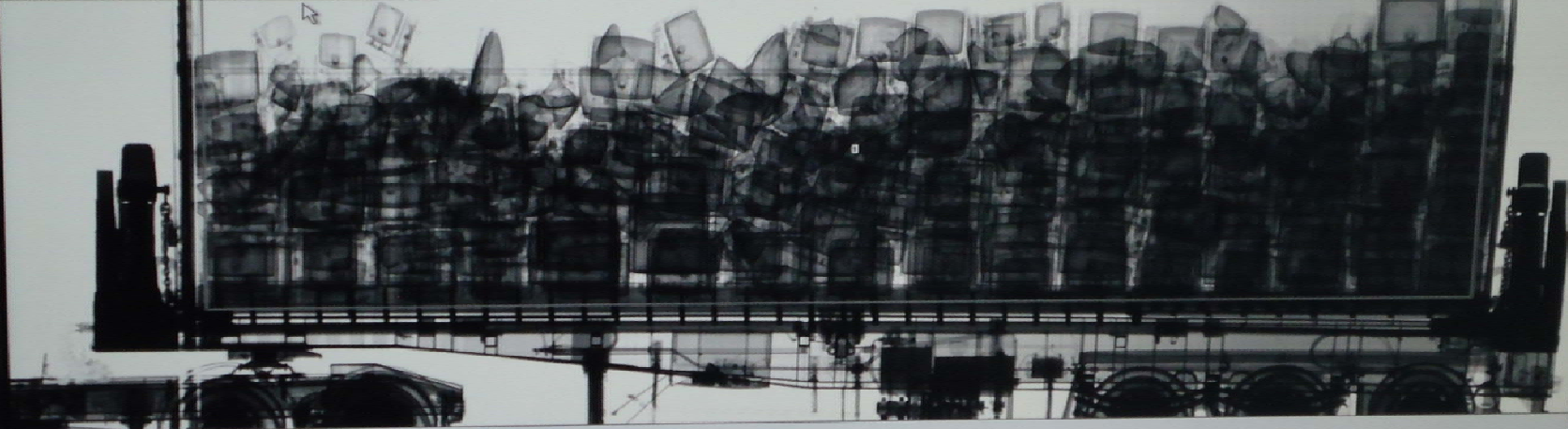
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Remark:

1 - PENGESAHAN DAGANGAN/B18103002210



Asia  
Illegal Transboundary Movement  
of Hazardous Wastes





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*Thank you*

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