

A BILL

*i n t i t u l e d*

An Act to amend the Land Public Transport Act 2010.

[ ]

**ENACTED** by the Parliament of Malaysia as follows:

**Short title and commencement**

**1.** (1) This Act may be cited as the Land Public Transport (Amendment) Act 2022.

(2) This Act comes into operation on a date to be appointed by the Minister by notification in the *Gazette* and the Minister may appoint different dates for the coming into operation of different provisions of this Act.

**Amendment of section 2**

**2.** The Land Public Transport Act 2010 [Act 715], which is referred to as the “principal Act” in this Act, is amended in section 2—

(a) in the definition of “goods vehicle”—

(i) in paragraph (b), by substituting for the semicolon at the end of the paragraph a comma; and

- (ii) by inserting after paragraph (b) the words “and includes a p-hailing vehicle;”; and
- (b) by inserting after the definition of “motor vehicle” the following definition:

‘ “p-hailing vehicle” means a motor vehicle used for the carriage of goods on any journey in consideration of a freight for each of the goods, in which the arrangement, booking or transaction, and the freight for such journey are facilitated through an electronic mobile application provided by an intermediation business;’.

### **Amendment of section 6**

3. Paragraph 6(5)(d) of the principal Act is amended by substituting for the words “the licensees and licensed operators” the words “the licensees, licensed operators and the members of the public”.

### **New Part VA**

4. The principal Act is amended by inserting after Part V the following Part:

#### **“PART VA**

#### **INTERNATIONAL CIRCULATION OF LAND PUBLIC TRANSPORT**

#### **Permit, licence, etc., under international agreement**

**144A.** (1) For the purpose of giving effect to any international agreement in relation to the facilitation of the international circulation of any land public transport, the Minister may make such regulations as may be expedient or necessary for carrying out this Part.

(2) Without prejudice to the generality of subsection (1), regulations may be made for the following purposes:

- (a) to recognize the permits, licences, passes, certificates or other official documents for any land public transport brought temporarily into Malaysia by persons residing

abroad and intending to make only a temporary stay in Malaysia, including loading and unloading of goods or passengers and transit;

- (b) to regulate the permits, licences, passes, certificates or other official documents for any land public transport brought temporarily abroad by persons residing in Malaysia and intending to make only a temporary stay abroad, including loading and unloading of goods or passengers and transit;
- (c) to regulate the use, operation and technical requirements of the land public transport referred to in subparagraphs (a) and (b), including—
  - (i) the extent, hours, frequency and routes or areas to be used or serviced;
  - (ii) the type and form of documents to be carried and information to be displayed on each land public transport; and
  - (iii) the accounts, documents and records in connection with this section to be kept and produced on demand for inspection and verification; and
- (d) to prescribe the fees or charges payable in connection with this section and the manner of payment thereof.”.

### **Amendment of section 252**

**5.** Subsection 252(1) of the principal Act is amended by deleting paragraphs (k) and (l).

### **Transitional**

**6.** Any person who was operating or providing any service relating to an intermediation business in respect of goods vehicle service, before the date of coming into operation of this Act, shall make an application for a licence in accordance with section 12A of the principal Act within one year from the date of coming into operation of this Act.

## EXPLANATORY STATEMENT

This Bill seeks to amend the Land Public Transport Act 2010 (“Act 715”). The proposed Act seeks *inter alia*, to expand the regulation in respect of the licensing of intermediation business to goods vehicle service and to provide the power to give effect to any international agreement for facilitating the international circulation of any land public transport.

2. *Clause 1* contains the short title and the provision on the commencement of the proposed Act.
3. *Clause 2* seeks to amend section 2 of Act 715 to introduce new definition of “p-hailing vehicle” and to amend the definition of “goods vehicles” to include p-hailing vehicle into the said definition.
4. *Clause 3* seeks to amend paragraph 6(5)(d) of Act 715 to allow the Director General of Land Public Transport to attach to any licence issued under section 6 of Act 715 the condition of the maximum prescribed fees payable to the terminal licensee by members of the public also for the use of the terminal.
5. *Clause 4* seeks to introduce a new Part VA into Act 715 to empower the Minister to make regulations to facilitate the international circulation of any land public transport pursuant to any international agreement.
6. *Clause 5* seeks to delete paragraphs 252(1)(k) and (l) of Act 715. The deletions are consequential to the introduction of a new Part VA into Act 715.
7. *Clause 6* seeks to provide for transitional provision.

*FINANCIAL IMPLICATIONS*

This Bill will not involve the Government in any extra financial expenditure.

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