

OCEAN THERMAL ENERGY CONVERSION ENACTMENT 2024
(No. 1 of 2024)

OCEAN THERMAL ENERGY CONVERSION (LICENSING)
REGULATIONS 2025
(G.N.S. 7 of 2025)

ARRANGEMENT OF REGULATIONS

PART I
PRELIMINARY

Regulation

1. Citation and commencement
2. Interpretation

PART II
LICENSING

3. Application for licence
4. Grant of licence
5. Renewal of licence

PART III
COMPLIANCE

6. Safe use and maintenance

PART IV
MISCELLANEOUS

7. Fees payable to the Commission

FIRST SCHEDULE

SECOND SCHEDULE

**OCEAN THERMAL ENERGY CONVERSION ENACTMENT 2024
(NO. 1 of 2024)**

**OCEAN THERMAL ENERGY CONVERSION (LICENSING)
REGULATIONS 2025
(G.N.S. 7 of 2025)**

IN exercise of the powers conferred by paragraph 37(e) of the Ocean Thermal Energy Conversion Enactment 2024 [No. 1 of 2024], the Minister makes the following regulations:

**PART I
PRELIMINARY**

Citation and commencement

1. (1) These regulations may be cited as the Ocean Thermal Energy Conversion (Licensing) Regulations 2025.

(2) These Regulations come into operation on the date of its publication in the *Gazette*. [24-04-2025]

Interpretation

2. In these Regulations, unless the context otherwise requires —

“construction” means any building, installation, removal or renovation of any structure or components which are used to build an ocean thermal energy conversion facility or plantship; and

“operation” means the production of energy or the carrying out of activities in an ocean thermal energy conversion facility or plantship.

**PART II
LICENSING**

Application for licence

3. (1) An application for a licence to carry out any exploration activity, construction or operation of a facility or plantship shall be made to the Commission in the form and manner as

determined by the Commission and shall be accompanied by a fee as prescribed in the First Schedule.

(2) The application under subregulation (1) shall be —

- (a) made in an application form; and
- (b) accompanied by any information, particulars or document,

as may be determined by the Commission.

Grant of licence

4. (1) The Commission may, with the approval of the Minister and after considering the application for a licence under regulation 3 —

- (a) approve the application and grant a licence to the applicant on such terms and conditions as it deems necessary by the Commission and upon payment of the prescribed fee in the Second Schedule; or
- (b) refuse the application.

(2) A licence granted under this subregulation (1) shall be valid for such period as specified in the licence.

Renewal of licence

5. (1) An application for the renewal of a licence granted under regulation 4 shall be made in the form and manner as determined by the Commission and shall be accompanied by a fee as prescribed in the First Schedule.

(2) If an application for the renewal of licence is approved, the Commission shall issue a new licence to the applicant and may impose any conditions as it thinks fit.

PART II COMPLIANCE

Safe use and maintenance

6. A licensee shall —

- (a) comply with all safety and environmental standards set by the relevant authorities or any other standard deemed appropriate by the Commission;

- (b) submit periodic compliance report to the Commission on the health, safety, security and environment management plan set by the relevant authorities;
- (c) maintain the facility or plantship in accordance with the standards determined by the Commission or any other standard deemed appropriate by the Commission;
- (d) submit a decommissioning plan one year before the expiry of the licence and ensure the site is restored to its original state upon decommissioning; and
- (e) submit quarterly reports on environmental impact, energy generation and resource utilization.

**PART IV
MISCELLANEOUS**

Fees payable to the Commission

7. Any fees payable under these Regulations shall be paid to the Commission in such manner as may be determined by the Commission and shall not be refundable in any circumstance.

FIRST SCHEDULE
[Subregulations 3(1) and 5(1)]

LICENCE FEE

<i>Subject matter (1)</i>	<i>Fee (RM) (2)</i>
Application for licence	1000.00
Renewal of licence	1000.00

SECOND SCHEDULE

[Subregulation 4(1)]

GRANT OF LICENCE FEE

<i>Activity</i> (1)	<i>Scale</i> (2)	<i>Base fee (RM)</i> (3)	<i>Area free</i> (RM/sq km) (4)	<i>Capacity fee</i> (RM/kW) (5)
Exploration	Small	50,000.00	500.00	Nil
	Medium	100,000.00		
	Large	250,000.00		
Construction	Small	100,000.00	1000.00	Nil
	Medium	200,000.00		
	Large	500,000.00		
Operation	Small	100,000.00	2500.00	10.00
	Medium	400,000.00	5000.00	20.00
	Large	1,000,000.00	5000.00	20.00

The area in column (4) refers to the specific geographical boundaries on the ocean surface.

Made 21 April 2025

DATUK SERI PANGLIMA HAJI HAJI BIN HAJI NOOR
Chief Minister of Sabah