LAWS OF MALAYSIA

ONLINE VERSION OF UPDATED
TEXT OF REPRINT

Act 334

COMMERCIAL VEHICLES LICENSING BOARD ACT 1987

As at 15 October 2023

This text is ONLY AN UPDATED TEXT of the Commercial Vehicles Licensing Board Act 1987 by the Attorney General's Chambers. Unless and until reprinted pursuant to the powers of the Commissioner of Law Revision under subsection 14(1) of the Revision of Laws Act 1968 [Act 1], this text is NOT AN AUTHENTIC TEXT

COMMERCIAL VEHICLES LICENSING BOARD ACT 1987

Date of Royal Assent	… … … ...	30 August 1987
Date of publication in the *Gazette*	… … … ...	24 September 1987
Latest amendment made by Act A1686 which came into operation on	… … … ...	15 October 2023

PREVIOUS REPRINTS

First Reprint	...	...	...	*2001*
Second Reprint	...	...	...	*2006*

LAWS OF MALAYSIA

Act 334

COMMERCIAL VEHICLES LICENSING BOARD ACT 1987

ARRANGEMENT OF SECTIONS

PART I

PRELIMINARY

Section

1. Short title and commencement
1A. Application
2. Interpretation

PART II

COMMERCIAL VEHICLES LICENSING BOARDS

3. Establishment of commercial vehicles licensing boards
4. (*Deleted*)
5. Membership of the Commercial Vehicles Licensing Board Sabah
6. Membership of the Commercial Vehicles Licensing Board Sarawak
7. Temporary exercise of functions of Chairman
8. Committees
8A. Appointment of Board Officer
9. Provisions relating to members of the Board and committee
10. Procedure of the Board and Minister's general directives

Section

11. Delegation by the Board
12. Annual reports
13. Information to be given to the Board

PART III

CLASSIFICATION AND LICENSING OF COMMERCIAL VEHICLES

14. Classes and categories of commercial vehicles

PART IV

GENERAL PROVISIONS AS TO LICENCES

15. Application for licence
16. Powers of the Board
17. Duration of licences
18. Short term licences
19. Conditions which may be attached to licence
20. Statutory conditions of licence
20A. Application for approval to participate in business or agreement
21. Application for renewal of licence
21A. Documents required for renewal of licence
22. Application for variation
23. Temporary change of use of a public service vehicle
24. Temporary use of ‘C’ vehicle as ‘A’ vehicle
25. Power to revoke or suspend licence
25A. Prohibition in relation to suspended licence
25B. Power of the Board to replace licence
26. Protection of public interest

PART IVA

LICENSING OF INTERMEDIATION BUSINESS

Section

26A. Licensing of intermediation business

26B. Renewal of licence

26C. Application for variation

26D. Revocation or suspension of the intermediation business licence

26E. Transfer of licence prohibited

26F. Duty of the holder of an intermediation business licence to keep records, etc.

26G. Duty of the holder of an intermediation business licence to inform Board

PART IVB

INTERNATIONAL CIRCULATION OF COMMERCIAL VEHICLES

26H. Permit, licence, etc., under international agreement

PART V

APPEALS

27. Appeal to the Minister

28. Minister's power to appoint appeal committee

29. Order on appeal to be binding

30. Instances where there is no right of appeal

31. Validity of licence extended in successful appeal

32. Prohibition of similar application when earlier application still pending appeal

PART VI

OFFENCES AND PENALTIES

Section

33. Prohibition of use of unlicensed public service vehicle
34. Prohibition of use of unlicensed goods vehicle
35. Use of goods vehicle for carriage of passengers to be licensed
36. Other transport interests to be disclosed by applicant
37. Information requested by the Board from licence holder or intermediation business licence holder
38. Alteration of authorised vehicle
39. Transfer of licence prohibited
40. Records and returns
41. Abetment of offences
42. False statements
43. Liability of registered owner and others
43A. Offences by body corporate
44. Powers of the police in investigation
44A. Powers of road transport officers in investigation
44B. Power of Board Officer to investigate, etc.
44C. Power to seize document, etc.
45. Who may prosecute
45A. Power to order appearance in court
46. Provisions as to evidence
47. Presumptions
48. Service and signature of notification or document
48A. General offences and penalties
49. Power to compound
50. Officers not in uniform to produce identification cards

PART VII

MISCELLANEOUS

Section

51. Seizure

51A. Detention of vehicles

51B. Determination of vehicle's weight

52. Reservation of licences or intermediation business licences

53. Limitation on number of specified classes of vehicles

54. Classification and numbering of bus routes

55. Avoidance of contracts

56. Rules

57. Repeal, transitional and saving

58. Power of Minister to make additional provisions, etc.

LAWS OF MALAYSIA

Act 334

COMMERCIAL VEHICLES LICENSING BOARD ACT 1987

An Act to provide for the licensing and regulating of commercial vehicles and for matters connected therewith.

[*1 January 1988, P.U. (B) 585/1987*]

BE IT ENACTED by the Seri Paduka Baginda Yang di-Pertuan Agong with the advice and consent of the Dewan Negara and Dewan Rakyat in Parliament assembled, and by the authority of the same, as follows:

PART I

PRELIMINARY

Short title and commencement

1. (1) This Act may be cited as the Commercial Vehicles Licensing Board Act 1987.

(2) This Act shall come into force on such date as the Minister may, by notification in the *Gazette*, appoint.

Application

1A. (1) This Act shall apply only to Sabah, Sarawak and the Federal Territory of Labuan

(2) This Act shall not apply to any commercial vehicles which are subject to any law relating to tourism or tourism industry in Sabah, Sarawak and the Federal Territory of Labuan.

Interpretation

2. In this Act, unless the context otherwise requires—

"airport taxi cab" means a motor vehicle having a seating capacity of not more than seven persons used exclusively for the carriage of persons to and from the airport in consideration of a payment and operated from a fixed base or in an authorized area;

"authorized vehicle", in relation to any licence issued under this Act, means a vehicle specified in such licence and authorized to be used thereunder;

"bankruptcy" includes insolvency as a result of which a wage earner's administration order has been made under the laws relating to bankruptcy;

"base"—

(a) in relation to an application for a licence, means the address, premises or place specified in the application as the permanent base or centre from which it is intended that the motor vehicle, the subject of such application, will be normally used; and

(b) in relation to a licence, means the address, premises or place specified in the licence as the permanent base or centre from which the authorized vehicle shall be used or operated when so used or operated for the purposes authorized by such licence;

"Board" means the Commercial Vehicles Licensing Board Sabah or the Commercial Vehicles Licensing Board Sarawak, as the case may be;

"Board Officer" means an officer appointed under section 8A;

"Board Secretary" means the Secretary to the Commercial Vehicles Licensing Board appointed under section 5 or 6, as the case may be;

"bus" means a public service vehicle having a seating capacity of not less than eight persons (including the driver);

"carriage of goods" includes the haulage of goods;

"Chairman" means the Chairman of the Board;

"charter bus" means a bus which is hired as a whole for a single journey for which payment is made to the owner by the person hiring the bus;

"Chief Police Officer" includes any police officer not below the rank of Inspector authorized in writing by a Chief Police Officer to exercise the powers vested by this Act in a Chief Police Officer;

"commercial vehicles" includes public service vehicles and goods vehicles;

"company" includes any company as defined in the *Companies Act 1965 [*Act 125*], any company formed under any law, any corporation incorporated by law, and any firm or partnership;

"conductor" means a person licensed under the Road Transport Act 1987 [*Act 333*] to act as a conductor of a public service vehicle;

"Deputy Chairman" means the Deputy Chairman of the Board appointed under section 5 or 6, as the case may be;

**NOTE*—The Companies Act 1965 [*Act 125*] has been repealed by the Companies Act 2016 [*Act 777*] w.e.f. 31 January 2017—*see* subsection 620(1) of Act 777.

"Director General" means the Director General for Road Transport appointed under section 3 of the Road Transport Act 1987 and includes a Deputy Director General, a Director or a Deputy Director;

"driver" means the person for the time being driving a motor vehicle;

"employees bus" means a bus used for the conveyance of workers in any industry to and from their work place and otherwise;

"express bus" means a bus plying along the route approved by the Board, with a time-table and fare table, for the carriage of passengers at separate fares on a service which contains no fare stages of less than thirty-two kilometres;

"e-hailing vehicle" means a motor vehicle having a seating capacity of four persons and not more than eleven persons (including the driver) used for the carriage of persons on any journey in consideration of a single or separate fares for each of them, in which the arrangement, booking or transaction, and the fare for such journey are facilitated through an electronic mobile application provided by an intermediation business;

"fare stage", in relation to a route authorized in a public service vehicle licence, means any division of such route for the purpose of arranging a schedule of fares;

"feeder bus" means a bus which has no fare stages used for the carriage of passengers on a round trip at separate fares from a fixed base for a distance within a radius of not more than seven kilometres;

"goods" means any thing, including livestock, carried on or in a motor vehicle for the purpose of any trade or business but does not include—

(a) equipment ordinarily used with the vehicle;

(b) articles of merchandise carried by a person on or in the vehicle solely for the purpose of exhibition as samples;

(c) articles carried by a person on or in the vehicle for use in the exercise of his trade, business or profession and not for sale;

"goods vehicle" means—

(a) any motor vehicle constructed or adapted for use for the carriage of goods; or

(b) any motor vehicle not so constructed or adapted when used for the carriage of goods solely or in addition to passengers,

but does not include a private motor car drawing a trailer for purposes unconnected with trade or business;

"Government" means the Federal Government or any State Government;

"hire and drive car" means a motor vehicle let on hire for the purpose of being driven by the hirer or his nominee;

"hire car" means a motor vehicle having a seating capacity of not more than six persons or, in areas approved by the Board, twelve persons (in all cases including the driver) used for carrying persons on one journey in consideration of separate payments made by them;

"intermediation business" means the business of facilitating arrangements, bookings or transactions of an e-hailing vehicle or a p-hailing vehicle whether for any valuable consideration or money's worth or otherwise;

"intermediation business licence" means a licence issued under Part IVA;

"licence" means a licence issued under this Act and includes a short term licence issued under section 18 except an intermediation business licence issued under Part IVA;

"limousine taxi cab" means a motor vehicle having a seating capacity of not more than seven persons (including the driver) and operating

from a fixed base or in an authorized area in consideration of a single payment;

"local authority" shall have the same meaning as that assigned to it under the Local Government Act 1976 [*Act 171*];

"Malay" shall have the same meaning as assigned to it in Article 160 of the Federal Constitution;

"maximum permissible laden weight" means such weight as the Director General may specify as a suitable laden weight for an authorized vehicle;

"mini bus" means a bus having a seating capacity of not more than twenty-six persons (including the driver) used for the carriage of passengers at separate fares;

"Minister" means the Minister charged with the responsibility for matters relating to the licensing of commercial vehicles in Sabah, Sarawak and the Federal Territory of Labuan;

"motor vehicle" means a vehicle of any description, propelled by means of a mechanism contained within itself and constructed or adapted so as to be capable of being used on roads, and includes a trailer;

"native" shall have the same meaning as assigned to it in Article 161A of the Federal Constitution;

"owner",—

(a) in relation to a motor vehicle registered or deemed to be registered under the Road Transport Act 1987, means the registered owner of such vehicle; and

(b) in relation to any other motor vehicle, means the person in possession of or using or having the use of the motor vehicle;

"passenger"—

(a) in relation to a person carried on a public service vehicle, does not include the driver or conductor or any ticket inspector in pursuance of his duties; and

(b) in relation to persons carried on a goods vehicle, does not include the driver or any attendant required by law to be carried on the vehicle;

"police officer" includes an extra police officer, a volunteer reserve police officer and an auxiliary police officer;

"public service vehicle" means a motor vehicle used for carrying passengers for hire or reward or for any other valuable consideration;

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

"registered owner" means the person registered as the owner of a motor vehicle under the Road Transport Act 1987;

"road" shall have the same meaning as assigned to it in section 2 of the Road Transport Act 1987;

"Road Transport Department" means the Department administered by the Director General;

"road transport officer" means any person appointed to be a road transport officer under section 3 of the Road Transport Act 1987;

"school bus" means a bus used exclusively for the conveyance of pupils or staff of schools or other educational institutions;

"stage bus" means a bus plying along a road approved by the Board for the carriage of passengers on a service which contains fare stages, with a separate fare, time-table and schedule of fare for each fare stage;

"taxi cab" means a motor vehicle having a seating capacity of not more than six persons (including the driver) used for carrying persons on any journey in consideration of a single fare;

"this Act" includes any subsidiary legislation made under this Act;

"trailer" shall have the same meaning as assigned to it in section 2 of the Road Transport Act 1987;

"unladen weight" means the weight of a vehicle inclusive of the body and all parts (the heavier being taken where alternative bodies or parts are used) which are necessary to or ordinarily used with the vehicle when working on a road but exclusive of loose tools;

"use" means use on any road;

"vehicle" means a motorized structure capable of moving or being moved or used for the conveyance of any person or thing and which maintains contact with the ground when in motion.

PART II

COMMERCIAL VEHICLES LICENSING BOARDS

Establishment of commercial vehicles licensing boards

3. (1) There shall be established respectively for Sabah and Sarawak a commercial vehicles licensing board to be known as the "Commercial Vehicles Licensing Board Sabah" and the "Commercial Vehicles Licensing Board Sarawak".

(2) For the purposes of this Act, the commercial vehicles licensing board for the Federal Territory of Labuan shall be the Commercial Vehicles Licensing Board Sabah.

***4.** (*Deleted by Act A1376*).

Membership of the Commercial Vehicles Licensing Board Sabah

5. The Commercial Vehicles Licensing Board Sabah shall consist of the following members to be appointed by the Minister:

(a) a Chairman;

(aa) a Deputy Chairman;

(b) a representative of the State Ministry charged with the responsibility for transport;

(c) a representative of the Road Transport Department;

(d) a representative of the Federal Ministry charged with the responsibility for matters relating to the licensing of commercial vehicles, who shall be the Board Secretary; and

(e) not more than six persons who in the opinion of the Minister have had wide experience or special knowledge in matters relating to transport.

Membership of the Commercial Vehicles Licensing Board Sarawak

6. The Commercial Vehicles Licensing Board Sarawak shall consist of the following members to be appointed by the Minister:

(a) a Chairman;

(aa) a Deputy Chairman;

**NOTE—see* sections 9 to 12 of Commercial Vehicles Licensing Board (Amendment) Act 2010 [*Act A1376*].

(b) a representative of the State Ministry charged with the responsibility for transport;

(c) a representative of the Road Transport Department;

(d) a representative of the Federal Ministry charged with the responsibility for matters relating to the licensing of commercial vehicles, who shall be the Board Secretary; and

(e) not more than six persons who in the opinion of the Minister have had wide experience or special knowledge in matters relating to transport.

Temporary exercise of functions of Chairman

7. The Minister may appoint any member of the Board or any other person as he thinks fit to exercise the functions of the Chairman during the period in which the Chairman is for any reason unable to exercise his functions or during the period of any vacancy in the office of the Chairman, and such member or other person shall, during the period in which he is exercising the functions of the Chairman under this section, be deemed to be the Chairman.

Committees

8. (1) The Board may appoint any committee of two or more persons to assist it in discharging its functions under this Act.

(2) The procedure and functions of any committee appointed under subsection (1) shall be determined by the Board:

Provided that such committee shall keep minutes of its proceedings and copies of such minutes shall forthwith be tabled before the Board.

Appointment of Board Officer

8A. The Minister may, by notification in the *Gazette*, appoint any officer from the Federal Ministry charged with the responsibility for matters relating to the licensing of commercial vehicles to be a Board Officer as he thinks fit.

Provisions relating to members of the Board and committee

9. (1) No person shall be appointed as a member of the Board or as a member of any committee unless before such appointment such person makes a statutory declaration whether he has any and if so what financial interest in any undertaking involving commercial vehicles.

(2) If any member of the Board or a committee acquires any financial interest in any undertaking involving commercial vehicles he shall, within four weeks after so doing, give notice in writing to the Minister specifying the interest so acquired, and the Minister, after taking the matter into consideration may, if he thinks fit, declare that the member has vacated his office.

(3) The Chairman and members of the Board appointed under sections 5 and 6 shall hold office for such term not exceeding three years as the Minister may determine at the time of their appointment and shall be eligible for re-appointment.

(4) The Minister may appoint an alternate member in respect of each member of the Board (excluding the Chairman) to attend a meeting of the Board whenever such member is unable to attend such meeting due to illness, incapacity or any other reason.

(5) The Board may appoint an alternate member in respect of each member of a committee to attend a meeting of the committee whenever such member is unable to attend such meeting due to illness, incapacity or any other reason.

(6) The Chairman shall be paid such remuneration and allowances as the Minister may determine after consultation with the Minister of Finance.

(7) Every member of the Board and of every committee appointed under section 8 may be paid allowances at such rates as the Minister may determine after consultation with the Minister of Finance.

(8) Every member of the Board and of every committee appointed under section 8 shall be deemed to be public servants within the meaning of the Penal Code [*Act 574*].

Procedure of the Board and Minister's general directives

10. (1) The Minister may make rules to fix the quorum for any meeting of the Board and to prescribe the procedure which shall be followed by the Board for the purpose of determining applications for the issue of a licence or an intermediation business licence or of exercising any other functions conferred on the Board under this Act.

(2) Subject to this Act, the Minister may in writing give such general directives on the policy to be followed by the Board in determining applications as he may think desirable in the public interest and the Board shall comply with such general directives.

Delegation by the Board

11. The Board may in writing delegate to the Chairman, a Board Officer, a road transport officer after consultation with the Director General or any public officer as the Board deems fit, any of its functions other than those which the Minister may by rules expressly require to be discharged by the Board.

Annual reports

12. (1) The Board shall submit to the Minister, not later than the 30th day of June, an annual report of its proceedings for the previous year containing particulars with respect to such matters as the Minister may direct.

(2) The Minister shall cause every such annual report to be laid before both Houses of Parliament.

Information to be given to the Board

13. All registers and records and other documents kept by any person or authority relating to the grant or refusal, before the coming into force of this Act, of licences to transport goods or passengers, shall be made available by such person or authority to the Board on its request and such person or authority shall furnish the Board with such other information relating to the matters aforesaid as the Board may require for the purpose of carrying out its functions under this Act.

PART III

CLASSIFICATION AND LICENSING OF COMMERCIAL VEHICLES

Classes and categories of commercial vehicles

14. (1) Public service vehicles shall be divided into and licensed under the following classes:

(a) stage buses;

(b) charter buses;

(c) express buses;

(d) mini buses;

(e) employees buses;

(f) feeder buses;

(g) school buses;

(h) hire cars;

(i) hire and drive cars;

(j) taxi cabs;

(k) airport taxi cabs; and

(l) limousine taxi cabs.

(1A) Notwithstanding subsection (1) the Minister may make rules for the purpose of prescribing any other classes of public service vehicles as he thinks fit.

(1B) For the purpose of this Act, an e-hailing vehicle shall be a public service vehicle and subject to an intermediation business license issued under Part IVA.

(2) *(a)* Goods vehicles shall be divided into and licensed under the following classes:

(i) carrier's licence 'A'; and

(ii) carrier's licence 'C'.

(b) Goods vehicles of either class may be of different types in respect of their functions.

(3) A carrier's licence 'A' shall entitle the holder thereof to use the authorized vehicle for the carriage of goods for hire or reward for or in connection with any trade or business carried on by him as a carrier of goods.

(4) A carrier's licence 'C' shall entitle the holder thereof to use the authorized vehicle for the carriage of his own goods for or in connection with any trade or business carried on by him, but it shall be a condition of the licence that no vehicle which is for the time being an authorized vehicle shall be used for the carriage of goods for hire or reward other than goods sold and delivered by the holder under a contract of sale where a charge is made for the delivery of the goods.

(5) A motor vehicle specified in a carrier's licence shall not, while it remains so specified, be specified in any other carrier's licence.

(6) Where at any time goods are carried in a motor vehicle, being a vehicle which has been let on hire by a person who, at the time of the carriage of the goods, is within the meaning of this Act the user of the vehicle, the goods shall be deemed to be carried by that person for hire or reward:

Provided that—

(a) the collection or delivery by a person of goods bought, sold, used or let on hire purchase in the course of a trade or business carried on by him;

(b) the collection or delivery by a person of goods which have been or are to be subjected to a process or treatment in the course of a trade or business carried on by him;

(c) the carriage of goods in a motor vehicle by a manufacturer, agent or dealer whilst the vehicle is being used by him for demonstration purposes; or

(d) the carriage of goods in a motor vehicle which is being used under and in accordance with the rules applicable to a motor trade licence taken out by a manufacturer, repairer or dealer under the Road Transport Act 1987,

shall not be deemed to constitute carrying of the goods for hire or reward for the purposes of this Act.

(7) For the purpose of this Act, a p-hailing vehicle shall be a goods vehicle and subject to an intermediation business licence issued under Part IVA.

PART IV

GENERAL PROVISIONS AS TO LICENCES

Application for licence

15. (1) An application for a licence under this Part shall be made to the Board on the prescribed form in the prescribed manner.

(2) In addition to any other information which may be required to be given under this Act, the applicant shall give to the Board the following information which is required for the discharge of its functions in relation to the application:

(a) complete information on the details of the route which is related to the application;

(b) a letter of approval from the relevant local authority regarding the usage of stops or terminal facilities in the area of administration of the local authority where the route is located;

(c) a justification report for the route; and

(d) any other information as may be determined by the Board.

(3) The Board may refuse to register, proceed with or hear or determine an application, and may require that the application be appropriately amended or completed and resubmitted or that a fresh application be submitted in its place if—

(a) the application form as prescribed is not duly completed by reason of any omission or misdescription;

(b) the application form contains any error or alteration; or

(c) the application does not comply with any other prescribed requirement.

Powers of the Board

16. (1) Subject to this Act, the Board on an application for a licence under this Act shall have full power in its discretion—

(a) to grant the application in full or in part;

(b) to grant a licence in respect of motor vehicles other than those involved in the application;

(c) to grant a licence of a different class or for a different maximum permissible laden weight, passenger capacity or type of goods to be carried from that specified in the application;

(d) to grant a licence in which the area or time of operation is different from that specified in the application; or

(e) to refuse the application.

(2) A person may be the holder of two or more licences, whether of the same class or of different classes.

Duration of licences

17. (1) *(a)* A licence issued under this Act shall, unless replaced or revoked, continue in force for such period as may be determined by the Board at the time the licence is granted.

(b) The period that may be determined by the Board under paragraph *(a)* shall not exceed seven years.

(c) When a licence is granted under this Act, the Board shall specify the date on which the licence is to come into force and the date of its expiry, and such dates shall be inserted in the licence when it is issued.

(2) If on the date of the expiration of a licence (other than a short term licence) granted under section 16, proceedings are pending before the Board on an application by the holder of the licence for the renewal of such licence under section 21, such licence shall remain in force until the application is disposed of, but without prejudice to the exercise in the mean time of the powers of suspension or revocation conferred by this Act.

Short term licences

18. (1) Where an application has been made for a licence to be granted under this Act, the Board may, if for administrative reasons or on the ground of the urgency of the matter it thinks it desirable so to do pending the determination of the application, grant to the applicant a short term licence for such period and subject to such conditions as it thinks fit.

(2) A short term licence shall cease to have effect from the date on which the Board gives its decision on the application and in no case shall have effect for more than twelve months.

Conditions which may be attached to licence

19. (1) Subject to this Act, the Board may attach to any licence granted under this Act such conditions as it may think fit and in particular—

(a) in relation to a specified class of public service vehicles licence—

(i) that specified fares shall be charged;

(ii) that where desirable in the public interest, the fares shall be so fixed as to prevent wasteful competition with alternative means of transport, if any, along the route or any part thereof or in proximity thereto;

(iii) that the service shall be operated within the specified areas or routes and in accordance with a specified time-table or in accordance with specified hours of operation and specified frequency;

(iv) that copies of the time-table and fare-table shall be carried and displayed in vehicles used on the service and shall be liable for inspection;

(v) that passengers shall not be taken up or set down except at points specified in the licence or shall not be taken up or set down between specified points;

(vi) that passengers in excess of a specified number shall not be carried;

(vii) that the holder of the licence or certain specified persons only shall drive or operate the vehicle;

(viii) that the authorized vehicle is installed with a ticket machine or equipment of the latest technology as may be determined by the Board;

(b) in relation to a goods vehicle licence—

(i) that the authorized vehicle shall or shall not be used in specified areas or between specified places or during specified times;

(ii) that the authorized vehicle shall or shall not be operated in areas other than the areas for which the licence was issued;

(iii) that certain classes or description of goods only shall or shall not be carried;

(iv) that goods shall or shall not be carried for specified persons;

(v) that the charge or the maximum or minimum charges to be made for the carriage of goods, the labour charges for the loading and unloading of vehicles and the charges for the demurrage of vehicles shall be as determined by the Board;

(vi) that the laden weight of any authorized vehicle shall not exceed a specified maximum;

(vii) that explosive, inflammable, poisonous or dangerous goods or goods which give off an offensive smell shall be carried in a specified manner and that specified precautions shall be taken in relation to the carriage of such goods;

(c) in relation to a carrier's licence 'A' which has no restriction on the type of goods to be carried, that the carriage of goods shall not be refused without reasonable excuse;

(d) (*Deleted by Act A1024*);

(e) in relation to all licences—

(i) that the wages, conditions and hours of employment of persons employed in connection with the authorized vehicle or authorized service shall conform to certain specified requirements;

(ii) that documents relating to the goods or passengers shall be carried on the authorized vehicle;

(iii) that the issue and control of tickets for passengers and consignment notes for goods and the numbering or marking of such goods in such manner as to enable

them to be readily identified shall conform to the requirements of the Board;

(iv) that the holder of the licence shall keep and produce on demand for inspection and verification specified accounts, documents and records;

(v) that the safety and convenience of passengers on vehicles and persons on roads shall be promoted;

(vi) that the authorized vehicle is kept in a designated place.

(2) The Board may, at any time and from time to time in its discretion, add, cancel or vary any of the conditions attached to a licence under this section.

(3) The holder of the licence or any person using, causing or permitting the use of a vehicle in respect of which a licence has been issued under this Act who fails to comply with any of the conditions attached to the licence under this section shall be guilty of an offence and shall on conviction be liable to a fine of not less than one thousand ringgit but not more than ten thousand ringgit or to imprisonment for a term not exceeding one year or to both.

(4) In the case of a vehicle used for the transportation of goods and in respect of which a licence under this Act has been issued, the holder of the licence or any other person who causes or permits the vehicle to be used by any person shall, if the person who uses the vehicle fails to comply with any of the conditions attached to the licence under this section, be guilty of an offence and shall on conviction be liable to a fine of not less than one thousand ringgit but not more than ten thousand ringgit or to imprisonment for a term not exceeding one year or to both.

Statutory conditions of licence

20. (1) It shall be a condition of every licence granted under this Act—

(a) that the authorized vehicle is maintained in a fit and serviceable condition as determined by the Director General;

(b) that any provision contained in any written law with respect to limits of speed, weight laden and unladen and the loading of vehicles is complied with in relation to the authorized vehicle;

(c) that section 40 is complied with.

(2) The holder of the licence or any person using, causing or permitting the use of a vehicle in respect of which a licence has been issued under this Act who fails to comply with any of the conditions under this section, shall be guilty of an offence and shall on conviction be liable to a fine of not less than one thousand ringgit but not more than ten thousand ringgit or to imprisonment for a term not exceeding one year or to both.

(3) Where a court has found the holder of the licence or any person using, causing or permitting the use of a vehicle guilty of failing to comply with any of the conditions specified in paragraph (1)*(a)* or *(b)*, the court shall send notice of such finding of guilt to the Board and, where applicable, in respect of such person found guilty of using, causing or permitting such use, to the Director General by whom the vocational licence was granted.

Application for approval to participate in business or agreement

20A. (1) If the holder of a licence that is a company or a partnership or a firm intends to participate in any business or agreement that would cause—

(a) any change in the equity structure; or

(b) any change in the members of the Board of Directors,

of the company, partnership or firm, as the case may be, the holder of the licence shall obtain the approval of the Board before participating in the business or agreement.

(2) The Board may, upon receipt of the application under subsection (1), approve or reject the application and, if the Board approves the application, it may impose any condition as it thinks fit.

(3) The holder of a licence who fails to comply with this section shall be guilty of an offence and shall on conviction be liable to a fine of not less than one thousand ringgit but not more than ten thousand ringgit or to imprisonment for a term not exceeding one year or to both.

Application for renewal of licence

21. (1) Subject to subsections (2) and (3), any person who is a holder of a licence under this Act, who satisfies the Board that since the date the licence is granted, he has lawfully and continuously carried on, in a satisfactory and efficient manner, a transport service in accordance with the terms and conditions of the licence, shall on application to the Board for renewal of the licence, be given preference over all other applications for a licence to carry on a transport service substantially the same as that which the licence holder has been providing.

(2) An application for renewal of a licence under subsection (1) shall be made before the date of the expiration of the existing licence.

(3) If the applicant fails to comply with subsection (2) and offers no reason which the Board thinks as reasonable, the Board may refuse to proceed with, hear or determine such application.

Documents required for renewal of licence

21A. (1) In addition to any other document which may be required under this Act, an application for a renewal of a licence shall be accompanied with the following documents:

(a) an audited financial statement of the applicant; and

(b) a performance report of the previous year relating to—

(i) the total number of passengers or total volume of goods carried;

(ii) the total number of operation and revenue mileage;

(iii) the total actual number of trips operated and scheduled; and

(iv) the estimated number of vehicles that are required to provide efficient service for a particular route.

(2) Notwithstanding subsection (1) the Board may require any additional documents to be submitted by the applicant for the renewal of licence.

Application for variation

22. Subject to this Act, on an application by the holder of a licence for a variation of the licence or the conditions thereof, the Board shall have full power in its discretion—

(a) to grant the application in full or in part;

(b) to refuse the application; or

(c) to order any variation of the licence or the conditions thereof other than the variation specified in the application.

Temporary change of use of a public service vehicle

23. Notwithstanding anything contained in this Act, the Board may, on an application, authorize for a period not exceeding three months and subject to such conditions as it thinks fit to impose, the holder of a public service vehicle licence of a particular class to use the authorized vehicle as a public service vehicle of any other class.

Temporary use of 'C' vehicle as 'A' vehicle

24. Notwithstanding anything contained in this Act, the Board may in exceptional cases, on an application, authorize for a period not exceeding three months and subject to such conditions as it thinks fit to impose, the holder of a carrier's licence 'C' to use the authorized vehicle for the carriage of goods for hire or reward.

Power to revoke or suspend licence

25. (1) The Board may revoke or suspend any licence granted under this Act—

(a) on the ground that any of the provisions of this Act or any other written law or that any of the conditions of the licence has not been complied with;

(b) on the ground that the grant of the licence was induced by a false representation of fact by or on behalf of the holder; or

(c) where it is satisfied that the motor vehicle has been or is intended to be used for an unlawful purpose or that the original purpose for which the licence was issued no longer exists:

Provided that the Board shall not revoke or suspend the licence on the ground of the breach of any of the conditions unless it is satisfied, after giving the holder of the licence an opportunity of making any representation in writing he may wish to make, that owing to the frequency of the breach, or to the breach having been committed

wilfully or to the danger to the public involved in the breach, the licence should be revoked or suspended.

(2) For the purposes of subsection (1), a breach of any of the conditions specified in paragraph 20(1)*(a)* or *(b)* shall be deemed to be a breach which constitutes danger to the public.

(3) Where a licence has been revoked or suspended, it shall have no effect from the date of revocation or during the period of suspension, as the case may be.

Prohibition in relation to suspended licence

25A. (1) The holder of a licence whose licence has been suspended under section 25 shall not, during the period of suspension, use, cause or permit the use of a vehicle to which the licence relates.

(2) Any holder of a licence using, causing or permitting the use of a vehicle when the licence in respect of the vehicle is suspended under section 25 shall be guilty of an offence and shall on conviction be liable to a fine of not less than one thousand ringgit but not more than ten thousand ringgit or to imprisonment for a term not exceeding one year or to both.

Power of the Board to replace licence

25B. (1) The Board shall, in the exercise of its discretion, have the power to replace a licence with a licence of a different class or for a different maximum permissible laden weight or seating capacity or type if the Board is satisfied that there is a need for the carriage of goods that is different from the class of licence granted under this Act for the purpose of—

(a) reorganizing or consolidating the services provided by the holder of licences of different classes; or

(b) reorganizing or consolidating the services provided by the holder of the licences of the same class.

(2) Before replacing a licence under subsection (1) the Board shall issue a written notice not less than one year before the proposed date of replacement to the holder of the licence stating the intention of the Board to replace the licence.

(3) A licence replacing any licence under subsection (1) shall be effective from the date of replacement.

(4) Upon the coming into effect of the replacement licence, the licence which is replaced under subsection (1) shall be void and shall be surrendered to the Board.

Protection of public interest

26. Save as otherwise expressly provided, nothing in this Act shall be deemed to confer on the holder of a licence or holder of an intermediation business licence under this Act, any right to the continuance of any benefits arising from the provisions of this Act, or from any licence or intermediation business licence granted or deemed to be granted thereunder or from any conditions attached to any such licence or intermediation business licence.

PART IVA

LICENSING OF INTERMEDIATION BUSINESS

Licensing of intermediation business

26A. (1) No person shall operate or provide an intermediation business unless he holds an intermediation business licence issued under this section.

(2) An application for an intermediation business licence under this section shall be made to the Board in the form and manner as

determined by the Board and shall be accompanied by the prescribed application fee and such information and documents as may be specified by the Board.

(3) The applicant shall provide to the Board complete information of his financial standing to prove his ability to maintain and operate the intermediation business.

(4) Subject to this Act, the Board may, on an application for an intermediation business licence under this section—

(a) grant the application in full or in part or with such modifications as the Board thinks fit, and, upon payment of the prescribed fee, issue an intermediation business licence to the applicant; or

(b) refuse the application.

(5) Every intermediation business licence issued under this section shall set out the duration of the licence and the Board may attach to the intermediation business licence conditions that include—

(a) the type and extent of intermediation business to be operated or provided by the holder of an intermediation business licence;

(b) the general level of service to be provided to persons using services provided by the holder of an intermediation business licence;

(c) the measures to safeguard the safety and security of persons using services provided by the intermediation business; and

(d) the standards of performance to be complied with by the holder of an intermediation business licence in the operation of the intermediation business.

(6) The Board may, at any time, add, cancel or vary any of the conditions attached to an intermediation business licence issued under this section.

(7) The issuance of an intermediation business licence by the Board under subsection (4) shall not impose any liability on the Board for any loss or damage occasioned by any act, omission or default of the holder of an intermediation business licence.

(8) A person who contravenes subsection (1) commits an offence and shall, on conviction, be liable to a fine not exceeding five hundred thousand ringgit or to imprisonment for a term not exceeding three years or to both.

(9) A holder of an intermediation business licence who fails to comply with any of the conditions attached to the licence under subsection (5) commits an offence and shall, on conviction, be liable to a fine of not less than one thousand ringgit but not more than two hundred thousand ringgit or to imprisonment for a term not exceeding two years or to both.

Renewal of licence

26B. (1) Subject to subsections (2) and (3), the Board may, on an application by the holder of an intermediation business licence, renew the intermediation business licence on such conditions as the Board thinks fit or refuse the application.

(2) An application for the renewal of an intermediation business licence under subsection (1) shall be made at least ninety days before the date of expiry of the intermediation business licence and shall be accompanied by the prescribed renewal fee and such documents as may be specified by the Board.

(3) If the holder of an intermediation business licence fails to comply with subsection (2) and offers no reason which the Board thinks reasonable, the Board may refuse to proceed with, hear or determine such application.

(4) Where no application for renewal of an intermediation business licence has been submitted, the holder of an intermediation business licence shall, within fourteen days from the date of expiry of the intermediation business licence, return the intermediation business licence to the Board.

Application for variation

26C. On an application by a holder of an intermediation business licence for a variation of the intermediation business licence or the conditions of the intermediation business licence, the Board shall have full power in its discretion—

(a) to grant the application in full or in part;

(b) to refuse the application; or

(c) to order any variation of the intermediation business licence or the conditions of the intermediation business licence other than the variation specified in the application.

Revocation or suspension of the intermediation business licence

26D. (1) The Board may, by written notice to the holder of an intermediation business licence and without any compensation, revoke or suspend any intermediation business licence issued under section 26A—

(a) if any of the provisions of this Act or any of the conditions of the intermediation business licence has not been complied with;

(b) if the issuance of the intermediation business licence was induced by a false representation of fact by or on behalf of the holder of an intermediation business licence; or

(c) in the event of the death, incapacity, bankruptcy or, in the case of a company, liquidation of the holder of an intermediation business licence or, where a receiver or manager is appointed in relation to the business of providing intermediation business by the holder of an intermediation business licence:

Provided that the Board—

(A) in the case of paragraph *(a)*, may in lieu of revocation or suspension of the intermediation business licence appoint a third party to rectify the non-compliance and recover the costs of such rectification from the holder of an intermediation business licence;

(B) in the case of a breach of any of the conditions of the intermediation business licence under paragraph *(a)*, shall not revoke or suspend the intermediation business licence unless it is satisfied, after giving the holder of an intermediation business licence an opportunity of making any representation in writing he may wish to make, that owing to the frequency of the breach, or to the breach having been committed wilfully or the danger to the public involved in the breach, the intermediation business licence should be revoked or suspended; or

(C) in the case of a breach of any of the provisions of this Act under paragraph *(a)*, or paragraph *(b)* or *(c)*, shall not revoke or suspend the intermediation business licence unless it is satisfied that, after giving the holder of an intermediation business licence an opportunity of making any representation in writing he may wish to make, the intermediation business licence should be revoked or suspended.

(2) Where an intermediation business licence—

(a) has been revoked, it shall have no effect from the date of revocation and the holder of an intermediation business

licence shall within fourteen days from the date of revocation of the intermediation business licence return the intermediation business licence to the Board; or

(b) has been suspended, the holder of an intermediation business licence who continues to operate or provide an intermediation business during the period of suspension, shall be guilty of an offence and shall, on conviction, be liable to a fine of not less than one thousand ringgit but not more than ten thousand ringgit or to imprisonment for a term not exceeding one year or to both.

Transfer of licence prohibited

26E. (1) Subject to subsection (3), an intermediation business licence issued under section 26A shall be personal to the holder of an intermediation business licence thereof, and shall not be transferred or assigned.

(2) A holder of an intermediation business licence who contravenes subsection (1) commits an offence and shall, on conviction, be liable to a fine of not less than one thousand ringgit but not more than ten thousand ringgit or to imprisonment for a term not exceeding one year or to both.

(3) Notwithstanding paragraph 26D(1)*(c)*, the Board may, in the event of the death, incapacity, bankruptcy or, in the case of a company, liquidation of the holder of an intermediation business licence or, where a receiver or manager is appointed in relation to the business of providing intermediation business of such holder of an intermediation business licence or, where for any reason the Board is satisfied that it would be unjust not to do so, authorize the transfer of such intermediation business licence.

Duty of the holder of an intermediation business licence to keep records, etc.

26F. (1) It shall be the duty of the holder of an intermediation business licence to keep such accounts and records as required by the Board under section 40 in relation to the intermediation business licence issued to him.

(2) A holder of an intermediation business licence who fails to comply with subsection (1) commits an offence and shall, on conviction, be liable to a fine of not less than one thousand ringgit but not more than ten thousand ringgit or to imprisonment for a term not exceeding one year or to both.

Duty of the holder of an intermediation business licence to inform Board

26G. (1) It shall be the duty of every holder of an intermediation business licence, at all times, to inform the Board immediately of the following matters:

(a) any proceedings or claims instituted or made against the holder of an intermediation business licence which might have an adverse effect on his financial condition or on his ability to perform any condition under the intermediation business licence;

(b) any reprimands or fines imposed on the holder of an intermediation business licence by the Government; and

(c) any change in the control of the holder of an intermediation business licence.

(2) For the purposes of this section, “control”, in relation to a holder of an intermediation business licence, means having the power, directly or indirectly, to direct the management and policy of the holder of an intermediation business licence.

(3) A holder of an intermediation business licence who fails to comply with subsection (1) commits an offence and shall, on conviction, be liable to a fine of not less than one thousand ringgit but not more than ten thousand ringgit or to imprisonment for a term not exceeding one year or to both.

PART IVB

INTERNATIONAL CIRCULATION OF COMMERCIAL VEHICLES

Permit, licence, etc., under international agreement

26H. (1) For the purpose of giving effect to any international agreement in relation to the facilitation of the international circulation of any commercial vehicles, the Minister may make such rules as may be expedient or necessary for carrying out this Part.

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

(a) to recognize the permits, licences, passes, certificates or other official documents for any commercial vehicles 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 commercial vehicles 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 commercial vehicles 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 commercial vehicles; 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.

PART V

APPEALS

Appeal to the Minister

27. Subject to this Act, any person who—

(a) being an applicant for the grant or renewal of a licence or an intermediation business licence under this Act, is aggrieved by the decision of the Board on the application or by any condition imposed by the Board for a licence or an intermediation business licence granted by it; or

(b) being the holder of a licence or an intermediation business licence granted under this Act, is aggrieved by the revocation of such licence or intermediation business licence,

may, within ninety days from the date of service of the letter of decision of the Board or for such longer period as the Minister may prescribe, appeal in writing to the Minister against such decision setting out the grounds of appeal.

Minister's power to appoint appeal committee

28. (1) The Minister may, where he deems it fit to do so, appoint a committee of two or more persons to consider an appeal under section 27 and to make to the Minister its recommendation with regard to the appeal.

(2) The Minister shall give such consideration as he thinks fit to the recommendations of the committee in arriving at his decision on the appeal.

Order on appeal to be binding

29. (1) Subject to this Act, in giving his decision on an appeal under section 27, the Minister may confirm, reverse or vary the decision of the Board after considering the written grounds of the decision as submitted by the Board to him.

(2) The decision of the Minister on the appeal shall be arrived at on the basis of the documents relating to the appeal and there shall be no oral hearing of the appeal.

(3) The decision of the Minister under this section shall be binding and shall be final and conclusive.

Instances where there is no right of appeal

30. There shall be no right of appeal by any person where an application under this Act is refused under subsection 15(3), section 22 or 26C.

Validity of licence extended in successful appeal

31. Notwithstanding sections 17 and 26A, where the Minister allows in full an appeal against an order revoking a licence or an intermediation business licence granted under this Act, the validity of

the licence or intermediation business licence shall thereupon be extended by a period corresponding to that during which the licence or intermediation business licence was of no effect and such extended period shall accordingly be inserted in the licence or intermediation business licence.

Prohibition of similar application when earlier application still pending appeal

32. (1) Where an application is made under this Act and such an application is rejected or only granted in part and the applicant thereafter appeals against such a decision, he shall not subsequently make a similar application under this Act in respect of the same class and type of vehicle, irrespective of the number of vehicles so applied, until such appeal has been determined or disposed of by the Minister.

(2) In the event that any licence is granted either as a result of such appeal or subsequent application, or both, the licence so granted shall be deemed void.

PART VI

OFFENCES AND PENALTIES

Prohibition of use of unlicensed public service vehicle

33. (1) Subject to this Act, no person shall use a motor vehicle or cause or permit a motor vehicle to be used as a public service vehicle unless there is in force in respect of such vehicle a licence granted under this Act authorizing such use, or otherwise than in accordance with such licence and any conditions attached thereto; and if he does so, he shall be guilty of an offence and shall on conviction be liable to a fine of not less than one thousand ringgit but not more than ten thousand ringgit or to imprisonment for a term not exceeding one year or to both:

Provided that a person shall not be convicted of an offence against this section if he proves to the satisfaction of the court that he used the motor vehicle, the subject of the charge, as a taxi cab or hire car in an emergency for the purpose of conveying a sick or injured person to hospital or to bring medical aid to such person or for the purpose of making a police report to a police station and that he made all reasonable efforts to hire a taxi cab or hire car for the purpose of the journey.

(2) For the purpose of this Act, subsection (1) shall not apply to an e-hailing vehicle.

Prohibition of use of unlicensed goods vehicle

34. (1) Subject to this Act, no person shall use a goods vehicle or cause or permit a goods vehicle to be used for the carriage of goods unless there is in force a carrier's licence granted under this Act authorizing such use, or otherwise than in accordance with such licence and any conditions attached thereto, and if he does so he shall be guilty of an offence and shall on conviction be liable to a fine of not less than one thousand ringgit but not more than ten thousand ringgit or to imprisonment for a term not exceeding one year or to both.

(2) This section shall not apply—

(a) to the use of a public service vehicle in pursuance of a licence granted under this Act when used by the licence holder in accordance with such licence and any conditions attached thereto;

(b) to the use of a motor vehicle for the purpose of funerals;

(c) to the use of a motor vehicle for police, fire brigade or ambulance purposes;

(d) to the use of a motor vehicle for towing a disabled motor vehicle from a road to a place of safety or for removing goods

from a disabled motor vehicle and removing such goods to a place of safety;

(e) to the use of a motor vehicle for any specified purpose or the use of a motor vehicle of any class or description, when rules made by the Minister under this Act provide that such use shall not be subject to this section;

(f) to the use of a motor vehicle for the purpose of the Government or local authority when such vehicle is owned by the Government or local authority;

(g) to the use of a motor vehicle in respect of which all the following conditions are satisfied:

(i) the vehicle is a goods vehicle;

(ii) the maximum permissible laden weight of the vehicle does not exceed such weight as the Board may specify from time to time;

(iii) the vehicle is registered as a goods vehicle;

(iv) the prescribed motor vehicle licence fee payable in respect of the vehicle as a goods vehicle has been paid and a motor vehicle licence issued in consequence of such payment is in force; and

(v) the vehicle is used by its owner solely for the carriage of goods for or in connection with any trade or business carried on by such owner, provided that he does not use such vehicle for the carriage of goods for hire or reward other than goods sold and delivered by him in cases where, under the contract of sale, a charge is made for the delivery of the goods; and

(h) to a p-hailing vehicle.

Use of goods vehicle for carriage of passengers to be licensed

35. Subject to this Act, no person shall use a goods vehicle or cause or permit a goods vehicle to be used for the carriage of passengers unless there is in force a carrier's licence granted under this Act authorizing such use, or otherwise than in accordance with such licence and any conditions attached thereto, and if he does so he shall be guilty of an offence and shall on conviction be liable to a fine of not less than one thousand ringgit but not more than ten thousand ringgit or to imprisonment for a term not exceeding one year or to both.

Other transport interests to be disclosed by applicant

36. (1) Without prejudice to section 15 and subsection 26A(1), any person who applies for a licence or an intermediation business licence or for a variation of a licence or an intermediation business licence or any of the conditions thereof shall disclose or furnish in the application form as prescribed—

(a) any other licence or intermediation business licence that has been issued to him under this Act;

(b) any financial interest whatsoever which he has in the business of any other person or company which provides facilities for the transport of passengers or goods within Malaysia;

(c) any such interest or right which any other person has in his business and in the case of an applicant being a company, any right which that other person has to nominate any director of the company.

(2) If the applicant fails to disclose the information required under subsection (1) or supplies such information which to his knowledge is false or incorrect in whole or in part, he shall be guilty of an offence and shall on conviction be liable to a fine of not less than one thousand ringgit but not more than ten thousand ringgit or to imprisonment for a term not exceeding six months or to both.

Information requested by the Board from licence holder or intermediation business licence holder

37. (1) It shall be the duty of every person who holds any licence or intermediation business licence under this Act to supply when so requested by the Board, within a period of time as shall be determined by the Board, particulars—

(a) of any agreement or arrangement affecting in any material respect the provision of facilities for the transport of passengers or goods for hire or reward made by him with any other person by whom such facilities are provided, whether within or without Malaysia;

(b) of any financial interest whatsoever which any other person has in the business of the holder of a licence or the holder of an intermediation business licence, and in the case of the holder of a licence or the holder of an intermediation business licence being a company, of any right which that other person has to nominate any director of the company;

(c) of any interest or rights which the holder of a licence or the holder of an intermediation business licence has in the business of any other person who provides facilities for the transport of passengers or goods for hire or reward within Malaysia.

(2) If any person refuses or fails to supply, within the prescribed time, any information which he is required to supply under this section or supplies any information which to his knowledge is false or incorrect in any respect, he shall be guilty of an offence and shall on conviction be liable to a fine of not less than one thousand ringgit but not more than ten thousand ringgit or to imprisonment for a term not exceeding six months or to both.

Alteration of authorized vehicle

38. (1) The holder of a licence shall not make any alteration, other than by way of replacement of parts, to the structure or fixed equipment of an authorized vehicle without the approval of the Director General.

(2) If any person fails to comply with or contravenes this section, he shall be guilty of an offence and shall on conviction be liable to a fine of not less than one thousand ringgit but not more than ten thousand ringgit or to imprisonment for a term not exceeding six months or to both.

Transfer of licence prohibited

39. (1) Subject to subsection (4), a licence granted under this Act shall be personal to the holder thereof, and shall not be transferred or assigned.

(2) Except with the previous consent of the Board, the holder of such licence shall not appoint an agent or attorney for the purpose of exercising any of the rights conferred on him and shall not cause or permit any such agent or attorney to exercise any such right.

(3) The holder of a licence granted under this Act who purports to transfer or assign the licence or causes or permits any other person to use an authorized vehicle or to provide the service authorized in the licence shall be guilty of an offence and shall on conviction be liable to a fine of not less than one thousand ringgit but not more than ten thousand ringgit or to imprisonment for a term not exceeding one year or to both.

(4) The Board may, in the event of the death, incapacity, bankruptcy or, in the case of a company, liquidation, of the holder of such licence or, where a receiver or manager is appointed in relation to the business of the holder of such licence or, where for any reason the Board is satisfied that it would be unjust not to do so, authorize the transfer of such licence.

Records and returns

40. (1) It shall be the duty of the holder of a licence granted under this Act to keep such accounts and records in relation thereto as may be prescribed and to furnish to the Board such records, accounts, financial and statistical returns or other documents for such period and in such manner as may be prescribed, together with such other particulars as may be required by the Board.

(2) It shall be the duty of the holder of such licence to keep such records in relation to the use of the authorized vehicle as may be prescribed.

(3) The Board or the Director General may, by notice in writing, require the holder of such licence to produce all or any such records, accounts, financial and statistical returns or other documents at such time and place as may be specified in such notice, and to vouch the same, and to afford the Board, Director General, a Board Officer or a road transport officer reasonable facilities for checking and examining such records, accounts, financial and statistical returns or other documents and satisfying himself as to the completeness and accuracy thereof.

(4) If any person fails to comply with or contravenes this section, he shall be guilty of an offence and shall on conviction be liable to a fine of not less than one thousand ringgit but not more than ten thousand ringgit or to imprisonment for a term not exceeding six months or to both.

Abetment of offences

41. Whoever abets the commission of an offence against this Act shall be punishable with the punishment provided for the offence.

False statements

42. (1) If any person—

(a) for the purpose of obtaining under the provisions of this Act the grant of any type or description of licence or intermediation business licence to himself or to any other person or the variation of any such licence or intermediation business licence, or for the purpose of preventing the grant or variation of any such licence or intermediation business licence or of procuring the imposition of any condition or limitation in relation to any such licence or intermediation business licence, makes any statement or declaration which to his knowledge is false or incorrect, either in whole or in part, or in any material respect misleading;

(b) furnishes any particulars in relation to an application for the grant of a licence or an intermediation business licence under this Act which to his knowledge are false or in any material respect misleading;

(c) makes any entry in a record, register or other document required to be issued, kept, maintained or furnished under this Act which is false or in any material respect misleading,

he shall be guilty of an offence and shall on conviction be liable to a fine of not less than one thousand ringgit but not more than ten thousand ringgit or to imprisonment for a term not exceeding one year or to both.

(2) In any prosecution under this section, when it has been proved that any application, particulars, returns, accounts, document or written statement is false or incorrect in whole or in part or misleading in any material particular, it shall be presumed until the contrary is proved, that such application, particulars, returns, accounts, document or written statement was false or incorrect or misleading in a material particular, as the case may be, to the knowledge of the person signing, delivering or supplying the same.

(3) If any person—

(a) forges, alters, tampers with, defaces, mutilates, uses or lends to or allows to be used by any other person any mark, plate or document which is required by this Act to be carried or exhibited on a motor vehicle or licence or intermediation business licence;

(b) makes or has in his possession any mark, plate or document so closely resembling any such mark, plate or document as aforesaid as to be calculated to deceive;

(c) alters any entry made in a register, licence, intermediation business licence or other document issued or kept under this Act;

(d) exhibits on any motor vehicle any licence or intermediation business licence or identification mark, plate or document which has been altered, tampered with, defaced, mutilated or added to, or any imitation of a licence or an intermediation business licence, mark, plate or document which is required under this Act to be carried or exhibited on a motor vehicle;

(e) exhibits on any motor vehicle any licence or intermediation business licence or identification mark, plate or document which does not belong to such vehicle;

(f) prepares or maintains or authorizes the preparation or maintenance of false records that are required to be maintained under this Act; or

(g) falsifies or authorizes the falsification of records that are required to be furnished under this Act,

he shall be guilty of an offence and shall on conviction be liable to a fine of not less than one thousand ringgit but not more than ten thousand ringgit or to imprisonment for a term not exceeding one year or to both:

Provided that in the case of paragraph *(d)*, he shall not be found guilty of an offence if he proves that he had acted in good faith and had no

reasonable grounds for supposing that such licence or intermediation business licence or identification mark, plate or document had been altered, tampered with, defaced, mutilated or added to, or that such licence or intermediation business licence, mark, plate or document was an imitation.

(4) If any police officer or road transport officer has reasonable cause to believe that a document carried on a motor vehicle or any licence or intermediation business licence or record or other document produced to him in pursuance of this Act by the driver or person in charge of a motor vehicle is a document in relation to which an offence under this section has been committed, he may seize the document, licence or intermediation business licence or record.

(5) For the purpose of this section, the expression "document" includes a badge and the expression "seize" includes power to detach from the motor vehicle.

Liability of registered owner and others

43. (1) For the purpose of any prosecution or proceedings under this Act, the registered owner of a motor vehicle shall be deemed to be the owner of that motor vehicle.

(2) Except where otherwise provided by this Act, any act or omission by the servant, agent or partner of the registered owner shall, for the purpose of any prosecution or proceedings under this Act, be deemed to be the act or omission of the registered owner, unless he satisfies the court that he has taken all reasonable steps and precautions to prevent such an act or omission.

(3) In the event of any act or omission by a servant, agent or partner of the registered owner which would have been an offence against this Act if committed by the registered owner, that servant, agent or partner shall also be guilty of that offence.

(4) Where the registered owner is a body corporate, any person who at the time of the commission of such offence was a director, general

manager, manager, secretary or other similar officer of the body corporate, or who was purporting to act in any such capacity, shall be deemed to be guilty of the offence unless he proves that the offence was committed without his consent or connivance, and that he has exercised due diligence to prevent the commission of the offence as he ought to have exercised having regard to the nature of his functions and to all the circumstances.

Offences by body corporate

43A. (1) If a body corporate commits an offence under this Act, any person who at the time of the commission of the offence was a director, chief executive officer, chief operating officer, manager, secretary or other similar officer of the body corporate or was purporting to act in any such capacity or was in any manner or to any extent responsible for the management of any of the affairs of the body corporate or was assisting in such management—

(a) may be charged severally or jointly in the same proceedings with the body corporate; and

(b) if the body corporate is found to have committed the offence, shall be deemed to have committed that offence unless, having regard to the nature of his functions in that capacity and to all circumstances, he proves—

(i) that the offence was committed without his knowledge, consent or connivance; and

(ii) that he had taken all reasonable precautions and exercised due diligence to prevent the commission of the offence.

(2) If any person would be liable under this Act to any punishment or penalty for his act, omission, neglect or default, he shall be liable to the same punishment or penalty for every such act, omission, neglect or default of any employee or agent of his, or of the employee of the agent, if the act, omission, neglect or default was committed—

(a) by that person's employee in the course of his employment;

(b) by the agent when acting on behalf of that person; or

(c) by the employee of the agent in the course of his employment by the agent or otherwise on behalf of the agent acting on behalf of that person.

Powers of the police in investigation

44. Every police officer making an investigation under this Act may exercise any or all of the special powers in relation to police investigation in seizable cases conferred on such police officer by Chapter XIII of the Criminal Procedure Code [*Act 593*], and the provisions of sections 112 to 114 of that Code shall apply to statements made by persons examined in the course of such investigation.

Powers of road transport officers in investigation

44A. (1) Every road transport officer making an investigation under this Act shall have the power to require information, whether orally or in writing, from any person supposed to be acquainted with the facts and circumstances of the case under investigation.

(2) Whoever, on being required by a road transport officer to give information under this section, refuses to comply with such request by the officer or furnishes as true, information which he knows or has reason to believe to be false, shall be guilty of an offence and shall on conviction be liable to a fine of *not less than one thousand ringgit but not more than ten thousand ringgit or to imprisonment for a term not exceeding one year or to both.

***NOTE*—Previously "not exceeding five thousand ringgit"–*see* The Commercial Vehicles Licensing Board (Amendment) Act 1998 [*Act A1024*].

(3) When any such information is proved to be untrue or incorrect in whole or in part, it shall be no defence to allege that such information or any part thereof was misinterpreted, or furnished inadvertently or without criminal or fraudulent intent.

Power of Board Officer to investigate, etc.

44B. A Board Officer shall have the power to investigate or to require any information, whether orally or in writing, from any person supposed to be acquainted with the facts and circumstances in relation to the commission of an offence under this Act or any other written law or breach of conditions attached to a licence or an intermediation business licence.

Power to seize document, etc.

44C. (1) If any police officer or road transport officer or Board Officer has reasonable cause to believe that a document carried on a vehicle, or any licence, record or other document produced to him pursuant to this Act by the driver or person in charge of a vehicle is a document, licence or record in relation to which an offence under this Act has been committed, he may seize or detach the document, licence or record from the vehicle.

(2) If the licence seized under subsection (1) is a licence which has been suspended under section 25, the licence shall be returned to the holder of the licence upon the expiry of the period of suspension.

Who may prosecute

45. Proceedings for an offence under this Act shall not be instituted or conducted except by or on behalf of the Public Prosecutor, by a police officer or a road transport officer.

Power to order appearance in court

45A. (1) Where a police officer or a road transport officer has reasonable grounds for believing that any person committed an offence against this Act, he may, in lieu of applying to the court for a summons forthwith serve upon that person a notice in the prescribed form ordering that person to appear before the nearest court of a Magistrate having jurisdiction to try the offence, at a time and date to be stated in such notice.

(2) If any person who is served with a notice as provided by subsection (1) fails to appear in person or by counsel, then, unless it appears that it was not reasonably possible for that person so to appear, the court may, if satisfied that the notice was served, issue a warrant for the arrest of that person unless in the case of a compoundable offence, that person has within the period specified in the notice been permitted to compound the offence.

Provisions as to evidence

46. (1) A copy of a licence or an intermediation business licence granted under this Act, certified by the Chairman or any officer delegated by the Board to be a true copy of such licence or intermediation business licence, shall be admissible as evidence for all purposes for which the original of such copy would have been admissible had such original been produced and admitted as evidence, without proof of the signature or authority of the person signing the said licence or intermediation business licence or the copy thereof.

(2) When in any proceedings for an offence under this Act it is necessary to prove that any person was, or was not, the holder of a licence or an intermediation business licence granted under this Act, a certificate purporting to be signed by the Chairman and certifying as to the matters aforesaid, shall be admissible as evidence and shall constitute *prima facie* proof of the facts certified in such certificate, without proof of the signature of the Chairman to such certificate.

Presumptions

47. In any proceedings for an offence under this Act, in so far as it may be necessary to establish the offence charged, it shall be presumed until the contrary is proved—

(a) that any conveyance of persons or goods in a motor vehicle was for hire or reward;

(b) that the passengers carried in a motor vehicle were being carried in consideration of separate payments made by them;

(c) that a vehicle is not an authorized vehicle;

(d) that any person is not the holder of a licence or an intermediation business licence issued under this Act in respect of a motor vehicle;

(e) that any person is not the holder of a licence or an intermediation business licence authorizing him to provide any particular service;

(f) that any person is not the holder of a licence or an intermediation business licence issued under section 18;

(g) that any person is the owner of a motor vehicle; or

(h) that any person is the holder of a licence or an intermediation business licence under this Act.

Service and signature of notification or document

48. (1) Any notification or document required to be given or served under this Act may, unless some other form of service is prescribed, be sent by registered post to the person affected thereby.

(2) Where a notification or document is served by registered post, it shall be deemed to have been served on the day succeeding the day on

which the notification or document would have been received in the ordinary course of post, if the notification or document is addressed—

(a) in the case of a company incorporated in Malaysia, to the registered office of the company;

(b) in the case of a company incorporated outside Malaysia, either to the individual authorized to accept service of process under the *Companies Act 1965, at the address filed with the Registrar of Companies or to the registered office of the company, wherever it may be situated;

(c) in the case of an individual or a body of persons, to the last known business or private address of such individual or body of persons.

(3) Where the person to whom there has been addressed a registered letter containing any notice which may be given under the provisions of this Act is informed of the fact that there is a registered letter awaiting him at a post office, and such person refuses or neglects to take delivery of such registered letter, such notice shall be deemed to have been served upon him on the date on which he was informed.

General offences and penalties

48A. (1) Any person who—

(a) without reasonable excuse, proof of which shall lie on him, refuses or fails to do anything that he is required to do under this Act;

(b) without reasonable excuse, proof of which shall lie on him, fails to comply with the requirements of any notice served on him under this Act; or

**NOTE*—The Companies Act 1965 [*Act 125*] has since been repealed by the Companies Act 2016 [*Act 777*] which comes into operation on 31 January 2017 – *see* subsection 620(1) of Act 777.

(c) without reasonable excuse, proof of which shall lie on him, contravenes or fails to comply with any provision of this Act,

shall be guilty of an offence.

(2) Any person who is guilty of an offence under this Act shall, where no special penalty is provided, be liable in the case of a first conviction to a fine not exceeding one thousand ringgit or to imprisonment for a term not exceeding three months and, in the case of a second or subsequent conviction, to a fine not exceeding one thousand ringgit or to imprisonment for a term not exceeding six months or to both.

Power to compound

49. (1) Any of the following officers, that is to say—

(a) a Chief Police Officer or any police officer not below the rank of Inspector specially authorized in writing by name or by office in that behalf by the Minister charged with the responsibility for the police;

(b) the Director General or any road transport officer specially authorized in writing by name or by office in that behalf by the Director General,

may, in his discretion, compound any such offence against this Act as may be prescribed as an offence which may be compounded by such officer by collecting from the person reasonably suspected of having committed the same a sum of money not exceeding three hundred ringgit.

(2) The Minister may make rules to prescribe the offences which may be compounded and the method and procedure therefor.

Officers not in uniform to produce identification cards

50. (1) Every police officer and every road transport officer, if not in uniform when acting against any person under this Act, shall on demand, declare his office and produce to the person against whom he is acting such document establishing his identity as the Chief Police Officer may direct in the case of a police officer or as the Director General may direct in the case of a road transport officer, to be carried by a police officer and road transport officer respectively.

(2) It shall not be an offence for any person to refuse to comply with any request, demand or order made by any police officer or by a road transport officer not in uniform if such police officer or road transport officer refuses to declare his office and produce his identification document on demand being made by such person.

PART VII

MISCELLANEOUS

Seizure

51. (1) Any motor vehicle in respect of which there has been or there is reasonable cause to suspect that there has been committed any offence against subsection 19(3), paragraph 20(1)*(b)*, section 33 or 34 may be seized by any road transport officer or any police officer not below the rank of Inspector at any place.

(2) When any motor vehicle has been seized under subsection (1), a road transport officer or a police officer not below the rank of Inspector may, at his discretion, temporarily return such vehicle to the owner of the same, on security being furnished to the satisfaction of such officer that the vehicle shall be surrendered to him on demand.

(3) An order for the forfeiture or for the release of any motor vehicle seized under subsection (1) shall be made by the court before which the prosecution with regard thereto has been held, and an order for the forfeiture of such vehicle shall be made if it is proved to the satisfaction

of the court that an offence against subsection 19(3), paragraph 20(1)*(b)*, section 33 or 34 has been committed and that the vehicle was the subject matter of the offence, notwithstanding that no person may have been convicted of such an offence.

(4) If there is no prosecution with regard to any motor vehicle seized under subsection (1), such vehicle shall be released at the expiration of one calendar month from the date of seizure unless it has sooner been released.

Detention of vehicles

51A. (1) If any police officer in uniform or road transport officer in uniform or Board Officer has reasonable cause to believe that the provisions of this Act have not been complied with in respect of any motor vehicle, he may require such vehicle to be stopped and may require the driver of such vehicle to drive it to some other place, and the vehicle may, if necessary, be detained by any police officer not below the rank of sergeant or any police officer in charge of a police station for the purpose of inspection by a police officer or a road transport officer or a Board Officer to ascertain whether the provisions of this Act have been complied with.

(2) No motor vehicle shall be detained under this section for a period exceeding forty-eight hours.

Determination of vehicle's weight

51B. (1) It shall be lawful for any police officer authorized in writing in that behalf by the Chief Police Officer, or any road transport officer authorized in writing in that behalf by the Director General or any Board Officer to require the person in charge of any motor vehicle to allow the motor vehicle to be weighed by such officer, either laden or unladen, and for the weight transmitted to the road by any part of the motor vehicle in contact with the road to be tested, and for that purpose may forthwith weigh the motor vehicle.

(2) Upon request by the person in charge of the motor vehicle, the authorized officer shall, after the completion of the weighing of such vehicle, issue a duplicate or copy of a certificate in respect of the weighing to the person.

(3) Any person in charge of any motor vehicle who refuses or fails to comply with the requirement under subsection (1), or removes its load or any part of it before the motor vehicle is duly weighed, shall be guilty of an offence.

(4) It shall not be lawful for any authorized officer to require the person in charge of the motor vehicle to unload the motor vehicle for the purpose of having it weighed unladen.

Reservation of licences or intermediation business licences

52. (1) Notwithstanding anything contained in this Act, the Yang di-Pertuan Agong may from time to time by order, give directions to the Board as may be required for the reservation of licences or intermediation business licences for Malays and natives in such proportion of the licences or intermediation business licences to be granted under this Act as the Yang di-Pertuan Agong may deem reasonable and the Board shall comply with such directions.

(2) A licence or an intermediation business licence granted to a Malay or to a native by the Board in pursuance of directions given by the Yang di-Pertuan Agong under subsection (1), shall bear an endorsement as follows:

"Granted in pursuance of directions given under subsection 52(1) of the Commercial Vehicles Licensing Board Act 1987".

Such endorsement shall be conclusive evidence that such licence or an intermediation business licence was granted in pursuance of such directions.

(3) The Board may, in respect of any licence or intermediation business licence granted in pursuance of directions given under

subsection (1), attach to such licence or intermediation business licence such conditions as it thinks fit in addition to the conditions referred to in section 19 or subsection 26A(5).

(4) For the purposes of this section, the expression "Malays" or "natives" shall include a company, an association or a body of persons whether corporate or unincorporate, a majority part of whose capital is owned by and the management and employees are made up of Malays or natives.

Limitation on number of specified classes of vehicles

53. The Minister shall, from time to time as appears to him necessary or desirable and after consultation with the Minister charged with the responsibility for transport and the State Government or the Minister charged with the responsibility for the Federal Territory, as the case may be, fix the number of any class of public service vehicles which he considers should be authorized to be used to meet the reasonable needs of persons requiring the use of such vehicles.

Classification and numbering of bus routes

54. The Board may classify and number, in such manner as may be convenient, the routes in respect of which express, mini and stage bus licences are granted, and may publish a list of the routes so classified and numbered.

Avoidance of contracts

55. Any contract for the conveyance of a passenger in a public service vehicle shall, so far as it purports to negative or to restrict the liability of any person in respect of any claim which might otherwise be lawfully made against that person in respect of the death of or bodily injury to the passenger while being carried in, entering or alighting from the authorized vehicle or purports to impose any condition with respect to the enforcement of any such liability, be void.

Rules

56. (1) The Minister may make rules for any purpose for which rules may be made under this Act and for prescribing anything which may be prescribed under this Act, and generally for the purpose of carrying this Act into effect, and in particular, but without prejudice to the generality of the foregoing provisions, may make rules with respect to any of the following matters:

(a) the forms to be used and the information to be furnished for any of the purposes of this Act;

(b) the procedure on applications and the determination of questions in connection with the grant, variation, surrender, suspension and revocation of licences or intermediation business licences and conditions attached to licences or intermediation business licences and in connection with appeals;

(c) the grant of licences or intermediation business licences and the issue of copies of licences or intermediation business licences in the case of licences or intermediation business licences lost or destroyed;

(d) the fees to be paid under this Act, the manner of payment and the persons liable to pay the same, the exemption of such fees to any person or classes of persons or company or the reduction of such fees;

(e) the custody of licences or intermediation business licences, the production, return, surrender and cancellation of licences or intermediation business licences on the expiration, suspension, revocation or variation of the conditions thereof and the custody, production, return and obliteration of documents;

(f) the form of register and other records to be kept and maintained by the Board, provisions for the opening, maintenance and closure thereof, provisions for the

inspection and taking extracts therefrom and the supply of copies thereof and the fees to be paid for such inspection, extracts and copies respectively;

(g) the notification to the Director General or Chairman, of motor vehicles which have ceased to be used under a licence or an intermediation business licence granted under this Act;

(h) the records to be kept by licence holders or intermediation business licence holders and by drivers of authorized vehicles and the returns to be made;

(i) prescribing penalties (not exceeding those specified by section 119 of the Road Transport Act 1987) for any breach or failure to comply with any such rules;

(j) the means by which commercial vehicles are to be identified as authorized vehicles whether by plates, marks and otherwise and providing for distinguishing words, letters, numbers, colours or marks being or not being affixed to authorized vehicles;

(k) the safe custody or disposal of any property accidentally left in a public service vehicle and the fixing of charges made in respect thereof;

(l) regulating any arrangement or agreement between a holder of a licence that is a company, a partnership or a firm and the driver of a public service vehicle;

(m) regulating any arrangement or agreement regarding advertisement on an authorized vehicle,

and different rules may be made as respects different classes or descriptions of authorized vehicles and as respects the same class and description of authorized vehicles in different circumstances.

(2) Any rules made by the Minister under this Act shall be published in the *Gazette*.

Repeal, transitional and saving

***57.** (1) The Road Traffic Ordinance 1958 [*Ord. No. 49 of 1958*] and the Modification of Laws (Road Traffic Ordinance) (Extension and Modification) Order 1984 [*P.U. (A) 136/1984*] in so far as they relate to the licensing of commercial vehicles are hereby repealed:

Provided that all subsidiary legislations relating to the licensing of commercial vehicles made under the repealed Ordinance shall be deemed to have been made under this Act and shall continue to remain in force until amended, suspended or revoked thereunder:

Provided further that any licence, permit or any other document in respect of an authorized vehicle or any reduction of fees or any exemption issued or granted under the repealed Ordinance and in force immediately before the commencement of this Act shall, in so far as its issue or grant is not inconsistent with this Act, be deemed to have been issued or granted under this Act and shall continue in force until it expires, or is varied, amended, suspended or revoked thereunder.

(2) Where an application for the grant of a licence in respect of a commercial vehicle has been made before the commencement of this Act and is pending immediately before such commencement the decision of any authority as is referred to in subsection (3), proceedings in respect of the said application shall be continued under the repealed Ordinance subject to such modifications to the application being made so as to bring it into accord with the provisions of this Act, and subject to such directions as the said authority may give with regard to the continuation of proceedings on such an application.

(3) Any authority established under the repealed Ordinance, having power to grant licences in respect of commercial vehicles and existing immediately before the date of commencement of this Act, shall

***NOTE*—The amendment in subsection 36(2) of the Road Transport (Amendment) Act 1994 [*Act A878*] shall be deemed to have been an integral part of section 57 of the Commercial Vehicle Licensing Board Act 1987 as from 1 January 1988 and any act done or proceedings instituted in respect of the licensing of commercial vehicles during the period between the said date and the commencement of this Act and its continuation thereafter, if any, is hereby declared lawful and valid, and shall be deemed to be and to have always and at all times been lawful and valid.

continue to remain in existence and shall exercise all such functions as are conferred on a Road Transport Licensing Board constituted under the repealed Ordinance until there is established a Commercial Vehicles Licensing Board under section 3 to replace such authority.

(4) Where any appeal in respect of a decision made under the repealed Ordinance is pending before any right to appeal in respect of such decision has accrued, the proceedings in respect of the appeal or in respect of any appeal under the accrued right to appeal, shall be continued or had, as the case may be, under this Act as if in respect of a decision under this Act, subject to all such directions as the authority or the court, as the case may be, may deem fit or expedient to give in the matter.

Power of Minister to make additional provisions, etc.

58. The Minister may, by rules, make such provisions as he considers necessary or expedient for the purpose of removing any difficulties occasioned by the coming into force of this Act, any such rule may be made so as to have effect as from the commencement of this Act.

**NOTE—see* section 7 of the Commercial Vehicle Licensing Board (Amendment) Act 2023 [*Act A1686*] w.e.f 15 October 2023 which provides the following provision:

Transitional

7. 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 Part IVA of the principal Act within one year from the date of coming into operation of this Act.

LAWS OF MALAYSIA

Act 334

COMMERCIAL VEHICLES LICENSING BOARD ACT 1987

LIST OF AMENDMENTS

Amending law	Short Title	In force from
Act A708	Commercial Vehicles Licensing Board (Amendment) Act 1988	15-09-1988
Act A878	Road Transport (Amendment) Act 1994	04-03-1994
Act A1024	Commercial Vehicles Licensing Board (Amendment) Act 1998	01-07-1998: except paragraph 3*(f)* and subparagraph12*(a)*(i)(B)
P.U. (B) 509/2010	Corrigendum	18-11-2010
Act A1376	Commercial Vehicles Licensing Board (Amendment) Act 2010	31-01-2011
Act A1553	Commercial Vehicles Licensing Board (Amendment) Act 2017	12-07-2018
Act A1686	Commercial Vehicles Licensing Board (Amendment) Act 2023	15-10-2023

LAWS OF MALAYSIA

Act 334

COMMERCIAL VEHICLES LICENSING BOARD ACT 1987

LIST OF SECTIONS AMENDED

Section	Amending authority	In force from
1A	Act A1024	01-07-1998
	Act A1376	31-01-2011
2	Act A708	15-09-1988
	Act A1024	01-07-1998
	Act A1376	31-01-2011
	Act A1553	12-07-2018
	Act A1686	15-10-2023
3	Act A1376	31-01-2011
4	Act A1024	01-07-1998
	Act A1376	31-01-2011
5	Act A1024	01-07-1998
6	Act A1024	01-07-1998
7	Act A708	15-09-1988
8A	Act A1024	01-07-1998
9	Act A1376	31-01-2011
10	Act A708	15-09-1988
	Act A1553	12-07-2018
11	Act A708	15-09-1988
	Act A1024	01-07-1998

Section	Amending authority	In force from
14	Act A1024	01-07-1998
	Act A1553	12-07-2018
	Act A1686	15-10-2023
15	Act A1024	01-07-1998
17	Act A1024	01-07-1998
19	Act A1024	01-07-1998
20	Act A1024	01-07-1998
20A	Act A1024	01-07-1998
21A	Act A1024	01-07-1998
	Act A1686	15-10-2023
25A – 25B	Act A1024	01-07-1998
26	Act A1553	12-07-2018
PART IVA	Act A1553	12-07-2018
PART IVB	Act A1686	15-10-2023
26H	Act A1686	15-10-2023
27	Act A1376	31-01-2011
	Act A1553	12-07-2018
29	Act A1024	01-07-1998
30	Act A1553	12-07-2018
31	Act A1553	12-07-2018
33	Act A1024	01-07-1998
	Act A1553	12-07-2018
34	Act A708	15-09-1988
	Act A1024	01-07-1998
	Act A1686	15-10-2023
35	Act A1024	01-07-1998

Section	Amending authority	In force from
36	Act A1024 Act A1553	01-07-1998 12-07-2018
37	Act A1024 Act A1553	01-07-1998 12-07-2018
38	Act A1024	01-07-1998
39	Act A1024	01-07-1998
40	Act A1024	01-07-1998
42	Act A1024 Act A1553	01-07-1998 12-07-2018
43A	Act A1553	12-07-2018
44	Act A708	15-09-1988
44A	Act A708 Act A1024	15-09-1988 01-07-1998
44B	Act A1024 Act A1553	01-07-1998 12-07-2018
44C	Act A1024	01-07-1998
45	Act A708	15-09-1988
45A	Act A708	15-09-1988
46	Act A708 Act A1553	15-09-1988 12-07-2018
47	Act A1553	12-07-2018
48A	Act A1024	01-07-1998
49	Act A708	15-09-1988
50	Act A708	15-09-1988
51	Act A1024	01-07-1998
52	Act A1553	12-07-2018

Section	Amending authority	In force from
51A – 51B	Act A1024	01-07-1998
56	Act A1553	12-07-2018
57	Act A878	04-03-1994