

- (b) establish a body to carry out evaluation or assessment or to conduct examination of the training institutions;
- (c) establish a body to develop, monitor and modify the curriculum as to the courses of studies, standards and training programmes offered by the training institutions;
- (d) give formal recognition and written assurances including awarding certificates or any other qualifications to the training institutions;
- (e) suspend or revoke the accreditation of training institutions for contravening or failing to comply with the conditions of accreditation; and
- (f) do any other things which the Lembaga deems expedient or necessary for the purposes of this Part.”.

New Part VIIA

21. The principal Act is amended by inserting after Part VII the following Part:

“PART VIIA

STANDARDS AND CODES OF PRACTICE IN THE CONSTRUCTION INDUSTRY

Lembaga to certify construction materials

33c. (1) The Lembaga shall, in the manner determined by the Lembaga, certify the construction materials used in the construction industry and specified in the Fourth Schedule in accordance with the standards specified in that Schedule.

(2) The Minister may, by order published in the *Gazette*, amend the Fourth Schedule.

(3) The Lembaga may keep and maintain a Register of the details and record of all certified construction materials.

(4) The Lembaga may, for the purpose of certification under subsection (1), impose any condition as it thinks fit.

(5) The Lembaga may suspend, revoke, reinstate or refuse the certification in circumstances as may be determined by the Lembaga.

Dealing with non-certified construction materials

33D. (1) A person shall not deal or undertake to deal, whether directly or indirectly, with the construction materials specified in the Fourth Schedule unless the construction materials have been certified by the Lembaga.

(2) Any person who deals or undertakes to deal with the construction materials specified in the Fourth Schedule without the certification of the Lembaga shall be guilty of an offence and shall, on conviction, be liable to a fine of not less than ten thousand ringgit but not more than five hundred thousand ringgit.

Notice by the Lembaga for person dealing with non-certified construction materials

33E. (1) Where any construction material which is not certified in accordance with this Act is dealt with or is undertaken to be dealt with or will be dealt with by any person, the Lembaga may, by notice in the prescribed form, serve on such person requiring him to abstain from commencing or proceeding with, engaging in or being involved in or undertaking to be engaged or involved in, dealing with the non-certified construction material.

(2) Any person who fails to comply with the requirements of the notice under subsection (1) shall be guilty of an offence and shall, on conviction, be liable to a fine not exceeding fifty thousand ringgit and in the case of a continuing offence, to a fine not exceeding five hundred ringgit for every day or part of a day during which the offence continues after conviction.

Codes of practice for the construction industry

33F. The Lembaga or any other body authorized by law may, from time to time, formulate, develop, revise and approve any code of practice which is suitable and necessary for the construction industry.”.

Amendment of section 34

22. The principal Act is amended by substituting for section 34 the following section:

“Imposition of levy

34. (1) Every contractor shall declare and submit to the Lembaga, in the manner as may be prescribed by the Lembaga, any contract which he has been awarded on any construction works.

(2) For every contract referred to in subsection (1), whether stamped or not, having a contract sum of above five hundred thousand ringgit, the contractor shall be liable to pay to the Lembaga a levy at the rate of a quarter per centum of the contract sum.

(3) Every contractor shall disclose fully to the Lembaga all the facts and circumstances affecting his liability to pay the levy.

(4) The Lembaga shall notify the contractor of the amount of levy to be paid within such period as it may prescribe and such notification by the Lembaga shall be *prima facie* evidence as to the amount of levy to be paid by the contractor.

(5) The Minister may, by order published in the *Gazette*, vary the rate of levy specified in subsection (2).

(6) In the case where there are more than one contractor who are parties to a contract referred to in subsection (1), each and every such contractor are jointly and severally liable to pay the levy, unless otherwise proven to the contrary to the satisfaction of the Lembaga.

New Fourth Schedule

32. The principal Act is amended by inserting after the Third Schedule the following Schedule:

"FOURTH SCHEDULE

[Subsection 33c(1)]

STANDARDS FOR CERTIFICATION OF CONSTRUCTION MATERIAL

<i>No.</i>	<i>Types of construction material</i>	<i>Approved standards by the Lembaga</i>
1.	Sanitary wares (ceramic)	
	(a) Wash basin	MS 147:2001 : Specification for Quality of Vitreous China Sanitary Appliances
	(b) Water closet pan without flushing cistern	MS 147:2001 and MS 1522:2007 Specification for Vitreous China Water Closet Pans
	(c) Water closet with flushing cisterns	MS 147:2001, MS 1522:2007 and MS 795:2002
	(d) Bidets and urinals pedestal	MS 147:2001
	(e) Flushing cisterns equipped with mechanism	MS 147:2001 and MS 795:2002
	(f) Flushing cisterns not equipped with mechanism	MS 147:2001
	(g) Plastic flushing cisterns	MS 795:2002
2.	Ceramic tiles	MS ISO 13006:2003
3.	Steel frame scaffoldings	MS 1462:1999
4.	Vitrified clay pipes and fitting and pipe joints for drains and sewers	MS 1061:Part 2:2008

<i>No.</i>	<i>Types of construction material</i>	<i>Approved standards by the Lembaga</i>
5.	Cold reduced mild steel wire for reinforcement of concrete	MS 144:2006
6.	Steel welded fabric for reinforcement of concrete	MS 145:2006
7.	Portland cement	
	(a) White Portland cement	MS 888:1991
	(b) Ordinary and rapid hardening Portland cement	MS 522:Part 1:2007
	(c) Sulfate resisting Portland cement	MS 1037:1986
	(d) Pulverised fuel ash Portland cement	MS 1227:2003
	(e) Blast furnace Portland cement	MS 1389:1995
8.	Hydraulic Cement	
	(a) Pozzolonic pulverised fuel ash cement	MS 1520:2001
	(b) High slag blast furnace cement	MS 1388:1995
	(c) Masonry cement	MS 794:2010
9.	Hot rolled steel bars for reinforcement of concrete	MS 146:2006
10.	Prefabricated timber roof truss system	CIS 5
11.	Hot rolled non alloy structural steel sections	MS 1490:2001

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<i>No.</i>	<i>Types of construction material</i>	<i>Approved standards by the Lembaga</i>
12.	Precast concrete piles for foundation	MS 1314:Part 1-6:2004
13.	Steel wire ropes for lifts	MS ISO 4344:2004
14.	Specification for steel frame scaffoldings	MS 1462:1999
15.	Iron and steel products	
	(a) Specification for low carbon steel wire rods	MS 1092:1987
	(b) Specification for high carbon steel wire rods	MS 1093:1987
	(c) Specification for low carbon steel wires	MS 1137:2009
	(d) Specification for uncoated seven-wire stress-relieved strand for pre-stressed concrete	MS 1138:Parts 1-4:2007
	(e) Specification for galvanized low carbon steel wire for armoring cables	MS 1239-1:2009
16.	Insulation materials	
	(a) Specification for mineral fibre thermal insulation material	MS 1020:2010
17.	Float glass	
	(a) Specification for float and polished plate float glass	MS 1138:Part 1-4:2007

<i>No.</i>	<i>Types of construction material</i>	<i>Approved standards by the Lembaga</i>
18.	MS 1064 : 2001 GUIDE TO MODULAR COORDINATION IN BUILDING	
	(a) Stairs and stairs opening	MS 1064:Part 3:2001
	(b) Door sets	MS 1064:Part 4:2001
	(c) Window sets	MS 1064:Part 5:2001
	(d) Rigid flat sheets	MS 1064:Part 6:2001
	(e) Tiles	MS 1064:Part 7:2001
	(f) Masonry, bricks and blocks	MS 1064:Part 8:2001
	(g) Cabinets	MS 1064:Part 9:2001
	(h) Reinforced concrete components	MS 1064:Part 10:2001.”.

Transitional provision

33. (1) Any construction personnel who, immediately before the date of coming into operation of this Act, has been involved or engaged or undertaken to be involved or engaged as a construction personnel including any construction site supervisor or skilled construction worker, may continue to do so during the period of twelve months from the commencement of this Act.

(2) During such period mentioned in subsection (1), such construction personnel including construction site supervisor and skilled construction worker shall, as soon as practicable make an application for registration, accreditation or certification, whichever is applicable to them, in accordance with this Act.

(3) Any person who immediately before the date of coming into operation of this Act, had been dealing or undertaken to be engaged in dealing with construction materials specified under the Fourth Schedule without the certification of the Lembaga, may continue to do so during the period of six months from the commencement of this Act.

