A STUDY ON THE LAW ON SOLID WASTE DISPOSAL: A CASE STUDY OF KLANG MUNICIPAL COUNCIL (MPK)

BY

NOR ASFALLA BINTIMOHAMED ARSAD	2006128623
WAHIDA BINTI ABDULLAH	2006128629
SITINUR ZULAIKHA BINTI IBRAHIM	2006146279
MARLIANA BINTI TOGIMIN	2006107277

Submitted in Partial Fulfillment of the Requirement for the Bachelor of Legal Studies (Hons)



UiTM, SHAH ALAM

FACULTY OF LAW

APRIL 2009

The students authors hereby that the words submitted is their own and that appropriate credit had been given where references have been made to he work of others.

ACKNOWLEDGEMENT

This research project paper has been carried out by a term which includes Wahida Binti Abdullah, Nor Asfalla Binti Mohamed Arsad, Siti Nur Zulaikha Binti Ibrahim and Marliana Binti Togimin. Therefore we would like to convey our gratitude to those involve in this project.

First of all, we would like to express our deepest gratitude to Allah S.W.T for His blessing and guidance for us we because with His blessings and guidance, we have the strength to complete this research project paper. We would like to extend our utmost gratitude to our beloved supervisor, Puan Siti Hafsyah Bt Idris due to the time, effort and advice which she unselfishly given us. It would be safe to say that the journey that we took to complete this research project paper would not have been smooth or as pleasant without the guidance given by Puan Siti Hafsyah Binti Idris. May Allah S.W.T repay her for the help she has given us and the patience that she had in supervising us.

We would also like to extend a special thank you to those that we have interviewed notably Legal Advisor of Klang Municipal Council (MPK), Environment Control Officer Department of Environment of Selangor (DOE) and Senior Lecturer in Institute of Biological Science of University of Malaya. Not only have they provided us with valuable and vital information for our research paper, their willingness to share their experience with us was an invaluable experience for us. We also would like to thank them for their cooperation in granting us an interview even though with the limited time they have.

We would also like to take this opportunity to thank the contribution of our beloved parents who has helped us through providing moral support and financial assistance to us. We would also like to acknowledge the contribution of our friends in helping us and being with us through the good and also stressful times during the conduct of this research and making this project a success. Thank you.

ABSTRACT

This research is concerning on the law on solid waste disposal mainly in the area administered by Klang Municipal Council. Presently, there are three levels of government that managed solid waste disposal which are the Federal, State and Local Government. The Federal and State Government share the power on sanitation issue that falls under the concurrent list of the Ninth Schedule of Federal Constitution. The Federal Government will set up the policies and the States will implement those policies while the Local Authorities have direct responsibility over solid waste management. Nowadays, the issue on solid waste disposal has become major concerns among the public at large. Moreover, the Federal and States Government together with Local Authorities have initiated various law and policies in order to tackle the problems regarding solid waste disposal. Therefore it is the objectives of this research to analyzed on the role and function of The Refuse Collection, Disposal and Removal (Klang Municipal Council) By-Laws 2007 and the Solid Waste and Public Cleansing Management Act 2007 as well as Solid Waste and Public Cleansing Management Corporation Act 2007 and looked into the effectiveness of the implementation and enforcement of the law in controlling solid waste matters. Finally, this research also provides the recommendations to improve the solid waste management system in Malaysia with reference to the area administered by Klang Municipal Council

TABLE OF CONTENTS

Acknowledgement			
Abstract			ii
Contents			iii
Table	of	Legislation	iv

CHAPTER ONE: INTRODUCTION

1.0	Introduction				
1.1	Background				1-6
12	Klang Municipal Council (MPK): An Overview				6-7
1.3	Problem Statements				7-8
1.4	Objective	of	the	Study	8-9
1.5	Methodology				9-10
1.6	Scope of Study				10
1.7	Limitation				10-11
1.8	Significance	of	the	Study	12
1.9	Conclusion				12
CHAPTER TWO: WASTE: GENERAL OVERVIEW					

2.0	Introduction				13-15
2.1	General	Definition	of	Waste	15-17
2.2	Municipal Solid Waste (MSW)			17-18	
2.3	Municipal Solid Waste in Malaysia			18-19	
2.4	Legal	Definition	of	Waste	19-20

	2.5.1	Laws	20
	2.5.2	By-Laws	20
2.6	Types	of Waste	21
2.7	Metho	d of Waste Disposal	21-22
	2.7.1	Landfill	22-23
	2.7.2	Incineration	23-24
	2.7.3	Source Reduction	24
	2.7.4	Recycling	24-25
	2.7.5	Compositing	25-26
2.8	8 Conclusion		

CHAPTER THREE: SOLID WASTE DISPOSAL: LOOKING INTO THE JURISDICTION OF KLANG MUNICIPAL COUNCIL (MPK)

3.0	Introd	uction	27
3.1	The Law on Solid Waste in Malaysia		
3.2	Governing Institution		
	3.2.1	Ministry of Housing and Local Government (MOHLG)	28-29
	3.2.2	National Resource and Environment (NRE)	30-31
3.3	The L	aws and Policies on Solid Waste	32
	3.3.1	Environmental Quality Act 1974 (Act 127)	32-33
	3.3.2	Solid Waste and Public Cleansing Management 2007	
		(Act 672) and Solid Waste and Public Cleansing	
		Management Corporation 2007 (Act 673)	33-37
	3.3.3	Refuse Collection, Removal and Disposal	
		(Klang Municipal Council) By-Law 2007	37-38
3.4	Concl	usion	39