

**A REVIEW ON THE MALAYSIAN LAWS IN CURBING NOISE POLLUTION IN  
RESIDENTIAL AREAS**

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

Universiti Teknologi MARA

Faculty of Law

June 2012

The students/authors confirm that the work submitted is their own and that appropriate credit has been given where reference has been made to the work of others.

## ACKNOWLEDGEMENT

Alhamdulillah to the All Mighty Allah that had given us the health and strength to come out with this Honours Project Paper titled 'A review on the Malaysian Laws in curbing noise pollution in residential areas'.

We would like to acknowledge the supervision of Associate Professor Norha Binti Abu Hanifah during this work for numerous stimulating discussions. Without her guidance and supervision, we would face difficulties in completing this project paper.

Our special thanks to Puan Hayati Binti Samad representative from Bahagian Pembangunan Bandar Majlis Pemandaran Shah Alam for the kind co-operation in the completion of our project work.

We offer our regards and blessings to everyone especially to our family, friends and the faculty of law for giving us support in completing our research.

We also lovingly dedicate to our respective parents who have been our constant source of inspiration. They have given us the drive and discipline to tackle any task with enthusiasm and determination. Without their love and support this project would not have been made possible.

## ABSTRACT

There is a growing number of factories, construction sites, urban highway constructed around residential and community areas around the city which has inevitably caused major noise pollution problems to city dwellers. However there is little attention given by the government or individual regarding this matter. In this research, most issues regarding noise pollution in Malaysia has been highlighted. All these issues regarding noise pollution show that noise pollution can be considered as a universal issue. The objective of this study is to review the effectiveness of Malaysian laws in curbing noise pollution in residential areas. The study has been conducted by way of a legal research which is mostly library based. The laws which are applicable to this study are the Local Government Act 1976 and the Environmental Quality Act 1974. Simultaneously, both laws had been scrutinized in detail to identify the ineffectiveness of curbing noise pollution in the country. Referring to the Environmental Quality Act 1974, the law itself focused on the environment issue in general. In the Local Government Act 1976, it is more on the power of local authorities to take an action against the wrongdoer. In addition, laws which govern noise pollution in other countries are also referred as guideline in order to improve the Malaysian laws. At the end of this study, some recommendations has been suggested such as to amend existing provision to be more specific and detail, the participation of public in various councils, to improve noise mitigating strategy especially in residential areas and the involvement of the government in the administration in the process of controlling the pollution in Malaysia.

# 1.0 CHAPTER ONE:

## INTRODUCTION

### 1.1 Introduction

In Malaysia, noise pollution exposure has not become a big issue. This is due to limited number of cases reported in the court regarding this problem. However, in 2004 there were four cases reported by Occupational Safety and Health Act (OSHA) in Malaysia on noise-induced hearing loss suffered by the workers where the noise was derived from their work places.<sup>1</sup> From this report, it was seen that excessive exposure to the noise for a long term might lead to the loss of hearing to the people. This shows that noise pollution can bring harm or bad impact to the people health if this problem was not being curbs from the early stage. Therefore, this study was conducted to see whether there were laws governing this issue of noise pollution especially in the residential areas and the enforcements of the laws itself in curbing noise pollution in the residential areas.

### 1.2 Background of Research

High production of noise from the factories, construction sites and transportation in Malaysia caused the public to feel uncomfortable. Noise also can cause a nuisance and can be dangerous to health.<sup>2</sup> In 2005, a Malaysian citizen from Kuala Lumpur complained that he could not stand with the noise of the construction sites near their housing place.<sup>3</sup> The public had complaint to the media that they cannot bear with the noise caused by the motor vehicles near their home that made them so uncomfortable to stay in their own house.<sup>4</sup>

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<sup>1</sup> 'Malaysian Trade Union Congress' available at [http://www.mtuc.org.my/osh\\_profile\\_malaysia.htm](http://www.mtuc.org.my/osh_profile_malaysia.htm) accessed on 22 June 2012.

<sup>2</sup> Supli Effendi Rahim., *Noise Pollution; Faqs, Limits and Mitigation.*, UPSI.

<sup>3</sup> "Resident Hit By Noise Pollution", *News Straits Times* 27 January 2005.

<sup>4</sup> "Crackdown On Noise Pollution Needed", *News Straits Times* 31 October 2002.

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