



AGENSI PENGANGKUTAN AWAM DARAT
LAND PUBLIC TRANSPORT AGENCY

APAD GUIDELINE RAILWAY OPERATOR'S LICENCE APPLICATION

Date : February 2021

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1 INTRODUCTION

This procedure is to provide guideline on the application of Railway Operator's Licence in accordance to Section 101 of Land Public Transport Act 2010.

2 RAILWAY OPERATOR'S LICENCE APPLICATION

- 2.1 The application of Railway Operator's Licence application shall be made not less than 6 months from the tentative date of railway opening or expiry of existing licence. The submission of application shall be made together with submission of the document as per **APPENDIX 1** and **APPENDIX 2**.
- 2.2 APAD may request further evidence or documents which are deemed necessary to support the application and these documents shall be provided within 14 working days or mutually agreed period between APAD and applicant. APAD will proceed with the application upon receipt of all information required for the application from applicant.
- 2.3 Please note that any application for Railway Operator's Licence to operate at newly built railway or extension of current railway shall be made together with application of Railway Opening as required under Section 103 of Land Public Transport Act 2010. Applicant shall factor in the time needed to obtain any necessary safety approvals, railway system verification and certification, trial operation exercise and readiness of operation and maintenance manual.
- 2.4 Application that require the fare approval from Cabinet shall provide financial information, forecast ridership and cost, actual distance between the stations and other information that may require to justify the proposed fare.

3 ELIGIBILITY

- 3.1 The eligible criteria's that must be met by applicant in order to obtain Railway Operator's Licence for operating railway are as follows:
 - a) It is registered with the Companies Commission of Malaysia;
 - b) One of its main object clause in its Memorandum and Articles of Association is to provide land public transport services;
 - c) It has sufficient professionals and competent personnel with expertise and experience related to railway;
 - d) It has a minimum paid-up capital equivalent to or more than its one full year operating cost, or such amount as may be determined by APAD; and
 - e) Agreement that provide legal right to the applicant to access and operate Railway by the Asset Owner and Infra Manager of the Railway Network.



- 3.2 Applicant should demonstrate professional and competent personnel with knowledge, skill and experience in rail operation and safety to ensure that decisions and tasks are undertaken correctly.

4 FEE PAYMENT

- 4.1 Railway Operator are subject to pay the application fee and annual licence fee as stipulated in Railway Operator's Licence approved by Minister, upon considering the length of network, number of station, rolling stock and other possible cost may be incurred by APAD to perform its duties under Land Public Transport Act 2010.
- 4.2 The amount of fee will be notified to applicant upon issuance of Railway Operator's Licence.

5 FORMS & OTHER RELATED DOCUMENTS

APPENDIX A - APPLICATION FORM

APPENDIX B - RAILWAY OPERATOR'S LICENCE APPLICATION CHECKLIST



APPENDIX A

 AGENCI PENGANGKUTAN AWAM DARAT (APAD) LAND PUBLIC TRANSPORT AGENCY (APAD)	<h3>RAILWAY OPERATOR'S LICENCE APPLICATION FORM</h3>	ROL 01 Ref. no:
<i>Tick (✓) whichever applicable.</i>		
SECTION A TYPE OF LICENCE APPLICATION		
Passenger <input type="checkbox"/>	Goods/Freight <input type="checkbox"/>	
New application <input type="checkbox"/>	Renewal <input type="checkbox"/>	Variation <input type="checkbox"/>
Licence Serial No: 		
SECTION B APPLICANT / COMPANY PARTICULARS		
Company/Business Registration no.: 		
Company's Name: 		
Company's Type: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 30%;"> Sendirian Berhad <input type="checkbox"/> Berhad <input type="checkbox"/> </div> <div style="width: 30%;"> Paid-up Capital Amount: R M </div> <div style="width: 30%;"> Operating Cost Per Annum: R M </div> </div>		
Registered Address: 		
<div style="text-align: right;">Postcode: </div>		
Operational Address: 		
<div style="text-align: right;">Postcode: </div>		
Person in-charge: 		
Position held: 		
Telephone no.: - 		
Fax No.: - 		
Email : 		
REMINDER Sub-section 204 (1) of the Land Public Transport Act 2010 ('Act') provides that among others if a person 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 for the purpose of obtaining under the provisions of the Act an Operator's licence, he commits an offence and shall, on conviction, be liable to a fine of not less than RM1,000.00 but not more than RM10,000.00 or to imprisonment for a term not exceeding 1 year or both.		
Applicant is advised to read, understand and adhere to the issuance of license policy. Information can be obtained from our website: http://www.apad.gov.my		



**RAILWAY OPERATOR'S LICENCE
APPLICATION FORM**

ROL 01



AGENSI PENGANGKUTAN
AWAM DARAT (APAD)
LAND PUBLIC TRANSPORT
AGENCY (APAD)

SECTION C SUPPORTING DOCUMENTS

1. Copy of company registration with Malaysia Company Commission
2. The applicant shall submit all supporting documents as described in the Railway Operator's Licence Application Guideline

SECTION D DECLARATION

We hereby certify that the particulars provided in this form are true and correct. We agree to abide by the conditions of the licence, as determined by Commission.

Employer
Representative: _____
Name: _____
I/C no.: _____
Position: _____
Tel No.: _____

Signature & Date

Company's stamp

SECTION E: OFFICE USE
Application Document

Received by: _____ Date: _____

Application checked: YES ☐ NO ☐ REJECT ☐

Reason of rejection: _____

if rejected:

Notification issuance: Letter ☐ E-mail ☐ Phone ☐

Notification date: _____
day month year

Reference No.: _____

Updated by: _____ Date: _____

APPENDIX B

RAILWAY OPERATOR'S LICENCE APPLICATION CHECKLIST

No.	List of Supporting Documents	Remarks
1.	Company registration form/Company profile/Memorandum and Articles of Association and other related documents	
2.	Detailed Organizational Chart (i.e total number of staff, railway experience and breakdown of units/divisions)	
3.	Bank statement with minimum paid-up capital equivalent to or more than its one full year operating cost	
4.	Letter/ Document of Appointment of Company as Train Operator	
5.	Agreement by the Asset Owner/Infra Manager of the Railway Network to Access, Operate, and Maintain the Railway.	
6.	Licensed Operator's Network Diagram	
7.	List of Railway Stations with Details of Common/ OKU Facilities Provided	
8.	Minimum Service (i) Operating Hours (ii) Train Frequency / Timetable	
9.	Operation Rules and Regulations	
10.	Operation Manuals and Procedures (i) Station Working Order/ Procedures (ii) Train Driver Manual / Procedures (iii) SOP at Depot (iv) SOP at Tunnel	
11.	Maintenance Plan and Manual	
12.	Conditions of Carriage: (i) Railway Operator's Responsibilities and Exclusion (ii) Passenger's Responsibilities and Prohibition (iii) Delay Refund (iv) Complaints Management	
13.	Safety Plan and Policy (i) Safety Management System (ii) Safety Audit Program (iii) List of Safety Officer and Qualification	



No.	List of Supporting Documents	Remarks
14.	Emergency Response Plan (ERP) (i) Train Operation (ii) Control Centre Operation (iii) Tunnel Operation (iv) Station Operation (v) Depot Operation	
15.	List of Critical Personnel (including Train Driver, Operation Control Centre Personnel and others	
16.	Train Driver Certification Procedures and Training Modules	
17.	Customer Handling Procedure and Complaint Handling Procedure	
18.	Fare Table and Stations Distance Information	
19.	Forecast Ridership, Revenue and Operating Cost	
20.	Forecast Cash Flow Including Provision for Future Expansion Or Extension Or Upgrading Works	
21.	Insurance Coverage on Railway Asset, Passengers and Third Parties	
22.	Declaration from safety department that all safety requirements have been met and verified safe for operation	
23.	Declaration from operation department that all operation requirements have been met and verified safe for operation	
24.	Letter of Indemnities to Government of Malaysia and APAD	

Notes:

- 1) All documents submitted must be verified by the project owner/licensed operator/consultant.