

Health Care Facilities and Services 1

Private Seniors

**THE LAW
MALAYSIA**

Act 802

**CARE FACILITIES AND SERVICES ACT
PRIVATE ELDERLY HEALTH 2018**

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PRIVATE ELDERLY HEALTH 2018
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CARE FACILITIES AND SERVICES ACT

PRIVATE ELDERLY HEALTH 2018

An Act to provide for regulation

private elderly health care facilities and services

and for related matters.

[]

DONE by the Parliament of Malaysia as follows:

Part i

BEGINNING

Short title and commencement of force

1. (1) This Act may be called the Easement Act and
Private Elderly Health Care Services 2018.

(2) This Act comes into force on the specified date
by the Minister through notification in the Gazette.

Interpretation

2. In this Act, unless the context requires
another meaning?

"prescribed" means prescribed by the Minister through
regulations made under this Act;

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"Inspector" means the Inspector appointed below
subsection 87(1) of the Care Facilities and Services Act
Private Health 1998 [Act 586];

"approval" means the approval granted hereunder
subsection 9(1) to provide a facility and
private elderly health care services and "holder
approval" means the holder of an approval for which
private elderly health care facilities and services
that is related;

"elderly health care facilities and services
private" means any premises in which services are provided
health care is provided for the elderly;

"elderly health care facilities and services
licensed private? means any facilities and services
private elderly health care licensed in bwow

Part IV;

"Director-General" means the Director-General of Health, Malaysia;

"licence" means a license granted under Part IV
to operate a care facility and service
private elderly health and "license holders" means
the holder of a license for whom facilities and services are provided
the private health care of the elderly is related;

"provisional licence" means a provisional license granted
under Part IV and ?provisional licensee? means
holder of a temporary license;

"Minister" means the Minister charged with
responsibility for health;

"responsible person" means a person who
charged with the responsibility under subsection 23(2);

"person receiving care" means any person who
receive health care services at a facility and
licensed private senior health care services;

"guardian" means any person, other than a person
health care professionals, who manage personal care
any person receiving care;

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"health care service" means any service
specified in the First Schedule;

"society" means any registered society
under the Societies Act 1966 [Act 335] or the Cooperatives Act 1993
[Act 502];

"body corporate" means any body which
incorporated under the Companies Act 2016 [Act 777] or
statutory body incorporated and established below
any written law;

"healthcare professional" means any person who
specified in the Second Schedule;

"relative" means any person related by blood or
marriage relationship or legal adoption,
or a legal guardian;

"standard or requirement" means a standard or requirement which
determined by the Director General under subsection 5(3);

"senior" means any person above the age of six

ten years or more.

Disuse

3. This Act does not apply to?

(a) private healthcare facilities and services

licensed under the Facilities and Services Act

Private Healthcare 1998;

(b) care centers registered under the Care Centers Act

1993 [Act 506] except care centers registered below

Care Center Act 1993 deemed to be licensed

under this Act pursuant to section 53; and

(c) premises in which an individual provides

health care to his brother who is

an elderly person.

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Part II

APPROVAL TO PROVIDE AND LICENSE FOR MANAGING FACILITIES AND SERVICES PRIVATE ELDERLY HEALTH CARE

Approvals and licenses

4. (1) A person may not provide a facility and

private elderly health care services for four

elderly or over without approval under subsection 9(1)

or operate health care facilities and services

private seniors for four or more seniors without a

license under Part IV.

(2) An application for approval or license may be made

by and given to an individual, an organization

a corporation, a partnership or an association.

(3) Any person who contravenes subsection (1) commits an offense and may, on conviction?

(a) in the case of an individual?

(i) fined not exceeding thirty thousand ringgit; and

(ii) for continuing offences, be fined further

not exceeding one thousand ringgit for each day

or part of a day during the offense

that continues after conviction; and

(b) in the case of a body corporate, partnership or establishment?

(i) fined not exceeding one hundred thousand ringgit; and

(ii) for continuing offences, be fined further

not exceeding three thousand ringgit for each day

or part of a day during the offense

that continues after conviction.

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Premises for health care facilities and services

licensed private senior citizens

5. (1) A person shall prepare and operate

a facility and health care service for the elderly

private licensed only on the following premises:

(a) a residential facility;

(b) a day care facility;

(c) any premises specified by the Minister; and

(d) any premises incorporating specifications

any two or more premises in paragraph (a)

to (c).

(2) A "day care facility" in paragraph (1)(b)

means a facility without a residence in it

elderly health care facilities and services

provided for a continuous period exceeding three hours

a day at least three days a week.

(3) The Director General can determine standards or requirements

which are different for the different types of premises in it

elderly health care facilities and services will

provided.

Part III

APPROVAL

PermoHonan approval

6. (1) An application for approval to prepare a

private elderly health care facilities and services

must be made to the Director General in the manner that

determined by the Director General.

(2) An application for approval must be accompanied by

set fee.

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Refusal to process approval applications

7. The Director General can refuse to process a

approval application or may require that the application

that is amended or completed and submitted again or so

a new application is submitted to replace it

if?

(a) the application is not made in the prescribed manner

by the Director General; or

(b) the applicant does not show evidence that he is the person who

eligible and suitable for approval.

Things to consider for approval

8. If the Director General decides to proceed with the application

approval, in deciding whether or not to grant

approval, the Director General shall consider matters that

the following:

(a) the type of premises in which facilities and services are provided

health care for the elderly will be provided;

(b) health care services to be provided;

(c) health care facilities and services for the elderly

private sector that already exists in the area

for him the approval application is related to access

to him;

(d) the need for health care facilities and services

private seniors in the present and future

in the area for which approval is requested

that is related; and

(e) any other matter deemed relevant by

Director General.

Grant of approval

9. (1) After considering the application for approval,

The Director General can give approval to prepare

a facility and health care service for the elderly

private.

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Private Seniors

(2) Approval shall be in the form and contain details determined by the Director General.

(3) Approval is subject to the payment of a fee set.

Transfer or assignment of approval

10. (1) The approval holder cannot transfer or submit approval unless approved by the Director General obtained first.

(2) Application for transfer or assignment of an approval must be made to the Director General in the manner that determined by the Director General and must be accompanied by set fee.

(3) Any holder of approval who violates subsection (1) commits an offense and may, when convicted?

(a) if the approval holder is an individual, fined not exceeding ten thousand ringgit; and

(b) if the approval holder is a corporation, partnership or association, shall be fined not more than three ten thousand ringgit.

Part IV

LICENSE

License application

11. (1) An application for a license to operate a facility and private elderly health care services shall

only made by an approval holder.

(2) License applications must be made to the Director General in the manner determined by the Director General within the period three years from the date approval is granted in respect of 14 Malaysian Law AktA 802 private elderly health care facilities and services that's what the license application is related to or anything extended period allowed by the Director General.

(3) The license application must be accompanied by the fee set.

(4) If no license application is made within the period stated in subsection (2) the approval shall be deemed cancelled.

Refusal to process a license application

12. The Director General can refuse to process a license application, or may require that the application amended or completed and submitted again or so a new application is submitted to replace it if the application is not made in the manner that determined by the Director General.

Premises inspection

13. (1) If the Director General decides to proceed with the license application, the Director General shall appoint two or more people to inspect the premises inside facilities and health care services for the elderly will be provided to ensure whether or not the premises that conforms to standards or requirements.

(2) The person appointed under subsection (1) shall submit the inspection report to the Director General as soon as possible.

Licensing

14. (1) If the Director General is satisfied with the report inspection under subsection 13(2), the Director General may grant licenses to operate facilities and services private elderly health care on the premises.

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(2) The license must be in the form and contain details determined by the Director General.

(3) The license is subject to the payment of the prescribed fee.

Temporary license

15. (1) Regardless of the premises inspection report which not satisfactory, the Director General can give a temporary license if the Director General thinks so that the applicant for a license under section 11 may carry out corrective works to comply with standards or requirements.

(2) The temporary license shall be in the form and contain details determined by the Director General.

(3) Temporary license is subject to fee payment which is set.

(4) Corrective works under subsection (1) shall carried out within twelve months from the date of the temporary license granted or any further period allowed by the Head Director.

(5) A temporary license holder may at any time within the period specified in subsection (4) inform the Director General of his compliance with standards or requirements.

(6) After the expiry of the period in subsection (4) or after notified of compliance under subsection (5), whichever is earlier, an inspection of the premises shall be carried out for allow the Director General to reconsider the application the license.

(7) Section 13 shall apply to the inspection of premises under this section.

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Reconsideration of license application

16. (1) The Director General may reconsider the application license based on the inspection report of the premises and the Director General may after reconsidering the application?

(a) grant a licence;

(b) refuse the application; or

(c) extend a temporary license for any period which allowed by the Director General to enable standards or requirements are followed.

(2) After the extension of the temporary license in paragraph (1)(c), premises inspection shall be carried out for allowing the Director General to further reconsider the license application.

(3) If the Director General is satisfied with the inspection report premises under subsection (2), the Director General may grant

license.

(4) The license must be in the form and contain details determined by the Director General.

(5) The license is subject to the payment of a prescribed fee.

License validity

17. The license is valid for a period of three years from the date of the license is issued unless canceled first.

License renewal

18. (1) An application for license renewal must be made in the manner determined by the Director General and shall accompanied by a set fee.

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(2) The Director General shall determine the license period when renewed.

Transfer or assignment of license

19. (1) A licensee or temporary licensee shall not transfer or assign a license or temporary license, unless the approval of the Director General is obtained first first.

(2) Application for transfer or assignment of a license or temporary license should be made to the Director General in the manner determined by the Director General and shall accompanied by a set fee.

(3) Any licensee or temporary licensee who contravenes subsection (1) commits an offense and may, on conviction?

(a) if the licensee or provisional licensee is an individual, fined not more than ten thousand ringgit; and

(b) if the licensee or temporary licensee is a body corporate, partnership or association, fined not more than thirty thousand ringgit.

Part V

OBLIGATIONS OF LICENSEE AND PERSONS WHO BE RESPONSIBLE

Obligations of the licensee

20. The licensee shall?

(a) ensure that health care professionals who employed or employed by the licensee is eligible under any law which regulate his profession;

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(b) ensure that caregivers are trained and competent;

(c) ensure that the assessment of the receiving person care is carried out by health care professionals;

(d) ensure that arrangements have been made to make available health care professionals at the facility and private elderly health care services;

(e) submit an annual report on facilities and private elderly health care services to

Director General in the form and manner determined by the Director General;

(f) ensure that care facilities and services

private elderly health is managed by one person

responsible person; and

(g) perform other duties and responsibilities which

determined by the Director General.

Policy statement

21. (1) The licensee shall make available to

person receiving custody of a basic statement for

elderly health care facilities and services

that private when the person receiving care is admitted.

(2) Policy statement for care facilities and services

licensed private senior health should include matters

the following:

(a) right orthose who receive care;

(b) the licensee's obligations; and

(c) a grievance mechanism plan and procedure.

(3) The licensee must display a policy statement

in easily visible parts of facilities and services

private elderly health care.

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Dissatisfaction mechanism plans and procedures

22. The licensee shall ensure that the following are connected

with plans and procedures of dissatisfaction mechanism for

private elderly health care facilities and services

that:

(a) that the person receiving care, his relative, any

the person acting on behalf of the recipient
custody, any person who has a relationship
directly with the person receiving care, and
any employee of the licensee is aware that
the plan and procedure of the dissatisfaction mechanism
available there;

(b) that the grievance mechanism plan and procedure
that is used to deal with any complaints from
the person receiving custody, his relative, any
the person acting on behalf of the recipient
custody or any related person
directly with the person receiving care; and

(c) that the grievance mechanism plan and procedure
that provides the will to document
any complaints.

Responsible person

23. (1) The person responsible for a facility
and licensed private senior health care services
must be a person who has qualifications, has undergone
training and experience, as determined by the Head
Director.

(2) The responsible person shall be responsible?

(a) for the management of care facilities and services
licensed private senior health;

(b) for the supervision of persons employed or employed
services at health care facilities and services
the licensed private seniors;

- (c) to ensure that health care services provided to people receiving care carried out by healthcare professionals; and
- (d) to perform other duties and responsibilities determined by the Director General.

Change of person in charge

24. The licensee must notify the Director General on any change of person responsible in a period of fourteen days from the occurrence of the exchange.

Report an incident

25. The license holder or responsible person shall report to the Director General when anything happens unpredictable and unexpected events.

Emergency

26. (1) The licensee shall ensure that persons who is responsible for having access to?
- (a) home address and work address and telephone number every person named as a person who can contacted during an emergency for the recipient custody; and
 - (b) any relevant relevant medical information with the person receiving care.
- (2) The licensee shall display a list of numbers emergency phone number including service phone number fire and rescue, ambulance services and the police in easily visible parts of facilities and services

the private health care of the elderly.

(3) The licensee shall ensure that the facilities
and the private elderly health care service is equipped

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with an emergency first aid kit for emergency treatment
should be kept in an accessible and safe place.

(4) The licensee must make arrangements for training
for caregivers employed by the licensee
in basic life support.

Death notification

27. (1) When the person receiving care dies,
the licensee or responsible person shall
inform each person named as a person who
can be contacted during an emergency for the deceased.

(2) The license holder or responsible person shall
place the deceased in a separate area from
people receiving other care.

Restrictions on the use of care facilities and services licensed private senior health

28. (1) The licensee shall not use or cause
or allow to use facilities and services
private elderly health care for any purpose other than
the purpose in respect of which the license is granted and the purpose
which is reasonably adjacent to it.

(2) A licensee who contravenes subsection (1) commits
an offense and may, on conviction?

(a) in the case of the licensee being an individual?

(i) fined not exceeding five thousand ringgit; and

(ii) for continuing offences, be fined further

not exceeding five hundred ringgit for each day

or part of a day during the offense

that continues after conviction; and

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(b) in the case of license holders mereat an organization

corporation, partnership or association?

(i) fined not exceeding twenty thousand ringgit; and

(ii) for continuing offences, be fined further

not exceeding one thousand five hundred ringgit for

every day or part of a day

as long as the offense continues after conviction.

Prohibition on enlargement or modification

29. (1) Unless approved by the Director General

first, the licensee cannot do anything

expansion or structural or functional changes to premises

private elderly health care facilities and services

licensed affecting?

(a) the purpose for which care facilities and services

licensed private senior citizen health is provided

or operated;

(b) any conditions of approval or licence; or

(c) any standard or requirement.

(2) Application for any enlargement or alteration

must be made to the Director General in the manner that

determined by the Director General and must be accompanied by set fee.

Part VI

CANCELLATION

Reason for cancellation

30. The Director General may cancel the approval, license or temporary license, or refuse to renew the license, if

The Director General is satisfied?

(a) that approval, license or provisional licence, or renewal of the license has been obtained through any means false or misleading statements;

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(b) that an offense under this Act or any regulations made under this Act, anything an offense involving fraud or deceit, or any other offense punishable with imprisonment, whether imprisonment only or in addition to or in lieu of a fine, more than two years, has been done by the holder approval, licensee or provisional licensee;

(c) that approval holder, licensee or person responsible for not obeying any instructions Director General;

(d) that the licensee or responsible person has handled or managed or with anything how to use facilities and services

private elderly health care in a way that
harming the interests of the person receiving care;
(e) that the licensee has taken up work or
using the services of people who do not qualify as people
responsible, healthcare professionals
or caregiver;
(f) that the approval holder, license holder or
the provisional license holder has been sentenced to bankruptcy; or
(g) that the licensee has ceased to operate
facilities and health care services for citizens
private gold.

Show the reason

31. (1) Before revoking an approval, license or license
meanwhile, the Director General shall issue a notice of appointment
because of his intention to do so and want
approval holder, licensee or licensee
temporarily to make a representation in two periods
twenty one days, or such extended period as may be permitted
by the Director General, from the date notice is received as to why
such approval, license or provisional license shall not be revoked.
(2) Subsection (1) does not apply if the reason for cancellation is
in relation to paragraph 30(b), (f) or (g).

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Cancellation of approval, etc.

32. (1) After the expiry of the period specified in the show notice
reasons for making representations and after considering
any representation by the approval holder, licensee

or provisional licensee, the Director General may?

(a) cancel the approval, license or provisional licence;

or

(b) issue warnings or give any instructions

to approval holders, license holders or holders

temporary license, or direct the holder of the approval,

licensee or temporary licensee, for

rectify the situation until the Director General is satisfied

heart

(2) With respect to the approval, license or temporary license which

canceled on the grounds in paragraph 30(b), (f) or (g), is

sufficient for the Director General to inform the holder

approval, licensee or provisional licensee,

as the case may be, each about

revocation of approval, license or provisional license.

Submission of approval, etc.

33. After the approval, license or temporary license is revoked,

approval holder, licensee or licensee

temporary must submit approval, license or license

meanwhile to the Director General.

Cessation of handling

34. The licensee must stop operating the facility

and private elderly health care services if

the license is revoked from the date the licensee is notified of

the cancellation, or within any period determined by

Director General.

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CLOSURE OF FACILITIES AND CARE SERVICES

PRIVATE GOLDEN CITIZENS' HEALTH

Voluntary closure

35. (1) Pemegang license that intends to close the facility and licensed private senior health care services shall, not later than three months before closing private elderly health care facilities and services the licensed, served a notice to the Director General, person who receives custody, his relative, or any person who acting on behalf of the person receiving care, about intentions licensees to close facilities and services licensed private health care for the elderly.

(2) Notice to the Director General under subsection (1) shall include the following:

(a) a full report determined by the Director General; and
(b) an action plan regarding facility closure and private elderly health care services licensed, including, if facilities and services licensed private senior health care provides residence, regarding the residence of the person who receive care.

(3) After considering the notice under subsection (1), The Director General can give any instructions that related to the closure of facilities and services licensed private health care for the elderly, including

related to the residence and care of the person receiving care,
and records of people receiving care.

(4) Any person who contravenes subsection (1),
gives a notice that does not comply with subsection (2) or
contravenes any direction under subsection (3), commits
an offense and on conviction, may?

(a) in the case of an individual, be fined not more than
fifteen thousand ringgit; and

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(b) in the case of a body corporate, a partnership
or organization, fined not more than fifty thousand
ringgit

Closure following revocation of license

36. (1) The license holder shall, within the specified period
by the Director General, after being informed of the decision by
Director General to cancel his licence?

(a) serve notice of the cancellation on the person
who receives care, his relative or any
the person acting on behalf of the recipient
custody;

(b) deliver to the Director General a full report
determined by the Director General; and

(c) deliver to the Director General an action plan
regarding the closure of care facilities and services
licensed private senior health, including, if
citizens' health care facilities and services
licensed private gold provides accommodation,

about the place of residence of the person receiving care.

(2) After considering the full report below

paragraph (1)(b) and the action plan under paragraph (1)(c),

The Director General can give any related instructions

with the closure of health care facilities and services

the licensed private seniors, including related to place

residence and custody of persons receiving custody, and records of persons

who receives care.

(3) Any person who contravenes subsection (1) or

any direction under subsection (2), commits an offence

and on conviction, may?

(a) in the case of an individual, be fined not more than three

ten thousand ringgit; and

(b) in the case of a body corporate, a partnership

or organization, is fined not more than one hundred thousand

ringgit

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Closure of health care facilities and services

private senior citizens are not licensed

37. (1) The Director General may direct any person

who provides or operates any facility and

breaching private elderly health care services

section 4, whether or not a prosecution has been instituted

in respect of the breach, to close the facility

and the private elderly health care service.

(2) The Director General may give any instructions which

deemed necessary by the Director General in relation to the closure.

(3) Any costs incurred in connection with closure of health care facilities and services private gold not licensed under subsection (1) shall borne by the person providing or handling elderly health care facilities and services the private sector and is considered as a debt to be paid to Government.

Part VIII

AUTHORITY

Enforcement powers

38. Director General and any appointed Inspector under subsection 87(1) of the Facilities and Services Act Private Health Care 1998 shall exercise authority enforcement under this Act.

Investigative powers

39. The Director General and any Inspector shall have all necessary powers to carry out the investigation below This Act follows the Code of Criminal Procedure [Act 593].

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Inspection of health care facilities and services

private senior citizens

40. The Director General and any Inspector may enter and inspect any care facilities and services licensed private senior health to ensure that chembranches and health care services for the elderly

the private is used for the purposes related to it

the license is granted, and the conditions of the licence, the provisions of this Act and the regulations made under this Act, are complied with.

Initiation and conduct of prosecution

41. (1) No prosecution shall be instituted for any offense under this Act without the written consent of the Prosecutor

Raya

(2) Any officer authorized in writing by The Public Prosecutor can prosecute for any offense under this Act.

Section IX

A.M

In addition to the elderly can be admitted

42. The licensee may admit persons aged under sixty years as a person receiving care to elderly health care facilities and services licensed private sector and the admission shall be based on criteria set by the Minister after consultation with The Minister charged with responsibility for the Act Care Center 1993.

Register

43. (1) The Director General shall maintain a Register on all health care facilities and services licensed private seniors in both physical form and electronic in the form and in the manner determined by Director General.

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(2) Any person may, upon payment of a fee which set, check and make copies or extracts of details from Register.

Guidelines and instructions

44. The Director General may issue guidelines and instructions which the Director General deems necessary or beneficial for proper implementation of this Act.

Delegation of authority

45. (1) The Director General may delegate any authority or duties of the Director General, apart from the powers under section 44, to any officer under the control, direction and the supervision of the Director General is subject to conditions, limitations or restrictions as deemed appropriate by the Director General.

(2) Delegation under this section does not prevent The Director General himself from implementing or carrying out at any time any power or obligation which represented that.

Appeal

46. ??(1) If any person is aggrieved by any direction or any decision made by the Director General or any person to whom the Chief has authority or duty

The director has been delegated, the person can appeal to the Minister, within thirty days or any further period which allowed by the Minister from the date of the instruction or decision begged was made.

(2) The Minister may confirm, amend or change

any order or decision appealed from.

(3) The Minister may make regulations to prescribe appeal procedure.

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Power to exclude

47. The Minister may, by order published in the Gazette, excluding any care facilities and services the health of private senior citizens from any use provisions of this Act.

Power to amend the Schedule

48. The Minister may, by order published in the Gazette, amend any Schedule to this Act.

Power to make regulations

49. (1) The Minister may make the necessary regulations or expedient for the proper implementation of this Act.

(2) Regulations made under this Act may set forth any act or omission in violation the rules become an offense and can set fine penalty?

(a) in the case of a licensee who is an individual, not exceeding ten thousand ringgit and for offences which continues, is further fined not more than one thousand ringgit for each day or part of one day for as long as the offense continues after conviction; and

(b) in the case of a licensee who is a body corporate, partnership or association,

not exceeding twenty thousand ringgit and for offences which continues, is further fined not more than five thousand ringgit for each day or part of a day as long as the offense continues after conviction.

General penalty

50. (1) A person who violates any provision of the Act this or any regulations made under the Act this for which there is no express provision allocated which make the violation a misdemeanor fault.

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(2) Any person who commits an offence under this Act or any regulations made under this Act for which no penalty is provided expressly shall, on conviction, be?

(a) in the case of an individual?

(i) fined not exceeding five thousand ringgit; and

(ii) for continuing offences, be fined further not exceeding five hundred ringgit for each day or part of a day during the offense that continues after conviction; and

(b) in the case of a body corporate, partnership or establishment?

(i) fined for non-compliancei twenty thousand ringgit; and

(ii) for continuing offences, be fined further not exceeding one thousand five hundred ringgit for

every day or part of a day

as long as the offense continues after conviction.

Offenses by a corporation, partnership or
organization

51. (1) In case of a body corporate, partnership
or organization commits an offense under this Act
or any regulations made under this Act,
a person who at the time of the offense was a person
director, chief executive officer, chief operating officer, manager,
secretary or other similar officers in the organization
that corporation, partnership or organization or the like
acting on any such nature or that with
in any way or to any extent responsible for
management of any affairs of corporations, partnerships
or that organization or that helps in management
such?

(a) may be charged separately or jointly in
the same proceedings as the organization
that corporation, partnership or association; and

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(b) in the case of a body corporate, partnership or
the organization was found guilty of wrongdoing
that, shall be deemed guilty of the offense
unless, taking into account the type of function
upon that nature and all the circumstances, he proved?

(i) that the offense was committed without
his knowledge, consent or omission;

and

(ii) that he has taken all steps

take reasonable precautions and have carried out

all reasonable efforts to avoid

the conduct of the offense.

(2) Whenever any current agent or employee

carry out his work doing or leaving something

act done or omitted by the principal or

his employer will be an offense against this Act or

any regulations made under this Act, agent

or the employee shall be guilty of an offence, and

subsection (3) shall apply to the principal or his employer.

(3) If any person who will be liable

under this Act or any regulations made

under this Act to any punishment or penalty for anything

act, omission, negligence or default, he shall

liable to the same punishment or penalty for

any act, omission, negligence or default

his employee or agent, or the agent's employee, if the action,

such omission, negligence or default has been committed?

(a) by its employees in carrying out their work;

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

(c) by the agent's employees in carrying out the work which

for him he was employed by the agent or vice versa

on behalf of an agent acting on behalf of that person.

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Compounding of faults

52. (1) The Minister may, with the approval of the Public Prosecutor, make regulations to prescribe?

- (a) any offense under this Act and any regulations made under the Act can be compounded;
- (b) criteria for compounding offences; and
- (c) methods and procedures for compounding offences.

(2) The Director General may, with written permission Public Prosecutor, compounds any offense that done by any person under this Act or anything regulations made under this Act and prescribed as an offense can be compounded by making a written offer to the person suspected of having committed the offense to compound the offense when paid to the Director General an amount of money that does not exceed fifty percent of the maximum fine amount for the offense within the time specified in his written offer.

(3) An offer under subsection (2) may be made on at any time after the offense was committed but before any prosecution for him commenced.

(4) If the amount specified in the offer is not paid within the period specified in the offer or in any extended time allowed by the Director General, prosecution for the offense may be commenced at any time time thereafter against the person to whom the offer was made made.

(5) If an offense has been compounded below this section, no prosecution shall be instituted in respect of the offense against the person to whom the offer for compounding is made, and any document or thing which is confiscated in connection with the offense may be released by The Director General, subject to any conditions considered appropriate by the Director General.

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Exceptions and transitions

53. (1) On the effective date of this Act, the care center which is registered under the Care Center Act 1993 which provides care for four or more seniors should be attributed has been licensed under this Act for up to five years from the date commencement of this Act or any subsequent period authorized by the Director General.

(2) The operator of the care center under subsection (1) shall apply for approval and license under this Act within the period five years, or a further period allowed by the Head Director in accordance with subsection (1).

(3) Provisional decision to grant approval and license to the care center under subsection (2) is made, the care center that shall continue to be deemed to have been licensed under this Act.

(4) Any decision, order, appeal, instruction, investigation, hearings and proceedings that have been made, taken or commenced under the Care Center Act 1993 relating to the centre custody under subsection (1) immediately before the commencement date the validity of this Act shall be continued or terminated

under and in accordance with the provisions of the Care Center Act 1993.

FIRST TABLE

[Sections 2 and 48]

HEALTHCARE SERVICES

- 1. Services by healthcare professionals and paraprofessionals
health care
 - 2. Services for screening, diagnosis, or treatment of persons who
suffer from, or are believed to suffer from, any disease, injury or
loss of mind or body
 - 3. Services to cure or alleviate any condition not
normal human body with the use of any equipment, equipment,
tool or device, or any other medical technology
 - 4. Services for the purpose of prevention or health promotion
 - 5. Protection, surveillance and recovery services
 - 6. Accommodation for the purpose of any healthcare service
- Health Care Facilities and Services 35
- Private Seniors

SECOND TABLE

[Sections 2 and 48]

HEALTHCARE PROFESSIONALS

- 1. Medical practitioners registered under the Medical Act 1971
[Act 50]
- 2. Dental practitioners registered under the Dental Act 1971
[Act 51]
- 3. Optometrists registered under the Optics Act 1991 [Act 469]
- 4. Pharmacists registered under the Pharmacists Registration Act 1951
[Act 371]

5. Allied health practitioners registered under the Professions Act

Allied Health 2016 [Act 774]

6. Nurses registered under the Nurses Act 1950 [Act 14]

7. Medical assistants registered under the Medical Assistants Act

(Registration) 1977 [Act 180]