

REGISTRATION SCHEME FOR CERTIFIED EIA CONSULTANT IN MALAYSIA

PART 1: INTRODUCTION

1.1 Background

This **SCHEME FOR CERTIFIED EIA CONSULTANT IN MALAYSIA** will replace the previous EIA Consultant Registration Scheme (2007). It is designed to improve the standard of professionalism among EIA practitioners by ensuring that they have the minimum qualifications and skills required to conduct an environmental impact assessment study. It is expected that the new scheme will lead to significant improvements in the quality of EIA reports produced and submitted to DOE. **All EIA consultants registered under the previous scheme are required to submit new applications**. These applications will be reviewed based on the new criteria and requirements to achieve goals of mainstreaming the environment.

1.2 Legal requirements

As required under Section 34A (2a), Environmental Quality Act 1974, Any person intending to carry out any prescribed activity shall appoint a **QUALIFIED PERSON** to conduct an environmental impact assessment and to submit a report thereof to Director General in the manner as Director General may describe.

QUALIFIED PERSON

A person who fulfills the requirement as the Director General may determine to conduct an environmental audit and environmental impact assessment, and to submit a report thereon.

PART B: REGISTRATION OF EIA CONSULTANT

2.0 REGISTRATION REQUIREMENTS

Registration is open for individuals as the EIA consultant will be recognized as the **Qualified Person Certified as EIA Consultant**. Applicants may apply for registration category appropriate to their skills and experience subjected maximum of two areas of expertise from the list provided in **Section 3**.

The areas of expertise must be equally and suit the academic qualification and experience.

2.1 Academic Qualification

EIA consultants should have a minimum of degree in environment, technology, engineering or sciences consist of any from

- i. *Engineering disciplines may include Environmental Engineering, Chemical Engineering, Civil Engineering and Electrical Engineering;*
- ii. *Science disciplines may include natural sciences, biological sciences, physical sciences, earth sciences and environmental sciences;*
- iii. *Technology disciplines may include Bioprocess, Biotechnology and Environmental Technology;*

The secretariat may consider any other professional certification or competency from Institute Alam Sekitar Malaysia (EiMAS) as additional qualification, in a case that academic qualification does not meet the requirement for the specific area of expertise applied.

- i. Certified Environmental Professional in The Operation of Industrial Effluent Treatment Systems (Biological Processes – Activated Sludge Process)
- ii. Certified Environmental Professional in the Operation of Industrial Effluent Treatment Systems (Physical Chemical Processes)
- iii. Certified Environmental Professional in Bag Filter Operation (CePBFO)
- iv. Certified Environmental Professional in Scrubber Operation (CePSO)
- v. Certified Environmental Professional in Sewage Treatment Plant Operation – CePSTPO
- vi. Certified Environmental Profesional in Scheduled Waste Management (CePSWaM)
- vii. Certified Environmental Professional in the Treatment of Palm Oil Mill Effluent (Pond Processes) (CePPOME)
- viii. Certified Professional in Erosion and Sediment Control (CPESC)

2.2 Environmental Management Experience

EIA consultants should have a minimum of 2 year experiences on environmental management to ensure that the consultants have well experience in the area of expertise.

The experience may include

- i. Participation in TOR preparation for EIA
- ii. Participation in EIA study
- iii. Participation in Environmental Assessment or Site Assessment
- iv. Participation in preparation of EMP
- v. Involvement in preparation of any EIA guidance documents or any other environmental and technical guidelines
- vi. Study or research related to the consultant's expertise
- vii. Participation in preparation of Land Disturbance Prevention Pollution Mitigating Measures (LDP2M2)
- viii. Participation in environmental modeling
- ix. Participation in environmental statistic
- x. Participation in environmental monitoring
- xi. Participation in any environmental discipline

3.0 AREA OF EXPERTISE

EIA Consultants are allowed to choose a maximum of two areas of expertise. Selection shall be based on the individual's academic qualifications, training and experience. In a case of applicant fail to choose the area the area of expertise during the online application, the applicant may appeal to the secretariat.

The registration committee will make the final decision on the areas of specialization that may be granted to an applicant. Evidence, in the form of certificates or examination results, must be submitted with the application. Applicant must have obtained basic formal training for all areas chosen to ensure sufficient understanding on the subject matter. Detail for

3.1 Air Pollution Control

Area of expertise from Air Pollution Control as per listed below:

- i. Pollution Control Technology
- ii. Impact Assessment
- iii. Environmental Management
- iv. Performance Monitoring
- v. Environmental Planning
- vi. Risk Assessment

3.2 Water Pollution Control

Area of expertise from Air Pollution Control as per listed below:

- i. Pollution Control Technology
- ii. Impact Assessment
- iii. Environmental Management
- iv. Performance Monitoring
- v. Environmental Planning
- vi. LDP2M2

3.3 Waste Management

Area of expertise from Waste Management as per listed below:

- i. Pollution Control Technology
- ii. Impact Assessment
- iii. Environmental Management
- iv. Performance Monitoring
- v. Environmental Planning
- vi. Risk Assessment

* to add up explanatory note for each area of expertise

4.0 REGISTRATION PROCEDURE

Applicants are required to register through online system as per published by the secretariat. The process flow as **Figure 1**.

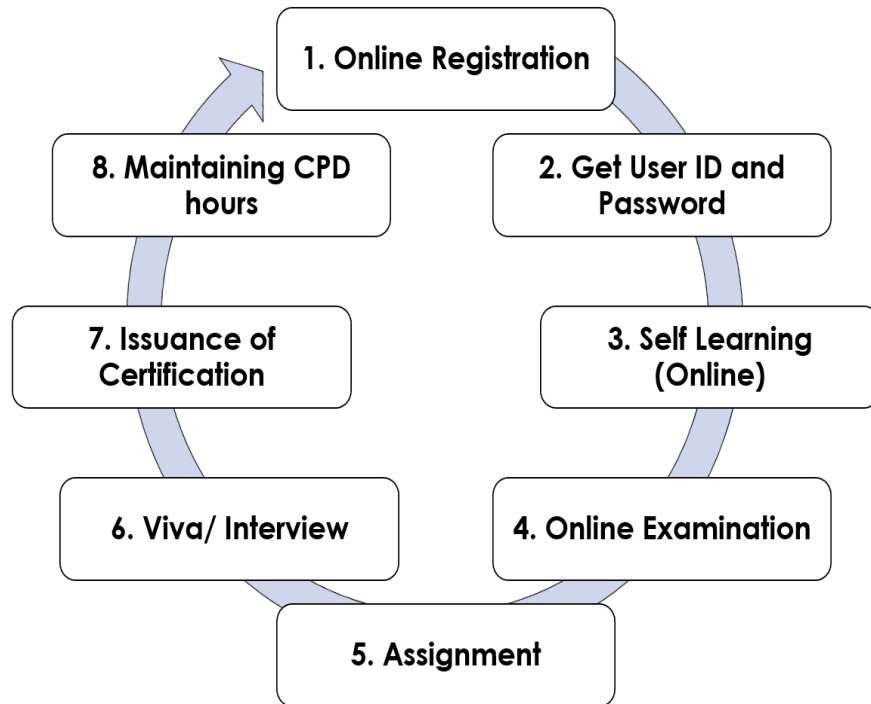


Figure 1: Registration Flow for Qualified EIA Consultant

4.1 Online Registration

Applicants are required to register with the Qualified Person Certified for EIA Consultant Registration System. The Online Application is open and free to fill up as at this stage, the EIA consultant will be screened base on the academic qualification, environmental management experience and the area of expertise is suit for the registration.

4.2 User ID and Password

The 'user Id' and password will be provided by admin once the qualification screening is pass and the registration fee paid. Each 'user ID' is valid for 6 months. In a case that the applicant failed to complete the course, the applicant should make the appeal to renew and additional fee will be imposed.

4.3 Self Learning

Through the self-learning sessions, applicants should complete all the modules and able to understand the EIA in Malaysia including the legislation framework, EIA procedure, and the requirement of EIA Consultants.

4.4 Online Examination

The Online Examination contain 100 questions to ensure the applicant understood all the latest EIA procedure and requirements.

Online examination will be set-up at the Department of Environment Head Quarters or EiMAS or announced by the secretariat. The applicant should pass the passing mark of 70 percent to proceed the next step.

4.5 Assignment

Assignments are compulsory to ensure applicant can write the technical report and make a review as required by DOE. The applicant should submit two assignments on general subject and area of expertise. Each assignment is 1500-2000 words and must be submitted to DOE within 2 weeks after receiving the task.

4.6 Viva/ Interview

Applicants who fulfilled the passing criteria in both comprehensive exam and assignments, will be called for the viva / final interview for the final assessment. The interview will be conducted by the Appointed Personals from the Registration of Qualified Person Committee and Subject Matter Expert.

4.7 Issuance of Certification

Applicants will be certified as qualified EIA Consultant upon the recommendation from the viva / interview and final confirmed by The Qualified Person Registration Committee.

4.8 The Qualified Person Registration Committee (TQPRC)

The Qualified Person Registration Committee will be chaired by Deputy General Director or by the Appointed Individual by the Deputy General. Member of the committee must be appointed by year basis.

4.9 Maintaining CPD Hours

Registered individuals should develop their personal attributes and skills by:

- (i) Ensuring that their knowledge of EIA and impact assessment techniques is current best practice;
- (ii) Ensuring that their knowledge of environmental laws, regulations and procedures is current;
- (iii) Undertaking refresher training where necessary;
- (iv) Ensuring that their experience in the execution of relevant EIA works are current and maintained

All EIA Consultants must comply with a minimum of 50 CPD hours per year with a minimum 20 CPD hours must be gain from the area of expertise. The CPD hours should be referred to ***National Registry of Certified Environmental Professionals (NRCEP) Scheme***.

4.10 Registration of Existing EIA Consultant

Existing EIA Consultant are required to sit for the comprehensive exam to ensure the consultants are all updated with current policy and guidelines.

5.0 ROLES AND RESPONSIBILITIES IN EIA STUDIES

The roles and responsibilities of EIA Consultant and Project Developer must include and practice the minimum required in environmental mainstreaming guidelines.

5.1 Roles and responsibilities of EIA Consultant

- i. Be responsible for the EIA and the recommendations of the EIA.
- ii. Ensure that the report and the recommendation do not contain any false or misleading information.
- iii. Take a professional indemnity insurance for any liability arising from the EIA and the recommendations of the EIA.

5.2 Roles and responsibilities of EIA Team Leader

Each study team must appoint a study team leader. Only registered EIA consultants are eligible to be appointed as study team leader. The study team leader will have the following additional tasks:

- i. To select team members. Members must be selected based on the needs and nature of the prescribed activity. The team leader is responsible for ensuring team members selected are sufficiently competent to conduct the relevant study.
- ii. To undertake the scoping exercise for the proposed study; and if required; shall produce the TOR to be submitted to DOE. Scoping exercise shall include thorough discussion with all team members and other interested parties.
- iii. To coordinate and assign tasks to team members.
- iv. To be responsible over the quality control aspects of the report, particularly in terms of information coordination and report presentation.

5.3 Roles and responsibilities of EIA Team Members

All study team members are responsible for any content that they have control of. However, the team leader must supervise the work produced by the team. Team leader as a competent and experienced EIA Consultant shall be able to provide some guidance for other team members on the depth of study or assessment required, and does the overall quality check on the report. Editing of the report, in terms of language and clarity may be undertaken by any team member deemed to be competent.

5.4 Roles and responsibilities of Project Proponent

Project developer shall carefully select his EIA Consultant from the list of registered consultants published by DOE (www.doe.gov.my). Selection shall be based on competency and experience of consultant. For certain activities, it may be useful to select consultant with the relevant sectorial experience. Project developer shall provide relevant specific information about his proposal e.g.; proposed project concept and specific or unique industrial process to assist the study team. In the case where developer has to disclose confidential information such as patented design or process, the developer may arrange for a confidentiality agreement for his consultants. Any information that may influence the assessment and study findings must be provided.

The project developer shall read the report and acknowledged that he understands and agrees with the proposed mitigating measures indicated. The developer however, shall never influence the study findings.

6.0 OTHER REQUIREMENTS

6.1 Portfolio of Work

Applicants for the EIA Team Leader must submit a Portfolio of Work including five of the most relevant EIA reports previously completed. Once the credit hour is full filled, the EIA Consultant will automatically allow to be the EIA Team Leader.

6.2 Personal Attributes

Applicants for registration should be able to demonstrate the personal attributes necessary for conducting environmental impact assessment. Desirable personal attributes are:

- (i) Competence in clearly and fluently expressing concepts and ideas, orally and in writing;
- (ii) Good interpersonal skills;
- (iii) Independence, strong motivation and objectivity when undertaking consultancy responsibilities;
- (iv) Personal organization skills necessary to conduct the environmental assessment effectively and efficiently;
- (v) The ability to make professional judgment based on study findings;
- (vi) The ability to react with sensitivity to the conventions and culture of the organization, site or region in which the EIA study is performed.

Note

Individual with any serious criminal offence (e.g: bribery, criminal breach of trust, misappropriation of fund) that could affect his integrity and professionalism, will not be considered.

7.0 RELATED FEES

The structure of the processing fee is indicated in Table 2:

CATEGORY	FEE (RM)
Registration and Self Learning	3,500.00
Renew	300.00
Re-Sit for Comprehensive Exam	200.00
Re-Submission Assignment	200.00

Notes

- (i) *Payment in the form of Cheque / Money Order/ Postal Order must be made payable to Director General, Department of Environment.*
- (ii) *Applicant for EIA Consultant & Subject Specialist category shall pay processing fee for both categories; however, application may be submitted in the same form. For Portfolio of Work, applicant may choose to submit two separate documents or one single document.*

8.0 CODE OF PRACTICE

All applicants must sign and agree to abide by the Code of Practice, which is designed to ensure that registered individuals act in an ethical and professional manner.

All registered individuals shall:

- (i) *Act professionally, accurately and in an unbiased manner;*
- (ii) *Strive to increase the competence and prestige of the environmental impact assessment profession;*
- (iii) *Assist those under my supervision (if relevant) in developing their management, professional and environmental impact assessment skills;*
- (iv) *Not to undertake any job that I am not competent to perform;*
- (v) *Not to represent conflicting or competing interests and to disclose to any client or employer any relationship that may influence my judgment;*
- (vi) *Not to accept any inducement, commission, gift or any other benefit from any interested party or knowingly allow colleagues to do so;*
- (vii) *Not to intentionally communicate false or misleading information that may compromise the integrity of any EIA study; and*
- (viii) *Not to act in any way that would prejudice the reputation of the EIA Consultants Registration Scheme or the environmental consultant registration process; and*
- (ix) *to co-operate fully with any inquiry in the event of any illegal breach of this code.*

9.0 APPEAL

In cases where applications are not approved or not satisfied with any result from the Registration of Qualified Person Board, the applicants were entitled to appeal in writing. The appeal must be received by the Secretariat within 1 MONTH from the date of rejection letter issued by DOE.

The secretariat will call for the Appeal Board chaired by the Director General or to the member appointed by the Director General.

9.1 Appeal Board

10.0 REGISTRATION RENEWAL

10.1 Requirements for renewal

EIA Consultants are required to renew their application every three years. Once registered, there is no requirement on the minimum number of actual EIA reports to be conducted every year. However, to qualify for renewal, the consultant must fulfill a minimum of three (3) qualifying EIA experiences (in three years) and a minimum of 50 hours per year of Continued Professional Development which must also be recorded in NRCEP.

10.2 Continuous Professional Development (CPD)

Registered individuals should develop their personal attributes and skills by:

- (i) Ensuring that their knowledge of EIA and impact assessment techniques is current best practice;
- (ii) Ensuring that their knowledge of environmental laws, regulations and procedures is current;
- (iii) Undertaking refresher training where necessary;
- (iv) Ensuring that their experience in the execution of relevant EIA works are current and maintained

10.3 Continuous Evaluation Process

Continuous Evaluation Process is introduced with the objective to provide constant evaluation on the consultants' performance. Desk officers (DOE officers) for the EIA report will provide their comments on study team members' performance. To ensure fair and uniform assessment, all EIA processing officers will be trained to carry out the evaluation using a set of criteria and guidelines. All comments will be channeled to the Secretariat, and will be used for renewal purpose.

10.4 Summary of requirements for renewal

Requirements for Renewal	EIA Consultant
Renewal Fee	RM300
EIA qualifying Experience	3
CPD	50 hours / year
Continuous	Demonstrate
Evaluation Process	Satisfactory performance

Note:

- (i) *Renewal of registration will not be granted, unless all requirements for renewal are fulfilled. However, final decision will be made by the Registration Committee appointed by the Director General of Environment.*

11.0 TEMPORARY REGISTRATION

Temporary registration for special cases may be granted by the Director General for foreign experts under the Subject Specialist category. However, the same minimum requirements are applicable, and need to be proven with relevant documents. No fee will be charged for the temporary registration. Application by foreign experts for long term registration will subject to the same procedure and requirements as their local counterparts.

12.0 DEREGISTRATION AND SUSPENSION

Registered individuals can be deregistered or suspended if they fail to comply with the Code of Practice or fail to fulfill the minimum requirements of CPD and qualifying EIA experience or other reasonable grounds. The committee set up under this Registration Scheme will make the final decision.

13.0 CONFIDENTIALITY

All information and material submitted to DOE is confidential. However, for the purpose of ensuring the provision of correct information to potential users, such as project developers, the DOE may publish relevant information on the registration scheme website.

14.0 PROFESSIONAL INDEMNITY INSURANCE

DOE encourages all registered individuals to obtain their Professional Indemnity Insurance.

APPLICATION FOR REGISTRATION AS CERTIFIED EIA CONSULTANT IN MALAYSIA

PROCEDURE

