



AGENSI PENGANGKUTAN AWAM DARAT

LAND PUBLIC TRANSPORT AGENCY

**APAD GUIDELINE
RAILWAY OPERATOR'S LICENCE
APPLICATION**

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Change Record and Configuration Control

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| 01 | 11 August 2021 | Revised Eligibility | Nah Wei Loon |
| 00 | 13 February 2021 | New | Nah Wei Loon |



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



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RAILWAY OPERATOR'S LICENCE APPLICATION FORM

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: _____ Signature & Date
Name: _____
I/C no.: _____
Position: _____
Tel No.: _____

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.