

Development of Legislation on Safety of Dams in Malaysia

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Abstract. Dams have been constructed in Malaysia for many purposes largely taming rivers for agriculture, power, water supply, flood mitigation and storage and mining wastes. The first hydroelectric dam (Chenderoh Dam) was built in the early 1930's for the purposes of power generation and it continues to be in operation till today. There are more than 100 dams in the country. The structural safety of dams was (and still is today) largely self-regulated by owners and operators of dams. By and large the structural safety of dams has not been regulated by any authority (Federal or State) as there is currently no legislation pertaining to such matter. Major owners of dams are Tenaga Nasional Bhd (National Power Company) and water supply operators (State Water Supply Corporations and State governments) and The Department of Irrigation and Drainage (DID) owns/operates dams for irrigation and flood mitigation. In 2016, the Malaysian Government, via DID, embarked on a project to upgrade the safety of dams in the country. The Malaysia Dam Safety Management Guidelines (MyDAMS) was finalised and formally adopted in September 2017. It is being slowly implemented by the industry. Work on drafting of the legislation for safety of dams is currently in process. This paper outlines the process adopted, critical issues faced, relevant international practices compared, constitutional options for legislation - federal law or law for uniformity and institutional challenges for the adoption and implementation of the legislation.

Keywords: Dam Safety Management, Dam Safety Law, Dam Legislation, Dam Safety Regulation, Governance of Dams.