



Notis Teknikal Industri (NTI)

| | | | |
|---------------------------|---|----------------------|---|
| PERKARA | PERMOHONAN KERJA KERJA TANAH MENGIKUT AKTA KAWALAN BANGUNAN (PENGGAL 256) | | |
| DIKELUARKAN OLEH | BAHAGIAN KEMAJUAN/PENGUATKUASAAN DAN PEMATUHAN | | |
| TARIKH DIKELUARKAN | 30 MEI 2026 | TARIKH MANSUH | - |
| NO. PINDAAN | 01 | | |

TUJUAN:

Autoriti Kawalan Bangunan dan Industri Pembinaan (ABCi) ingin memaklumkan kepada semua pihak berkepentingan bahawa **kerja-kerja tanah** (*earthworks*) adalah termasuk dalam pengertian **site formation works** yang membentuk sebahagian daripada "Building Works" sebagaimana diperuntukkan di bawah **Akta Kawalan Bangunan (Penggagal 256)**, seperti berikut:

(d) site formation works (which includes earthworks such as any act of excavation, levelling, cutting and filling with any material, piling, the construction of foundations, or site clearance, on any land, or any other act of dealing with or disturbing any land) which may or may not be connected with or carried out for the purpose of paragraph (a), (b) or (c); and

Sehubungan dengan itu, pelaksanaan kerja-kerja tanah adalah tertakluk kepada keperluan mendapatkan kebenaran dan permit yang berkaitan di bawah **Akta Kawalan Bangunan (Penggagal 256)**, termasuk Kebenaran Pelan bagi Kerja-Kerja Bangunan dan Permit Memulakan Kerja-Kerja Bangunan sebelum kerja-kerja tersebut dimulakan, selaras dengan proses dan prosedur yang berkuat kuasa pada masa ini.

ABCi dengan ini merujuk semula kepada Notis Teknikal Industri **2023/ITN/02 Pindaan 1** bertarikh **15 Februari 2023** berhubung keperluan mendapatkan Kebenaran Pelan bagi Kerja-Kerja Bangunan, Permit Memulakan Kerja-Kerja Bangunan serta pematuhan kepada proses sehingga peringkat Kesiapan Kemajuan melalui Orang Yang Berkelayakan (*Qualified Person*) yang dilantik oleh pemaju, selaras dengan **Seksyen 5, 6 dan 16 Akta Kawalan Bangunan (Penggagal 256)**.

ABCi ingin menegaskan kepada Orang Yang Bekelayakan (*Qualified Person*), **pembina, pemaju dan orang ramai** bahawa pelaksanaan kerja-kerja tanah **tanpa kebenaran atau permit** yang diperlukan di bawah **Akta Kawalan Bangunan (Penggagal 256)** merupakan suatu kesalahan.

Mana-mana pihak yang didapati menjalankan kerja-kerja tersebut tanpa kebenaran boleh dikenakan tindakan di bawah **Seksyen 24(1) Akta Kawalan Bangunan (Penggagal 256)**, yang memperuntukkan hukuman denda tidak melebihi \$200,000, penjara bagi tempoh tidak melebihi dua (2) tahun, atau kedua-duanya sekali.

Bagi memastikan pematuhan, bermula dari **tarikh Notis ini dikeluarkan**, Orang Yang Berkelayakan, pembina dan pemaju hendaklah memastikan semua kelulusan dan **kebenaran yang berkaitan bagi kerja-kerja tanah termasuk Kebenaran Kesiapan Kerja Tanah (OP)** telah diperolehi sebelum memulakan kerja-kerja bangunan.

Bagi keterangan lanjut, sila hubungi:
Emel: enforcement.abc@mod.gov.bn
Whatsapp Hotline ABCi: **+673 814 0365**

- TAMAT -



Industry Technical Notice (ITN)

| | | | |
|---------------------|--|--------------------|---|
| TOPIC | APPLICATION FOR EARTHWORKS IN ACCORDANCE WITH THE BUILDING CONTROL ACT (CHAPTER 256) | | |
| ISSUED BY | BAHAGIAN KEMAJUAN/PENGUATKUASAAN DAN PEMATUHAN | | |
| ISSUE DATE | 30 MAY 2026 | EXPIRY DATE | - |
| REVISION NO. | 01 | | |

PURPOSE:

The Authority Building Control and Construction Industry (ABCi) wishes to inform all stakeholders that earthworks are included within the definition of site formation works, which form part of "Building Works" as provided under the **Building Control Act (Chapter 256)** as follows:

(d) site formation works (which includes earthworks such as any act of excavation, levelling, cutting and filling with any material, piling, the construction of foundations, or site clearance, on any land, or any other act of dealing with or disturbing any land) which may or may not be connected with or carried out for the purpose of paragraph (a), (b) or (c); and

Accordingly, the carrying out of earthworks is subject to the requirement to obtain the relevant approvals and permits under the Building Control Act (Chapter 256). Including Building Plan Approval for Building Works and the Permit to Carry Out Building Works prior to commencement of such works, in accordance with the processes and procedures currently in force.

ABCi refers to the Industry Technical Notice 2023/ITN/02 dated 15 February 2023 regarding the requirement to obtain Building plan Approval for Building Works, Permit to Carry Out Building Works (*Borang C*), as well as compliance with the applicable approval process up to the completion stage through the Qualified Person appointed by the developer, in accordance with **Sections 5, 6, and 16** of the **Building Control Act (Chapter 256)**.

ABCi wishes to emphasize to Qualified Persons, builders, developers, and members of the public that carrying out earthworks without the approvals or permits required under **the Building Control Act (Chapter 256)** constitutes an offence.

Any person found carrying out any such works without approval or permit may be subject to enforcement action under **Section 24 (1) of the Building Control Act (Chapter 256)**, which provides for a fine not exceeding \$200,000, imprisonment for a term not exceeding two (2) years, or both.

To ensure compliance, with effect from the date of **issuance of this Notice**, Qualified Persons, builders and developers shall ensure that all relevant approvals and permits relating to earthworks, including Earthworks Completion Approval (OP), have been obtained prior to commencement of the building works.

For further inquiries, please contact:
 Email: enforcement.abc@mod.gov.bn
 Whatsapp Hotline ABCi: **+673 814 0365**

- END -