

APPLICATION FOR ADVERTISEMENT LICENCE

[By-law 6(1)]

The City Secretary
 Council of the City of Kuching South
 Jalan Padungan
 93675 Kuching

Sir

I/We _____ I.C No.: _____ of

_____ MBKS Registration No.: RAC
 [name of company/agency/department] [if applicable]

[Correspondence Address]

Tel. No.: _____ Email Address: _____ Fax No.: _____

on behalf of

[name of company/agency/department]

[address of company/agency/department]

Tel. No.: _____ Email Address: _____ Fax No.: _____

would like to apply for the following advertisement license under By-law 6(1) of The Local Authorities (Advertisements) By-laws, 2012.

| Tick [✓] the type of Ads apply | Type of Advertisement | Security Deposit | Measurement | Quantity |
|--------------------------------|--|---|-------------|----------|
| | Advertisement | RM5000 per ads | | |
| | Business Name | RM0 | | |
| | Small Advertisement [Less than 1 sq metre or 10.76 sq ft] | RM200 per ads | | |
| | Horizontal Banner [Max. size: 4'(H) x 20'(W)] | RM50 per banner | | |
| | Vertical Banner (Fishtail) [Max. size: 10' (H) x 2.5' (W)] | RM250 for every 50 pieces or part thereof | | |
| | Others (Huge Banner/Balloon, etc) [.....] | RM1000 per advertisement | | |

| | |
|--------------------------|---------------------|
| Display Location(s) | |
| Duration of Licence | From to |
| Purpose of Advertisement | |

Declaration:

I/We hereby declare that I/We have read and fully understand the terms and conditions as per Appendix ____ and the information given in this form is correct and I/We undertake to notify the Council of the City of Kuching South [MBKS] of any changes in these circumstances.

I/We hereby understand that the Council of the City of Kuching South [MBKS] has the right to revoke any licence(s) issued in connection with this application on account of any false information given by me.

Date:

.....
[NAME & SIGNATURE]

FOR OWNER CONSENT*

I/We, I.C No. : of
.....
[name of company/agency/department, etc]

hereby certify that I/We am the owner of this land / building and that I/We have given full consent to this application.

Date:

.....
[NAME & SIGNATURE]

FOR OFFICE USE

| Date of application received | Application reference number | Date of Approval | Licence Number | Processed by |
|------------------------------|------------------------------|------------------|----------------|--------------|
| | | | | [] |

CHECKLIST FOR ADVERTISEMENT APPLICATION

| Type of documents to be submitted | | No. of Copies required | | Checklist |
|-----------------------------------|---|--|------------------------------------|-----------|
| | | Banner/Fishtail/ Huge Banner/Balloon | Advertisement/ Business Name | |
| 1 | Application Form | 1 | 4 | |
| 2 | 2.1 Site / Location Plan / Photograph showing the location of the advertisement | 1 | 4 | |
| | 2.2 Approved sites for horizontal banner: Please tick [v] the site(s) that you want to apply | N/A | N/A | |
| | Roadside railing at junction of Jalan Pending / Sekama | N/A | N/A | |
| | Roadside railing in front of Kuching Park Hotel | N/A | N/A | |
| | Fencing of MBKS Swimming Pool | N/A | N/A | |
| | Fencing of Stutong Community Market | N/A | N/A | |
| | Railing at the Junction of Setia Commercial Centre, Jalan Song/Setia Raja | N/A | N/A | |
| | Roadside railing at Kuching Sentral facing Jalan Lapangan Terbang | N/A | N/A | |
| 3 | Sketch plan showing full details of the advertisement (design, measurement, material, picture, etc.) | 1 | 4 | |
| 4 | Plan of advertisement hoarding or structure to be erected for the purpose of exhibiting the advertisement shall be endorsed / certified by the registered architect / engineer | N/A | 4 | |
| 5 | Extract of land title, Certified True Copy of Land title/S&P [for Yearly Advertisement application only] | N/A | 1 | |
| 6 | Certified true copy of Tenancy Agreement / Letter of Consent from the proprietor of the building | N/A | 1 | |
| 7 | Planning approval for advertisement (other than business name) from Land & Survey Department or State Planning Authority (SPA) | N/A | 2 | |
| 8 | Lesen Pembangunan Perumahan dan Permit Jualan from Ministry of Housing and Urbanization | 1 | 1 | |
| 9 | License from Kementerian Pelancongan & Kebudayaan Malaysia for display of Umrah Advertisement | N/A | 1 | |
| 10 | Certificate 9 / Certificate of Registration or Form 1 / Form 24 / Form 49 [from Inland Revenue Board / Suruhanjaya Syarikat Malaysia (SSM) / District Office] or Certificate of Registration from Registrar of Society if any [for Association, Club, etc] | N/A | 1 | |
| 11 | Registered trade mark [for Business Name only] | N/A | 1 | |
| 12 | Occupation permit if it is a building | N/A | 4 | |
| 13 | Latest paid assessment bill | N/A | 1 | |
| 14 | Public liability insurance certificate. | N/A | 1 | |

Note:

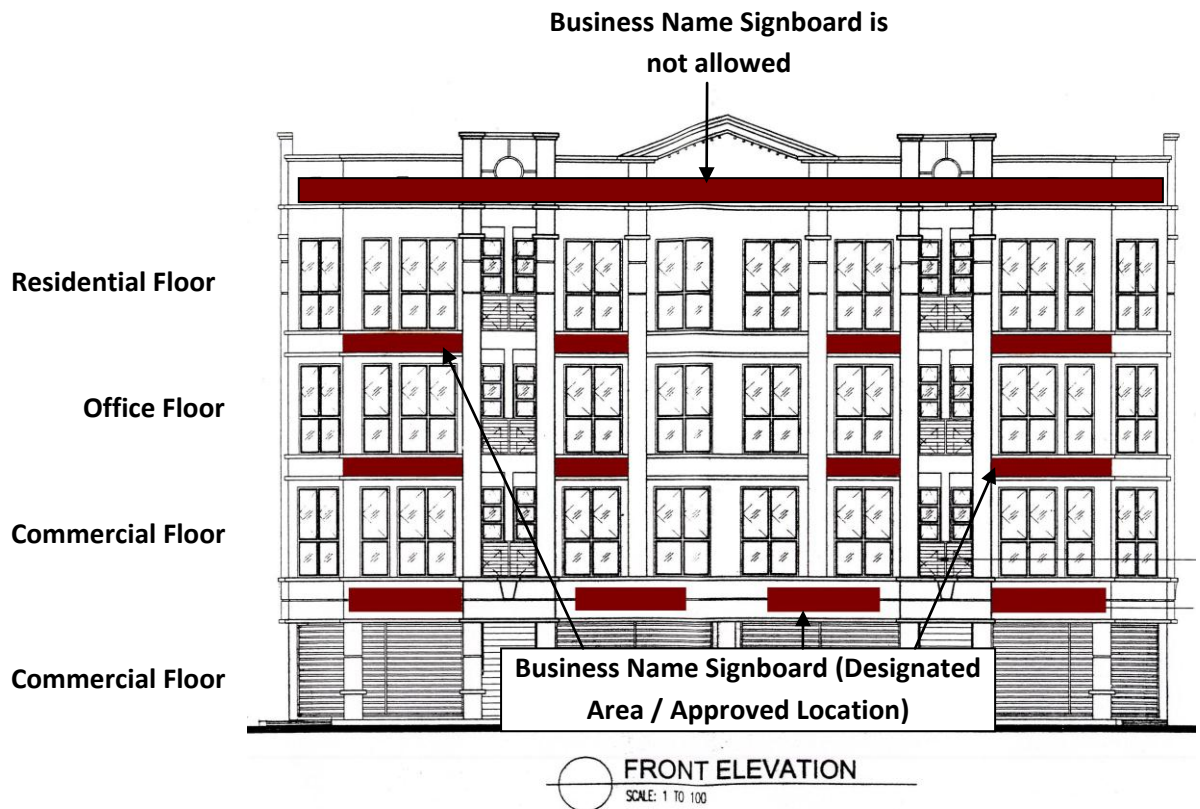
*Consent/authorization letter shall be by the Power of Attorney holder. In the event that there is no Power of Attorney holder, majority shareholders suffice.

BUSINESS NAME SIGNBOARD

- Interpretation:** - Means any sign or device which displays the **registered name** or the **registered trade mark** of any person, firm, corporation or organization and the nature of the trade, business or profession carried on by such person, firm, corporation or organization and includes a directional sign displayed within a building.
- Type permitted:** - (1) Signboard
(2) Painted or embossed on the façade of the building.
- Content of the business name signboard:** - (1) **Registered name or registered trademark.**
(2) Shall display only **one identification logo or symbol**, as may be approved in writing by the Council.
(3) Where any other type of advertisement is displayed together with the same business name signboard or device, the advertiser shall pay in addition to the fee payable for the **business name signboard such license fee as specified for the type of advertisement** in the first column of the second schedule.
- Size permitted:** The height **should not exceed 1200 mm** or the height of the approved designated area for business name signboard, whichever is smaller.
- Duration of licence:** The licence is charged according to **per application basis**. As such, the **duration will depend on the validity of the tenancy agreement, certification of structural soundness and public liability insurance, whichever expire first.**

Under By-law 13 & 17 – For Building having not more than four storeys

- Location/position permitted:** - (1) The façade or the frontage wall of the floor or in the actual building where such trade, business or profession is carried out.
(2) Business name signboard projecting more than 60 cm but not exceeding 1 meter over a street shall be erected not less than 5 m over the road measured in a vertical line from the street way to the lowest part of the business name signboard.
(3) In the case of vertical display or exhibition, its lowest part shall not be lower than the 1st floor of the building.
- Location/position not permitted:** - (1) The façade of the floor of any building which is not permitted by title condition of the land to be used for office, commercial or industrial purpose, e.g. residential floor, residential house.



- (2) On the fences.
- (3) Open space between the street and that building.
- (4) Position or manner that obstructs the lighting, ventilation or access to any building.

Under By-law 14 – Building of or exceeding five storeys, factories, places of public resort or other business operation.

Location/position permitted: - Shall be decided by the Council in such manner, as it may deem fit or appropriate, having regard to environment, amenity, safety and public interest.

A. GUIDELINES:

1. Location, position and size of advertisement should be in accordance to their approved building plans and if such buildings do not have the approved designated area for business name signboard, then to obtain approval from Building Division.
2. Structural Design & Calculation, Drawing, etc need to be submitted.
3. If the business name is painted or embossed on the façade of the building without boundary line. To determine the size of the signboard shall be from the edge of the first character, logo, or symbol to the edge of the last character, logo or symbol and the height of the highest character, logo or symbol.
4. Slander, indecent, tobacco and liquor advertisement shall not be allowed.
5. Business name signboard with advertisement not exceeding 1/3 of the size of the business signboard should be charged according to the licence fee as specified for the type of advertisement in the first column of the 2nd Schedule. However, payment is based on per application basis.
6. If there is no clear boundary between the advertisement and the business name in the signboard, the boundary of the advertisement shall be half the distance of the space in between the advertisement and the nearest character of the business name/logo or symbol.
7. Owner of the signboard shall be responsible for the payment and / or renewal of the advertisement licence for the advertisement display on his/her business name signboard: Failure to make payment and / or renew he advertisement licence will result in the removal of the whole signboard.

8. Advertisement Licence Fee

- | | | |
|---|---|---|
| (a) Business Name Signboard | - | (i) For first 5 square meter or part thereof per signboard - RM25.00 per application. |
| | | (ii) For every additional square meter or part thereof per signboard - RM50.00 per application. |
| (b) Advertisement over one square meter in size | - | (i) For first 20 square meter or part thereof - RM100 for every square meter per year. |
| | | (ii) For every additional square meter or part thereof - RM70.00 per year. |
| (c) Advertisement not exceeding one square meter in size | - | (i) For the first single advertisement - RM80.00 per year. |
| | | (ii) For every additional advertisement of the same design - RM15.00 per year. |

9. To impose a refundable security deposit as follows:

- | | | | |
|-----|---|---|---|
| (a) | Business Name Signboard | - | RM0 |
| (b) | Business Name Signboard with advertisement not exceeding 1/3 of the total area | - | RM0 |
| (c) | Business Name Signboard with advertisement exceeding 1/3 of the total area (Classified as Advertisement) | - | RM5,000.00 |
| (d) | Small Advertisement | - | RM200.00 per site subject to a minimum of RM5,000.00 |

10. The applicant is advice to purchase public liability insurance with a minimum coverage of:

- | | | | |
|-----|---|---|--------------------------|
| (a) | Advertisement displayed location within a private compound & not accessible by the general public | - | RM100,000.00 per annum |
| (b) | Advertisement displayed location is accessible by general public | - | RM1,000,000.00 per annum |

11. Licence Conditions

- 11.1 The Council shall not be held responsible for any accident or mishap that may occur arising from the erection of such business name signboard.
- 11.2 Licence number issued by the Council must be written on the lower right hand corner of the signboard and must be clear and visible.
- 11.3 The licensee/owner of the signboard is required to maintain the business name signboard in a clear, stable and firm condition during the period of display.
- 11.4 The licensee/owner shall make payment and / or renew the licence of his business name signboard **three months** before the expiry date.
- 11.5 Licensee/owner of the business name signboard shall notify & apply for a new licence if there is a change or alteration to the registered business name, advertisement, etc of the licensed business name signboard.
- 11.6 The Council may require the licensee/owner to take such correction or remedial measures in respect of any such business name signboard as the Council may direct.
- 11.7 In the event of breach of any of the above conditions, Council will revoke the licence after giving 14 days notice in writing to licensee/owner and he/she is required to remove the said business name signboard within 14 days for the date of revocation.
- 11.8 In the event, the licensee lost his/her right of occupancy, the licence issued shall become null and void.

THE LOCAL AUTHORITIES (ADVERTISEMENTS) BY-LAWS, 2012

CERTIFICATION OF STRUCTURAL PLANS (For endorsement on plans to be submitted for approval)

[By-Law 19(1)]

I/We, _____ being a registered Engineer, have carried out a study and inspection of the proposed/existing advertisement hoardings or structures for the erection and display of advertisements or signboard as shown in the structural plan submitted to the Local Authority.

2. I/We do hereby certify that the existing/proposed advertisement hoardings or structures shall be structurally sound for the period of _____ year(s) and I/we hereby accept full responsibility accordingly.

Date : _____

Signature of Engineer
and
Professional Engineer's Stamp