

ELECTRICAL FIRE

FINE, JAIL FOR ILLEGAL EXTENSIONS

Energy Commission to step up random inspections

ALIZA SHAH
KUALA LUMPUR
news@nst.com.my

OWNERS of premises destroyed in electrical fires will soon not only have to deal with the losses incurred, but could also face jail time if it is found that the blazes were caused by short-circuits from the use of illegal electricity sources.

This is because the Energy

Commission will be fully enforcing Section 37(13) of the Electricity Supply Act 1990, which allows for huge fines and imprisonment of up to two years.

A spokesman said the commission would be increasing random inspections on installations in the peninsula and Sabah.

"The commission is more than ready to haul up those who have made illegal connections on their premises, and slap them with a maximum fine of RM10,000, or im-



prisonment of up to two years, or both. The focus will also be on private homeowners," the spokesman told the *New Straits Times*.

Once an operation is carried out to dismantle illegal wiring extensions, the commission will initiate investigations under Sec-

tion 37(13) of the act, the findings of which will then be forwarded to the deputy public prosecutor for criminal proceedings to be initiated.

The commission is confident that two new provisions added to the act would ensure consumers better observe safe and legal use of electricity on premises.

"These provisions – Section 33A and 33B – hold licensees, owners, tenants, managements and operators of premises and contractors liable for criminal action if breached. Under the two new sections, these groups of consumers are required to ensure that all elements of effective

electrical safety management system are observed.

"This covers, among others, risk control measures and action for improvement. The purpose of this provision is to prevent fires and accidents caused by unsafe or non-compliant use of electricity," said the spokesman.

He said the commission, which was tasked to oversee and regulate the country's electricity matters, had last year identified 245 premises that carried out illegal extensions.

This problem, the commission believes, was prevalent in squatter settlements and low-cost housing areas.

'Make investigation reports available to other agencies'

KUALA LUMPUR: The Fire and Rescue Department should make available investigation reports to other agencies – government or private – so that owners of premises destroyed in blazes can take action if negligence or any criminal act is determined to have taken place.

This includes insurance companies which will have to determine whether compensation is warranted for the purpose of claims.

More importantly, however, other government agencies, such as the Energy Commission, can use laws under their jurisdiction to take action against any possible "criminal" offences.

The commission, for instance, needs full access to results of fire investigations carried out by the Fire and Rescue Department to secure airtight cases against those who conduct unauthorised power connections and electrical theft.

This is to allow the regulatory body to carry out probes and establish if the causes had anything to do with illegal electricity extensions and connections. If found to be so, the commission's investigators will haul up those responsible for disregarding fire safety.

The documents prepared by fire investigators should also re-

veal whether the fire was accidental, arson or triggered by recklessness, and the commission wants to be able to establish this.

Unfortunately, there is no requirement for the report, which should be ready within 14 days after a fire, to be shared with other government agencies, like the Energy Commission, which has the power to drag irresponsible individuals who carry out illegal wiring to court.

The Fire and Rescue Department, on its website, underlines that "only owners or occupants of the premises involved" are allowed to request for copies of fire investigation reports.

The commission told the *New Straits Times* that it hoped to have better coordination, especially in conducting investigations at crime scenes.

This, it added, would ensure that those responsible for the crime would not get away scot-free, more so when their act of tampering with electricity sources had resulted in deaths.

The Energy Commission is sanctioned to enforce and haul up those who conduct illegal connections to court for offences under Section 37(13) of the Electricity Supply Act 1990, which reads: "No person shall install any electrical wiring or extension



A man showing traces of electrical theft from a flat in Kuala Lumpur last year.
FILE PIC

to existing wiring on any premises without first obtaining the approval in writing from a supply authority or licensee."

The law says that anyone who contravenes the section would be liable to a fine not exceeding RM10,000 or imprisonment for a term not exceeding two years, or both.

Section 37(3) of the same act notes that if anyone tampers with any electrical installation, including altering index meters or conducting modifications to prevent it from duly recording the output, this would constitute electrical theft.

Under this particular subsection, offenders are liable to a fine of not more than RM100,000 or imprisonment for a term not exceeding three years, or both.

The commission has recorded 206 cases of electrical theft from

January this year, a tremendous increase when considering that there were 172 cases for the whole of last year.

The commission told NST it was crucial to have access to fire investigation reports.

Under the current system, fire investigations are handled by the Fire and Rescue Department, which has its own investigators. Other agencies would only be allowed to enter the premises much later when the firemen are done probing. This risks the scene being "compromised" for other probing agencies like the Energy Commission.

Sources told NST that requests to obtain fire investigation reports were turned down by the department on many occasions.

The reason cited for this was that the "law" forbids them from disclosing information "which

could only be disclosed to the police or owners of the premises".

Fire and Rescue Department director-general Datuk Wan Mohd Nor Ibrahim told NST fire investigation reports were not meant for public viewing, as the documents were classified under the Official Secrets Act 1972.

"However, if it is needed by other government agencies for prosecution purposes, then we can share the report," he said.

He said such reports would normally be used by insurance companies to determine eligibility for compensation claims.

"Our report will affect their insurance compensation. If our findings show that the fire was caused by them being reckless, they may get lower compensation, but then at the end of the day, it will all be decided by the court."