

P.U. (A) 259.

WATER SERVICES INDUSTRY ACT 2006

WATER SERVICES INDUSTRY (COMPOUNDING OF OFFENCES) REGULATIONS 2008

IN exercise of the powers conferred by paragraph 179(g) of the Water Services Industry Act 2006 [Act 655], the Minister makes the following regulations:

Citation and commencement

1. (1) These regulations may be cited as the **Water Services Industry (Compounding of Offences) Regulations 2008**.

(2) These Regulations come into operation on 1 August 2008.

Compoundable offences

2. The offences under sections 124, 125, 127, 130, 139 and 161, subsections 20(4), 21(3), 26(2), 29(6), 30(6), 40(2), 41(4), 42(3), 44(2), 45(7) and (14), 47(6), 49(2), 50(2), 56(6), 59(3), 60(4), 61(2), 65(3), 66(1), 89(9), 122(1), 123(3), 126(2), 128(2), 129(1), 135(2), 149(7) and 177(11), and paragraph 121(2)(c) of the Act are prescribed as compoundable offences.

Compoundable of offences

3. (1) An offer to compound an offence shall be made in Form 1 of the Schedule.

(2) A person who accepts an offer to compound an offence shall furnish payment for the compound in Form 2 of the Schedule.

Payment of compound

4. (1) If an offer to compound an offence is made and accepted by the person to whom the offer is made, he shall make payment by money order, postal order, cashier's order, banker's order or bank draft to the Suruhanjaya Perkhidmatan Air Negara and crossed with the words "Account Payee Only".

(2) The payment shall be delivered personally or sent by prepaid post to the address specified in the Notice of Offer to Compound Offences.

(3) A receipt shall be issued for every payment received under subregulation (1) to the person to whom the offer to compound is made.

Revocation

5. The Sewerage Services (Compounding of Offences) Regulations 2001 [P.U. (A) 201/2001] are revoked.

SCHEDULE

FORM 1

WATER SERVICES INDUSTRY ACT 2006

WATER SERVICES INDUSTRY (COMPOUNDING OF OFFENCES) REGULATIONS 2008

[Subregulation 3(1)]

NOTICE OF OFFER TO COMPOUND OFFENCES

When replying please quote:

Reference Number:.....

Date:.....

To:

.....
.....
.....

Sir/Madam*,

I have received a complaint/information* against you/*
(state name of company/business/other body)*

alleging the commission of the following offence:

Relevant provision of the law:.....

Date: Time:..... a.m./p.m.*

Place:

Particulars of offence:

.....
.....

2. You are informed that by virtue of the power vested in the Commission under subsection 163(2) of the Water Services Industry Act 2006, the Commission hereby offers to compound the offence for the sum of RM..... (Ringgit.....).

3. If this offer is accepted, payment shall be made by money order, postal order, cashier's order, banker's order or banker's draft made payable to the Suruhanjaya Perkhidmatan Air Negara and crossed with the words "Account Payee Only" and may be delivered personally or sent by prepaid post to the following address:

.....
.....
.....

4. An official receipt shall be issued on receipt of the payment.

5. This offer to compound remains in force until and if no reply is received on or before that date, prosecution proceedings will be instituted against you/*
(state name of company/business/other body)*

without further notice.

Date.....

.....
Suruhanjaya Perkhidmatan
Air Negara

*Delete whichever is inapplicable.
†State details.

FORM 2

WATER SERVICES INDUSTRY ACT 2006

WATER SERVICES INDUSTRY (COMPOUNDING OF OFFENCES) REGULATIONS 2008

[Subregulation 3(2)]

ACCEPTANCE OF OFFER TO COMPOUND OFFENCES

To,

Suruhanjaya Perkhidmatan Air Negara,
.....
.....
.....

I refer to the Notice of Offer to Compound Offences bearing the Reference Number.....
and dated

2. I accept the offer to compound and enclose herewith money order/postal order/cashier's order/
banker's order/banker's draft* No. for the sum of RM
(Ringgit.....) as full settlement of the sum stipulated in paragraph 2 of the
Notice of Offer to Compound Offences.

Signature:.....

Name:.....
(in capital letter)

Identity Card Number:.....

Designation:.....
(if applicable)

For and on behalf:.....
(if applicable) (state name of company/business/other body*)

Company seal/Stamp of business or other body*:
(if applicable)

Registration No./Licence No./Permit No.*:
(if applicable)

Address:
.....
.....
.....

Date:.....

*Delete whichever is inapplicable.

Made 10 July 2008
[KTAK: BP(R) 427/1-2(11); PN(PU²)660/II]

DATO' SHAZIMAN BIN ABU MANSOR
Minister of Energy, Water and Communications

Hakcipta Pencetak (H)

PERCETAKAN NASIONAL MALAYSIA BERHAD

Semua Hak Terpelihara. Tiada mana-mana bahagian jua daripada penerbitan ini boleh diterbitkan semula atau disimpan di dalam bentuk yang boleh diperolehi semula atau disiarkan dalam sebarang bentuk dengan apa jua cara elektronik, mekanikal, fotokopi, rakaman dan/atau sebaliknya tanpa mendapat izin daripada Percetakan Nasional Malaysia Berhad (Pencetak kepada Kerajaan Malaysia yang dilantik).



DICETAK OLEH
PERCETAKAN NASIONAL MALAYSIA BERHAD,
KUALA LUMPUR
BAGI PIHAK DAN DENGAN PERINTAH KERAJAAN MALAYSIA