

Sewerage Services (Compounding of Offences) Regulations 2001
PU(A) 201/2001

1. Citation.

These regulations may be cited as the Sewerage Services (Compounding of Offences) Regulations 2001.

2. Compoundable offences.

The following offences are prescribed to be compoundable offences:

(a) offences under section 35 and subsections 18(4) , 19(2) , 25(2) , 26(1) , 31(6) , 32(2) , 36(1) and 37(2) of the Act; and

(b) offences under subregulations 3(2) and 8(3) of the Sewerage Services (Licensing) Regulations 1994 [*P. U. (A) 114/94*].

3. Power to compound offences.

The Director General of Sewerage Services, or the Deputy Director General of Sewerage Services, Director, Deputy Director, Assistant Director or any other officer appointed under section 8 of the Act to whom the Director General of Sewerage Services has delegated the power in writing, may in his discretion compound any offence prescribed in regulation 2 by-

(a) making a written offer to compound to a person who has committed an offence in the form as specified in the First Schedule, in which is stated the amount of compound payable; and

(b) collecting from the person the compound within the time as specified in the notice of offer to compound, or any such extension of time as the person who made the offer to compound may grant.

4. Amount of compound.

The amount of compound payable in respect of a compoundable offence shall not be less than three hundred ringgit and shall not exceed three thousand ringgit.

5. Acceptance of offer to compound.

A person who accepts the offer to compound made to him must submit-

(a) the form as specified in the Second Schedule; and

(b) the amount of compound payable in respect of the compounded offence,

to the office of the person who made the offer to compound within the time as specified in the notice of offer to compound, or any such extension of time as that person may grant.

6. Payment of compound.

(1) Any payment of compound in respect of a compounded offence shall be made in cash, or by money order, postal order, cashier's order, banker's order or banker's draft made payable to the Secretary-General, Ministry of Housing and Local Government and crossed with the words "Account Payee Only".

(2) Payment-

(a) in cash, shall be delivered; or

(b) other than in cash, may be delivered or sent by prepaid post addressed, to the office of the person who made the offer to compound.

(3) Every payment received shall be paid into the Federal Consolidated Fund.

(4) An official receipt for the payment shall be issued, upon payment, to the person who accepted the offer to compound.

. Offer to compound before institution of prosecution.

(1) An offer to compound under these Regulations may be made at any time after the offence has been committed, but before any prosecution in respect of the offence has been instituted.

(2) Where the amount of money stated in the notice of offer to compound is not paid within the time as specified in that notice, or any extension of time as may be granted, prosecution for the offence may be instituted at any time thereafter against the person to whom the offer was made without any further notice.

8. Service of written offer, etc. by post.

Where a written offer or other document is served by prepaid post, that written offer or other document shall be deemed to have been delivered at the time when that written offer or other document would have been delivered in the ordinary course of the post.