



27 November 2017  
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P.U. (A) 361

WARTA KERAJAAN PERSEKUTUAN

*FEDERAL GOVERNMENT  
GAZETTE*

PERATURAN-PERATURAN INSTITUSI PENDIDIKAN  
TINGGI SWASTA (PENGGOMPAUNAN KESALAHAN)  
(PINDAAN) 2017

*PRIVATE HIGHER EDUCATIONAL INSTITUTIONS  
(COMPOUNDING OF OFFENCES) (AMENDMENT)  
REGULATIONS 2017*

DISIARKAN OLEH/  
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ATTORNEY GENERAL'S CHAMBERS

AKTA INSTITUSI PENDIDIKAN TINGGI SWASTA 1996

PERATURAN-PERATURAN INSTITUSI PENDIDIKAN TINGGI SWASTA  
(PENGKOMPAUNAN KESALAHAN) (PINDAAN) 2017

PADA menjalankan kuasa yang diberikan oleh seksyen 88 Akta Institusi Pendidikan Tinggi Swasta 1996 [*Akta 555*], Menteri membuat peraturan-peraturan yang berikut:

**Nama dan permulaan kuat kuasa**

1. (1) Peraturan-peraturan ini bolehlah dinamakan **Peraturan-Peraturan Institusi Pendidikan Tinggi Swasta (Pengkompunan Kesalahan) (Pindaan) 2017**.

(2) Peraturan-Peraturan ini mula berkuat kuasa pada 28 November 2017.

**Pindaan peraturan 4**

2. Peraturan 4 Peraturan-Peraturan Institusi Pendidikan Tinggi Swasta (Pengkompunan Kesalahan) 1997 [*P.U. (A) 548/1997*], yang disebut “Peraturan-Peraturan ibu” dalam Peraturan-Peraturan ini, dipinda dengan menggantikan subperaturan (2) dengan subperaturan yang berikut:

“(2) Pembayaran amaun yang dinyatakan dalam tawaran itu hendaklah dibuat melalui draf bank.”.

**Penggantian Jadual Pertama**

3. Peraturan-Peraturan ibu dipinda dengan menggantikan Jadual Pertama dengan Jadual yang berikut:

“JADUAL PERTAMA

[Peraturan 2]

KESALAHAN YANG BOLEH DIKOMPAUN

1. Kesalahan yang dilakukan di bawah peruntukan Akta:

- (a)* subseksyen 15(7);
- (b)* subseksyen 28(3);
- (c)* subseksyen 30(4);
- (d)* subseksyen 31(5);
- (e)* subseksyen 33A(4);
- (f)* subseksyen 33A(5);
- (g)* subseksyen 40(2);
- (h)* subseksyen 47(6);
- (i)* subseksyen 51(8);
- (j)* subseksyen 60(5);
- (k)* perenggan 66(4)(a);
- (l)* perenggan 66(4)(b);
- (m)* perenggan 70(6)(a);
- (n)* perenggan 70(6)(b);
- (o)* perenggan 70(6)(c);
- (p)* subseksyen 72(2);
- (q)* subseksyen 73(4);
- (r)* seksyen 75;
- (s)* seksyen 78;
- (t)* perenggan 81(1)(a);
- (u)* perenggan 81(1)(b);
- (v)* perenggan 81(1)(c);
- (w)* perenggan 81(1)(d);
- (x)* perenggan 81(1)(e);
- (y)* perenggan 81(1)(f); dan
- (z)* seksyen 82.

2. Kesalahan yang dilakukan di bawah Peraturan-Peraturan Institusi Pendidikan Tinggi Swasta (Permit Mengajar) 2017 [P.U. (A) 360/2017]:

- (a) subperaturan 7(5);
- (b) subperaturan 10(2); dan
- (c) subperaturan 11(2).”.

**Penggantian Jadual Kedua**

4. Peraturan-Peraturan ibu dipinda dengan menggantikan Jadual Kedua dengan Jadual yang berikut:

“JADUAL KEDUA  
[Peraturan 3]

BORANG A  
TAWARAN UNTUK MENGGOMPAUN KESALAHAN

No. Rujukan: \_\_\_\_\_

Kepada:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Tuan/Puan,

TAWARAN UNTUK MENGGOMPAUN KESALAHAN

Suatu aduan telah dibuat bahawa anda telah melakukan suatu kesalahan yang berikut di bawah \_\_\_\_\_

Tarikh: \_\_\_\_\_ Masa: \_\_\_\_\_

Tempat: \_\_\_\_\_

Kesalahan: \_\_\_\_\_

\_\_\_\_\_

2. Anda diberitahu bahawa menurut kuasa yang diberikan kepada saya oleh seksyen 86 Akta Institusi Pendidikan Tinggi Swasta 1996 dan dengan keizinan bertulis Pendakwa Raya, anda ditawarkan suatu kompaun bagi kesalahan yang dinyatakan di atas bagi jumlah sebanyak Ringgit Malaysia \_\_\_\_\_ (RM \_\_\_\_\_). Sekiranya tawaran ini diterima, pembayaran hendaklah dibuat melalui draf bank kepada Ketua Pendaftar dalam tempoh \_\_\_\_\_ ( ) hari dari tarikh penerimaan surat ini.

3. Tawaran untuk mengkompaun kesalahan ini akan luput apabila tamat tempoh yang disebut dalam perenggan 2. Sekiranya bayaran jumlah yang dinyatakan di atas tidak dibuat dalam tempoh itu, pendakwaan boleh dimulakan terhadap anda tanpa notis selanjutnya.

Cap Rasmi

\_\_\_\_\_  
(Tandatangan Ketua Pendaftar)

\_\_\_\_\_  
(Tarikh)".

### **Penggantian Jadual Ketiga**

5. Peraturan-Peraturan ini dipinda dengan menggantikan Jadual Ketiga dengan Jadual yang berikut:

“JADUAL KETIGA  
[Subperaturan 4(3)]

BORANG B  
RESIT BAYARAN KOMPAUN

No. Resit: \_\_\_\_\_

Diterima daripada \_\_\_\_\_

No. K.P./ No. Pasport: \_\_\_\_\_

di alamat \_\_\_\_\_

jumlah sebanyak Ringgit Malaysia \_\_\_\_\_

(RM\_\_\_\_\_) sebagai bayaran kompaun bagi kesalahan di bawah

\_\_\_\_\_ sebagaimana yang dinyatakan

dalam Tawaran untuk Mengkompaun Kesalahan No. Rujukan

\_\_\_\_\_ bertarikh \_\_\_\_\_

Cap Rasmi

\_\_\_\_\_  
(Tandatangan Ketua Pendaftar)

\_\_\_\_\_  
(Tarikh)”.  
\_\_\_\_\_

Dibuat 27 November 2017  
[KPT.U.(S)100-1/2/2 Jld. 7; PN(PU2)685/IV]

DATO' SERI IDRIS BIN JUSOH  
Menteri Pendidikan Tinggi

PRIVATE HIGHER EDUCATIONAL INSTITUTIONS ACT 1996

PRIVATE HIGHER EDUCATIONAL INSTITUTIONS (COMPOUNDING OF OFFENCES)  
(AMENDMENT) REGULATIONS 2017

IN exercise of the powers conferred by section 88 of the Private Higher Educational Institutions Act 1996 [Act 555], the Minister makes the following regulations:

**Citation and commencement**

1. (1) These regulations may be cited as the **Private Higher Educational Institutions (Compounding of Offences) (Amendment) Regulations 2017**.

(2) These Regulations come into operation on 28 November 2017.

**Amendment of regulation 4**

2. Regulation 4 of the Private Higher Educational Institutions (Compounding of Offences) Regulations 1997 [*P.U. (A) 548/1997*], which are referred to as the “principal Regulations” in these Regulations, is amended by substituting for subregulation (2) the following subregulation:

“(2) Payment of the amount specified in the offer shall be made by bank draft.”.

**Substitution of First Schedule**

3. The principal Regulations are amended by substituting for the First Schedule the following Schedule:

“FIRST SCHEDULE

[Regulation 2]

COMPOUNDABLE OFFENCES

1. Offences committed under the provisions of the Act:

- (a)* subsection 15(7);
- (b)* subsection 28(3);
- (c)* subsection 30(4);
- (d)* subsection 31(5);
- (e)* subsection 33A(4);
- (f)* subsection 33A(5);
- (g)* subsection 40(2);
- (h)* subsection 47(6);
- (i)* subsection 51(8);
- (j)* subsection 60(5);
- (k)* paragraph 66(4)(a);
- (l)* paragraph 66(4)(b);
- (m)* paragraph 70(6)(a);
- (n)* paragraph 70(6)(b);
- (o)* paragraph 70(6)(c);
- (p)* subsection 72(2);
- (q)* subsection 73(4);
- (r)* section 75;
- (s)* section 78;
- (t)* paragraph 81(1)(a);
- (u)* paragraph 81(1)(b);
- (v)* paragraph 81(1)(c);
- (w)* paragraph 81(1)(d);
- (x)* paragraph 81(1)(e);
- (y)* paragraph 81(1)(f); and
- (z)* section 82.

2. Offences committed under the provisions of the Private Higher Educational Institutions (Permit to Teach) Regulations 2017 [*P.U. (A) 360/2017*]:

- (a) subregulation 7(5);
- (b) subregulation 10(2); and
- (c) subregulation 11(2)."

**Substitution of Second Schedule**

4. The principal Regulations are amended by substituting for the Second Schedule the following Schedule:

"SECOND SCHEDULE  
[Regulation 3]

FORM A  
OFFER TO COMPOUND AN OFFENCE

Reference No.: \_\_\_\_\_

To:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Sir/Madam,

OFFER TO COMPOUND AN OFFENCE

A complaint has been made that you have committed the following offence under \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Place: \_\_\_\_\_

Offence: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

2. You are notified that by the virtue of the powers conferred on me by section 86 of the Private Higher Educational Institutions Act 1996 and with the written consent of the Public Prosecutor, you are offered a compound for the offence stated above for the sum of Ringgit Malaysia \_\_\_\_\_(RM\_\_\_\_\_). If this offer is accepted, payment shall be made by bank draft to the Registrar General within \_\_\_\_\_ ( ) days from the date of receipt of this letter.

3. The offer to compound this offence will lapse upon the expiry of the period referred to in paragraph 2. If payment of the sum stated above has not been made within that period, prosecution may be instituted against you without further notice.

Official Stamp

\_\_\_\_\_  
*(Signature of Registrar General)*

\_\_\_\_\_  
*(Date)".*

**Substitution of Third Schedule**

5. The principal Regulations are amended by substituting for the Third Schedule the following Schedule:

“THIRD SCHEDULE  
[Subregulation 4(3)]

FORM B  
RECEIPT OF PAYMENT OF COMPOUND

Receipt No.: \_\_\_\_\_

Received from \_\_\_\_\_

I.C No/Passport No.: \_\_\_\_\_

at address \_\_\_\_\_

\_\_\_\_\_

the sum of Ringgit Malaysia \_\_\_\_\_ (RM \_\_\_\_\_)

as the payment of compound for an offence under

\_\_\_\_\_

as stated in the Offer to Compound an Offence Reference No. \_\_\_\_\_

dated \_\_\_\_\_

Official Stamp

\_\_\_\_\_  
*(Signature of Registrar General)*

\_\_\_\_\_  
*(Date)*”.

Made 27 November 2017  
KPT.U.(S)100-1/2/2 Jld. 7; PN(PU2)685/IV]

DATO' SERI IDRIS BIN JUSOH  
*Minister of Higher Education*