



22 Februari 2013
22 February 2013
P.U. (A) 58

WARTA KERAJAAN PERSEKUTUAN

*FEDERAL GOVERNMENT
GAZETTE*

PERATURAN-PERATURAN LEMBAGA KOKO MALAYSIA
(PENGGOMPAUNAN KESALAHAN) 2013

*MALAYSIAN COCOA BOARD
(COMPOUNDING OF OFFENCES) REGULATIONS 2013*



DISIARKAN OLEH/
PUBLISHED BY
JABATAN PEGUAM NEGARA/
ATTORNEY GENERAL'S CHAMBERS

AKTA LEMBAGA KOKO MALAYSIA (PEMERBADANAN) 1988

PERATURAN-PERATURAN LEMBAGA KOKO MALAYSIA
(PENGKOMPANAN KESALAHAN) 2013

PADA menjalankan kuasa yang diberikan oleh perenggan 11(1) Akta Lembaga Koko Malaysia (Pemerbadanan) 1988 [Akta 343], Menteri membuat peraturan-peraturan yang berikut:

Nama dan permulaan kuat kuasa

1. Peraturan-peraturan ini bolehlah dinamakan **Peraturan-Peraturan Lembaga Koko Malaysia (Pengkompunan Kesalahan) 2013**.

Kesalahan yang boleh dikompun

2. Kesalahan-kesalahan yang dinyatakan dalam Jadual Pertama ditetapkan sebagai kesalahan yang boleh dikompun.

Tawaran dan penyetujuteraan kompaun

3. (1) Suatu tawaran untuk mengkompun suatu kesalahan hendaklah dibuat dalam Borang 1 Jadual Kedua.

(2) Seseorang yang menyetujui terima suatu tawaran untuk mengkompun suatu kesalahan hendaklah mengemukakan bayaran bagi kompaun itu dengan menggunakan Borang 2 Jadual Kedua.

Pembayaran kompaun

4. (1) Jika suatu tawaran untuk mengkompun kesalahan telah dibuat dan disetujui terima oleh orang yang kepadanya tawaran itu dibuat, dia hendaklah membuat bayaran yang kena dibayar itu secara tunai atau melalui kiriman wang, wang pos, pesanan juruwang, pesanan bank atau draf bank kepada Ketua Pengarah Lembaga Koko Malaysia dan dipalang dengan perkataan "Akaun Penerima Sahaja", dalam tempoh yang dinyatakan dalam tawaran untuk mengkompun kesalahan itu.

(2) Pembayaran kompaun hendaklah diserahkan sendiri atau dihantar melalui pos berdaftar prabayar atau perkhidmatan kurier ke alamat yang dinyatakan dalam Borang 1 Jadual Kedua.

(3) Suatu resit rasmi hendaklah dikeluarkan bagi tiap-tiap bayaran yang diterima di bawah subperaturan (1) kepada orang yang kepadanya tawaran untuk mengkompaun itu dibuat.

Penyampaian tawaran bertulis, dsb., melalui pos

5. Jika suatu tawaran atau dokumen lain disampaikan melalui pos berdaftar prabayar, tawaran atau dokumen lain itu hendaklah disifatkan sebagai telah diserahkan pada masa tawaran atau dokumen lain itu akan diserahkan dalam perjalanan biasa pos.

JADUAL PERTAMA

KESALAHAN YANG BOLEH DIKOMPAUN [peraturan 2]

| <i>(1)</i> <i>Undang-Undang</i> | <i>(2)</i> <i>Kesalahan Yang Boleh Dikompaun</i> |
|---|---|
| Akta Lembaga Koko Malaysia (Pemerbadanan) 1988 [Akta 343] | Subseksyen 23P(2) |
| Peraturan-Peraturan Lembaga Koko Malaysia 2012 [P.U. (A) 41/2012] | Subperaturan 4(4), 10(3), 15(2) dan 20(2) |

JADUAL KEDUA

BORANG 1
[Subperaturan 3(1)]

FORM 1
[Subregulation 3(1)]

AKTA LEMBAGA KOKO MALAYSIA (PEMERBADANAN) 1988

MALYSIAN COCOA BOARD (INCORPORATION) ACT 1988

PERATURAN-PERATURAN LEMBAGA KOKO MALAYSIA (PENGGOMPAUNAN KESALAHAN)
2013

MALYSIAN COCOA BOARD (COMPOUNDING OF OFFENCES) REGULATIONS 2013

[Subperaturan 3(1)]

[Subregulation 3(1)]

NOTIS TAWARAN UNTUK MENGGOMPAUN KESALAHAN

NOTICE OF OFFER TO COMPOUND OFFENCES

Apabila menjawab sila nyatakan:

When replying please quote:

Nombor Rujukan/*Reference No.*:

Tarikh/*Date*:

Ketua Pengarah/
Director General

Director General

Lembaga Koko Malaysia/
Malaysian Cocoa Board

Malaysian Cocoa Board

Tingkat 5, 6 & 7, Wisma SEDCO

Lorong Plaza Wawasan, Off Coastal Highway

Beg Berkunci 211,

88999 Kota Kinabalu

Sabah

Kepada/*To*:

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

Tuan/Puan,
Sir/Madam,

Suatu siasatan dibuat pada Lesen No. dan didapati suatu kesalahan di bawah Akta Lembaga Koko Malaysia (Pemerbadanan) 1988 telah dilakukan di bawah seksyen/peraturan*** dengan butir-butir yang berikut:

An investigation made on License No. and found that an offence under the Malaysian Cocoa Board (Incorporation) Act 1988 has been committed under section/regulation** with the following particulars:*

- (a) Tarikh/Date:
- (b) Masa/Time:
- (c) Tempat atau premis/place or premise:
.....
- (d) Butir-butir kesalahan/Particulars of the offence:
.....
.....
.....

2. Menurut subseksyen 23Y(1) Akta Lembaga Koko Malaysia (Pemerbadanan) 1988, anda ditawarkan suatu kompaun ke atas kesalahan yang dinyatakan di atas bagi jumlah wang sebanyak RM.....(Ringgit Malaysia.....) dan hendaklah kena dibayar dalam tempoh 14 hari dari tarikh notis ini.

2. Pursuant to subsection 23Y(1) of the Malaysian Cocoa Board (Incorporation) Act 1988, you are offered a compound for the offence as stated above for the sum of RM.....(Ringgit Malaysia.....) and shall be payable within 14 days from the date of this notice.

3. Jika tawaran ini diterima, pembayaran boleh dibuat sama ada secara tunai atau melalui kiriman wang, wang pos, pesanan juruwang, pesanan bank atau draf bank yang kena dibayar atas nama “Ketua Pengarah Lembaga Koko Malaysia” dan dipalang dengan perkataan “Akaun Penerima Sahaja” dan boleh diserahkan sendiri atau dihantar melalui pos berdaftar prabayar atau perkhidmatan kurier ke alamat yang berikut:

Ketua Pengarah Lembaga Koko Malaysia,
Tingkat 5, 6 & 7, Wisma SEDCO, Lorong Plaza Wawasan, Off Coastal Highway
Beg Berkunci 211, 88999 Kota Kinabalu, Sabah

3. *If this offer is accepted, payment shall be made by cash or by money order, postal order, cashier’s order, banker’s order or bank draft made payable to the “Director General of the Malaysian Cocoa Board” and crossed with the words “Account Payee Only” and may be delivered personally or sent by prepaid registered post or courier services to the following address:*

*Director General of the Malaysian Cocoa Board,
Tingkat 5, 6 & 7, Wisma SEDCO, Lorong Plaza Wawasan, Off Coastal Highway
Beg Berkunci 211, 88999 Kota Kinabalu, Sabah*

4. Suatu resit rasmi akan dikeluarkan kepada tuan/puan apabila bayaran diterima.
4. *An official receipt shall be issued to sir/madam on receipt of the payment.*
5. Sekiranya tiada apa-apa jawapan diterima dalam tempoh itu, pendakwaan bagi kesalahan itu boleh dimulakan terhadap tuan/puan tanpa notis selanjutnya.
5. *If no reply is received within that period, prosecution for the offence may be instituted against sir/madam without further notice.*

Tarikh/Date:

.....
Ketua Pengarah/Director General

**Potong mana-mana yang tidak berkenaan/Delete whichever is inapplicable*

*** Masukkan nama perundangan yang berkaitan/Insert citation of relevant legislations*

BORANG 2
[Subperaturan 3(2)]

FORM 2
[Subregulation 3(2)]

AKTA LEMBAGA KOKO MALAYSIA (PEMERBADANAN) 1988

MALYSIAN COCOA BOARD (INCORPORATION) ACT 1988

PERATURAN-PERATURAN LEMBAGA KOKO MALAYSIA (PENGGOMPAUNAN KESALAHAN)
2013

MALYSIAN COCOA BOARD (COMPOUNDING OF OFFENCES) REGULATIONS 2013

[Subperaturan 3(2)]

[Subregulation 3(2)]

PENERIMAAN TAWARAN UNTUK MENGGOMPAUN KESALAHAN

ACCEPTANCE OF OFFER TO COMPOUND OFFENCES

Kepada/*To:*

Ketua Pengarah/
Director General
Lembaga Koko Malaysia/
Malaysian Cocoa Board
Tingkat 5, 6 & 7, Wisma SEDCO
Lorong Plaza Wawasan, Off Coastal Highway
Beg Berkunci 211,
88999 Kota Kinabalu
Sabah

Tuan/Puan,
Sir/Madam,

Saya merujuk kepada Notis Tawaran untuk Mengkompaun Kesalahan dengan No. Rujukan
..... bertarikh

I refer to the Notice of Offer to Compound Offence bearing the Reference No.
..... dated

2. Saya bersetuju untuk menerima tawaran untuk mengkompaun itu dan menyertakan bersama-sama ini wang tunai/kiriman wang/kiriman wang pos/pesanan juruwang/pesanan bank/draf bank* No. bagi jumlah wang sebanyak RM.....(Ringgit Malaysia.....)

sebagai penyelesaian penuh jumlah yang dinyatakan dalam perenggan 2 Notis Tawaran untuk Mengkompaun Kesalahan.

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

Tandatangan/Signature:

Nama/Name :
No. K/P/I/C No. :
Tarikh/Date :
Alamat/Address :
.....
.....
.....

*Potong mana-mana yang tidak berkenaan/Delete whichever is inapplicable

Dibuat 17 Januari 2013
[KPPK (S)440(14)16/2; PN(PU2)469/II]

TAN SRI BERNARD GILUK DOMPOK
Menteri Perusahaan Perladangan dan Komoditi

MALAYSIAN COCOA BOARD (INCORPORATION) ACT 1988

MALAYSIAN COCOA BOARD (COMPOUNDING OF OFFENCES) REGULATIONS 2013

IN exercise of the powers conferred by paragraph 11(*l*) of the Malaysian Cocoa Board (Incorporation) Act 1988 [*Act 343*], the Minister makes the following regulations:

Citation and commencement

1. These regulations may be cited as the **Malaysian Cocoa Board (Compounding of Offences) Regulations 2013**.

Compoundable offences

2. The offences specified in the First Schedule are prescribed as compoundable offences.

Offer and acceptance of compound

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

(2) A person who accepts an offer to compound an offence shall furnish payment for the compound by using Form 2 of the Second 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 payable by cash or by money order, postal order, cashier's order, banker's order or bank draft to the Director General of the Malaysian Cocoa Board and crossed with the words "Account Payee Only", within the period specified in such offer to compound an offence.

(2) Payment of compound shall be delivered personally or sent by prepaid registered post or courier services to the address specified in Form 1 of the Second Schedule.

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

Service of written offer, etc., by post

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

FIRST SCHEDULE

COMPOUNDABLE OFFENCES
[regulation 2]

| <i>(1)</i> <i>Legislations</i> | <i>(2)</i> <i>Compoundable Offences</i> |
|--|---|
| Malaysian Cocoa Board (Incorporation) Act 1988 [<i>Act 343</i>] | Subsection 23P(2) |
| Malaysian Cocoa Board Regulations 2012 [<i>P.U. (A) 41/2012</i>] | Subregulations 4(4), 10(3), 15(2) and 20(2) |

SECOND SCHEDULE

BORANG 1
[Subperaturan 3(1)]

FORM 1
[Subregulation 3(1)]

AKTA LEMBAGA KOKO MALAYSIA (PEMERBADANAN) 1988

MALAYSIAN COCOA BOARD (INCORPORATION) ACT 1988

PERATURAN-PERATURAN LEMBAGA KOKO MALAYSIA (PENGGOMPAUNAN KESALAHAN)
2013

MALAYSIAN COCOA BOARD (COMPOUNDING OF OFFENCES) REGULATIONS 2013

[Subperaturan 3(1)]

[Subregulation 3(1)]

NOTIS TAWARAN UNTUK MENGGOMPAUN KESALAHAN

NOTICE OF OFFER TO COMPOUND OFFENCES

Apabila menjawab sila nyatakan:

When replying please quote:

Nombor Rujukan/*Reference No.*:

Tarikh/*Date*:

Ketua Pengarah/
Director General

Director General

Lembaga Koko Malaysia/
Malaysian Cocoa Board

Malaysian Cocoa Board

Tingkat 5, 6 & 7, Wisma SEDCO

Lorong Plaza Wawasan, Off Coastal Highway

Beg Berkunci 211,

88999 Kota Kinabalu

Sabah

Kepada/*To*:

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

Tuan/Puan,
Sir/Madam,

Suatu siasatan dibuat pada Lesen No. dan didapati suatu kesalahan di bawah Akta Lembaga Koko Malaysia (Pemerbadanan) 1988 telah dilakukan di bawah seksyen/peraturan*** dengan butir-butir yang berikut:

An investigation made on License No. and found that an offence under the Malaysian Cocoa Board (Incorporation) Act 1988 has been committed under section/regulation** with the following particulars:*

- (a) Tarikh/Date:
- (b) Masa/Time:
- (c) Tempat atau premis/place or premise:
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- (d) Butir-butir kesalahan/Particulars of the offence:
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.....
.....

2. Menurut subseksyen 23Y(1) Akta Lembaga Koko Malaysia (Pemerbadanan) 1988, anda ditawarkan suatu kompaun ke atas kesalahan yang dinyatakan di atas bagi jumlah wang sebanyak RM.....(Ringgit Malaysia.....) dan hendaklah kena dibayar dalam tempoh 14 hari dari tarikh notis ini.

2. Pursuant to subsection 23Y(1) of the Malaysian Cocoa Board (Incorporation) Act 1988, you are offered a compound for the offence as stated above for the sum of RM.....(Ringgit Malaysia) and shall be payable within 14 days from the date of this notice.

3. Jika tawaran ini diterima, pembayaran boleh dibuat sama ada secara tunai atau melalui kiriman wang, wang pos, pesanan juruwang, pesanan bank atau draf bank yang kena dibayar atas nama “**Ketua Pengarah Lembaga Koko Malaysia**” dan dipalang dengan perkataan “**Akaun Penerima Sahaja**” dan boleh diserahkan sendiri atau dihantar melalui pos berdaftar prabayar atau perkhidmatan kurier ke alamat yang berikut:

Ketua Pengarah Lembaga Koko Malaysia,
Tingkat 5, 6 & 7, Wisma SEDCO, Lorong Plaza Wawasan, Off Coastal Highway
Beg Berkunci 211, 88999 Kota Kinabalu, Sabah

*3. If this offer is accepted, payment shall be made by cash or by money order, postal order, cashier’s order, banker’s order or bank draft made payable to the “**Director General of the Malaysian Cocoa Board**” and crossed with the words “**Account Payee Only**” and may be delivered personally or sent by prepaid registered post or courier services to the following address:*

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Tingkat 5, 6 & 7, Wisma SEDCO, Lorong Plaza Wawasan, Off Coastal Highway
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4. Suatu resit rasmi akan dikeluarkan kepada tuan/puan apabila bayaran diterima.
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5. Sekiranya tiada apa-apa jawapan diterima dalam tempoh itu, pendakwaan bagi kesalahan itu boleh dimulakan terhadap tuan/puan tanpa notis selanjutnya.
5. *If no reply is received within that period, prosecution for the offence may be instituted against sir/madam without further notice.*

Tarikh/Date:.....

.....
Ketua Pengarah/*Director General*

**Potong mana-mana yang tidak berkenaan/Delete whichever is inapplicable*

*** Masukkan nama perundangan yang berkaitan/Insert citation of relevant legislations*

BORANG 2
[Subperaturan 3(2)]

FORM 2
[Subregulation 3(2)]

AKTA LEMBAGA KOKO MALAYSIA (PEMERBADANAN) 1988

MALYSIAN COCOA BOARD (INCORPORATION) ACT 1988

PERATURAN-PERATURAN LEMBAGA KOKO MALAYSIA (PENGGOMPAUNAN KESALAHAN)
2013

MALYSIAN COCOA BOARD (COMPOUNDING OF OFFENCES) REGULATIONS 2013

[Subperaturan 3(2)]

[Subregulation 3(2)]

PENERIMAAN TAWARAN UNTUK MENGGOMPAUN KESALAHAN

ACCEPTANCE OF OFFER TO COMPOUND OFFENCES

Kepada/*To:*

Ketua Pengarah/
Director General
Lembaga Koko Malaysia/
Malaysian Cocoa Board
Tingkat 5, 6 & 7, Wisma SEDCO
Lorong Plaza Wawasan, Off Coastal Highway
Beg Berkunci 211,
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Tuan/Puan,
Sir/Madam,

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..... bertarikh

I refer to the Notice of Offer to Compound Offence bearing the Reference No.
..... *dated*

2. Saya bersetuju untuk menerima tawaran untuk mengkompaun itu dan menyertakan bersama-sama ini wang tunai/kiriman wang/kiriman wang pos/pesanan juruwang/pesanan bank/draf bank* No. bagi jumlah wang sebanyak RM.....(Ringgit Malaysia.....)

sebagai penyelesaian penuh jumlah yang dinyatakan dalam perenggan 2 Notis Tawaran untuk Mengkompaun Kesalahan.

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Tandatangan/Signature:

Nama/Name :
No. K/P/I/C No. :
Tarikh/Date :
Alamat/Address :
.....
.....
.....

**Potong mana-mana yang tidak berkenaan/Delete whichever is inapplicable*

Made 17 January 2013
[KPPK(S)440(14)16/2; PN(PU2)469/II]

TAN SRI BERNARD GILUK DOMPOK
Minister of Plantation Industries and Commodities