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WARTA KERAJAAN PERSEKUTUAN
*FEDERAL GOVERNMENT
GAZETTE*

PERATURAN-PERATURAN PUSAT JAGAAN
(PENGGOMPAUNAN KESALAHAN) 2011

*CARE CENTRES (COMPOUNDING OF OFFENCES)
REGULATIONS 2011*



DISIARKAN OLEH/
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AKTA PUSAT JAGAAN 1993

PERATURAN-PERATURAN PUSAT JAGAAN
(PENGGOMPAUNAN KESALAHAN) 2011

SUSUNAN PERATURAN-PERATURAN

Peraturan

1. Nama dan permulaan kuat kuasa
2. Kesalahan boleh kompaun
3. Tawaran dan penyetujuteraan kompaun
4. Penyampaian Notis Tawaran untuk Mengkompaun Kesalahan
5. Pembayaran kompaun

JADUAL

AKTA PUSAT JAGAAN 1993

PERATURAN-PERATURAN PUSAT JAGAAN (PENKOMPANAN KESALAHAN) 2011

PADA menjalankan kuasa yang diberikan oleh seksyen 21A dan seksyen 24 Akta Pusat Jagaan 1993 [*Akta 506*], Menteri membuat peraturan-peraturan yang berikut:

Nama dan permulaan kuat kuasa

1. (1) Peraturan-peraturan ini bolehlah dinamakan **Peraturan-Peraturan Pusat Jagaan (Pengkompaunan Kesalahan) 2011**.

(2) Peraturan-Peraturan ini mula berkuat kuasa pada 15 Ogos 2011.

Kesalahan boleh kompaun

2. Semua kesalahan yang dilakukan di bawah Akta ini dan mana-mana peraturan-peraturan yang dibuat di bawah Akta ini ditetapkan sebagai kesalahan boleh kompaun.

Tawaran dan penyetujeterimaan kompaun

3. (1) Suatu tawaran untuk mengkompaun suatu kesalahan hendaklah dibuat oleh Ketua Pengarah dalam Borang 1 Jadual.

(2) Seseorang yang menyetuju terima tawaran untuk mengkompaun kesalahan hendaklah mengemukakan bayaran bagi kompaun itu dengan menggunakan Borang 2 Jadual.

Penyampaian Notis Tawaran untuk Mengkompaun Kesalahan

4. (1) Bagi maksud subperaturan 3(1), Ketua Pengarah hendaklah menyampaikan Notis Tawaran untuk Mengkompaun Kesalahan sebagaimana yang dinyatakan dalam Borang 1 Jadual kepada orang yang disyaki secara munasabah telah melakukan kesalahan itu melalui cara yang berikut:

(a) serahan sendiri;

- (b) Resit Akuterima (A.R.) Pos Berdaftar kepada alamat terakhir yang diketahui; atau
- (c) dengan menampal Notis itu di pusat jagaan yang mudah untuk dilihat.

(2) Jika Ketua Pengarah berpendapat bahawa adalah tidak praktikal untuk melaksanakan penyampaian Notis itu melalui cara yang dinyatakan dalam subperaturan (1), Ketua Pengarah boleh menyampaikan Notis itu melalui apa-apa cara yang difikirkan patut.

(3) Penyampaian Notis di bawah perenggan 1(b) dan (c) dan subperaturan (2) ini hendaklah disifatkan sebagai serahan ke atas orang itu.

Pembayaran kompaun

5. (1) Jika suatu tawaran untuk mengkompaun suatu kesalahan boleh kompaun dibuat dan diterima oleh orang yang kepadanya tawaran itu dibuat, apa-apa pembayaran kompaun hendaklah dibuat secara tunai atau melalui kiriman wang, wang pos, perintah juruwang, arahan bank, cek jurubank atau draf bank dibayar kepada Ketua Pengarah dan dipalang dengan perkataan "Akaun Penerima Sahaja".

(2) Pembayaran kompaun hendaklah diserahkan sendiri atau dihantar melalui pos berbayar dahulu ke alamat yang dinyatakan dalam Borang 1 Jadual.

(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.

JADUAL

[Peraturan 3, 4 dan 5]

BORANG 1

AKTA PUSAT JAGAAN 1993

PERATURAN-PERATURAN PUSAT JAGAAN
(PENGGOMPAUNAN KESALAHAN) 2011

[Subperaturan 3(1)]

NOTIS TAWARAN UNTUK MENGGOMPAUN KESALAHAN

Apabila menjawab sila nyatakan:

Nombor rujukan:

Tarikh:

Kepada:

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

Tuan/Puan*,

Suatu pemeriksaan telah dijalankan dan anda didapati telah melakukan kesalahan di bawah Akta Pusat Jagaan 1993 [*Akta 506*]/peraturan-peraturan yang dibuat di bawah Akta* dengan butir-butir yang berikut:

- (a) Peruntukan yang berkaitan di bawah Akta/peraturan-peraturan yang dibuat di bawah Akta*:

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

(b) Tarikh:.....Masa:.....

(c) Tempat:.....
.....
.....

(d) Butir-butir kesalahan:.....
.....
.....
.....

2. Menurut seksyen 21A Akta, anda ditawarkan kompaun bagi kesalahan yang dinyatakan di atas bagi jumlah wang sebanyak RM..... (Ringgit Malaysia:.....). Pembayaran hendaklah dibuat secara tunai/melalui kiriman wang atau wang pos/perintah juruwang/arahan bank/cek jurubank/draf bank* kepada Ketua Pengarah dan dipalang dengan perkataan “Akaun Penerima Sahaja”.

3. Suatu resit rasmi akan dikeluarkan apabila bayaran diterima oleh Ketua Pengarah.

4. Tawaran untuk mengkompaun ini berkuat kuasa sehingga dan jika tiada apa-apa bayaran diterima pada atau sebelum tarikh itu, pendakwaan bagi kesalahan itu boleh dimulakan tanpa notis selanjutnya.

Tarikh:

Cap rasmi :

.....
Untuk dan bagi pihak Ketua Pengarah Kebajikan Masyarakat, Malaysia

**Potong mana-mana yang tidak berkenaan*

BORANG 2

AKTA PUSAT JAGAAN 1993

PERATURAN-PERATURAN PUSAT JAGAAN
(PENGKOMPANAN KESALAHAN) 2011

[Subperaturan 3(2)]

PENYETUJUTERIMAAN TAWARAN UNTUK MENGGOMPAUN KESALAHAN

Nombor Laporan:

Kepada:

Ketua Pengarah

Jabatan Kebajikan Masyarakat Malaysia

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

Saya merujuk kepada Notis Tawaran untuk Mengkompaun Kesalahan dengan nombor rujukan bertarikh.....

2. Saya menerima tawaran untuk mengkompaun dan menyertakan bersama-sama ini wang tunai/kiriman wang/wang pos/perintah juruwang/arahan bank/cek jurubank/draf bank* No. bagi jumlah sebanyak RM.....(Ringgit Malaysia:.....)
sebagai penyelesaian penuh jumlah wang yang dinyatakan dalam perenggan 2 Notis Tawaran untuk Mengkompaun Kesalahan.

Tandatangan:

Nama:.....
(*Dalam huruf besar*)

Nombor Kad Pengenalan:.....

Alamat:.....
.....
.....
.....
.....

Tarikh:

**Potong mana-mana yang tidak berkenaan*

Dibuat 11 Julai 2011
[KPWKM(R):09/06/08/2; PN(PU2)516/III]

SENATOR DATO' SRI SHAHRIZAT BINTI ABDUL JALIL
Menteri Pembangunan Wanita, Keluarga dan Masyarakat

CARE CENTRES ACT 1993

CARE CENTRES (COMPOUNDING OF OFFENCES) REGULATIONS 2011

ARRANGEMENT OF REGULATIONS

Regulation

1. Citation and commencement
2. Compoundable offences
3. Offer and acceptance of compound
4. Service of Notice of Offer to Compound Offences
5. Payment of compound

SCHEDULE

CARE CENTRES ACT 1993

CARE CENTRES (COMPOUNDING OF OFFENCES) REGULATIONS 2011

IN exercise of the powers conferred by section 21A and section 24 of the Care Centres Act 1993 [*Act 506*], the Minister makes the following regulations:

Citation and commencement

1. (1) These regulations may be cited as the **Care Centres (Compounding of Offences) Regulations 2011**.

(2) These Regulations come into operation on 15 August 2011.

Compoundable offences

2. All offences committed under the Act and any regulations made under this Act are prescribed as compoundable offences.

Offer and acceptance of compound

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

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

Service of Notice of Offer to Compound Offences

4. (1) For the purpose of subregulation 3(1), the Director General shall serve the Notice of Offer to Compound Offences as specified in Form 1 of the Schedule on the person who is reasonably suspected of having committed the offence through the following means:

(a) personal service;

(b) Acknowledged Receipt (A.R.) Registered Post to the last known address; or

(c) by affixing the Notice at the conspicuous place of the care centre.

(2) If it appears to the Director General that it is impracticable in effecting service of the Notice through the means as specified under subregulation (1), the Director General may serve the Notice through any means as he thinks fit.

(3) The service of the Notice under paragraphs 1(b) and (c) and subregulation (2) is deemed to be service on the person.

Payment of compound

5. (1) If an offer to compound a compoundable offence is made and accepted by the person to whom the offer is made, any payment of compound shall be made in cash or by money order, postal order, cashier's order, banker's order, banker's cheque or bank draft payable to the Director General and crossed with the words "Account Payee Only".

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

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

SCHEDULE

[Regulations 3, 4 and 5]

FORM 1

CARE CENTRES ACT 1993

CARE CENTRES (COMPOUNDING OF OFFENCES) REGULATIONS 2011

[Subregulation 3(1)]

NOTICE OF OFFER TO COMPOUND OFFENCES

When replying please quote:

Reference number:

Date:

To:

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

Sir/Madam*,

An inspection has been conducted and you are found to have committed an offence under the Care Centres Act 1993 [*Act 506*]/regulations made under the Act* with the following particulars:

(a) Relevant provision under the Act/regulations made under the Act*:
.....
.....

(b) Date:.....Time:.....

(c) Place:.....
.....
.....

(d) Particulars of offence:.....
.....
.....
.....

2. Pursuant to section 21A of the Act, you are offered a compound for the offence as stated above for the sum of RM..... (Ringgit Malaysia:). Payment shall be made in cash/by money order or postal order/cashier's order/banker's order/banker's cheque/bank draft* to the Director General and crossed with the words "Account Payee Only".

3. An official receipt shall be issued upon receipt of payment by the Director General.

4. This offer to compound remains in force until and if no payment is received on or before that date, prosecution for the offence may be instituted without further notice.

Date:

Official Stamp:.....

.....
For and on behalf of the Director General of
Social Welfare Malaysia

**Delete whichever is inapplicable*

FORM 2

CARE CENTRES ACT 1993

CARE CENTRES (COMPOUNDING OF OFFENCES) REGULATIONS 2011

[Subregulation 3(2)]

ACCEPTANCE OF OFFER TO COMPOUND OFFENCES

Report Number:

To:

Director General

Social Welfare Department of Malaysia

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

I refer to the Notice of Offer to Compound Offences bearing the reference number..... dated

2. I accept the offer to compound and enclosed is cash/money order/postal order/cashier's order/banker's order/banker's cheque/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 Offences.

Signature:

Name:
(In capital letter)

Identity Card Number:

Address:

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

Date :

**Delete whichever is inapplicable*

Made 11 July 2011

[KPWK(M):09/06/08/2; PN(PU2)516/III]

SENATOR DATO' SRI SHAHRIZAT BINTI ABDUL JALIL
Minister of Women, Family and Community Development