



17 Ogos 2011
17 August 2011
P.U. (A) 276

WARTA KERAJAAN PERSEKUTUAN

*FEDERAL GOVERNMENT
GAZETTE*

PERATURAN-PERATURAN PENGANGKUTAN AWAM
DARAT (PENGGOMPAUNAN KESALAHAN) 2011

*LAND PUBLIC TRANSPORT (COMPOUNDING OF OFFENCES)
REGULATIONS 2011*



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

AKTA PENGANGKUTAN AWAM DARAT 2010

PERATURAN-PERATURAN PENGANGKUTAN AWAM DARAT (PENGKOMPANAN
KESALAHAN) 2011

PADA menjalankan kuasa yang diberikan oleh perenggan 252(1)(e) Akta Pengangkutan Awam Darat [*Akta 715*], Menteri membuat peraturan-peraturan yang berikut:

Nama dan permulaan kuat kuasa

1. (1) Peraturan-peraturan ini bolehlah dinamakan **Peraturan-Peraturan Pengangkutan Awam Darat (Pengkompunan Kesalahan) 2011**.

(2) Peraturan-Peraturan ini mula berkuat kuasa pada 17 Ogos 2011.

Kesalahan yang boleh dikompun

2. Kesalahan-kesalahan yang berikut ditetapkan sebagai kesalahan yang boleh dikompun:

(a) kesalahan di bawah seksyen 152, 199, 200, 202 dan 206 dan subseksyen 14(2), 22(3), 45(6), 46(2), 48(2), 49(2), 71(2), 72(6), 73(3), 75(7), 77(4), 77(5), 78(2), 81(1), 82(3), 151(1), 151(2) dan 203(2) Akta; dan

(b) kesalahan terhadap Kaedah-Kaedah Bas Sekolah (Warna dan Tanda) 1987 [*P.U. (A) 437/1987*].

Pengkompunan kesalahan

3. (1) Suatu tawaran untuk mengkompun kesalahan oleh orang yang dinyatakan dalam subseksyen 235(2) Akta hendaklah dibuat dalam Borang 1 Jadual.

(2) Seseorang yang menyetujui terima suatu tawaran untuk mengkompun kesalahan di bawah subperaturan (1) hendaklah mengemukakan bayaran bagi kompun itu dengan menggunakan Borang 2 Jadual.

Pembayaran kompaun

4. (1) Apa-apa pembayaran kompaun berkenaan dengan suatu kesalahan yang dikompaun hendaklah dibuat secara tunai atau melalui kiriman wang, wang pos atau draf bank yang kena dibayar kepada Kumpulan Wang SPAD dan dipalang dengan perkataan "Akaun Penerima Sahaja".

(2) Apa-apa pembayaran yang dibuat-

(a) secara tunai hendaklah diserahkan sendiri; atau

(b) melalui selain tunai boleh diserahkan sendiri atau dihantar melalui pos berdaftar prabayar yang dialamatkan,

ke pejabat orang yang membuat tawaran untuk mengkompaun itu.

(3) Orang yang membuat tawaran untuk mengkompaun kesalahan di bawah subperaturan 3(1) hendaklah mengeluarkan suatu resit rasmi bagi bayaran kompaun kepada orang yang kepadanya tawaran untuk mengkompaun itu dibuat.

Penyampaian tawaran bertulis, dsb., melalui pos

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

Pembatalan

6. Kaedah-Kaedah Lembaga Pelesenan Kenderaan Perdagangan (Pengkompanaan Kesalahan) 2003 [*P.U. (A) 54/2003*] dibatalkan berkenaan dengan pemakaiannya bagi Semenanjung Malaysia.

JADUAL

Borang 1
[subperaturan 3(1)]

Form 1
[subregulation 3(1)]

AKTA PENGANGKUTAN AWAM DARAT 2010
LAND PUBLIC TRANSPORT ACT 2010

PERATURAN-PERATURAN PENGANGKUTAN AWAM DARAT
(PENGKOMPANAN KESALAHAN) 2011

LAND PUBLIC TRANSPORT (COMPOUNDING OF OFFENCES)
REGULATIONS 2011

NOTIS TAWARAN UNTUK MENKOMPAN KESALAHAN
NOTICE OF OFFER TO COMPOUND OFFENCE

Apabila menjawab sila nyatakan:

When replying please quote:

No. Rujukan/*Reference No.* :.....

Tarikh/*Date*:.....

Kepada/*To*:

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

(Nama, jawatan dan alamat orang yang membuat tawaran untuk mengkompaun)
(Name, designation and address of person who made the offer to compound)

Tuan/Puan,
Sir/ Madam,

Suatu maklumat/aduan* terhadap anda/syarikat* (nyatakan nama syarikat) telah diterima yang mengatakan pelakuan suatu kesalahan di bawah seksyen/peraturan*.....
.....
..... **

An information/complaint against you/company* (state name of company) has been received alleging the commission of an offence under section/regulation*.....*
.....
..... **

Tarikh/Date:.....

Masa/Time:.....

Tempat/Place:.....

Nombor pendaftaran kenderaan/
Vehicle registration number:.....

Butir-butir kesalahan/
Particulars of the offence:
.....
.....
.....

2. Menurut subseksyen 235(2) Akta Pengangkutan Awam Darat 2010 [Akta 715], anda ditawarkan suatu kompaun bagi kesalahan yang dinyatakan di atas bagi jumlah wang sebanyak RM..... (Ringgit Malaysia:).

2. Pursuant to subsection 235(2) of the Land Public Transport Act 2010 [Act 715], you are offered a compound for the offence as stated above for the sum of RM..... (Ringgit Malaysia:).

3. Jika tawaran di atas diterima, pembayaran boleh dibuat-

(a) secara tunai dan hendaklah diserahkan sendiri; atau

(b) melalui kiriman wang, wang pos atau draf bank yang kena dibayar kepada Kumpulan Wang SPAD dan dipalang dengan perkataan "Akaun Penerima Sahaja" dan boleh diserahkan sendiri atau dihantar melalui pos parabayar dahulu di alamat yang berikut:

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

3. *If the above offer is accepted, payment may be made-*

(a) *in cash and shall be delivered personally; or*

(b) *by money order, postal order or banker's draft made payable to the Kumpulan Wang SPAD and crossed with the words "Account Payee Only" and may be delivered personally or sent by prepaid registered post at the following address:*

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

4. Suatu resit rasmi akan dikeluarkan apabila bayaran diterima.

4. *An official receipt will be issued on receipt of payment.*

5. Tawaran untuk mengkompaun kesalahan ini berkuat kuasa sehingga dan jika tiada jawapan diterima pada atau sebelum tarikh itu, prosiding pendakwaan akan dimulakan tanpa notis selanjutnya.

5. *This offer to compound the offence remains in force until and if no reply is received on or before that date, prosecution proceedings will be instituted without further notice.*

Tarikh/Date:

.....
Tandatangan pegawai yang mengkompaun

.....
Signature of compounding officer

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

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

Borang 2
[subperaturan 3(2)]

Form 2
[subregulation 3(2)]

AKTA PENGANGKUTAN AWAM DARAT 2010
LAND PUBLIC TRANSPORT ACT 2010

PERATURAN-PERATURAN PENGANGKUTAN AWAM DARAT
(PENGKOMPANAN KESALAHAN) 2011

LAND PUBLIC TRANSPORT (COMPOUNDING OF OFFENCES)
REGULATIONS 2011

PENERIMAAN TAWARAN UNTUK MENKOMPAN
ACCEPTANCE OF OFFER TO COMPOUND

No. Laporan/*Report No.* :.....

Kepada/*To:*

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

(Nama, jawatan dan alamat orang yang membuat tawaran untuk mengkompaun)
(*Name, designation and address of person who made the offer to compound*)

Tuan/ Puan,
Sir/ Madam,

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

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

2. Saya bersetuju untuk menerima tawaran untuk mengkompaun itu dan menyertakan bersama-sama ini wang tunai/ kiriman wang/ wang pos/ draf bank* no. :..... bagi jumlah wang sebanyak RM..... (Ringgit Malaysia:) sebagai penyelesaian penuh jumlah wang yang disyaratkan dalam perenggan 2 Notis Tawaran Untuk Mengkompaun Kesalahan itu.

2. I accept the offer to compound and enclose herewith cash/money order/postal order/banker's 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:
(Dalam huruf besar)/ (In capital letters)

Nombor Kad Pengenalan/Identity Card Number.:

Nama jawatan/Designation:

(Jika berkenaan)/(If applicable)

Bagi pihak/ For and on behalf:.....
(Nyatakan nama syarikat/perniagaan/badan lain*)/(State the name of company/business/other body*)
(Jika berkenaan)/ (If applicable)

Meterai syarikat/Cap perniagaan atau badan lain*/ Company's seal/Stamp of business or other body*:

No. Pendaftaran Syarikat/ No. Lesen/ No. Permit*/ Company's Registration No./ Licence No./ Permit No.*:
(Jika berkenaan)/ (If applicable)

Alamat/ Address:

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

Tarikh/ Date:.....

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

Dibuat 9 Ogos 2011
[SPAD/SL/1/2011; PN(PU2)692]

DATO' SRI MOHD NAJIB BIN TUN ABDUL RAZAK
Perdana Menteri

LAND PUBLIC TRANSPORT ACT 2010

LAND PUBLIC TRANSPORT (COMPOUNDING OF OFFENCES) REGULATIONS 2011

IN exercise of the powers conferred by paragraph 252(1)(e) of the Land Public Transport Act 2010 [Act 715], the Minister makes the following regulations:

Citation and commencement

1. (1) These regulations may be cited as the **Land Public Transport (Compounding of Offences) Regulations 2011**.

(2) These Regulations come into operation on 17 August 2011.

Compoundable offences

2. The following offences are prescribed to be compoundable offences:

(a) offences under sections 152, 199, 200, 202 and 206 and subsections 14(2), 22(3), 45(6), 46(2), 48(2), 49(2), 71(2), 72(6), 73(3), 75(7), 77(4), 77(5), 78(2), 81(1), 82(3), 151(1), 151(2) and 203(2) of the Act; and

(b) offences against the School Bus (Colour and Markings) Rules 1987 [P.U. (A) 437/1987].

Compounding of offence

3. (1) An offer to compound an offence by the person specified in subsection 235(2) of the Act shall be made in Form 1 of the Schedule.

(2) A person who accepts an offer to compound an offence under subregulation (1) shall furnish payment for the compound by using Form 2 of the Schedule.

Payment of compound

4. (1) Any payment of compound in respect of a compounded offence shall be made in cash or by money order, postal order or banker's draft made payable to the Kumpulan Wang SPAD and crossed with the words "Account Payee Only".

(2) Any payment made-

(a) in cash shall be delivered personally; or

(b) by other than cash may be delivered personally or sent by prepaid registered post addressed,

to the office of the person who made the offer to compound.

(3) The person who made an offer to compound an offence under subregulation 3(1) shall issue an official receipt for the payment of compound to the person to whom the offer to compound was made.

Service of written offer, etc., by post

5. Where a written offer or other document is served by prepaid registered 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.

Revocation

6. The Commercial Vehicles Licensing Board (Compounding of Offences) Rules 2003 [*P.U. (A) 54/2003*] are revoked in respect of their application to Peninsular Malaysia.

SCHEDULE

Borang 1
[subperaturan 3(1)]

Form 1
[subregulation 3(1)]

AKTA PENGANGKUTAN AWAM DARAT 2010
LAND PUBLIC TRANSPORT ACT 2010

PERATURAN-PERATURAN PENGANGKUTAN AWAM DARAT
(PENGKOMPANAN KESALAHAN) 2011

LAND PUBLIC TRANSPORT (COMPOUNDING OF OFFENCES)
REGULATIONS 2011

NOTIS TAWARAN UNTUK MENGGOMPAUN KESALAHAN
NOTICE OF OFFER TO COMPOUND OFFENCE

Apabila menjawab sila nyatakan:
When replying please quote:

No. Rujukan/ *Reference No.* :.....
Tarikh/ *Date*:.....

Kepada/ *To*:
.....
.....
.....
.....

(Nama, jawatan dan alamat orang yang membuat tawaran untuk mengkompaun)
(Name, designation and address of person who made the offer to compound)

Tuan/Puan,
Sir/ Madam,

Suatu maklumat/aduan* terhadap anda/syarikat* (nyatakan
nama syarikat)..... telah diterima yang
mengatakan pelakuan suatu kesalahan di bawah
seksyen/peraturan*.....
.....
..... **

An information/complaint* against you/company* (state name of company) has been received alleging the commission of an offence under section/regulation*.....
.....
..... **

Tarikh/ Date:.....

Masa/ Time:.....

Tempat/ Place:.....

Nombor pendaftaran kenderaan/
Vehicle registration number:.....

Butir-butir kesalahan/
Particulars of the offence:

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

2. Menurut subseksyen 235(2) Akta Pengangkutan Awam Darat 2010 [Akta 715], anda ditawarkan suatu kompaun bagi kesalahan yang dinyatakan di atas bagi jumlah wang sebanyak RM..... (Ringgit Malaysia:).

2. Pursuant to subsection 235(2) of the Land Public Transport Act 2010 [Act 715], you are offered a compound for the offence as stated above for the sum of RM..... (Ringgit Malaysia:).

3. Jika tawaran di atas diterima, pembayaran boleh dibuat-

(a) secara tunai dan hendaklah diserahkan sendiri; atau

(b) melalui kiriman wang, wang pos atau draf bank yang kena dibayar kepada Kumpulan Wang SPAD dan dipalang dengan perkataan "Akaun Penerima Sahaja" dan boleh diserahkan sendiri atau dihantar melalui pos parabayar dahulu di alamat yang berikut:

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

3. *If the above offer is accepted, payment may be made-*

(a) *in cash and shall be delivered personally; or*

(b) *by money order, postal order or banker's draft made payable to the Kumpulan Wang SPAD and crossed with the words "Account Payee Only" and may be delivered personally or sent by prepaid registered post at the following address:*

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

4. Suatu resit rasmi akan dikeluarkan apabila bayaran diterima.

4. *An official receipt will be issued on receipt of payment.*

5. Tawaran untuk mengkompaun kesalahan ini berkuat kuasa sehingga dan jika tiada jawapan diterima pada atau sebelum tarikh itu, prosiding pendakwaan akan dimulakan tanpa notis selanjutnya.

5. *This offer to compound the offence remains in force until and if no reply is received on or before that date, prosecution proceedings will be instituted without further notice.*

Tarikh/Date:

.....
Tandatangan pegawai yang mengkompaun

.....
Signature of compounding officer

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

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

Borang 2
[subperaturan 3(2)]

Form 2
[subregulation 3(2)]

AKTA PENGANGKUTAN AWAM DARAT 2010
LAND PUBLIC TRANSPORT ACT 2010

PERATURAN-PERATURAN PENGANGKUTAN AWAM DARAT
(PENGKOMPANAN KESALAHAN) 2011

LAND PUBLIC TRANSPORT (COMPOUNDING OF OFFENCES)
REGULATIONS 2011

PENERIMAAN TAWARAN UNTUK MENKOMPAN
ACCEPTANCE OF OFFER TO COMPOUND

No. Laporan/ *Report No.* :.....

Kepada/ *To*:

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

(Nama, jawatan dan alamat orang yang membuat tawaran untuk mengkompaun)
(*Name, designation and address of person who made the offer to compound*)

Tuan/ Puan,
Sir/ Madam,

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

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

2. Saya bersetuju untuk menerima tawaran untuk mengkompaun itu dan menyertakan bersama-sama ini wang tunai/kiriman wang/wang pos/draf bank* no. :..... bagi jumlah wang sebanyak RM..... (Ringgit Malaysia:) sebagai penyelesaian penuh jumlah wang yang disyaratkan dalam perenggan 2 Notis Tawaran Untuk Mengkompaun Kesalahan itu.

2. I accept the offer to compound and enclose herewith cash/money order/postal order/banker's 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:

(Dalam huruf besar)/ (In capital letters)

Nombor Kad Pengenalan/Identity Card Number.:

Nama jawatan/Designation:

(Jika berkenaan)/(If applicable)

Bagi pihak/For and on behalf:.....

(Nyatakan nama syarikat/perniagaan/badan lain*)/(State the name of company/business/other body*)

(Jika berkenaan)/ (If applicable)

Meterai syarikat/Cap perniagaan atau badan lain*/ Company's seal/Stamp of business or other body*:

No. Pendaftaran Syarikat/ No. Lesen/ No. Permit*/ Company's Registration No./

Licence No./ Permit No.*:

(Jika berkenaan)/ (If applicable)

Alamat/ Address:

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

Tarikh/ Date:.....

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

Made 9 August 2011

[SPAD/SL/1/2011; PN(PU2)692]

DATO' SRI MOHD NAJIB BIN TUN ABDUL RAZAK
Prime Minister