

P.U. (A) 132.

AKTA KOPERASI 1993

**PERATURAN-PERATURAN KOPERASI (PENGGOMPAUNAN
KESALAHAN) 2010**

SUSUNAN PERATURAN-PERATURAN

Peraturan

1. Nama dan permulaan kuat kuasa
2. Kesalahan boleh kompaun
3. Tawaran untuk mengkompaun
4. Pembayaran kompaun

JADUAL

AKTA KOPERASI 1993

PERATURAN-PERATURAN KOPERASI (PENGKOMPAUNAN KESALAHAN) 2010

PADA menjalankan kuasa yang diberikan oleh subseksyen 86(2)(v) dan seksyen 93 Akta Koperasi 1993 [*Akta 502*], Suruhanjaya, dengan kelulusan Menteri, membuat peraturan-peraturan yang berikut:

Nama dan permulaan kuat kuasa

1. (1) Peraturan-peraturan ini bolehlah dinamakan **Peraturan-Peraturan Koperasi (Pengkompaunan Kesalahan) 2010**.

(2) Peraturan-Peraturan ini mula berkuat kuasa pada 3 Mei 2010.

Kesalahan boleh kompaun

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

Tawaran untuk mengkompaun

3. (1) Sesuatu tawaran untuk mengkompaun suatu kesalahan boleh kompaun hendaklah dibuat dalam Borang 1 Jadual.

(2) Mana-mana orang yang menerima suatu tawara untuk mengkompaun suatu kesalahan boleh kompaun hendaklah mengemukakan bayaran bagi kompaun dalam Borang 2 Jadual.

Pembayaran kompaun

4. (1) Jika suatu tawaran untuk mengkompaun suatu kesalahan boleh kompaun telah dibuat dan diterima oleh orang yang kepadanya tawaran itu dibuat, apa-apa pembayaran kompaun hendaklah dibuat melalui kiriman wang, kiriman wang pos, pesanan juruwang, cek jurubank atau draf bank yang boleh dibayar kepada “Kumpulan Wang Operasi SKM” dan dipalang “Akaun Penerima Sahaja”.

(2) Pembayaran kompaun hendaklah diserahkan sendiri atau dihantar melalui pos berbayar dahulu ke alamat yang dinyatakan dalam borang Tawaran Untuk Mengkompaun Kesalahan.

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

JADUAL

PERATURAN-PERATURAN KOPERASI (PENGKOMPAUNAN KESALAHAN) 2010

BORANG 1

[Subperaturan 3(1)]

AR BERDAFTAR

No. Rujukan:

Tarikh :

Kepada:

.....

.....

.....

.....

Tuan/Puan*,

TAWARAN MENGGOMPAUN SUATU KESALAHAN

Menurut maklumat/aduan yang diterima, saya berpendapat bahawa tuan/puan telah melakukan kesalahan yang berikut:

Peruntukan undang-undang yang berkaitan:.....

Tarikh:..... Waktu:.....

Tempat:.....

Butir-butir kesalahan:.....

2. Tuan/Puan adalah dengan ini diberitahu bahawa menurut kuasa yang terletak hak pada Pengerusi Eksekutif Suruhanjaya di bawah subseksyen 93(1) Akta Koperasi 1993, Pengerusi Eksekutif Suruhanjaya dengan ini menawarkan untuk mengkompaunkan kesalahan itu bagi jumlah RM..... (.....ringgit).

3. Jika tawaran ini diterima, pembayaran hendaklah dibuat melalui kiriman wang, kiriman wang pos, pesanan juruwang, cek jurubank atau draf bank yang boleh dibayar kepada “Kumpulan Wang Operasi SKM” dan dipalang “Akaun Penerima Sahaja” dan boleh diserahkan sendiri atau dihantar melalui pos berbayar dahulu ke alamat yang berikut:

Pengerusi Eksekutif
Suruhanjaya Koperasi Malaysia
Tingkat 7, Blok J
Pusat Bandar Damansara
50608 Kuala Lumpur

4. Suatu resit rasmi akan dikeluarkan apabila bayaran diterima oleh Suruhanjaya.

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

Tarikh:.....

*Pengerusi Eksekutif
Suruhanjaya Koperasi Malaysia*

PERATURAN-PERATURAN KOPERASI (PENGKOMPAUNAN KESALAHAN) 2010

BORANG 2

[Subperaturan 3(2)]

Kepada:

Pengerusi Eksekutif
Suruhanjaya Koperasi Malaysia
Tingkat 7, Blok J
Pusat Bandar Damansara
50608 Kuala Lumpur

MENERIMA TAWARAN MENGKOMPAUN

Saya merujuk kepada tawaran mengkompaun suatu kesalahan dengan rujukan.....
bertarikh.....

2. Saya menerima tawaran ini dan menyertakan bersama-sama ini kiriman wang/kiriman wang
pos/pesanan juruwang/cek jurubank/draf bank* No..... bagi jumlah sebanyak
RM..... (..... ringgit) bagi menjelaskan
bayaran kompaun ini.

Tandatangan:

Nama (Huruf Besar):

Nombor K/P:

Alamat:

Tarikh:

*Potong mana-mana yang tidak berkenaan

Dibuat 23 April 2010
[SKM.IP(AM)7875; PN(PU²)527/XIII]

DATO' MANGSOR BIN SAAD
Pengerusi Eksekutif
Suruhanjaya Koperasi Malaysia

Diluluskan

DATO' SRI ISMAIL SABRI BIN YAAKOB
Menteri Perdagangan Dalam Negeri, Koperasi dan Kepenggunaan

CO-OPERATIVES SOCIETIES ACT 1993

CO-OPERATIVE SOCIETIES (COMPOUNDING OF OFFENCES)
REGULATIONS 2010

ARRANGEMENT OF REGULATIONS

Regulation

1. Citation and commencement
2. Compoundable offence
3. Offer to compound
4. Payment of compound

SCHEDULE

CO-OPERATIVE SOCIETIES ACT 1993

CO-OPERATIVE SOCIETIES (COMPOUNDING OF OFFENCES) REGULATIONS 2010

IN exercise of the powers conferred by paragraph 86(2)(v) and section 93 of the Co-operative Societies Act 1993 [*Act 502*], the Commission, with the approval of the Minister, makes the following regulations:

Citation and commencement

1. (1) These regulations may be cited as the **Co-operative Societies (Compounding of Offences) Regulations 2010**.

(2) These Regulations come into operation on 3 May 2010.

Compoundable offence

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

Offer to compound

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

(2) Any person who accepts an offer to compound a compoundable offence shall furnish payment for the compound in Form 2 of the Schedule.

Payment of compound

4. (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 by money order, postal order, cashier's order, banker's order or banker's draft made payable to the "SKM Operation Fund" and crossed "Account Payee Only".

(2) The payment of compound shall be delivered personally or sent by prepaid post to the address specified in the Offer to Compound Offences form.

(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

CO-OPERATIVE SOCIETIES (COMPOUNDING OF OFFENCES) REGULATIONS 2010

FORM 1

[Subregulation 3(1)]

AR REGISTERED

Reference No.:

Date :

To:

.....

Sir/Madam*,

OFFER TO COMPOUND

It appears to me, on information/complaint received, that you have committed the following offence:

Relevant provisions of the law:.....

Date:..... Time:.....

Place:.....

Particulars of offence:.....

2. You are hereby informed that by virtue of the power vested in the Executive Chairman of the Commission under subsection 93(1) of the Co-operative Societies Act 1993, the Executive Chairman of the Commission hereby offers to compound the offence for the sum of RM.....
 (.....ringgit).

3. If this offer is accepted, payment shall be made by money order, postal order, cashier's order, banker's order or banker's draft made payable to the "SKM Operation Fund" and crossed "Account Payee Only" and may be delivered personally or sent by prepaid post to the following address:

Executive Chairman
 Malaysia Co-operative Societies Commission
 7th Floor, Block J
 Pusat Bandar Damansara
 50608 Kuala Lumpur

4. An official receipt shall be issued upon receipt of payment by the Commission.

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

Date:.....

Executive Chairman
Malaysia Co-operative Societies Commission

CO-OPERATIVE SOCIETIES (COMPOUNDING OF OFFENCES) REGULATIONS 2010

FORM 2

[Subregulation 3(2)]

To:

Executive Chairman
Malaysia Co-operative Societies Commission
7th Floor, Block J
Pusat Bandar Damansara
50608 Kuala Lumpur

ACCEPTANCE OF OFFER TO COMPOUND

I refer to the offer to compound an offence bearing reference and dated

2. I accept the offer and enclose herewith a money order/postal order/cashier's order/ banker's order/banker's draft* No.:..... for the sum of RM..... (..... ringgit) in full settlement of the compound.

Signature:

Name (Block Letters):

NRIC No.:

Address:

Date:

*Delete whichever is inapplicable

Made 23 April 2010
[SKM.IP(AM)7875; PN(PU²)527/XIII]

DATO' MANGSOR BIN SAAD
Executive Chairman
Malaysia Co-operative Societies Commission

Approved

DATO' SRI ISMAIL SABRI BIN YAAKOB
Minister of Domestic Trade and Cooperative Societies and Consumerism