

GAS SUPPLY ENACTMENT 2023
(No. 12 of 2022)

GAS SUPPLY (COMPOUNDING OF OFFENCES) REGULATIONS 2023
(G.N.S 2 of 2023)

ARRANGEMENT OF REGULATIONS

Regulation

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2. Compounding of offences
3. Payment of compound
4. Offer to compound before institution of prosecution
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SCHEDULE

GAS SUPPLY ENACTMENT 2023 **(No. 12 of 2022)**

GAS SUPPLY (COMPOUNDING OF OFFENCES) REGULATIONS 2023 **(G.N.S 2 of 2023)**

IN exercise of the powers conferred by paragraph 80(r) of the Gas Supply Enactment 2023, the Minister makes the following regulations:

Citation and commencement

1. (1) These regulations may be cited as the Gas Supply (Compounding of Offences) Regulations 2023.

(2) These Regulations come into operation on 10 January 2023.

Compounding of offences

2. (1) An offer to compound shall be made by the Chief Executive Officer of the Energy Commission in Form 1 of the Schedule.

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

Payment of compound

3. (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 by money order, postal order, cashier's order, banker's cheque or bank draft to the Chairman of the Energy Commission and crossed with the words "Account Payee Only".

(2) The payment under subregulation (1) shall be delivered personally or send by registered post to the address specified in the notice of offer to compound.

(3) Notwithstanding subregulation (1), the person to whom the offer to compound an offence is made may make payment by electronic means as determined by the Commission from time to time.

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

Offer to compound before institution of prosecution

4. (1) An offer to compound under these Regulations may be made at any time after the offence has been committed, but before any prosecution in respect of the offence has been instituted.

(2) Where the amount of money stated in the notice of offer to compound is not paid within the time specified in that notice, or any extension of time as may be granted, prosecution for the offence may be instituted at any time thereafter against the person to whom the offer was made without any further notice.

Service of notice of offer to compound by post

5. Where a notice of offer to compound is served by prepaid registered post, the notice shall be deemed to have been delivered at the time when it is delivered in the ordinary course of posting.

SCHEDULE

GAS SUPPLY ENACTMENT 2023

GAS SUPPLY (COMPOUNDING OF OFFENCES) REGULATIONS 2023

Form 1

[Subregulation 2(1)]

NOTICE OF OFFER TO COMPOUND OFFENCES

When replying please quote:

Reference No.:

Date :.....

To:

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

Sir/Madam,

A complaint has been made against you stating that you are reasonably suspected of having committed an offence under the Gas Supply Enactment 2023 with the following particulars:

(a) Relevant provision of the law:

(b) Date: Time..... a.m. / p.m.*

(c) Place:

(d) Particulars of offence:

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

2. You are informed that by virtue of the power vested in me by subsection 63(1) of the Gas Supply Enactment 2023, I hereby offer to compound the offence for the sum of RM(Ringgit Malaysia.....).

3. If this offer is accepted, payment should be made by money order, postal order, cashier's order, banker's cheque or bank draft made payable to the Chairman of the Energy Commission and crossed with the words "Account Payee Only" and may be delivered personally or send by prepaid registered post at the following address:

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

4. Payment can additionally be made via electronic means through methods as determined by the Commission from time to time.

5. An official receipt will be issued on receipt of payment.

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

Date:

.....
Chief Executive Officer
Energy Commission of Sabah

*Delete whichever is inapplicable.

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FORM 2

[Subregulation 2(2)]

ACCEPTANCE OF OFFER TO COMPOUND OFFENCES

Report No.:.....

To:

Chief Executive Officer Energy
Commission of Sabah

I refer to the notice of offer to compound offences bearing the reference number
dated

2. I accept the offer and enclose herewith is money order/postal order/cashier'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.

Signature

Name:

(In capital letter)

Identity Card Number:

Address:.....

.....

.....

Date:.....

*Delete whichever is inapplicable.

FOR REFERENCE ONLY (May 2023)

Made this 10 January 2023.

DATUK SERI PANGLIMA HAJI HAJI BIN HAJI NOOR,
Chief Minister of Sabah.

Sabah LawNet