

FOREST (TIMBER) ENACTMENT 2015

(No. 2 of 2015)

FOREST (TIMBER) (COMPOUNDING OF OFFENCES) REGULATIONS 2017

(G.N.S 5 of 2017)

IN exercise of the powers conferred by paragraph 50 (2) (b) of the Forest (Timber) Enactment 2015, the Minister makes the following regulations:

Citation and commencement

1. (1) These regulations may be cited as the Forest (Timber) (Compounding of Offences) Regulations 2017.

(2) These Regulations are deemed to have come into operation on 2 June 2017.

Compounding of 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 within one calendar month from the date of receipt the offer to compound or within such extended period as the Chief Conservator may grant.

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 Chief Conservator 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]

(1)	(2)	(3)
<i>Legislation</i>	<i>Compoundable offences</i>	<i>Amount of compound</i>
Forest (Timber) Enactment 2015	Subsection 18 (8)	RM50,000.00
	Subsection 22 (3)	RM50,000.00
	Subsection 37 (2)	RM50,000.00
	Subsection 38 (2)	RM50,000.00
	Subsection 42	RM50,000.00
	Subsection 50 (3)	RM75,000.00

SECOND SCHEDULE

BORANG 1
[Subperaturan 3 (1)]
FORM 1
[Subregulation 3 (1)]

ENAKMEN HUTAN (KAYU) 2015
FOREST (TIMBER) ENACTMENT 2015

PERATURAN-PETURAN HUTAN (KAYU)
(PENGKOMPANAN KESALAHAN) 2017
FOREST (TIMBER) (COMPOUNDING OF OFFENCES) REGULATIONS 2017
[Subperaturan 3 (1)]
[Subregulation 3 (1)]

TAWARAN UNTUK MENKOMPAN KESALAHAN
OFFER TO COMPOUND OFFENCES

Apabila menjawab sila nyatakan :
When replying please quote :

Nombor Rujukan/Reference No. :

Tarikh/Date :

Ketua Konservator
Chief Conservator
Jabatan Perhutanan Sabah
Ibu Pejabat Perhutanan
Km 11, Jalan Utara
Beg Berkunci 68
90009 Sandakan, Sabah

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

Tuan/Puan,
Sir/Madam,

Suatu siasatan telah dibuat pada Sijil Pendaftarandan
didapati suatu kesalahan dibawah Enakmen Hutan (Kayu) 2015 telah dilakukan dibawah
seksyen/peraturan/kaedah* ** dengan butir-butir yang berikut:

An investigation had been made on Certificate of Registration

and found that an offence under the Forest (Timber) Enactment 2015 has been committed under section/regulation/rule* ** 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 43 (1) Enakmen Hutan (Kayu) 2015 dan subpertaruan 3 (1) Peraturan-Peraturan Hutan (Kayu) (Pengkompanaan Kesalahan) 2017, anda ditawarkan suatu kompaun ke atas kesalahan yang dinyatakan di atas bagi jumlah wang sebanyak RM (Ringgit Malaysia)) dan hendaklah kena dibayar dalam tempoh satu bulan dari tarikh tawaran ini diterima.

2. Pursuant to subsection 43 (1) of the Forest (Timber) Enactment 2015 and subregulation 3 (1) of the Forest (Timber) (Compounding of Offences) Regulations 2017, you are offered a compound for the offence as stated above for the sum of RM (Ringgit Malaysia)) and shall be payable within one calendar month from the date of this offer receipt.

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

Jabatan Perhutanan Sabah
Ibu Pejabat Perhutanan
Km 11, Jalan Utara
Beg Berkunci 68
90009 Sandakan, Sabah

3. If this offer is accepted, payment shall be made by cash/money order/postal order/cashier's order/banker's order/bank draft made payable to the "**Chief Conservator**" 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:

Sabah Forestry Department
Forestry Headquarters
Km. 11, Jalan Utara
Locked Bag 68
90009 Sandakan, Sabah

4. Resit rasmi akan dikeluarkan apabila bayaran diterima.

4. *An official receipt shall be issued 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 Konservator/*Chief Conservator*

* 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)]

ENAKMEN HUTAN (KAYU) 2015
FOREST (TIMBER) ENACTMENT 2015

PERATURAN-PETURAN HUTAN (KAYU)
(PENGGOMPAUNAN KESALAHAN) 2017
FOREST (TIMBER) (COMPOUNDING OF OFFENCES) REGULATIONS 2017
[Subperaturan 3 (2)]
[Subregulation 3 (2)]

PENERIMAAN TAWARAN UNTUK MENGGOMPAUN KESALAHAN
ACCEPTANCE OF OFFER TO COMPOUND OFFENCES

Kepada/To :

Ketua Konservator
Chief Conservator
Jabatan Perhutanan Sabah
Ibu Pejabat Perhutanan
Km 11, Jalan Utara
Beg Berkunci 68
90009 Sandakan, Sabah

Tuan/Puan,
Sir/Madam,

Saya merujuk kepada Tawaran untuk Mengkompaun Kesalahan dengan no. Rujukan
..... bertarikh

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

2. Saya bersetuju untuk menerima tawaran untuk mengkompaun itu dan menyerahkan
bersama-sama ini wang tunai/wang kiriman pos/pesanan juruwang/pesanan bank/draf
bank* No. bagi jumlah wang sebanyak
RM (Ringgit Malaysia
.....) sebagai penyelesaian penuh jumlah yang
dinyatakan dalam perenggan 2 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 Offer to Compound Offences.*

Tandatangan/*Signature* :

Nama/*Name* :

No. K/P//C No.

Tarikh/*Date* :

Alamat/*Address* :

.....

.....

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

Sabah LawNet