



WARTA KERAJAAN NEGERI JOHOR
GOVERNMENT OF JOHORE GAZETTE



**Undang-Undang Kecil
Mengkompaun Kesalahan-Kesalahan
Jalan, Parit dan Bangunan
(Majlis Perbandaran Pengerang)
2023**

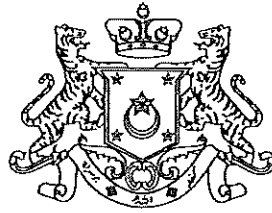
***Street, Drainage and Building
Compounding of Offences
(Pengerang Municipal Council)
2023***

Jenis Sumber Kuasa	Perundangan Subsidiari – Undang-Undang Kecil / <i>By-Laws</i>
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Versi	Bahasa Inggeris
Nombor Warta	J. P.U. 44 / 2023
Tarikh Warta	31 Ogos 2023
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**UNIT UNDANG-UNDANG
MAJLIS PERBANDARAN PENERANG**

Majlis Perbandaran Pengerang, No. 7, Jalan Kempas 1
Taman Djaru Utama, 81930 Bandar Penawar, JOHOR
07-886 2692 07-886 2656 legakunit@mppengerang.gov.my



NEGERI JOHOR

Warta Kerajaan

DITERBITKAN DENGAN KUASA

GOVERNMENT OF JOHORE GAZETTE

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*TAMBAHAN No. 13
PERUNDANGAN*

STREET, DRAINAGE AND BUILDING ACT 1974
STREET, DRAINAGE AND BUILDING COMPOUNDING OF OFFENCES
(PENGERANG MUNICIPAL COUNCIL) BY-LAWS 2023

ARRANGEMENT OF BY-LAWS

By-law

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SCHEDULE

IN exercise of the powers conferred by the section 133 (xxviii) of the Street, Drainage and Building Act 1974 [*Act 133*], the Pengerang Municipal Council makes, and the State Authority confirms the following by-laws:

Citation, application and commencement

1. (1) These by-laws may be cited as the **Street, Drainage and Building Compounding of Offences (Pengerang Municipal Council) By-Laws 2023**.

(2) These By-Laws shall apply only to the area of the Pengerang Municipal Council.

(3) These By-Laws shall come into operation on the date of its publication in the *Gazette*.

Interpretation

2. In these By-Laws, unless the context otherwise requires—

“Act” means Street, Drainage and Building Act 1974 [*Act 133*];

“Council” means Pengerang Municipal Council;

“electronic money transfer” shall have the same meaning as in section 2 of Financial Services Act 2013 [*Act 758*]; and

“President” means the President of Pengerang Municipal Council.

Compoundable offences and person who may compound

3. The following offences may be compounded by the President, Secretary or by any officer of the Council authorized in writing by the President:

- (a) sections 29, 30, 46, 52, 56, 57, 80, 100, subsections 4(3), 9(7), 9(9), 16(3), 17(4), 31(2), 34(3), 38(2), 39 (1)(2), 40(2), 41(3), 42(3), 43(2), 47(1)(2), 55(1), 58(4), 59(3), 72(4), 76(2), 78(2), 79(4), 82 (3)(5) 84(2), 85(3), 87(5) and 104(3) of the Act and any offences under any by-laws made under the Act;
- (b) subsections 73(1) and 73(2) Act;
- (c) section 71, subsections 70(11)(12)(13), 70A(9), 70B(15) and 85A(13) Act; and
- (d) any offences provision under the Act other than in paragraph (a), (b) and (c).

Compounding of offences

4. (1) upon receipt of information or complain that an offence has been committed, any such person mentioned in by-law 3 shall issue a notice to compound the offence in the form as prescribed by the Council.

(2) The offer to compound an offence is for a period of fourteen (14) days, and if full payment of the sum offered is made on or before the expiry date, no further proceedings shall be taken against such person. If no payment has been made after the expiry date, prosecution will be instituted without further notice.

Service of notice of offence and offer to compound an offence

5. Delivery of a notice of offence and offer to compound an offence can be made by any authorized officer of the Council-

- (a) by delivering to the such person or by delivering at the last place or residence of such person to an adult or an adult of his family;
- (b) by leaving at the usual or last known place or residence or business premises of such person in a cover addressed to such person;
- (c) by forwarding by post in a prepaid letter addressed to such person at his usual or last known place of residence or business; or
- (d) by affixing on some conspicuous part of the premise or at any particular things or at any vehicle related to the offence.

Amount of compound

6. (1) The amount for compounding any of the offences under sections 29, 30, 46, 52, 56, 57, 80, 100, subsections 4(3), 9(7), 9(9), 16(3), 17(4), 31(2), 34(3), 38(2), 39 (1)(2), 40(2), 41(3), 42(3), 43(2), 47(1)(2), 55(1), 58(4), 59(3), 72(4), 76(2), 78(2), 79(4), 82 (3)(5) 84(2), 85(3), 87(5) and 104(3) of the Act and any offences under any by-laws made under the Act shall not exceed a sum equal to fifty per centum (50%) of the maximum amount of a fine with which the offences is punishable.

(2) The amount for compounding any of the offences under sections subsections 73(1) and 73(2) of the Act shall not less RM1,000.00 and not exceed RM5,000.00.

(3) The amount for compounding any of the offences under section 71, subsections 70(11)(12)(13), 70A(9), 70B(15) and 85A(13) of the Act shall not less RM1,000.00 and not exceed RM10,000.00.

(4) The amount for compounding any provisions of an offences under the Act other than in paragraph (a), (b) and (c) shall not exceed RM2,000.00.

Payment of compound

7. (1) When an offer to compound of any offences is made and accepted, payment may be made in:

- (a) cash;
- (b) money order or postal order;
- (c) cashier's order, banker's order or banker's draft or cheque and crossed "Account Payee Only"; or
- (d) credit card or any electronic money transfer;

payable to Pengerang Municipal Council under the name of the President of Pengerang Municipal Council.

(2) Payment may be delivered personally to the cashier in any Council payment counter or at any place that had been set out by Council from time to time, but if sent by post, shall be addressed to the President of the Pengerang Municipal Council.

(3) Every payment received shall be accounted for as money belonging to the Council and an official receipt shall be issued for it to the person to whom the offer to compound was made.

Prosecution

8. No prosecution shall be instituted for an offence under these By-Laws except with the written consent of the Public Prosecutor.

Form for notice of offence and offer to compound an offence

9. The form in the Schedule under these By-Laws shall be used for making notice of offence and offer to compound an offence but may be modified as necessary.

SCHEDULE

[By-law 9]

OFFER TO COMPOUND AN OFFENCE

Officer No./Officer Name: No.:

To:

Name:

Identity Card Number:

Address:

Company Registration Number: Time of Offence:

Date of Offence:

Please be inform that you have been committed the following offences as indicated by (x) below:

	Particulars of Offences	Law Provision	Amount of Compound (RM)
1.	<input type="checkbox"/>
2.	<input type="checkbox"/>
3.	<input type="checkbox"/>
4.	<input type="checkbox"/>
5.	<input type="checkbox"/>
6.	<input type="checkbox"/>
	Other Offences (Please describe)		

.....
Signature Complainant:

.....
o.b. President
Pengerang Municipal Council

In exercise of the powers conferred under Street, Drainage and Building Compounding of Offences (Pengerang Municipal Council) By-Law 2023, I am prepared, and hereby, offer, to compound an offence(s) for the sum of RM (Ringgit Malaysia :). If this offer is accepted, payment shall be made to Pengerang Municipal Council.

2. This offer shall be valid for fourteen (14) days from the date of issue. If there is no answer receives in that period, court action will instituted to you without further notice.

Dated:

Signature:

President
Pengerang Municipal Council

President,
Pengerang Municipal Council.

I refer to the notice of offence and offer to compound an offence bearing reference no. and dated I accept the offer and enclosed herewith *cash/money order/postal order/cashier's order/bankers draft/cheque no. for the sum of RM in full payment of the compound.

Signature :

Name :

Address :

Dated :

*Please delete if not connected.

INFORMATION

1. Payment shall be made to Council at address:

PRESIDENT,
PENGERANG MUNICIPAL COUNCIL
NO. 7, JALAN KEMPAS 1,
TAMAN DESARU UTAMA,
81930 BANDAR PENAWAR, JOHOR
TEL.: 07-886 2692
FAKS: 07-886 2656

2. Time of payment:

Sunday-Wednesday : 8.00 am - 5.00 pm

Thursday : 8.00 am - 3.30 pm

Friday & Saturday : Closed

3. Payment of the sum must be made in:

- (a) cash;
- (b) money order or postal order;
- (c) cashier's order, banker's order or banker's draft or cheque and crossed "Account Payee Only"; or
- (d) credit card or any electronic money transfer;

payable to Pengerang Municipal Council under the name of the President of Pengerang Municipal Council and an official receipt shall be issued upon payment.

4. Payment may be delivered personally to the cashier in any Council payment counter or at any place that had been set out by Council from time to time, but if sent by post, shall be addressed to the President of the Pengerang Municipal Council.

5. All payment shall be made in only MALAYSIAN RINGGIT.

6. This notice of offence shall be issue upon payment.

Dated

[Bil. (05)dIm.MPP.UU.100-1/1/26]

[SUKJ.KT.24/68/3 Jld. 2(32); PPUUNJ.600-1/2/110(2)]

HAJAH ZIHAN BINTI ISMAIL
President
Pengerang Municipal Council

Confirmed 28 June 2023

[Ringkasan Mesyuarat Bil. 1383/2023]

MOHD. FARID BIN KASSIM
Clerk of the State Executive Council
Johore