



WARTA KERAJAAN NEGERI JOHOR
GOVERNMENT OF JOHORE GAZETTE



**Peraturan-Peraturan
Pengurusan Strata
(Pengkompaunan Kesalahan)
2019**

***Strata Management
(Compounding of Offences)
Regulations
2019***

Jenis Sumber Kuasa	Perundangan Subsidiari – Peraturan / Regulations
Nombor Sumber Kuasa	Peraturan 2
Versi	Bahasa Inggeris
Nombor Warta	P.U. (A) 116 / 2019
Tarikh Warta	22 April 2019
Tarikh Berkuat Kuasa	01 Januari 2020



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22 April 2019
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P.U. (A) 116

WARTA KERAJAAN PERSEKUTUAN

FEDERAL GOVERNMENT GAZETTE

PERATURAN-PERATURAN PENGURUSAN STRATA (PENGKOMPAUNAN KESALAHAN) 2019

STRATA MANAGEMENT (COMPOUNDING OF OFFENCES) REGULATIONS 2019

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

STRATA MANAGEMENT ACT 2013

STRATA MANAGEMENT (COMPOUNDING OF OFFENCES)
REGULATIONS 2019

IN exercise of the powers conferred by paragraph 150(2)(e) of the Strata Management Act 2013 [Act 757], the Minister, after consultation with the National Council for Local Government, makes the following regulations:

Citation and commencement

1. (1) These regulations may be cited as **the Strata Management (Compounding of Offences) Regulations 2019**.

(2) These Regulations come into operation on 2 May 2019.

Compoundable offences

2. (1) The offences specified in the First Schedule are prescribed to be compoundable offences.

(2) The compoundable offences may be compounded with the consent in writing of the Public Prosecutor in Form 1 of the Second Schedule.

Offer and acceptance of compound

3. (1) An offer to compound an offence shall be made in Form 2 of the Second Schedule.

(2) A person who accepts an offer to compound a compoundable offence shall accept the offer in Form 3 of the Second Schedule.

Method of compounding

4. (1) After an investigation has been conducted and it is found that a compoundable offence has been committed, the Commissioner may issue a Notice of Offer to Compound Offence in Form 2 of the Second Schedule.

(2) The offer to compound an offence shall be valid for a period of fourteen days, and if full payment of the sum offered is made within the period of fourteen days, no further proceedings shall be taken against the person who committed such offence.

(3) If no payment of the compound offered is made on or before the expiry of the period stated in subregulation (2), prosecution may be instituted without further notice.

Payment of compound

5. (1) If an offer to compound an offence is accepted by the person to whom the offer is made, he may pay the compound—

(a) by cash;

(b) by money order, postal order, cashier's order, banker's order or bank draft crossed with the words "Account Payee Only" made payable to the Commissioner; or

(c) through electronic fund transfer.

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

(3) Every payment of compound received shall be deposited into the State Consolidated Fund or the Federal Consolidated Fund, as the case may be.

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

(5) An official receipt issued for the purpose of subregulation (4) shall include any electronic receipt issued if the payment is made through electronic fund transfer.

FIRST SCHEDULE
[Subregulation 2(1)]

COMPOUNDABLE OFFENCES

The following offences are prescribed to be offences which may be compounded:

(a) the offences committed under the provisions of the Strata Management Act 2013 as follows:

- (i) subsection 6(6);
- (ii) subsection 9(5);
- (iii) subsection 10(7);
- (iv) subsection 11(7);
- (v) subsection 12(9);
- (vi) subsection 14(5);
- (vii) subsection 15(4);
- (viii) subsection 18(2);
- (ix) subsection 26(5);
- (x) subsection 27(4);
- (xi) subsection 29(3);
- (xii) subsections 30(2) and (3);
- (xiii) subsection 34(3);
- (xiv) subsection 48(4);
- (xv) subsection 49(3);
- (xvi) subsection 50(4);
- (xvii) subsection 51(3);
- (xviii) subsection 54(5);
- (xix) subsection 55(4);
- (xx) subsection 57(2);
- (xxi) subsection 62(5);
- (xxii) subsections 72(2) and (3);
- (xxiii) subsection 78(3);
- (xxiv) subsection 89(5);

- (xxv) subsection 91(2);
- (xxvi) subsection 92(6); and
- (xxvii) subsection 151(2); and

(b) the offences committed under the provisions of the Strata Management (Maintenance and Management) Regulations 2015 [*P.U. (A) 107/2015*] as follows:

- (i) subregulation 6(5);
- (ii) subregulation 7(4);
- (iii) subregulations 9(7) and (8);
- (iv) subregulation 19(2);
- (v) subregulation 21(5);
- (vi) subregulation 25(3);
- (vii) subregulation 30(2);
- (viii) subregulation 32(5);
- (ix) subregulation 34(2);
- (x) subregulation 43(5);
- (xi) subregulation 44(3);
- (xii) subregulation 63(2); and
- (xiii) regulation 70.

SECOND SCHEDULE

FORM 1
[Subregulation 2(2)]

CONSENT TO COMPOUND OFFENCES

IN exercise of the powers conferred by subsection 135(2) of the Strata Management Act 2013 [*Act 757*] and subsection 376(3) of the Criminal Procedure Code [*Act 593*], I,
..... (*name*) hereby give consent to compound
.....(*name of the person to whom the compound offer is made*)
..... for the offence committed under which is
said to have been done on (*date*) at (*place*)
.....

Dated of, 20.....

.....
Public Prosecutor/
Deputy Public Prosecutor

FORM 2
[Subregulation 3(1)]

STRATA MANAGEMENT ACT 2013

STRATA MANAGEMENT (COMPOUNDING OF OFFENCES) REGULATIONS 2019

NOTICE OF OFFER TO COMPOUND OFFENCE

When replying please quote:

Reference number:.....

Date:

To:

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

Sir/Madam*,

An investigation has been conducted against you/
.....*

(state name of company/business/other body and the registration number, if any)*

and you are found to have committed the offence under the Strata Management Act 2013
[Act 757]/regulations made under the Act with the following particulars:

(a) relevant provision of the Act /regulations*:

.....
.....

(b) date:

(c) time:

(d) place:

(e) particulars of offence:

.....
.....

2. Pursuant to subsection 135(2) of the Strata Management Act 2013, with the consent in writing of the Public Prosecutor, you are offered a compound for the offence stated above for the sum of RM (Ringgit Malaysia only).

3. If an offer to compound is accepted, the payment shall be made by cash/money order/postal order/cashier's order/banker's order/ bank draft* crossed with the words "Account Payee Only" made payable to the Commissioner or by electronic fund transfer, and may be delivered personally or sent by prepaid registered post to the following address:

The Commissioner

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

4. An official receipt shall be issued on receipt of payment of the compound.

5. This offer shall be valid until

6. If there is no payment received within the period referred to in paragraph 5, prosecution for the offence may be instituted against you without further notice.

Date:

.....

For and on behalf of the Commissioner

Name:

Designation:

Official Stamp:

**Delete whichever is inapplicable*

***State details and use appendix if necessary*

FORM 3
[Subregulations 3(2)]

STRATA MANAGEMENT ACT 2013

STRATA MANAGEMENT (COMPOUNDING OF OFFENCES) REGULATIONS 2019

ACCEPTANCE OF OFFER TO COMPOUND OFFENCE

To:

The Commissioner

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

I refer to the Notice of Offer to Compound Offence bearing the reference number
..... dated

2. I admit that I have committed this offence and I accept the offer to compound and
enclose herewith cash/money order/postal order/cashier's order/banker's order/
bank draft* No. crossed with the words "Account Payee Only" made
payable to the Commissioner or by electronic fund transfer for the sum of RM
..... (Ringgit Malaysia..... only) as full
settlement of the sum stipulated in paragraph 2 of the Notice of Offer to Compound
Offence.

Signature:

Name (*in capital letter*):

Identity Card Number:

Designation:

Name of company/business or other body*:.....

Company seal/Stamp of business or other body* (*if applicable*):.....

Company Registration No./ Licence No./ Permit No. *(*if applicable*):.....

Address:

.....

Date:

*Delete whichever is inapplicable

Made 2 April 2019
[KPKT/PUU/(S)/8/09 Jld.6; PN(PU2)729/IV]

HAJAH ZURAIDA BINTI KAMARUDDIN
Minister of Housing and Local Government