

**AKTA PENGURUSAN STRATA 2015
(AKTA 757)**

**PERATURAN-PERATURAN PENGURUSAN STRATA
(PENGKOMPANAN KESALAHAN) 2019**

P.U.(A) 116/2019

SENARAI PINDAAN :

BIL.	NO. P.U.(A) NO. P.U.(B)	TARIKH DIWARTAKAN	CATITAN
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Continuance of holding office

4. (1) The existing members of the Board of Directors elected in the Annual General Meeting and appointed by the Minister under paragraphs 35(1)(a), (b) and (c) of the principal Regulations shall be deemed to have been duly elected or appointed under these Regulations and shall continue to hold office until the expiry of their term of elections or appointments.

(2) Any act done, action taken or decision made by the members of the Board of Directors referred to in subregulation (1) shall be deemed to be valid and may accordingly be continued by the Board of Directors.

Made 19 April 2019
[LPP(U)20/2 Jld. 9(14); PN(PU2)133/VI]

DATUK MAZLAN BIN ALIMAN
Chairman
Farmers' Organization Authority

Approved 19 April 2019
[KP/LA/483/8 Jld. 2; PN(PU2) 133/VI]

DATO' SALAHUDDIN BIN AYUB
Minister of Agriculture and Agro-Based Industry

P.U. (A) 116.

AKTA PENGURUSAN STRATA 2013

**PERATURAN-PERATURAN PENGURUSAN STRATA
(PENGKOMPAUNAN KESALAHAN) 2019**

PADA menjalankan kuasa yang diberikan oleh perenggan 150(2)(e) Akta Pengurusan Strata 2013 [Akta 757], Menteri selepas berunding dengan Majlis Negara bagi Kerajaan Tempatan, membuat peraturan-peraturan yang berikut:

Nama dan permulaan kuat kuasa

1. (1) Peraturan-peraturan ini bolehlah dinamakan **Peraturan-Peraturan Pengurusan Strata (Pengkompunan Kesalahan) 2019**.

(2) Peraturan-Peraturan ini mula berkuat kuasa pada 2 Mei 2019.

Kesalahan yang boleh dikompun

2. (1) Kesalahan yang dinyatakan dalam Jadual Pertama ditetapkan sebagai kesalahan yang boleh dikompun.

(2) Kesalahan yang boleh dikompaun itu boleh dikompaun dengan keizinan bertulis Pendakwa Raya dalam Borang 1 Jadual Kedua.

Tawaran dan penyetujeterimaan kompaun

3. (1) Suatu tawaran untuk mengkompaun kesalahan hendaklah dibuat dalam Borang 2 Jadual Kedua.

(2) Seseorang yang menyetuju terima tawaran untuk mengkompaun suatu kesalahan yang boleh dikompaun hendaklah menyetuju terima tawaran itu dalam Borang 3 Jadual Kedua.

Cara mengkompaun

4. (1) Selepas suatu penyiasatan dijalankan dan didapati bahawa suatu kesalahan yang boleh dikompaun telah dilakukan, Pesuruhjaya boleh mengeluarkan suatu Notis Tawaran untuk Mengkompaun Kesalahan dalam Borang 2 Jadual Kedua.

(2) Tawaran untuk mengkompaun suatu kesalahan adalah sah bagi tempoh empat belas hari, dan jika pembayaran penuh bagi jumlah yang ditawarkan itu dibuat dalam tempoh empat belas hari itu, tiada prosiding selanjutnya boleh diambil terhadap orang yang telah melakukan kesalahan itu.

(3) Jika tiada pembayaran bagi kompaun yang telah ditawarkan itu dibuat pada atau sebelum habis tempoh masa yang dinyatakan dalam subperaturan (2), pendakwaan boleh dimulakan tanpa notis selanjutnya.

Pembayaran kompaun

5. (1) Jika suatu tawaran untuk mengkompaun kesalahan disetuju terima oleh orang yang kepadanya tawaran itu dibuat, dia hendaklah membayar kompaun itu —

(a) secara tunai;

(b) melalui kiriman wang, kiriman wang pos, pesanan juruwang, pesanan bank atau draf bank dipalang dengan perkataan “Akaun Penerima Sahaja” yang kena dibayar kepada Pesuruhjaya; atau

(c) melalui pemindahan wang secara elektronik.

(2) Pembayaran kompaun hendaklah diserahkan sendiri atau dihantar melalui pos berdaftar bayar dahulu ke alamat yang dinyatakan dalam Notis Tawaran untuk Mengkompaun Kesalahan.

(3) Tiap-tiap pembayaran kompaun yang diterima hendaklah didepositkan ke dalam akaun Kumpulan Wang Disatukan Negeri atau Kumpulan Wang Disatukan Persekutuan, mengikut mana-mana yang berkenaan.

(4) Suatu resit rasmi hendaklah dikeluarkan bagi tiap-tiap pembayaran yang diterima di bawah subperaturan (1) kepada orang yang kepadanya tawaran untuk mengkompaun itu telah dibuat.

(5) Suatu resit rasmi yang dikeluarkan bagi maksud subperaturan (4) hendaklah termasuk apa-apa resit elektronik yang dikeluarkan jika pembayaran dibuat melalui pemindahan wang secara elektronik.

JADUAL PERTAMA
[Subperaturan 2(1)]

KESALAHAN YANG BOLEH DIKOMPAUN

Kesalahan yang berikut ditetapkan sebagai kesalahan yang boleh dikompaun:

- (a) kesalahan yang dilakukan di bawah peruntukan Akta Pengurusan Strata 2013 seperti yang berikut:
- (i) subseksyen 6(6);
 - (ii) subseksyen 9(5);
 - (iii) subseksyen 10(7);
 - (iv) subseksyen 11(7);
 - (v) subseksyen 12(9);
 - (vi) subseksyen 14(5);
 - (vii) subseksyen 15(4);
 - (viii) subseksyen 18(2);
 - (ix) subseksyen 26(5);
 - (x) subseksyen 27(4);
 - (xi) subseksyen 29(3);
 - (xii) subseksyen 30(2) dan (3);
 - (xiii) subseksyen 34(3);
 - (xiv) subseksyen 48(4);
 - (xv) subseksyen 49(3);
 - (xvi) subseksyen 50(4);
 - (xvii) subseksyen 51(3);
 - (xviii) subseksyen 54(5);
 - (xix) subseksyen 55(4);
 - (xx) subseksyen 57(2);
 - (xxi) subseksyen 62(5);
 - (xxii) subseksyen 72(2) dan (3);
 - (xxiii) subseksyen 78(3);
 - (xxiv) subseksyen 89(5);
 - (xxv) subseksyen 91(2);

- (xxvi) subseksyen 92(6); dan
 (xxvii) subseksyen 151(2); dan
- (b) kesalahan yang dilakukan di bawah peruntukan Peraturan-Peraturan Pengurusan Strata (Penyenggaraan dan Pengurusan) 2015 [P.U. (A) 107/2015] seperti yang berikut:
- (i) subperaturan 6(5);
 - (ii) subperaturan 7(4);
 - (iii) subperaturan 9(7) dan (8);
 - (iv) subperaturan 19(2);
 - (v) subperaturan 21(5);
 - (vi) subperaturan 25(3);
 - (vii) subperaturan 30(2);
 - (viii) subperaturan 32(5);
 - (ix) subperaturan 34(2);
 - (x) subperaturan 43(5);
 - (xi) subperaturan 44(3);
 - (xii) subperaturan 63(2); dan
 - (xiii) peraturan 70.

JADUAL KEDUA

BORANG 1

[Subperaturan 2(2)]

KEIZINAN UNTUK MENGGOMPAUN KESALAHAN

PADA menjalankan kuasa yang diberikan oleh subseksyen 135(2) Akta Pengurusan Strata 2013 [Akta 757] dan subseksyen 376(3) Kanun Tatacara Jenayah [Akta 593], saya, (nama) dengan ini memberi keizinan untuk mengkompaun (nama orang yang kepadanya tawaran kompaun itu dibuat) bagi kesalahan yang dilakukan di bawah yang dikatakan dilakukan pada (tarikh) di (tempat)

Bertarikh hari bulan 20.....

.....
 Pendakwa Raya/
 Timbalan Pendakwa Raya

BORANG 2
[Subperaturan 3(1)]

AKTA PENGURUSAN STRATA 2013

PERATURAN-PERATURAN PENGURUSAN STRATA
(PENGKOMPANAN KESALAHAN) 2019

NOTIS TAWARAN UNTUK MENGGOMPAUN KESALAHAN

Apabila menjawab sila catatkan:

Nombor rujukan :

Tarikh :

Kepada:
.....
.....
.....

Tuan/Puan*,

Suatu penyiasatan telah dijalankan terhadap anda/

(nyatakan nama syarikat/perniagaan/badan lain dan no. pendaftaran, jika ada)*

dan anda didapati telah melakukan kesalahan di bawah Akta Pengurusan Strata 2013 [Akta 757]/
peraturan-peraturan yang dibuat di bawah Akta dengan butir-butir yang berikut:

- (a) peruntukan Akta/peraturan-peraturan yang berkaitan*:
.....
.....
- (b) tarikh:
- (c) masa:
- (d) tempat:
- (e) butir-butir kesalahan:
.....

2. Menurut subseksyen 135(2) Akta Pengurusan Strata 2013, dengan keizinan bertulis
Pendakwa Raya, anda ditawarkan suatu kompaun bagi kesalahan yang dinyatakan di atas
bagi jumlah wang sebanyak RM (Ringgit Malaysia
..... sahaja).

3. Jika tawaran untuk mengkompaun diterima, pembayaran hendaklah dibuat secara tunai/kiriman
wang/kiriman wang pos/pesanan juruwang/ pesanan bank/draf bank dipalang dengan perkataan
"Akaun Penerima Sahaja" yang kena dibayar kepada Pesuruhjaya atau melalui pemindahan wang
secara elektronik, dan boleh diserahkan sendiri atau dihantar melalui pos berdaftar bayar dahulu
ke alamat yang berikut:

Pesuruhjaya
.....
.....
.....

4. Suatu resit rasmi akan dikeluarkan apabila pembayaran kompaun itu diterima.

5. Tawaran ini sah sehingga

6. Jika tiada bayaran diterima dalam tempoh yang disebut dalam perenggan 5, pendakwaan bagi kesalahan itu boleh dimulakan terhadap anda tanpa notis selanjutnya.

Tarikh:

.....
Untuk dan bagi pihak Pesuruhjaya

Nama:

Jawatan:

Cop rasmi:

.....
* Potong mana-mana yang tidak berkenaan

**Nyatakan butiran dan gunakan lampiran jika perlu

BORANG 3

[Subperaturan 3(2)]

AKTA PENGURUSAN STRATA 2013

PERATURAN-PERATURAN PENGURUSAN STRATA
(PENGKOMPANAN KESALAHAN) 2019

PENYETUJUTERIMAAN UNTUK MENGGOMPAUN KESALAHAN

Kepada:
Pesuruhjaya

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

Saya merujuk kepada Notis Tawaran untuk Mengkompaun Kesalahan dengan nombor rujukan bertarikh

2. Saya mengaku bahawa saya telah melakukan kesalahan ini dan saya menerima tawaran untuk mengkompaun itu dan disertakan bersama ini wang tunai/ kiriman wang/ kiriman wang pos/ pesanan juruwang/ pesanan bank /draf bank* No. dipalng dengan perkataan "Akaun Penerima Sahaja" yang kena dibayar kepada Pesuruhjaya atau melalui pemindahan wang secara elektronik bagi jumlah RM..... (Ringgit Malaysia sahaja) sebagai bayaran penyelesaian penuh bagi jumlah wang yang dinyatakan dalam perenggan 2 Notis Tawaran untuk Mengkompaun Kesalahan.

Tandatangan:

Nama (*huruf besar*):

Nombor Kad Pengenalan:

Jawatan:

Nama syarikat/perniagaan atau badan lain*:

Meterai syarikat/ Cop perniagaan/ badan lain* (*jika berkenaan*):

No. Pendaftaran syarikat/No. Lesen/No. Permit* (*jika berkenaan*):

Alamat:

.....

Tarikh:

.....
* Potong mana-mana yang tidak berkenaan

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

HAJAH ZURAIDA BINTI KAMARUDDIN
Menteri Perumahan dan Kerajaan Tempatan

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

Hakcipta Pencetak (H)

PERCETAKAN NASIONAL MALAYSIA BERNIAD

Semua Hak Terpelihara. Tiada mana-mana bahagian jua daripada penerbitan ini boleh diterbitkan semula atau disimpan di dalam bentuk yang boleh diperolehi semula atau disiarkan dalam sebarang bentuk dengan apa jua cara elektronik, mekanikal, fotokopi, rakaman dan/ atau sebaliknya tanpa mendapat izin daripada Percetakan Nasional Malaysia Berhad (Pencetak kepada Kerajaan Malaysia yang dilantik).



DICETAK OLEH
PERCETAKAN NASIONAL MALAYSIA BERNIAD,
KUALA LUMPUR
BAGI PIHAK DAN DENGAN PERINTAH KERAJAAN MALAYSIA
WJW013364 22-04-2019