



THE
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THE ENTERTAINMENT ORDINANCE, 2000

THE ENTERTAINMENT (COMPOUNDING OF OFFENCES)
BY-LAWS, 2002

(Made under sections 28 and 31(c))

In exercise of the powers conferred by sections 28 and 31(c) of the Entertainment Ordinance, 2000 [Cap 33], the Majlis Mesyuarat Kerajaan Negeri has made the following By-laws:

Citation, commencement and application

1.—(1) These By-laws may be cited as the Entertainment (Compounding of Offences) By-laws, 2002, and shall be deemed to have come into force on the 1st day of April, 2002.

(2) These By-laws shall apply to all local authorities in Sarawak.

Interpretation

2. In these By-laws—

“Chief Administrative Officer” means the person designated as the Chief Administrative Officer of a local authority in section 35(1) of the Local Authorities Ordinance, 1996 [Cap. 20];

"local authority" means a local authority named in the First Schedule to the Local Authorities Ordinance, 1996 [Cap. 20];

"Ordinance" means the Entertainment Ordinance, 2000 [Cap. 33].

Specification of compoundable offences

3. The offences under sections 5, 14, and 25 of the Ordinance and its By-laws are prescribed as offences which may be compounded by any police officer not below the rank of Inspector or any officer of a local authority specially authorized in writing in that behalf by that local authority.

Offer to compound

4.—(1) When a police officer not below the rank of Inspector or a duly authorized officer of a local authority decides to compound an offence, he shall send or cause to be sent to or personally serve or cause to be personally served on the person reasonably suspected of having committed the offence an offer to compound as in Form A in the First Schedule, which may be modified as necessary.

(2) The offer shall state the sum for which the offence will be compounded and the date by which the sum must be paid.

Payment

5.—(1) Payment of the sum stated in an offer to compound may be made in cash or by way of a money order, postal order, bank draft or cheque made payable to the local authority as indicated in Form A and crossed "Account Payee Only".

(2) Payment may be delivered personally to the person making the offer to compound, but, if sent by post, must be addressed to the Chief Administrative Officer of the local authority as indicated in Form A, together with the form for payment as in Form B in the First Schedule.

(3) Every payment received must be accounted for as money belonging to the local authority and an official receipt for the payment as in Form C in the First Schedule shall be issued to the person to whom the offer to compound was made.

(4) Notwithstanding by-law 4(2), the police officer or the duly authorized officer of the local authority may accept in composition any sum of the correct amount paid later than the time allowed in the offer to compound.

FIRST SCHEDULE

THE ENTERTAINMENT (COMPOUNDING OF OFFENCES)
BY-LAWS, 2002

FORM A

(By-law 4(1))

FORM FOR COMPOUNDING OF OFFENCE

(State name and address of
local authority)

Ref: No.

Date:

To:

Sir/Madam,

OFFER TO COMPOUND OFFENCE

It appears to me, on information/complaint received, that you have committed the following offences:

Relevant provisions of the law:

Date:

Time:

Place:

Particulars of offence:

2. You are informed that, by virtue of the powers vested in me by section 28 of the Entertainment Ordinance, 2000 [Cap. 33], I am prepared, and offer, to compound the offence for the sum of RM (Ringgitonly). If the offer is accepted, payment should be in cash or by way of a money order or postal order or bank draft or cheque made payable to (state name of local authority) and crossed "Account Payee Only" and delivered to the above-quoted office. An official receipt will be issued upon payment.

3. This offer to compound the offence will lapse on *(state the date)*. If the sum stated above is received by the close of business on that date, no further proceedings will be taken against you in respect of the offence. Otherwise, prosecution may be instituted against you without further notice.

*

*(To be signed by the person authorized to compound, whose name and designation must appear below the signature.)

THE ENTERTAINMENT (COMPOUNDING OF OFFENCES)
BY-LAWS, 2002

FORM B

(By-law 5(2))

FORM FOR PAYMENT

Date:

To: (State designation and address of
Chief Administrative Officer of local authority)

ACCEPTANCE AND PAYMENT OF COMPOUND

I refer to the offer to compound an offence Reference Serial No.
dated I accept the offer and enclose
herewith *cash/money order/postal order/bank draft/cheque No.:
for the sum of RM (Ringgit
..... only) in full settlement of the compound.

Signature:

Name (Block Letters):

Identification Card No.:

* Delete wherever is inapplicable