



Trade Descriptions (Compounding of Offences) Regulations 1994*

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IN exercise of the powers conferred by section 38A of the Trade Descriptions Act 1972, the Minister makes the following regulations:

Citation and Commencement

1. These regulations may be cited as the **Trade Descriptions (Compounding of Offences) Regulations 1994** and shall come into force on the 1st April 1994.

Compoundable Offences

2. All offences under the Act and the Trade Descriptions (Cheap Sale Price) Regulations 1987 may be compounded.

Amount of Compound Payable

3.—(1) The amount of compound payable in respect of a compoundable offence shall not exceed fifty per centum of the amount of the maximum fine that may be imposed for that offence.

(2) Where the amount specified in the offer to compound is not paid within the time specified in the offer, or any extension of it which the Controller or the Deputy Controller may grant, prosecution for the offence shall be instituted without further notice given.

Payment of Compound

4.—(1) Where an offer to compound any offence is made and accepted, payment shall be made to the Controller or the Deputy Controller in cash or by money order, postal order or banker's draft made payable to the Controller of Trade Descriptions.

(2) An official receipt for such payment shall be issued to the person to whom the offer to compound was made.



Forms for Offer to Compound and Acceptance

- 5.**—(1) An offer to compound shall be made in Form I of the Schedule.
- (2) The acceptance of the offer to compound shall be made in Form II of the Schedule.



SCHEDULE
(Regulation 5)

TRADE DESCRIPTIONS ACT 1972
TRADE DESCRIPTIONS (COMPOUNDING OF OFFENCES)
REGULATIONS 1994

FORM I
OFFER TO COMPOUND

Controller/Deputy Controller*
of Trade Descriptions,
Enforcement Division,
Ministry of Domestic Trade and Consumer Affairs,

.....
.....

To:

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

Branch Place

Police Report No. Date

Branch Report No.

Sir/Madam,

A report has been made against you alleging that you have committed the following offence under section/regulation* of the Trade Descriptions Act 1972/Trade Descriptions (Cheap Sale Price) Regulations 1987* :

Date..... Time a.m/p.m.*

Place.....

Offence+

2. You are hereby informed that by virtue of the powers vested in me by section 21A of the Trade Descriptions Act 1972, I am prepared, and hereby offer to compound the offence for a sum of RM (Ringgit Malaysia). If this offer is accepted, payment must be made by cash, or by money order, postal order or banker's draft made payable to the Controller of Trade Descriptions to the office quoted above. An official receipt will be issued.

3. This offer will remain in force for..... days from the date of this notice and if no payment is made within that period, prosecution will be instituted without further notice.

.....
Date

.....
Controller/Deputy Controller*
of Trade Descriptions

* Delete whichever is inapplicable.

+ Give details.



TRADE DESCRIPTIONS ACT 1972

TRADE DESCRIPTIONS (COMPOUNDING OF OFFENCES)
REGULATIONS 1994

FORM II

ACCEPTANCE OF COMPOUND

To:
Controller/Deputy Controller*
of Trade Descriptions,
Enforcement Division,
Ministry of Domestic Trade
and Consumer Affairs,

.....
.....

In reply please quote:

Branch Place
Police Report No. Date
Branch Report No.

Controller/Deputy Controller* of Trade Descriptions,

I refer to the offer to compound in your letter bearing reference
number and dated
I accept the offer and enclose herewith cash/money order/postal order/banker's draft
No.* for the sum of RM
(Ringgit Malaysia.....) in full settlement of the compound.

Signature
Name (Block Letters)
Address
.....
Date

* Delete whichever is inapplicable.

* Published as P.U. 96/94.