

THE VETERINARY PUBLIC HEALTH ORDINANCE, 1999

**THE VETERINARY PUBLIC HEALTH
(COMPOUNDING OF OFFENCES) RULES, 2003**

[Swk. L.N. 104/2003]

ARRANGEMENT OF RULES

Rules

1. Citation and commencement
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4. Offer to compound an offence
5. Sum to be collected and mode of payment

SCHEDULE

Sarawak LawNet

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[Swk. L.N. 104/2003]

(Made under section 102(2))

In exercise of the powers conferred by section 102(2) of the Veterinary Public Health Ordinance, 1999 *[Cap. 32]*, the Majlis Mesyuarat Kerajaan Negeri has made the following Rules:

Citation and commencement

1. These Rules may be cited as the **Veterinary Public Health (Compounding of Offences) Rules, 2003**, and shall come into force on the 16th day of October, 2003.

Interpretation

2. In these Rules—

“Ordinance” means the Veterinary Public Health Ordinance, 1999 *[Cap. 32]*;

“State Veterinary Authority” means the State Veterinary Authority appointed under section 3(1) of the Ordinance.

Compoundable offences

3. The following offences are prescribed as offences which may be compounded by the State Veterinary Authority or any person authorized by it, by notification in the *Gazette*, pursuant to section 101 of the Ordinance:

(a) any offence under the Ordinance; and

(b) any offence under any rule made pursuant to section 102 of the Ordinance.

Offer to compound an offence

4.—(1) Where the State Veterinary Authority or any duly authorized person 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 the offence as in Form A in the 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.

Sum to be collected and mode of payment

5.—(1) The sum of money to be collected for compounding an offence shall not be more than one half of the maximum fine prescribed for the offence.

(2) All moneys for payment of the compound shall be made in cash, or by cheque, money order, postal order, cashier's order, banker's order or bank draft made payable to the "Government of Sarawak" and crossed "Account Payee Only".

(3) Payment may be delivered personally to the State Veterinary Authority or the authorized person making the offer to compound, but, if sent by post, must be addressed to the State Veterinary Authority, Agriculture Department, Tingkat 12-17, Menara Pelita, Jalan Tun Abdul Rahman Yakub, 93050 Kuching, Sarawak, or at such other place as may be specified by the State Veterinary Authority, together with the form for payment in Form B in the Schedule.

(4) Every payment received shall be accounted for as money belonging to the State Government of Sarawak and an official receipt shall be issued for the payment as in Form C in the Schedule.

(5) Notwithstanding rule 4(2), the State Veterinary Authority or the authorized person making the offer to compound may accept in composition any sum of the correct amount paid later than the time allowed in the offer to compound.

SCHEDULE

THE VETERINARY PUBLIC HEALTH
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FORM A

(Rule 4(1))

(State address of State Veterinary
Authority or authorized person making
the offer to compound)

Ref. No.:

Date:

To:

Sir/Madam,

OFFER TO COMPOUND OFFENCE

It appears to me, on information/complaint received and upon investigation, that you have committed the following offence:

Relevant provision of the law:

Date of offence: Time:

Place of offence :

Particulars of offence :

2. You are informed that, by virtue of the powers vested in me by section 101 of the Veterinary Public Health Ordinance, 1999 [Cap. 32], and rule 4(1) of the Veterinary Public Health (Compounding of Offences) Rules, 2003 [Swk. L.N. 104/2003], I am prepared, and offer, to compound the offence for the total sum of Ringgit If this offer is accepted, payment shall be made in cash, or by cheque, money order, postal order or bank draft made payable to "Government of Sarawak" 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 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.

*Signature :

Name :

Designation :

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

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FORM B

(Rule 5(3))

FORM FOR PAYMENT

Date:

To : State Veterinary Authority,
.....(state address)

Sir/Madam,

ACCEPTANCE AND PAYMENT OF COMPOUND

I refer to the offer to compound of offence, Reference No.
dated I accept the offer and enclose with this *cash/cheque/money order/postal
order/bank draft No. for the total sum of RM
(Ringgit) in full settlement of the compound.

Signature :

Name (Block Letters) :

Identity Card No. :

Address :

* Delete wherever is inapplicable.

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FORM C

(Rule 5(4))

RECEIPT

Receipt No. :

Date:

Received
from
...of
.....
the sum of RM (Ringgit:) only
in acceptance and payment of an offer of composition in respect of the offence referred to in Reference
No. dated

Signature:

Name :

Designation :

(N.B: Should you receive any further correspondence or notice of summons in respect of the offence referred to above, you should reply immediately quoting this receipt number.)

Dated this 21st day of August, 2003.

ABDUL GHAFUR SHARIFF
Clerk to Majlis Mesyuarat Kerajaan Negeri