



31 December 2024
P.U. (A) 467

FEDERAL GOVERNMENT GAZETTE

ENERGY EFFICIENCY AND CONSERVATION (COMPOUNDING OF OFFENCES) REGULATIONS 2024

ENERGY EFFICIENCY AND CONSERVATION ACT 2024

ENERGY EFFICIENCY AND CONSERVATION
(COMPOUNDING OF OFFENCES) REGULATIONS 2024

IN exercise of the powers conferred by section 61 of the Energy Efficiency and Conservation Act 2024 [Act 861], the Minister, with the approval of the Public Prosecutor, makes the following regulations:

Citation and commencement

1. (1) These regulations may be cited as the **Energy Efficiency and Conservation (Compounding of Offences) Regulations 2024**.

(2) These Regulations come into operation on 1 January 2025.

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.

Procedure for compounding

3. (1) Upon receipt of any information or complaint that a compoundable offence has been committed, the Commission may, with the consent in writing of the Public Prosecutor referred to in subregulation 2(2), issue an offer to compound the offence in Form 2 of the Second Schedule.

(2) An offer to compound and offence shall be valid for a period of thirty days starting from the date the offer is received by the person to whom the offer is made or such extended period as the Commission may grant in writing, and if full payment of the sum offered is made on or before the expiry of the period of thirty days or such

extended period granted, no further proceedings shall be taken against the person who committed such offence.

Acceptance of compound

4. A person who accepts an offer to compound a compoundable offence shall accept the offer in Form 3 of the Second Schedule and return the Form 3 to the Commission.

Payment of compound

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

(a) cash or 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 Commission; or

(b) credit card, debit card, charge card or any other forms of electronic fund transfer.

(2) The Commission shall issue an official receipt for every payment received under subregulation (1) to the person to whom the offer to compound an offence is made.

(3) An official receipt issued under subregulation (2) shall include any electronic receipt if the payment is made through an electronic fund transfer.

Prosecution may be instituted if no payment made

6. If no payment of the compound offered is made within the period specified in subregulation 3(2), prosecution may be instituted without further notice.

FIRST SCHEDULE

[Subregulation 2(1)]

COMPOUNDABLE OFFENCES

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

(a) the following offences which committed under the provisions of the Energy Efficiency and Conservation Act 2024 as follows:

- (i) subsection 5(3);
- (ii) subsection 5(4);
- (iii) subsection 6(3);
- (iv) subsection 6(4);
- (v) subsection 7(3);
- (vi) subsection 7(4);
- (vii) subsection 8(4);
- (viii) subsection 9(10);
- (ix) subsection 11(2);
- (x) subsection 13(8);
- (xi) subsection 14(7);
- (xii) subsection 15(8);
- (xiii) subsection 15(9);
- (xiv) subsection 17(2);
- (xv) subsection 23(3);
- (xvi) subsection 24(2);
- (xvii) subsection 25(3);
- (xviii) subsection 31(2);
- (xix) subsection 38(5); and
- (xx) subsection 40(2);

(b) offence committed under subregulation 7(4) of the Energy Efficiency and Conservation Regulations 2024 [P.U. (A) 466/2024].

SECOND SCHEDULE

FORM 1

[Subregulation 2(2)]

ENERGY EFFICIENCY AND CONSERVATION ACT 2024

ENERGY EFFICIENCY AND CONSERVATION
(COMPOUNDING OF OFFENCES) REGULATIONS 2024

CONSENT TO COMPOUND OFFENCES

IN exercise of the powers conferred by section 61 of the Energy Efficiency and Conservation Act 2024 [Act 861] 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 committed on(date) at (place).

Date:

.....
*Public Prosecutor/
Deputy Public Prosecutor*

FORM 2

[Subregulation 3(1)]

ENERGY EFFICIENCY AND CONSERVATION ACT 2024

ENERGY EFFICIENCY AND CONSERVATION
(COMPOUNDING OF OFFENCES) REGULATIONS 2024

OFFER TO COMPOUND OFFENCE

In reply please state:

Reference No.:

Date :

Energy Commission

To:

.....
.....

*Sir/Madam,

An investigation has been conducted against you
(state *name of individual/company/business/other body and the registration number,
if any) and your are found to have committed an offence under the Energy Efficiency and
Conservation Act 2024 [Act 861]/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 the offence:.....

2. Pursuant to subsection 61(2) of the Energy Efficiency and Conservation Act 2024, with the consent in writing of the Public Prosecutor, you are offered a compound for the offence stated above for the sum of RM..... (..... (in words) ringgit only).

3. If this offer to compound is accepted, payment shall be made by—

(a) cash or by *money order/postal order/cashier's order/banker's order/ bank draft crossed with the words "Account Payee Only" made payable to the Energy Commission and shall be delivered personally by hand or sent by prepaid registered post to the following address:

.....
.....
.....;

or

(b) *credit card/debit card/charge card/electronic transfer fund into the following account: (account number) through any licensed bank/licensed Islamic bank in Malaysia.

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

5. This offer to compound shall be valid until

6. If no payment is received within the period referred to in paragraph 5, the prosecution for the offence may be instituted against you (state *name of individual/company/business/other body, if any) without further notice.

.....
Commission

Name:

Designation:

Official stamp:

**Delete whichever is inapplicable*

***State details and use appendix if necessary*

FORM 3

[Regulation 4]

ENERGY EFFICIENCY AND CONSERVATION ACT 2024

ENERGY EFFICIENCY AND CONSERVATION
(COMPOUNDING OF OFFENCES) REGULATIONS 2024

ACCEPTANCE OF OFFER TO COMPOUND OFFENCE

To:

.....
.....

*Sir/Madam,

I refer to the Offer to Compound Offences bearing the reference number dated

2. I admit that I have committed this offence and I accept the offer to compound and enclosed herewith is the proof of payment 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 Energy Commission/ credit card/debit card/charge card/ electronic fund transfer for the sum of RM (..... (in words) ringgit only) as full settlement of the sum stipulated in paragraph 2 of the Offer to Compound Offence.

Signature :

**Name (in capital letter) :

*Identification No./Passport No. :

***For and on behalf (if applicable) :
(name of * company/business or other body)

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

Address :
.....
.....

Date :

**Delete whichever is inapplicable*
***Name of the person to whom the offer to compound is made or name of the director on behalf of company/business/other body*
****In the case where the offer to compound is made to company/business/other body*

Made 23 December 2024
[PETRA.BTL.100-1/1/5 JLD. 2 (23)(S); PN(PU2)773]

DATO' SRI HAJI FADILLAH BIN HAJI YUSOF
*Minister of Energy Transition
and Water Transformation*

Approved 26 December 2024
[PETRA.BTL.100-1/1/5 JLD. 2 (23)(S); PN(PU2)773]

DATO' MOHD DUSUKI BIN MOKHTAR
Public Prosecutor of Malaysia