



29 Jun 2013  
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# WARTA KERAJAAN PERSEKUTUAN

## *FEDERAL GOVERNMENT GAZETTE*

PERINTAH PERKHIDMATAN KEWANGAN ISLAM  
(SYARIKAT PEMEGANGAN KEWANGAN)  
(KETIDAKPAKAIAN DAN PEMAKAIAN DENGAN  
UBAH SUAIAN) 2013

*ISLAMIC FINANCIAL SERVICES (FINANCIAL HOLDING  
COMPANY) (NON-APPLICATION AND APPLICATION  
WITH MODIFICATION) ORDER 2013*



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*ATTORNEY GENERAL'S CHAMBERS*

AKTA PERKHIDMATAN KEWANGAN ISLAM 2013

PERINTAH PERKHIDMATAN KEWANGAN ISLAM (SYARIKAT PEMEGANGAN KEWANGAN) (KETIDAKPAKAIAN DAN PEMAKAIAN DENGAN UBAH SUAIAN) 2013

PADA menjalankan kuasa yang diberikan oleh subseksyen 127(2) Akta Perkhidmatan Kewangan Islam 2013 [*Akta 759*], Menteri, atas syor Bank Negara Malaysia, membuat perintah yang berikut:

**Nama dan permulaan kuat kuasa**

1. (1) Perintah ini bolehlah dinamakan **Perintah Perkhidmatan Kewangan Islam (Syarikat Pemegang Kewangan) (Ketidakpakaian dan Pemakaian dengan Ubah Suaian) 2013**.

(2) Perintah ini mula berkuat kuasa pada 30 Jun 2013.

**Ketidakpakaian peruntukan Bahagian VI Akta**

2. Peruntukan Bahagian VI Akta yang berikut tidak terpakai bagi suatu syarikat pemegang kewangan:

(a) perenggan 65(2)(f);

(b) perenggan 65(3)(b);

(c) perenggan 66(1)(e);

(d) Penggal 5; dan

(e) Penggal 6.

**Pemakaian dengan ubah suaian peruntukan Bahagian VI Akta**

3. Peruntukan Bahagian VI Akta diubah suai selaras dengan objektif pengawalseliaan Akta, hendaklah terpakai bagi suatu syarikat pemegang kewangan sebagaimana yang diubah suaikan sedemikian mengikut cara yang dinyatakan dalam Jadual.



“pemiutang syarikat pemegangan kewangan itu”; dan

- (b) memotong perkataan “atau aset yang berpunca daripada akaun pelaburan atau kumpulan wang takaful yang diuruskan oleh institusi itu, mengikut mana-mana yang berkenaan”.

Seksyen 82

Subseksyen 82(1) diubah suai dengan menggantikan perkataan “institusi kewangan Islam” yang terdapat selepas perkataan “juruaudit”, dengan perkataan “syarikat pemegangan kewangan”.

Dibuat 28 Jun 2013

[KK/BPKA/K2/(S)/382/690/9/1 JLD. 4; PN(PU2)717]

DATO' SERI HAJI AHMAD HUSNI BIN MOHAMAD HANADZLAH  
*Menteri Kewangan Kedua*

ISLAMIC FINANCIAL SERVICES ACT 2013

ISLAMIC FINANCIAL SERVICES (FINANCIAL HOLDING COMPANY) (NON-APPLICATION  
AND APPLICATION WITH MODIFICATION) ORDER 2013

IN the exercise of the powers conferred by subsection 127(2) of the Islamic Financial Services Act 2013 [Act 759], the Minister, on the recommendation of the Central Bank of Malaysia, makes the following order:

**Citation and commencement**

1. (1) This order may be cited as the **Islamic Financial Services (Financial Holding Company) (Non-Application and Application with Modification) Order 2013**.

(2) This Order comes into operation on 30 June 2013.

**Non-application of provisions of Part VI of the Act**

2. The following provisions of Part VI of the Act shall not apply to a financial holding company:

(a) paragraph 65(2)(f);

(b) paragraph 65(3)(b);

(c) paragraph 66(1)(e);

(d) Division 5; and

(e) Division 6.

**Application with modification of provisions of Part VI of the Act**

3. The provisions of Part VI of the Act are modified consistent with the regulatory objectives of the Act, shall apply to a financial holding company as so modified in the manner set out in the Schedule.

SCHEDULE  
[Paragraph 3]

*Provisions in Part VI**Modification*

Section 57 Subsection 57(1) is modified in paragraphs (a) and (b) by inserting after the word “institution” the words “or a financial group”.

## Section 65

Paragraph 65(2)(a) is modified by—

- (a) inserting the words “of the financial group” after the word “strategies”;
- (b) substituting for the words “the institution” the words “licensed persons within the financial group”; and
- (c) deleting the words “and reasonable standards of fair dealing”.

Paragraph 65(2)(b) is modified by substituting for the word “institution” the words “financial group”.

Paragraph 65(2)(d) is modified by substituting for the word “institution” the words “financial group”.

Paragraph 65(2)(e) is modified by substituting for the word “institution” appearing after the words “soundness of the”, the words “financial group”.

Paragraph 65(3)(a) is modified by substituting for the words “, as the case may be, depositors, investment account holders and takaful participants of the institution or participants; and” the words “licensed persons within the financial group”.

## Section 81

Paragraph 81(c) is modified by substituting for the words “depositors, investment account holders, takaful participants, creditors of the institution, participants or users” the words “creditors of the financial holding company, or licensed persons within the financial group”.

Paragraph 81(d) is modified by—

- (a) substituting for the words “depositors, investment account holders, takaful participants, creditors of the institution, participants or users, as the case may be,” the words “creditors of the financial

holding company”; and

- (b) deleting the words “or assets attributable to the investment accounts or takaful fund, managed by the institution, as the case may be”.

Section 82

Subsection 82(1) is modified by substituting for the words “an Islamic financial institution” appearing after the words “auditor of”, the words “a financial holding company”.

Made 28 June 2013

[KK/BPKA/K2/(S)/382/690/9/1 JLD. 4; PN(PU2)717]

DATO' SERI HAJI AHMAD HUSNI BIN MOHAMAD HANADZLAH  
*Second Minister of Finance*