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3 September 2012  
P.U. (A) 280

WARTA KERAJAAN PERSEKUTUAN

*FEDERAL GOVERNMENT  
GAZETTE*

PERATURAN-PERATURAN AGENSI-AGENSI KHUSUS  
(KEISTIMEWAAN DAN KEKEBALAN) 2012

*SPECIALIZED AGENCIES (PRIVILEGES AND IMMUNITIES)  
REGULATIONS 2012*



DISIARKAN OLEH/  
*PUBLISHED BY*  
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*ATTORNEY GENERAL'S CHAMBERS*

AKTA ORGANISASI ANTARABANGSA (KEISTIMEWAAN DAN KEKEBALAN) 1992  
PERATURAN-PERATURAN AGENSI-AGENSI KHUSUS (KEISTIMEWAAN DAN  
KEKEBALAN) 2012

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AKTA ORGANISASI ANTARABANGSA (KEISTIMEWAAN DAN KEKEBALAN) 1992

PERATURAN-PERATURAN AGENSI-AGENSI KHUSUS (KEISTIMEWAAN DAN KEKEBALAN) 2012

PADA menjalankan kuasa yang diberikan oleh subseksyen 3(1) dan 4(1), dan seksyen 6B dan 11 Akta Organisasi Antarabangsa (Keistimewaan dan Kekebalan) 1992 [*Akta 485*], Menteri, dengan persetujuan Menteri Kewangan, membuat peraturan-peraturan yang berikut:

**Nama**

1. Peraturan-peraturan ini bolehlah dinamakan **Peraturan-Peraturan Agensi-Agensi Khusus (Keistimewaan dan Kekebalan) 2012**.

**Tafsiran**

2. Dalam Peraturan-Peraturan ini, melainkan jika konteksnya menghendaki makna yang lain—

“agensi-agensi khusus” ertinya organisasi yang dinyatakan dalam Jadual; dan

“pegawai” ertinya seseorang pegawai agensi khusus, selain pegawai tempatan yang diambil bekerja.

**Pengisytiharan Agensi-agensi Khusus sebagai organisasi antarabangsa**

3. Agensi-agensi khusus diisytiharkan sebagai organisasi antarabangsa.

**Keperibadian juridikal**

4. Agensi-agensi khusus hendaklah mempunyai keperibadian juridikal dan apa-apa keupayaan di sisi undang-undang sebagaimana yang perlu bagi penjalanan kuasanya dan pelaksanaan fungsinya.

### **Keistimewaan dan kekebalan**

5. Agensi-agensi khusus dan wakil anggota, pegawai dan pakar dalam misinya hendaklah mempunyai semua atau mana-mana keistimewaan dan kekebalan yang dinyatakan dalam Jadual Kelapan kepada Akta.

### **Penepian**

6. (1) Agensi-agensi khusus hendaklah mempunyai hak dan kewajipan untuk mengetepikan kekebalan yang diberikan kepada pegawai atau mana-mana orang yang sedang melaksanakan apa-apa misi bagi pihak agensi khusus jika, pada pendapatnya, kekebalan itu akan menghalang perjalanan keadilan dan kekebalan itu boleh diketepikan tanpa menjejaskan kepentingan agensi khusus itu.

(2) Sesuatu Negara Anggota atau ketua eksekutif suatu organisasi antarabangsa atau seberang laut hendaklah mempunyai hak dan kewajipan untuk mengetepikan kekebalan yang diberikan kepada mana-mana orang yang hadir di mesyuarat yang diadakan oleh agensi khusus jika, pada pendapat Negara Anggota atau ketua eksekutif suatu organisasi antarabangsa atau seberang laut itu, kekebalan itu akan menghalang perjalanan keadilan dan kekebalan itu boleh diketepikan tanpa menjejaskan maksud yang baginya kekebalan itu diberikan.

### **Pembatalan**

7. Peraturan-Peraturan Agensi Khusus (Keistimewaan dan Kekebalan) 2009 [P.U. (A) 249/2009] dibatalkan.

## JADUAL

### AGENSI-AGENSI KHUSUS [Peraturan 2]

Pertubuhan Buruh Antarabangsa (ILO)

Pertubuhan Makanan dan Pertanian Pertubuhan Bangsa-Bangsa Bersatu (FAO)

Pertubuhan Penerbangan Awam Antarabangsa (ICAO)

Pertubuhan Pelajaran, Sains dan Kebudayaan Bangsa-Bangsa Bersatu (UNESCO)

Tabung Kewangan Antarabangsa (IMF)

Bank Antarabangsa untuk Pemulihan dan Pembangunan (IBRD)  
Pertubuhan Kesihatan Sedunia (WHO)  
Kesatuan Pos Sedunia (UPU)  
Kesatuan Telekomunikasi Antarabangsa (ITU)  
Pertubuhan Meteorologi Sedunia (WMO)  
Pertubuhan Maritim Antarabangsa (IMO)  
Perbadanan Kewangan Antarabangsa (IFC)  
Pertubuhan Pembangunan Antarabangsa (IDA)  
Pertubuhan Harta Intelektual Sedunia (WIPO)  
Tabung Pembangunan Pertanian Antarabangsa (IFAD)  
Pertubuhan Pembangunan Industri Bangsa-Bangsa Bersatu (UNIDO)  
Organisasi Pelancongan Dunia (UNWTO)  
Agensi Jaminan Pelaburan Pelbagai Hala (MIGA)  
Pusat Antarabangsa bagi Penyelesaian Pertikaian Pelaburan (ICSID)

Dibuat 13 Julai 2012  
[SR(050)BUU(R)200-36 Jld 2;PN(PU2)507/III]

DATO' SRI ANIFAH BIN HJ AMAN  
*Menteri Luar Negeri*

Saya bersetuju,  
Bertarikh 16 Ogos 2012

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

INTERNATIONAL ORGANIZATIONS (PRIVILEGES AND IMMUNITIES) ACT 1992

SPECIALIZED AGENCIES (PRIVILEGES AND IMMUNITIES) REGULATIONS 2012

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ARRANGEMENT OF REGULATIONS

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INTERNATIONAL ORGANIZATIONS (PRIVILEGES AND IMMUNITIES) ACT 1992

SPECIALIZED AGENCIES (PRIVILEGES AND IMMUNITIES) REGULATIONS 2012

IN exercise of the powers conferred by subsections 3(1) and 4(1), and sections 6B and 11 of the International Organizations (Privileges and Immunities) Act 1992 [*Act 485*], the Minister, with the concurrence of the Minister of Finance, makes the following regulations:

**Citation**

1. These regulations may be cited as the **Specialized Agencies (Privileges and Immunities) Regulations 2012**.

**Interpretation**

2. In these Regulations, unless the context otherwise requires—

“specialized agencies” means the organizations specified in the Schedule; and

“official” means an officer of a specialized agency, other than an officer who is engaged locally.

**Declaration of the Specialized Agencies as international organizations**

3. The specialized agencies are declared as international organizations.

**Juridical personality**

4. The specialized agencies shall have juridical personality and such legal capacities as may be necessary for the exercise of their powers and the performance of their functions.

**Privileges and immunities**

5. The specialized agencies and their representatives of members, officials and experts on mission shall have all or any of the privileges and immunities specified in the Eighth Schedule to the Act.

**Waiver**

6. (1) Specialized agencies shall have the right and duty to waive the immunities conferred on an official or any person who is performing any mission on behalf of the specialized agency where, in their opinion, the immunities would impede the course of justice and the immunities can be waived without prejudicing the interests of the specialized agency.

(2) A Member State or the executive head of an international or overseas organization shall have the right and duty to waive the immunities conferred on any person who is in attendance at meetings convened by the specialized agency where, in the opinion of the Member State or the executive head of an international or overseas organization, the immunities would impede the course of justice and the immunities can be waived without prejudicing the purposes for which they were conferred.

**Revocation**

7. Specialized Agencies (Privileges and Immunities) Regulations 2009 [P.U. (A) 249/2009] is revoked.

SCHEDULE

SPECIALIZED AGENCIES  
[Regulation 2]

International Labour Organization (ILO)

Food and Agriculture Organization of the United Nations (FAO)

International Civil Aviation Organization (ICAO)

United Nations Educational, Scientific and Cultural Organization (UNESCO)

International Monetary Fund (IMF)

International Bank for Reconstruction and Development (IBRD)

World Health Organization (WHO)

Universal Postal Union (UPU)

International Telecommunication Union (ITU)

World Meteorological Organization (WMO)

International Maritime Organization (IMO)

International Finance Corporation (IFC)  
International Development Association (IDA)  
World Intellectual Property Organization (WIPO)  
International Fund for Agricultural Development (IFAD)  
United Nations Industrial Development Organization (UNIDO)  
World Tourism Organization (UNWTO)  
Multilateral Investment Guarantee Agency (MIGA)  
International Centre for Settlement of Investment Disputes (ICSID)

Made 13 July 2012  
[SR(050)BUU(R)200-36 Jld 2;PN(PU2)507/III]

DATO' SRI ANIFAH BIN HJ AMAN  
*Minister of Foreign Affairs*

I concur,  
Dated 16 August 2012

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