



17 November 2020
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P.U. (B) 612

WARTA KERAJAAN PERSEKUTUAN

*FEDERAL GOVERNMENT
GAZETTE*

ARAHAN KHAS MENTERI

SPECIAL DIRECTION OF THE MINISTER

DISIARKAN OLEH/
PUBLISHED BY
JABATAN PEGUAM NEGARA/
ATTORNEY GENERAL'S CHAMBERS

AKTA BANTUAN BERSAMA DALAM PERKARA JENAYAH 2002

ARAHAN KHAS MENTERI

BAHAWASANYA:

- (a) prosiding jenayah yang berhubungan dengan suatu perkara jenayah yang melibatkan kesalahan berat asing, iaitu suatu kesalahan di bawah artikel 197a Kanun Jenayah Belanda telah dimulakan di Negara Belanda, suatu Negara asing;
- (b) Pejabat Pendakwa Raya di Mahkamah Rayuan Amsterdam melalui Kementerian Keselamatan dan Keadilan Negara Belanda telah membuat suatu permintaan bagi bantuan bersama berhubungan dengan perkara jenayah itu di bawah Akta Bantuan Bersama dalam Perkara Jenayah 2002 [Akta 621];
- (c) tiada perintah di bawah seksyen 17 Akta Bantuan Bersama dalam Perkara Jenayah 2002 telah dibuat berhubungan dengan Negara Belanda; dan
- (d) Peguam Negara telah mengesyorkan bahawa bantuan bersama diberikan kepada Negara Belanda berhubungan dengan perkara jenayah itu di bawah Akta Bantuan Bersama dalam Perkara Jenayah 2002:

MAKA OLEH YANG DEMIKIAN, pada menjalankan kuasa yang diberikan kepada saya oleh seksyen 18 Akta Bantuan Bersama dalam Perkara Jenayah 2002, saya, Dato' Takiyuddin bin Hassan, Menteri yang dipertanggungjawab dengan tanggungjawab bagi hal ehwal undang-undang di Malaysia, dengan ini mengarahkan supaya peruntukan Akta Bantuan Bersama dalam Perkara Jenayah 2002 terpakai berhubungan dengan permintaan bagi bantuan bersama berhubungan dengan perkara jenayah itu seolah-olah suatu perintah yang dibuat di bawah seksyen 17 Akta Bantuan Bersama dalam Perkara Jenayah 2002 berkuat kuasa berkenaan dengan Negara Belanda tanpa apa-apa sekatan, had, kecualian, ubah suaian, penyesuaian, syarat atau batasan.

Bertarikh 26 Oktober 2020
[PN(R)152/185/29/15-20; PN(PU2)628/XII]

DATO' TAKIYUDDIN BIN HASSAN
Menteri di Jabatan Perdana Menteri
(Parlimen dan Undang-Undang)

MUTUAL ASSISTANCE IN CRIMINAL MATTERS ACT 2002

SPECIAL DIRECTION OF THE MINISTER

WHEREAS:

- (a)* criminal proceedings relating to a criminal matter involving a foreign serious offence, that is an offence under article 197a of the Netherlands Criminal Code have commenced in the Kingdom of the Netherlands, a foreign State;
- (b)* the Public Prosecutor's Office at the Amsterdam Court of Appeal through the Ministry of Justice and Security of the Kingdom of the Netherlands has made a request for mutual assistance in relation to that criminal matter under the Mutual Assistance in Criminal Matters Act 2002 [*Act 621*];
- (c)* no order under section 17 of the Mutual Assistance in Criminal Matters Act 2002 has been made in relation to the Kingdom of the Netherlands; and
- (d)* the Attorney General has recommended that mutual assistance be given to the Kingdom of the Netherlands in relation to that criminal matter under the Mutual Assistance in Criminal Matters Act 2002:

NOW THEREFORE, in exercise of the powers conferred on me by section 18 of the Mutual Assistance in Criminal Matters Act 2002, I, Dato' Takiyuddin bin Hassan, the Minister charged with the responsibility for legal affairs in Malaysia, do direct that the provisions of the Mutual Assistance in Criminal Matters Act 2002 be applied in relation to the request for mutual assistance in relation to that criminal matter as if there is in effect in respect of the Kingdom of the Netherlands an order made under section 17 of the Mutual Assistance in Criminal Matters Act 2002 without any restriction, limitation, exception, modification, adaptation, condition or qualification.

Dated 26 October 2020
[PN(R) 152/185/29/15-20; PN(PU2)628/XII]

DATO' TAKIYUDDIN BIN HASSAN
Minister in the Prime Minister's Department
(Parliament and Law)