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WARTA KERAJAAN PERSEKUTUAN

*FEDERAL GOVERNMENT
GAZETTE*

ARAHAN KHAS MENTERI

SPECIAL DIRECTION OF THE MINISTER



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

AKTA BANTUAN BERSAMA DALAM PERKARA JENAYAH 2002

ARAHAN KHAS MENTERI

BAHAWASANYA:

- (a) suatu perkara jenayah yang melibatkan kesalahan berat asing iaitu fraud di bawah seksyen 263 *German Criminal Code* telah dimulakan di Republik Jerman, suatu Negara asing;
- (b) *Department of Public Prosecution of Munich I* di Republik Jerman telah membuat suatu permintaan bagi bantuan bersama berhubung 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 berhubung dengan Republik Jerman pada masa permintaan tersebut diterima oleh Malaysia; dan
- (d) Peguam Negara Malaysia telah mengesyorkan bahawa bantuan bersama diberikan kepada Republik Jerman berhubung 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' Seri Mohamed Nazri Tan Sri Abdul Aziz, Menteri yang bertanggungjawab bagi hal ehwal undang-undang di Malaysia, dengan ini mengarahkan supaya peruntukan Akta Bantuan Bersama dalam Perkara Jenayah 2002 terpakai berhubung dengan permintaan bagi bantuan bersama berhubung 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 Republik Jerman tanpa apa-apa sekatan, had, kecualian, ubah suaian, penyesuaian, syarat atau batasan.

Bertarikh 5 Mac 2012

[JPN(R)152/185/29/14-11; PN(PU2)628/VI]

DATO' SERI MOHAMED NAZRI TAN SRI ABDUL AZIZ
Menteri di Jabatan Perdana Menteri

MUTUAL ASSISTANCE IN CRIMINAL MATTERS ACT 2002

SPECIAL DIRECTION OF THE MINISTER

WHEREAS:

- (a) a criminal matter involving the foreign serious offence of fraud under section 263 of the German Criminal Code has commenced in the Republic of Germany, a foreign State;
- (b) the Department of Public Prosecution of Munich I of the Republic of Germany 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 Republic of Germany at the time the request was received by Malaysia; and
- (d) the Attorney General of Malaysia has recommended that mutual assistance be given to the Republic of Germany 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' Seri Mohamed Nazri Tan Sri Abdul Aziz, the Minister responsible 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 Republic of Germany 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 5 March 2012

[JPN(R)152/185/29/14-11; PN(PU2)628/VI]

DATO' SERI MOHAMED NAZRI TAN SRI ABDUL AZIZ
Minister in the Prime Minister's Department