



MALAYSIA

Warta Kerajaan

SERI PADUKA BAGINDA

DITERBITKAN DENGAN KUASA

HIS MAJESTY'S GOVERNMENT GAZETTE

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Akta-Akta Parlimen yang berikut, yang telah diluluskan oleh kedua-dua Dewan Parlimen dan dipersetujui oleh Seri Paduka Baginda Yang di-Pertuan Agong, adalah diterbitkan menurut Fasal (5) Perkara 66 Perlembagaan:

The following Acts of Parliament, passed by both Houses of Parliament and assented to by His Majesty the Yang di-Pertuan Agong, are published pursuant to Clause (5) of Article 66 of the Constitution:

No.	Tajuk ringkas/Short title
Akta A1398	Akta Maktab Kerjasama (Perbadanan) (Pindaan) 2011 Co-operative College (Incorporation) (Amendment) Act 2011
Akta A1399	Akta Lembaga Kemajuan Perindustrian Malaysia (Pemerbadanan) (Pindaan) 2011 Malaysian Industrial Development Authority (Incorporation) (Amendment) Act 2011
Akta A1400	Akta Penggalakan Pelaburan (Pindaan) 2011 Promotion of Investments (Amendment) Act 2011

Akta A1401	...	...	Akta Saraan Hakim (Pindaan) 2011 Judges' Remuneration (Amendment) Act 2011
Akta A1402	...	...	Akta Petroleum (Cukai Pendapatan) (Pindaan) 2011 Petroleum (Income Tax) (Amendment) Act 2011
Akta A1403	...	...	Akta Suruhanjaya Sekuriti (Pindaan) 2011 Securities Commission (Amendment) Act 2011
Akta A1404	...	...	Akta Penilai, Pentaksir dan Ejen Harta Tanah (Pindaan) 2011 Valuers, Appraisers and Estate Agents (Amendment) Act 2011



UNDANG-UNDANG MALAYSIA

Akta A1399

**AKTA LEMBAGA KEMAJUAN PERINDUSTRIAN
MALAYSIA (PEMERBADANAN) (PINDAAN) 2011**

Tarikh Perkenan Diraja 5 Ogos 2011

Tarikh penyiaran dalam *Warta* 18 Ogos 2011

Hakcipta Pencetak (H)

PERCETAKAN NASIONAL MALAYSIA BERHAD

Semua Hak Terpelihara. Tiada mana-mana bahagian jua daripada penerbitan ini boleh diterbitkan semula atau disimpan di dalam bentuk yang boleh diperolehi semula atau disiarkan dalam sebarang bentuk dengan apa jua cara elektronik, mekanikal, fotokopi, rakaman dan/atau sebaliknya tanpa mendapat izin daripada **Percetakan Nasional Malaysia Berhad (Pencetak kepada Kerajaan Malaysia yang dilantik)**.

UNDANG-UNDANG MALAYSIA

Akta A1399

AKTA LEMBAGA KEMAJUAN PERINDUSTRIAN MALAYSIA (PEMERBADANAN) (PINDAAN) 2011

Suatu Akta untuk meminda Akta Lembaga Kemajuan Perindustrian Malaysia (Pemerbadanan) 1965.

[]

DIPERBUAT oleh Parlimen Malaysia seperti yang berikut:

Tajuk ringkas

1. Akta ini bolehlah dinamakan Akta Lembaga Kemajuan Perindustrian Malaysia (Pemerbadanan) (Pindaan) 2011.

Pindaan tajuk panjang

2. Akta Lembaga Kemajuan Perindustrian Malaysia (Pemerbadanan) 1965 [*Akta 397*], yang disebut “Akta ibu” dalam Akta ini, dipinda dengan menggantikan tajuk panjang dengan tajuk panjang yang berikut:

“An Act to provide for the establishment and incorporation of the Malaysian Investment Development Authority and to provide for the administration, functions and powers of the Authority and for matters connected therewith.”.

Pindaan seksyen 1

3. Subseksyen 1(1) Akta ibu dipinda dengan menggantikan perkataan “Industrial” dengan perkataan “Investment”.

Pindaan seksyen 2

4. Seksyen 2 Akta ibu dipinda—

(a) dalam takrif “Authority”, dengan menggantikan perkataan “Industrial” dengan perkataan “Investment”;

(b) dengan memasukkan selepas takrif “Board” takrif yang berikut:

‘ “Chief Executive Officer” means the Chief Executive Officer of the Authority appointed under section 3D;’;

(c) dengan memotong takrif “Director General”;

(d) dalam takrif “Fund”, dengan menggantikan perkataan “Industrial” dengan perkataan “Investment”;

(e) dengan memasukkan selepas takrif “Fund” takrif yang berikut:

‘ “Government Entity” means—

(a) the Federal Government, or any State Government, State Authority or local government; and

(b) any ministry, department, office, agency, authority, commission, committee, board, council or other body, corporate or unincorporate, of the Federal Government, or of any State Government, whether established under written law or otherwise;’;
dan

(f) dalam takrif “Minister”, dengan menggantikan perkataan “industrial development” dengan perkataan “international trade and industry”.

Penggantian seksyen 3

5. Akta ibu dipinda dengan menggantikan seksyen 3 dengan seksyen yang berikut:

“Establishment of the Authority

3. (1) A body corporate by the name of the “Malaysian Investment Development Authority” is established.

(2) The Authority shall have perpetual succession and a common seal.

(3) Subject to and for the purposes of this Act, the Authority may, upon such term as it deems fit—

- (a) enter into contracts;
- (b) acquire, purchase, take, hold and enjoy movable and immovable property of every description; and
- (c) convey, assign, surrender, charge, mortgage, demise, reassign, transfer, or otherwise dispose of, or deal with, any movable or immovable property or any interest vested in the Authority.”.

Pindaan seksyen 3A

6. Seksyen 3A Akta ibu dipinda dengan menggantikan perkataan “Director General” di mana-mana jua terdapat dengan perkataan “Chief Executive Officer”.

Pindaan seksyen 3D

7. Seksyen 3D Akta ibu dipinda—

- (a) dalam nota bahu, dengan menggantikan perkataan “Director General” dengan perkataan “Chief Executive Officer”;
- (b) dalam subseksyen (1), dengan menggantikan perkataan “, upon such terms as the Minister may determine, an executive officer who shall be the Director General of the Authority” dengan perkataan “a Chief Executive Officer upon such terms and conditions as the Minister may determine”;

(c) dalam subseksyen (2)—

- (i) dengan menggantikan perkataan “Director General” dengan perkataan “Chief Executive Officer”;
- (ii) dengan memotong perkataan “and” di hujung perenggan (d); dan
- (iii) dengan memasukkan selepas perenggan (d) perenggan yang berikut:

“(da) the management of the annual budget of the Authority and making a decision on the allocation for all activities including development and operational; and”;

dan

(d) dalam subseksyen (3), dengan menggantikan perkataan “Director General” dengan perkataan “Chief Executive Officer”.

Penggantian seksyen 6

8. Akta ibu dipinda dengan menggantikan seksyen 6 dengan seksyen yang berikut:

“Functions of the Authority

6. It shall be the functions of the Authority to promote investments in the manufacturing and services sectors (excluding financial and utilities) and to advise the Minister on the formulation of policies in respect thereof and for that purpose, the Authority may—

- (a) lead, co-ordinate, monitor and evaluate the implementation of the policies, strategies, activities and development of investment in the manufacturing and services sectors (excluding financial and utilities);
- (b) undertake activities relating to the promotion of investment in the manufacturing and services sectors (excluding financial and utilities) within or outside Malaysia;
- (c) undertake or cause to be undertaken research and planning on matters relating to investment in the manufacturing and services sectors (excluding financial and utilities);

- (d) advise the Government on the policies relating to the promotion of investment in the manufacturing and services sectors (excluding financial and utilities) including policies on—
 - (i) the granting of manufacturing licences;
 - (ii) the incentives applicable to investors in Malaysia;
 - (iii) expatriate posts;
 - (iv) the imposition or alteration of, and exemption from, custom duties; and
 - (v) any other fiscal or non-fiscal facilities;
- (e) formulate measures for the promotion of investment in the manufacturing and services sectors (excluding financial and utilities);
- (f) co-ordinate and facilitate the activities relating to the promotion and implementation of investment in the manufacturing and services sectors (excluding financial and utilities) at the Federal and State levels;
- (g) provide consultancy services including training and technical assistance;
- (h) undertake any activity that promotes co-operation with other countries in line with the objectives of the Government with respect to investment in the manufacturing and services sectors (excluding financial and utilities);
- (i) assist Malaysian companies in seeking technology and investment opportunities abroad;
- (j) act as a centre for collection, reference and dissemination of information relating to investment across all sectors of the economy;
- (k) report periodically to the Minister on the progress and problems of investment in the manufacturing and services sectors (excluding financial and utilities) in Malaysia and make recommendations on the manner in which such problems may be dealt with;

- (l) carry out any other functions consistent with this Act as the Minister may authorize in writing; and
- (m) generally do all such matters incidental to or consequential upon the exercise of its powers or the performance of its functions under this Act.”.

Pindaan seksyen 6A

9. Subseksyen 6A(2) Akta ibu dipinda—

- (a) dengan menggantikan perenggan (a) dengan perenggan yang berikut:

“(a) conduct surveys and investigations to ensure compliance with conditions imposed for the grant of licences, permits or incentives in respect of manufacturing and services sectors (excluding financial and utilities);”;

- (b) dalam perenggan (b), dengan menggantikan perkataan “manufacturing activities or their related services” dengan perkataan “manufacturing and services sectors (excluding financial and utilities)”;

- (c) dengan memasukkan selepas perenggan (b) perenggan yang berikut:

“(ba) require—

- (i) all relevant Government Entities to give such assistance and submit such information in their possession as may be required by the Authority in order for the Authority to carry out its functions under this Act; and
- (ii) all Government Entities, companies and corporations, and other bodies or persons, whether local or foreign, responsible for or engaged in carrying out or intending to carry out development in Malaysia to submit reports, containing such particulars and information as may be specified by the Authority, regarding their activities or proposed activities;

- (bb) establish advisory panels to advise the Authority on the future direction and development of the manufacturing and services sectors (excluding financial and utilities);”.

Pindaan seksyen 7A

10. Seksyen 7A Akta ibu dipinda dengan menggantikan perkataan “Director General” di mana-mana jua terdapat dengan perkataan “Chief Executive Officer”.

Pindaan seksyen 7B

11. Subseksyen 7B(1) Akta ibu dipinda dengan memasukkan selepas perkataan “officers” perkataan “and servants”.

Seksyen baru 7c

12. Akta ibu dipinda dengan memasukkan selepas seksyen 7B seksyen yang berikut:

“Power to establish companies

7c. The Authority may, with the approval of the Minister, establish companies under the Companies Act 1965 [*Act 125*] to carry out and have the charge, conduct and management of any project, scheme, or enterprise which has been planned or undertaken by the Authority in the performance of its functions or the exercise of its powers.”.

Pindaan seksyen 10

13. Seksyen 10 Akta ibu dipinda—

- (a) dalam nota bahu, dengan menggantikan perkataan “Industrial” dengan perkataan “Investment”; dan
- (b) dalam subseksyen (1), dengan menggantikan perkataan “Industrial” dengan perkataan “Investment”.

Pindaan seksyen 10A**14.** Seksyen 10A Akta ibu dipinda—

(a) dalam perenggan (c), dengan memasukkan selepas perkataan “grants” perkataan “, loans or any financial assistance”;

(b) dengan memasukkan selepas perenggan (c) perenggan yang berikut:

“(ca) giving financial assistance or credit facilities, with or without interest, or any contribution to any person for educational purposes, scholarships or any other purposes subject to the approval of the Minister with the concurrence of the Minister of Finance;” dan

(c) dalam perenggan (d), dengan menggantikan perkataan “staff” dengan perkataan “servants”.

Seksyen baru 10AA

15. Akta ibu dipinda dengan memasukkan selepas seksyen 10A seksyen yang berikut:

“Investment

10AA. The moneys of the Authority, insofar as they are not required to be expended by the Authority under this Act, may be invested in such manner as the Minister may, with the concurrence of the Minister of Finance, approve.”.

Pindaan seksyen 12

16. Subseksyen 12(1) Akta ibu dipinda dengan menggantikan perkataan “not later than 31st day of March of each year, cause to be made and transmitted” dengan perkataan “as soon as practicable after the end of each financial year, furnish”.

Pindaan seksyen 13

17. Subseksyen 13(2) Akta ibu dipinda dengan menggantikan perkataan “six months or to a fine not exceeding one thousand ringgit” dengan perkataan “two years or to a fine not exceeding fifty thousand ringgit”.

Pindaan Jadual

18. Subperenggan 2(4) Jadual kepada Akta ibu dipinda dengan menggantikan perkataan “Industrial” dengan perkataan “Investment”.

Peruntukan kecualian dan peralihan

19. (1) Semua sebutan mengenai Akta Lembaga Kemajuan Perindustrian Malaysia (Pemerbadanan) 1965 dalam mana-mana undang-undang bertulis atau dokumen hendaklah, apabila Akta ini mula berkuat kuasa, ditafsirkan sebagai sebutan mengenai Akta Lembaga Pembangunan Pelaburan Malaysia (Pemerbadanan) 1965.

(2) Perubahan nama “Lembaga Kemajuan Perindustrian Malaysia” kepada “Lembaga Pembangunan Pelaburan Malaysia” apabila Akta ini mula berkuat kuasa tidaklah menyentuh apa-apa hak atau obligasi Lembaga atau menjadikan cacat apa-apa prosiding undang-undang oleh atau terhadapnya, dan apa-apa prosiding undang-undang yang boleh diteruskan atau dimulakan olehnya atau terhadapnya sebelum tarikh permulaan kuat kuasa Akta ini bolehlah diteruskan atau dimulakan di bawah namanya yang baru.

(3) Semua tindakan, peraturan, perintah, arahan, pemberitahuan, kelulusan, keputusan, garis panduan dan tindakan eksekutif lain yang dibuat, diberikan atau dilakukan di bawah, atau mengikut, atau menurut kuasa Akta ibu sebelum permulaan kuat kuasa Akta ini hendaklah disifatkan telah dibuat, diberikan atau dilakukan di bawah, atau mengikut, atau menurut kuasa, peruntukan yang bersamaan yang dimasukkan atau dipinda oleh Akta ini, dan hendaklah terus mempunyai kuat kuasa dan kesan sepenuhnya

berhubung dengan orang yang baginya ia terpakai sehingga dipinda, dimansuhkan atau dibatalkan di bawah, mengikut atau menurut kuasa, peruntukan yang bersamaan yang dimasukkan atau dipinda oleh Akta ini.

(4) Semua sebutan mengenai Ketua Pengarah Lembaga Kemajuan Perindustrian Malaysia dalam mana-mana undang-undang bertulis atau dokumen hendaklah, apabila Akta ini mula berkuat kuasa, ditafsirkan sebagai sebutan mengenai Ketua Pegawai Eksekutif Lembaga Pembangunan Pelaburan Malaysia.

(5) Semua wang yang terkandung dalam atau yang kena dibayar kepada Kumpulan Wang Lembaga Kemajuan Perindustrian Malaysia yang ditubuhkan di bawah seksyen 10 Akta ibu hendaklah, apabila Akta ini mula berkuat kuasa, dipindahkan ke dalam dan disifatkan menjadi sebahagian daripada Kumpulan Wang Lembaga Pembangunan Pelaburan Malaysia.

(6) Semua surat ikatan, dokumen dan surat cara lain yang disempurnakan oleh Lembaga di bawah meterai perbadanan “Lembaga Kemajuan Perindustrian Malaysia” sebelum permulaan kuat kuasa Akta ini hendaklah terus mempunyai kuat kuasa dan kesan sepenuhnya apabila Akta ini mula berkuat kuasa.