

A BILL

i n t i t u l e d

An Act to amend the Free Zones Act 1990.

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ENACTED by the Parliament of Malaysia as follows:

Short title and commencement

1. (1) This Act may be cited as the Free Zones (Amendment) Act 2022.

(2) This Act comes into operation on a date to be appointed by the Minister by notification in the *Gazette*.

New sections 48A and 48B

2. The Free Zones Act 1990 [Act 438] is amended by inserting after section 48 the following sections:

“Power to extend period

48A. Where, by this Act, a period is specified within which an act or thing is to be done by a person, and the Minister is satisfied that the act or thing could not be completed in that period due to the occurrence of public emergency or

public health crisis, the Minister may, upon such terms and conditions as the Minister thinks fit, extend the period for the completion of the act or thing before the expiration of the period.

Power to modify terms and conditions

48B. (1) Where terms and conditions are imposed pursuant to this Act, the Minister may, on the advice of the Director General, from time to time modify the terms and conditions for the purpose of carrying out the objects of this Act.

(2) Before modifying the terms and conditions, notice must be given to the person bound by the terms and conditions stating—

(a) the terms and conditions as modified; and

(b) the date the terms and conditions as modified take effect.

(3) The modified terms and conditions shall not take effect in less than fourteen days from the date the notice is issued under subsection (2).

(4) Where the terms and conditions were initially imposed by the Director General or Authority pursuant to this Act, the terms and conditions as modified by the Minister shall be deemed to have been imposed by the Director General or Authority, as the case may be.

(5) For the purposes of this section, “modify” means add to, delete or vary.”.

EXPLANATORY STATEMENT

This Bill seeks to amend the Free Zones Act 1990 (“Act 438”).

2. *Clause 1* contains the short title and the power of the Minister to appoint the commencement date of the proposed Act.

3. *Clause 2* seeks to introduce new sections 48A and 48B into Act 438.

The proposed section 48A seeks to empower the Minister to extend the period to perform an act or a thing which is required to be completed within a certain period under Act 438 if he is satisfied that the act or thing could not be completed within the period due to the occurrence of any public emergency or public health crisis.

The proposed section 48B seeks to empower the Minister to add to, delete or vary any terms and conditions imposed pursuant to Act 438 for the purpose of carrying out the objects of Act 438, provided that reasonable notice is given to the person bound by the terms and conditions.

FINANCIAL IMPLICATIONS

This Bill will not involve the Government in any extra financial expenditure.

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