



# **UNDANG-UNDANG MALAYSIA**

**Akta A1628**

**AKTA KASTAM (PINDAAN) 2020**

Tarikh Perkenan Diraja      ...      ...      31 Disember 2020

Tarikh penyiaran dalam *Warta*      ...      31 Disember 2020

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 A1628

### AKTA KASTAM (PINDAAN) 2020

Suatu Akta untuk meminda Akta Kastam 1967.

[ ]

**DIPERBUAT** oleh Parlimen Malaysia seperti yang berikut:

#### **Tajuk ringkas dan permulaan kuat kuasa**

1. (1) Akta ini bolehlah dinamakan Akta Kastam (Pindaan) 2020.

(2) Akta ini mula berkuat kuasa pada tarikh yang ditetapkan oleh Menteri melalui pemberitahuan dalam *Warta*.

#### **Pindaan seksyen 93**

2. Akta Kastam 1967 [*Akta 235*], yang disebut “Akta ibu” dalam Akta ini, dipinda dalam subseksyen 93(1) dengan menggantikan perkataan “nine-tenths of the duties calculated in accordance with subsection (2) may be repaid” dengan perkataan “the Director General may allow nine-tenths of the duties calculated in accordance with subsection (2) be repaid”.

**Pindaan seksyen 99****3. Subseksyen 99(1) Akta ibu dipinda—**

- (a) dalam perenggan (*d*), dengan memotong perkataan “and” di hujung perenggan itu;
- (b) dalam perenggan (*e*), dengan menggantikan noktah di hujung perenggan itu dengan perkataan “; and”; dan
- (c) dengan memasukkan selepas perenggan (*e*) perenggan yang berikut:
  - “(f) the drawback claimed in respect of any one consignment of re-exported goods is not less than two hundred ringgit.”.

**Seksyen baharu 106c****4. Akta ibu dipinda dengan memasukkan selepas seksyen 106b seksyen yang berikut:****“Additional powers**

**106c.** (1) In addition to and without affecting the existing powers conferred under this Act, when escorting and guarding any person in custody, a proper officer of customs shall have all the powers of a police officer of the rank of Corporal and below and the powers of a prison officer of the rank of Sergeant and below under the Prison Act 1995 [*Act 537*].

**(2) For the purposes of this Act—**

- (a) where an order, a certificate or any other act is required to be given, issued or done by an officer in charge of a Police District under any written law, such order, certificate or act may be given, issued or done by a senior officer of customs, and for such purpose, the place where the order, certificate or act was given, issued or done shall be deemed to be a Police District under his charge; and

- (b) a proper officer of customs shall have all the powers conferred on an officer in charge of a police station under any written law, and for such purpose the office of such officer shall be deemed to be a police station.”.

#### **Pindaan seksyen 114**

- 5.** Seksyen 114 Akta ibu dipinda dengan memasukkan selepas subseksyen (3) subseksyen yang berikut:

“(3A) Where by reason of its nature, size or amount it is not practicable to remove any goods and such receptacles, packages or conveyances seized under this section, the seizing officer may, by any means, seal the goods and such receptacles, packages or conveyances, or the premises or place in which the goods and such receptacles, packages or conveyances are found.

(3B) A person who, without lawful authority, breaks, tampers with or damages the seal referred to in subsection (3A) or removes any goods and such receptacles, packages or conveyances under seal, or attempts to do so, shall be guilty of an offence and shall, on conviction, be liable to imprisonment for a term not exceeding five years or to a fine not exceeding one hundred thousand ringgit or to both.”.

#### **Seksyen baharu 116E**

- 6.** Akta ibu dipinda dengan memasukkan selepas seksyen 116D seksyen yang berikut:

##### **“Evidence of agent provocateur admissible**

**116E.** (1) Notwithstanding any rule of law or the provisions of this Act or any other written law to the contrary, no agent provocateur shall be presumed to be unworthy of credit by reason only of his having attempted to abet or abetted the commission of an offence by any person under this Act if the attempt to abet or abetment was for the sole purpose of securing evidence against such person.

(2) Notwithstanding any rule of law or the provisions of this Act or any other written law to the contrary, and that the agent provocateur is an officer of customs or a police officer whatever his rank, any statement, whether oral or written, made to an agent provocateur by any person who subsequently is charged with an offence under this Act shall be admissible as evidence at his trial.”.