

A BILL

i n t i t u l e d

An Act to amend the Safeguards Act 2006.

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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 Safeguards (Amendment) Act 2012.

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

Amendment of section 28

2. The Safeguards Act 2006 [*Act 657*], which is referred to as the “principal Act” in this Act, is amended in subsection 28(2) by substituting for the words “(1)(a) and (b)” the words “(1)(a), (b) and (c)”.

New section 40A

3. The principal Act is amended by inserting after section 40 the following section:

“Bilateral safeguards

40A. (1) Nothing in this Act shall prevent the Government from initiating safeguard investigation and imposing safeguard measure in accordance with the terms and conditions agreed upon in a trade agreement entered into by the Government.

(2) The Minister shall prescribe the terms and conditions of the safeguard investigation and safeguard measure for the purpose of subsection (1).”.

EXPLANATORY STATEMENT

This Bill seeks to amend the Safeguards Act 2006 (“Act 657”).

2. *Clause 1* contains the short title of the proposed Act and provision on the commencement of the proposed Act.
3. *Clause 2* seeks to amend section 28 of Act 657 to enable a definitive measure to be applied in the form of a safeguard duty and a quota on all imports of a product under investigation.
4. *Clause 3* seeks to introduce a new section 40A into Act 657 which allows Malaysia to initiate safeguard investigation and impose safeguard measures on specific countries in accordance with trade agreements entered by the Government.

FINANCIAL IMPLICATIONS

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

[PN(U²)2828]