



LAWS OF MALAYSIA

Act A1669

CUSTOMS (AMENDMENT) ACT 2022

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LAWS OF MALAYSIA

Act A1669

CUSTOMS (AMENDMENT) ACT 2022

An Act to amend the Customs Act 1967.

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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 Customs (Amendment) Act 2022.

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

General amendment

2. The Customs Act 1967 [Act 235], which is referred to as the “principal Act” in this Act, is amended—

(a) by substituting for the words “in the prescribed form”, wherever appearing in sections 57, 59 and 94, and subsections 16(1), 37(1), 38(2), 52(1), 54(1), 56(1), 58(1) and 143(2), and paragraphs 93(1)(e), 128(3A)(b) and 133(1)(g), the words “in the form and manner as determined by the Director General”;

- (b) by substituting for the words “substantially in the prescribed form, giving particulars of the goods imported”, wherever appearing in section 83 and subsection 81(1), the words “in the form and manner as determined by the Director General”;
- (c) by substituting for the words “substantially in the prescribed form, giving particulars of the goods to be exported”, wherever appearing in section 86 and subsection 84(1), the words “in the form and manner as determined by the Director General”; and
- (d) by substituting for the words “substantially in the prescribed form giving particulars of the goods transported in such vehicle, vessel or aircraft”, wherever appearing in sections 163D, 163M and 163T, the words “in the form and manner as determined by the Director General”.

Amendment of section 3

3. Subsection 3(3) of the principal Act is amended by substituting for the words “sections 10F, 13B, 22 and 145” the words “sections 10F, 13B and 22”.

Amendment of section 10A

4. Subsection 10A(1) of the principal Act is amended by substituting for the words “Any person may apply, in the prescribed form together with the prescribed fee, to the Director General” the words “Any person may apply to the Director General, in the form and manner as determined by the Director General together with the prescribed fee.”.

Amendment of section 19

5. Section 19 of the principal Act is amended by deleting subsection (2).

Amendment of section 65A

6. Paragraph 65A(3)(b) of the principal Act is amended by substituting for the words “Subject to subsection (4), if” the word “If”.

Amendment of section 78

7. Subsection 78(1) of the principal Act is amended by substituting for the words “in such form as may be prescribed to the proper officer of customs” the words “in the form and manner as determined by the Director General”.

Amendment of section 78B

8. Subsection 78B(2) of the principal Act is amended by substituting for the words “the date of the declaration being approved by the proper officer of customs” the words “the date of arrival of such goods”.

Amendment of section 80

9. Paragraph 80(1)(a) of the principal Act is amended by substituting for the words “in the prescribed form and to the officer of customs specified in subsection (2)” the words “in the form and manner as determined by the Director General”.

Amendment of section 82

10. Section 82 of the principal Act is amended by substituting for the words “substantially in the prescribed form giving particulars of the goods imported” the words “in the form and manner as determined by the Director General”.

Amendment of section 85

11. Section 85 of the principal Act is amended by substituting for the words “substantially in the prescribed form giving particulars of the goods to be exported” the words “in the form and manner as determined by the Director General”.

Amendment of section 99

12. Paragraph 99(1)(d) of the principal Act is amended—

- (a) by deleting after the words “given on the” the word “prescribed”; and
- (b) by substituting for the words “in the prescribed form” the words “in the form and manner as determined by the Director General”.

Amendment of section 142

13. Section 142 of the principal Act is amended by deleting subsections (12) and (35E).

Deletion of section 145

14. The principal Act is amended by deleting section 145.

New sections 145c and 145d

15. The principal Act is amended by inserting after section 145B the following sections:

“Power to extend period

145c. 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

145d. (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 pursuant to this Act, the terms and conditions as modified by the Minister shall be deemed to have been imposed by the Director General.

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

Amendment of section 157

16. Section 157 of the principal Act is amended—

(a) by inserting after the word “any” the word “vehicle,”; and

(b) by substituting for the words “substantially in the prescribed form giving particulars of the goods transported in such vessel or aircraft” the words “in the form and manner as determined by the Director General”.