

International Monetary Fund (Ratification of Amendments to the Articles of Agreement) Act 1969

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2006

Act 12

INTERNATIONAL MONETARY

FUND (RATIFICATION OF

AMENDMENTS TO THE

ARTICLES OF AGREEMENT)

ACT 1969

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(RATIFICATION OF AMENDMENTS TO THE
ARTICLES OF AGREEMENT) ACT 1969

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Act 12

INTERNATIONAL MONETARY FUND

(RATIFICATION OF AMENDMENTS TO THE
ARRANGEMENT OF SECTIONS

ARTICLES OF AGREEMENT) ACT 1969

Section

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LAWS OF MALAYSIA

Act 12

INTERNATIONAL MONETARY FUND

(RATIFICATION OF AMENDMENTS TO THE

ARTICLES OF AGREEMENT) ACT 1969

An Act to provide for the ratification of the amendments to the Articles of Agreement of the International Monetary Fund, pursuant to Resolution No. 23--5 approved by the Board of Governors of the International Monetary Fund, on 31 May 1968, and other matters connected with it.

[Throughout Malaysia--2 May 1969]

BE IT ENACTED by the Seri Paduka Baginda Yang di-Pertuan Agong with the advice and consent of the Dewan Negara and Dewan Rakyat in Parliament assembled, and by the authority of the same, as follows:

Short title

1. This Act may be cited as the International Monetary Fund (Ratification of Amendments to the Articles of Agreement) Act

1969. Interpretation

2. In this Act-- "Articles of Agreement" means Articles of Agreement of the said Fund;

"International Monetary Fund" (hereinafter referred to as the "Fund") means the International Monetary Fund of which Malaysia is a member by virtue of section 3 of the Bretton Woods Agreements Act 1957 [Act 472]*;

*NOTE--Act 472 first enacted as the Bretton Woods Agreements Ordinance 1957 [Ord. No. 75 of 1957] and revised as Act 472 w.e.f. 16 September 1991. 012e.fm Page 5 Monday, March 27, 2006 11:33 AM

"Special Drawing Account" means the account through which the Fund will conduct all operations and transactions involving Special Drawing Rights to be established under the Articles of Agreement as amended.

Authorization to ratify amendments of Articles of Agreement of the Fund and to participate in the Special Drawing Account

3. The Yang di-Pertuan Agong may by instrument under his hand empower such person as he may name in such instrument-- (a) to accept on behalf of Malaysia the amendments to the Articles of Agreement of the Fund annexed to the

April 1968 Report by the Executive Directors to the Board of Governors of the Fund, for the purpose of-- (i) establishing a new facility based on Special

Drawing Rights in the Fund; and

(ii) giving effect to certain changes in the rules and practices of the Fund; and

(b) to deposit on behalf of Malaysia with the Fund an instrument setting forth that the Government, in

accordance with the law in Malaysia, undertakes all the obligations of a participant in the Special Drawing Account established by the Fund under the said

amendments and that the Government has taken all

steps necessary to enable it to carry out all of these obligations.

Payments and receipts in connection with Special Drawing Account

4. (1) In the event that Malaysia becomes a participant in the Special Drawing Account, the following subsections shall have effect.

(2) Special Drawing Rights allocated to Malaysia under Article XXIV of the Articles of Agreement as amended and those otherwise acquired by Malaysia, shall be credited to the Federal Consolidated Fund.

(3) All proceeds arising from the use of Special Drawing Rights by Malaysia, and payments of interest to Malaysia under 012e.fm Page 6 Monday, March 27, 2006 11:33 AM

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Articles XXVI, XXX and XXXI of the Articles of Agreement as amended, shall be credited to the Federal Consolidated Fund. (4) Currency payments by Malaysia in return for Special Drawing Rights, and payments of charges or assessments under Articles XXVI, XXX, and XXXI of the Articles of Agreement as amended, shall be charged on the Federal Consolidated Fund. Power of the Government to assign rights and obligations under the Special Drawing Account to Bank Negara Malaysia

5. (1) The Yang di-Pertuan Agong may if he thinks it expedient, by order authorize Bank Negara Malaysia to exercise rights and to perform obligations, being rights and obligations which arise out of the deposit with the Fund of an instrument under paragraph 3(b).

(2) Upon the making of an order under subsection (1)-- (a) the rights and obligations referred to shall, notwithstanding the provisions of the Central Bank of Malaysia Act 1958 [Act 519]*, be deemed to be the rights and obligations of Bank Negara Malaysia and section 4 shall cease to apply to the Federal

Consolidated Fund; and

(b) without prejudice to any other powers of Bank Negara Malaysia as may be provided in the Central Bank of Malaysia Act 1958, Bank Negara Malaysia shall have the following powers, that is to say:

(i) to receive for its own account, Special Drawing Rights allocated to Malaysia under Article XV

of the Articles of Agreement as amended and

those otherwise acquired by Malaysia;

(ii) to include Special Drawing Rights, in its reserves of external assets to be held pursuant to section 28 of the Central Bank of Malaysia Act 1958;

(iii) to receive for its own account, all proceeds arising from the use of Special Drawing Rights

by Malaysia and payments of interest to

*NOTE--Act 519 first enacted as the Central Bank of Malaysia Ordinance 1958 [Ord. No. 61 of 1958] and revised as Act 519 w.e.f. 18 May 1994. 012e.fm Page 7 Monday, March 27, 2006 11:33 AM

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Malaysia under Articles XX, XXIV and XXV

of the Articles of Agreement as amended; and

(iv) to make currency payments in return for Special Drawing Rights and payments of charges or

assessments under Articles XX, XXIV and

XXV of the Articles of Agreement as

amended.

Act in relation to Act 472

6. The Bretton Woods Agreements Act 1957, shall be read subject to this Act.

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(RATIFICATION OF AMENDMENTS TO THE

ARTICLES OF AGREEMENT) ACT 1969

LIST OF AMENDMENTS

Amending Law Short title In force from

Act 184 International Monetary Fund (Ratification of Second Amendment to the Articles of

Agreement) Act 1977

10-06-1977

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INTERNATIONAL MONETARY FUND

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LIST OF SECTIONS AMENDED

Section Amending authority In force from

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