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WARTA KERAJAAN PERSEKUTUAN

FEDERAL GOVERNMENT GAZETTE

PERINTAH PERBADANAN INSURANS DEPOSIT MALAYSIA (KRITERIA BERKENAAN DENGAN PIHAK KETIGA YANG LAYAK) 2012

MALAYSIA DEPOSIT INSURANCE CORPORATION (CRITERIA IN RESPECT OF QUALIFIED THIRD PARTY) ORDER 2012



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AKTA PERBADANAN INSURANS DEPOSIT MALAYSIA 2011

PERINTAH PERBADANAN INSURANS DEPOSIT MALAYSIA
(KRITERIA BERKENAAN DENGAN PIHAK KETIGA YANG LAYAK) 2012

PADA menjalankan kuasa yang diberikan oleh perenggan 209(1)(a) Akta Perbadanan Insurans Deposit Malaysia 2011 [*Akta 720*], Perbadanan dengan kelulusan Menteri, membuat perintah yang berikut:

Nama dan permulaan kuat kuasa

1. (1) Perintah ini bolehlah dinamakan **Perintah Perbadanan Insurans Deposit Malaysia (Kriteria berkenaan dengan Pihak Ketiga yang Layak) 2012**.

(2) Perintah ini mula berkuat kuasa pada 2 Januari 2013.

Kriteria pihak ketiga yang layak

2. Pihak ketiga yang layak yang berkenaan dengannya Perbadanan memindahkan, atau mengesahkan melalui notis bertulis bahawa ia akan memindahkan di bawah subseksyen 115(3) Akta, atau menyetujui pemindahan di bawah subseksyen 180(2) Akta, mana-mana perjanjian yang disebut dalam subseksyen 115(1) Akta, hendaklah merupakan:

(a) suatu institusi yang—

- (i) dilesenkan di bawah Akta Bank dan Institusi-Institusi Kewangan 1989 [*Akta 372*];
- (ii) dilesenkan di bawah Akta Bank Islam 1983 [*Akta 276*];
- (iii) dilesenkan di bawah Akta Insurans 1996 [*Akta 553*];
- (iv) didaftarkan di bawah Akta Takaful 1984 [*Akta 312*]; atau

(v) ditetapkan di bawah Akta Institusi Kewangan Pembangunan 2002 [Akta 618];

dan mesti mematuhi keperluan modal dan keperluan berhemat yang ditetapkan oleh Bank Negara Malaysia;

(b) suatu institusi yang dilesenkan di bawah Akta Perkhidmatan Kewangan dan Sekuriti Labuan 2010 [Akta 704] atau Akta Perkhidmatan Kewangan dan Sekuriti Islam Labuan 2010 [Akta 705], dan mesti mematuhi keperluan modal dan keperluan berhemat yang ditetapkan oleh Lembaga Perkhidmatan Kewangan Labuan;

(c) suatu badan berkanun; atau

(d) suatu entiti yang mana kewajipannya di bawah perjanjian yang disebut dalam subseksyen 115(1) Akta akan dijamin oleh Kerajaan Malaysia, Bank Negara Malaysia atau Perbadanan.

Dibuat 6 Disember 2012
[PIDM/PN/2/2012; PN(PU2)689/II]

TAN SRI DATUK DR ABDUL SAMAD HAJI ALIAS
Pengerusi
Perbadanan Insurans Deposit Malaysia

Diluluskan 28 Disember 2012
[KK/BPKA/K2/(S)/382/342/3-1;PN(PU2)689/II]

DATO' SERI AHMAD HUSNI MOHAMAD HANADZLAH
Menteri Kewangan Kedua

[Akan dibentangkan di Dewan Rakyat menurut subseksyen 209(4) Akta Perbadanan Insurans Deposit Malaysia 2011]

MALAYSIA DEPOSIT INSURANCE CORPORATION ACT 2011

MALAYSIA DEPOSIT INSURANCE CORPORATION
(CRITERIA IN RESPECT OF QUALIFIED THIRD PARTY) ORDER 2012

IN exercise of the powers conferred by paragraph 209(1)(a) of the Malaysia Deposit Insurance Corporation Act 2011 [*Act 720*], the Corporation with the Minister's approval makes the following order:

Citation and commencement

1. (1) This order may be cited as the **Malaysia Deposit Insurance Corporation (Criteria in Respect of Qualified Third Party) Order 2012**.

(2) This Order comes into operation on 2 January 2013.

Criteria for qualified third party

2. A qualified third party in respect of which the Corporation transfers, or declares by notice in writing that it will transfer under subsection 115(3) of the Act, or consents to transfer under subsection 180(2) of the Act, any agreement referred to in subsection 115(1) of the Act, shall be:

(a) an institution—

(i) licensed under the Banking and Financial Institutions Act 1989 [*Act 372*];

(ii) licensed under the Islamic Banking Act 1983 [*Act 276*];

(iii) licensed under the Insurance Act 1996 [*Act 553*];

(iv) registered under the Takaful Act 1984 [*Act 312*]; or

- (v) prescribed under the Development Financial Institutions Act 2002 [Act 618];
and must be in compliance with the capital and prudential requirements imposed by Bank Negara Malaysia;
- (b) an institution licensed under the Labuan Financial Services and Securities Act 2010 [Act 704] or the Labuan Islamic Financial Services and Securities Act 2010 [Act 705], and must be in compliance with the capital and prudential requirements imposed by Labuan Financial Services Authority;
- (c) a statutory body; or
- (d) an entity whose obligations under the agreement referred to in subsection 115(1) of the Act will be guaranteed by the Government of Malaysia, Bank Negara Malaysia or the Corporation.

Made 6 December 2012
[PIDM/PN/2/2012; PN(PU2)689/II]

TAN SRI DATUK DR ABDUL SAMAD HAJI ALIAS
Chairman
Malaysia Deposit Insurance Corporation

Approved 28 December 2012
[KK/BPKA/K2/(S)/382/342/3-1;PN(PU2)689/II]

DATO' SERI AHMAD HUSNI MOHAMAD HANADZLAH
Second Minister of Finance

[To be laid before the Dewan Rakyat pursuant to subsection 209(4) of the Malaysia Deposit Insurance Corporation Act 2011]