

1540 COMMITTEE MATRIX OF MALAYSIA

The information in the matrices originates primarily from national reports and is complemented by official government information, including that made available to inter-governmental organizations. The matrices are prepared under the direction of the 1540 Committee.

The 1540 Committee intends to use the matrices as a reference tool for facilitating technical assistance and to enable the Committee to continue to enhance its dialogue with States on their implementation of Security Council Resolution 1540.

The matrices are not a tool for measuring compliance of States in their non-proliferation obligations but for facilitating the implementation of Security Council Resolutions 1540 (2004), 1673 (2006), 1810 (2008) and 1977 (2011). They do not reflect or prejudice any ongoing discussions outside of the Committee, in the Security Council or any of its organs, of a State's compliance with its non-proliferation or any other obligations. Information on voluntary commitments is for reporting purpose only and does not constitute in any way a legal obligation arising from resolution 1540 or its successive resolutions.

OP 1 and related matters from OP 5, OP 6, OP 8 (a), (b), (c) and OP 10

State:

MALAYSIA

Date of Report:

26 October 2004

Date of Committee Approval:

Legally binding instruments, organizations, codes of conduct, arrangements, statements and other issues.		YES	if YES, relevant information (i.e. signing, accession, ratification, etc)	Remarks (information refers to the page of the English version of the national report or an official web site)
1	Nuclear Non-Proliferation Treaty (NPT)	X	Deposit 5 March 1970	
2	Nuclear Weapons Free Zone/ Protocol(s)	X	Treaty on the Southeast Asia Nuclear Weapon-Free Zone (SEANWFZ), deposit 11 October 1996	
3	Convention for the Suppression of Acts of Nuclear Terrorism	?	Signed 19 September 2005	
4	Convention on Physical Protection of Nuclear Material (CPPNM)			
5	2005 Amendment to the CPPNM			

6	Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	X	Deposit 17 January 2008	
7	Chemical Weapons Convention (CWC)	X	Deposit 20 April 2000	
8	Biological Weapons Convention (BWC)	X	Deposit 6 September 1991	
9	Geneva Protocol of 1925	X	Deposit 10 December 1970	
10	Other Conventions/Treaties	X	<p>State party to 9 of 19 universal legal Instruments against terrorism including the following relevant to resolution 1540: International Convention for the Suppression of Terrorist Bombings, acceded 24 September 2003 International Convention for the Suppression of Financing of Terrorism, ratified 29 June 2007</p> <p>Implementing the International Health Regulations (IHR 2005)</p> <p>Also State Party to: Partial Test Ban Treaty (PTBT) Outer Space Treaty Sea-Bed Treaty</p>	
11	International Atomic Energy Agency (IAEA)	X	Since 15 January 1969	
12	Hague Code of Conduct (HCOC)			
13	Other Arrangements	X	Global Initiative to Combat Nuclear Terrorism (GICNT)	
14	General statement on non-possession of WMD	X	State reports that it does not produce nuclear, chemical and biological weapons.	
15	General statement on commitment to disarmament and non-proliferation	X	State reports that it is fully committed towards non-proliferation and complete and general disarmament	
16	General statement on non-provision of WMD and related materials to non-State actors	X	State reports that it supports international efforts to prevent non-State actors from acquiring WMD.	
17	Other ¹		<p>Member of the:</p> <p>World Customs Organisation and its Framework of Standards to Secure and Facilitate Global Trade (SAFE) Programme</p> <p>INTERPOL</p>	

			World Health Organization (WHO) Organisation for Animal Health (OIE) International Maritime Organization (IMO) The ASEAN Regional Forum (ARF) Asia-Pacific Economic Cooperation (APEC) Asia/Pacific Group on Money Laundering (APG) Egmont Group	
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1. Including, as appropriate, information with regard to membership in relevant international, regional or sub-regional organizations.

OP 2 - Nuclear Weapons (NW), Chemical Weapons (CW) and Biological Weapons (BW)

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			if YES, source document of national implementation law	YES			if YES, source document	
		N W	C W	B W		N W	C W	B W		
1	manufacture/produce		X		CW: CWC Act of 2005, Article 18 Arms Act of 1960 Corrosive and Explosive Substances and Offensive Weapons Act of 1958 Explosives Act of 1957		X		CW: CWC Act of 2005, Article 18	
2	acquire		X		CW: CWC Act of 2005, Article 18 Arms Act of 1960 Corrosive and Explosive Substances and Offensive Weapons Act of 1958 Explosives Act of 1957		X		CW: CWC Act of 2005, Article 18	
3	possess		X		CW: CWC Act of 2005, Article 18 Arms Act of 1960 Corrosive and Explosive Substances and Offensive Weapons Act of 1958 Explosives Act of 1957		X		CW: CWC Act of 2005, Article 18 Penal Code Art 144	
4	stockpile/store		X		CW: CWC Act of 2005, Article 18		X		CW: CWC Act of 2005, Article 18	
5	develop		X		CW: CWC Act of 2005, Article 18 (including transfer = "any movement") Arms Act of 1960 Corrosive and Explosive Substances and Offensive Weapons Act of 1958		X		CW: CWC Act of 2005, Article 18	

6	transport		X		CW: CWC Act of 2005, Article 18 (including transfer = "any movement") Arms Act of 1960 Corrosive and Explosive Substances and Offensive Weapons Act of 1958		X		CW: CWC Act of 2005, Article 18	
7	transfer		X		CW: CWC Act of 2005, Article 18 (including transfer = "any movement") Arms Act of 1960 Corrosive and Explosive Substances and Offensive Weapons Act of 1958		X		CW: CWC Act of 2005, Article 18	
8	use		X		CW: CWC Act of 2005, Article 18 (including transfer = "any movement") Arms Act of 1960 Corrosive and Explosive Substances and Offensive Weapons Act of 1958		X		CW: CWC Act, Article 18	
9	participate as an accomplice in abovementioned activities		?		CW: CWC Act of 2005, Article 18		?		CW: CWC Act of 2005, Article 18	
10	assist in abovementioned activities		X		CW: CWC Act of 2005, Article 18		X		CW: CWC Act of 2005, Article 18	
11	finance abovementioned activities	X	X	X	NW/CW /BW: Anti-Money Laundering and Anti-Terrorism Financing Act of 2001 (AMLA) (Terrorism Financing) Penal Code, as amended 2007, section 125A	X	X	X	NW/CW /BW: Anti-Money laundering and Anti-Terrorism Financing Act of 2001 (AMLA): criminalizes financing of terrorism Penal Code as amended 2007, section 125A FIU within the Central Bank	
12	abovementioned activities related to means of delivery ²		X		CW: CWC Act of 2005, Article 3 and 18 Arms Act of 1960 Corrosive and Explosive Substances and Offensive Weapons Act of 1958		X		CW: CWC Act of 2005	

13	involvement of non-State actors in abovementioned activities		X		CW: CWC Act of 2005, Article 18		X		CW: CWC Act of 2005, Article 18	
14	Other	?	?	?	NW/CW/BW: Malaysia's Lower House of Parliament on 26 September 2014 unanimously approved a government white paper on combating the threat posed by the rise of the Islamic State and the alleged involvement of Malaysian jihadists within the group. The white paper proposed an Anti-Terrorism Act, the draft of which was tabled at parliament's session in March 2015.	?	?	?	NW/CW/BW: Malaysia's Lower House of Parliament on 26 September 2014 unanimously approved a government white paper on combating the threat posed by the rise of the Islamic State and the alleged involvement of Malaysian jihadists within the group. The white paper proposed an Anti-Terrorism Act, the draft of which was tabled at parliament's session in March 2015.	

2. Means of delivery: missiles, rockets and other unmanned systems capable of delivering nuclear, chemical, or biological weapons, that are specially designed for such use.

OP 3 (a) and (b) - Account for/Secure/Physically protect NW, CW and BW, including Related Materials³

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized ?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			if YES, source document	YES			if YES, source document	
		N W	C W	B W *		N W	C W	B W		
1	Measures to account for production	X	X	X	NW: INFCIRC/182 The Atomic Energy Licensing Act of 1984, Art. 68 Radiation Protection (Licensing) Regulations 1986 CW: CWC Act of 2005 BW: Biosafety Act 2007(contained use) The Biosafety (Approval and Notification) Regulations 2010	X	X	X	NW: The Atomic Energy Licensing Act of 1984: Art. 40 (Offence) CW: CWC Act of 2005 BW: Biosafety Act 2007 The Biosafety (Approval and Notification) Regulations 2010	
2	Measures to account for use	X	X	X	NW: INFCIRC/182 The Atomic Energy Licensing Act of 1984, Art. 68 Radiation Protection (Licensing) Regulations 1986 CW: CWC Act of 2005 BW: Biosafety Act 2007, (contained use) The Biosafety (Approval and Notification) Regulations 2010	X	X	X	NW: The Atomic Energy Licensing Act of 1984: Art. 40 (Offence) CW: CWC Act of 2005 BW: Biosafety Act 2007 The Biosafety (Approval and Notification) Regulations 2010	

3	Measures to account for storage	X	X	X	NW: INFCIRC/182 The Atomic Energy Licensing Act of 1984, Art. 68 Radiation Protection (Licensing) Regulations 1986 CW: CWC Act of 2005 The Poisons Act of 1952 (revised 1989) Section 9 (Packaging, Labelling and Storing of Poisons) BW: Biosafety Act 2007: (contained use) The Biosafety (Approval and Notification) Regulations 2010	X	X	X	NW: The Atomic Energy Licensing Act of 1984: Art. 40 (Offence) CW: CWC Act of 2005 BW: Biosafety Act 2007 The Biosafety (Approval and Notification) Regulations 2010	
4	Measures to account for transport	X			NW: The Atomic Energy Licensing Act of 1984, Art. 30 (radioactive waste) and 68 Atomic Energy Licensing Act 1984 regulation: P.U (A) 456 RP (Transport)1989 Radiation Protection (Transport) (Amendment) Regulations 1991	X			NW: The Atomic Energy Licensing Act of 1984, Art. 40 (Offence) Atomic Energy Licensing Act 1984 regulation: P.U (A) 456 RP (Transport)1989 Radiation Protection (Transport) (Amendment) Regulations 1991	
5	Other measures for accounting	X			NW: The Atomic Energy Licensing Act of 1984: disposal Atomic Energy Licensing (Basic Safety Radiation Protection) Regulations 2010	X			NW: The Atomic Energy Licensing Act of 1984: Art. 40 (Offence) Atomic Energy Licensing (Basic Safety Radiation Protection) Regulations 2010	
6	Measures to secure production	?			NW: The Atomic Energy Licensing Act of 1984, Art. 68 Radiation Protection (Licensing) Regulations 1986	?			NW: The Atomic Energy Licensing Act of 1984: Art. 40 (Offence) Radiation Protection (Licensing) Regulations 1986	
7	Measures to secure use	?			NW: The Atomic Energy Licensing Act of 1984, Art. 68 Radiation Protection (Licensing) Regulations 1986	?			NW: The Atomic Energy Licensing Act of 1984: Art. 40 (Offence) Radiation Protection (Licensing) Regulations 1986	

8	Measures to secure storage	?			NW: The Atomic Energy Licensing Act of 1984, Art. 68 Radiation Protection (Licensing) Regulations 1986	?			NW: The Atomic Energy Licensing Act of 1984, Art. 68 Radiation Protection (Licensing) Regulations 1986	
9	Measures to secure transport	?			NW: The Atomic Energy Licensing Act of 1984, Art. 30 (radioactive waste) and 68 Atomic Energy Licensing Act 1984 regulation: P.U (A) 456 RP (Transport)1989 Radiation Protection (Transport) (Amendment) Regulations 1991	?			NW: The Atomic Energy Licensing Act of 1984, Art. 68 Atomic Energy Licensing Act 1984 regulation: P.U (A) 456 RP (Transport)1989 Radiation Protection (Transport) (Amendment) Regulations 1991	
10	Other measures for securing									
11	Regulations for physical protection of facilities/materials/ transports	X			NW: The Atomic Energy Licensing Act of 1984, Art. 68 Radiation Protection (Licensing) Regulations 1986 Atomic Energy Licensing Act 1984 regulation: P.U (A) 456 RP (Transport)1989 Radiation Protection (Transport) (Amendment) Regulations 1991	X			NW: The Atomic Energy Licensing Act of 1984, Art. 40 Radiation Protection (Licensing) Regulations 1986 Atomic Energy Licensing Act 1984 regulation: P.U (A) 456 RP (Transport)1989 Radiation Protection (Transport) (Amendment) Regulations 1991	
12	Licensing/registration of installations/facilities/ persons/entities/use/ handling of materials	X	X	X	NW: The Atomic Energy Licensing Act of 1984, 12, 20, 21 Radiation Protection (Licensing) Regulations 1986 CW: CWC Act of 2005: register BW: National Biosafety Act 2007, Parts III and IV The Biosafety (Approval and Notification) Regulations 2010	X	X	X	NW: The Atomic Energy Licensing Act Part IV (Cancellation, suspension.) Radiation Protection (Licensing) Regulations 1986 CW: CWC Act of 2005 BW: National Biosafety Act 2007 The Biosafety (Approval and Notification) Regulations 2010	
13	Reliability check of personnel									

OP 3 (a) and (b) - Account for/Secure/Physically protect NW including Related Materials (NW specific)

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	National regulatory authority	X	Atomic Energy Licensing Act of 1984, Part II	X	Atomic Energy Licensing Board (AELB) under the Ministry of Science, Technology and Innovation	
2	IAEA Safeguards Agreements	X	INFCIRC/182 In force 29 February 1972 AP signed 22 Nov 2005	X	INFCIRC/182 In force 29 February 1972 AP signed 22 Nov 2005	
3	IAEA Code of Conduct on Safety and Security of Radioactive Sources	X	Expressed support.	X	Expressed support.	
4	Supplementary Guidance on the Import and Export of Radioactive Sources of the Code of Conduct on the Safety and Security of Radioactive Sources	X	Expressed support.	X	Expressed support.	
5	IAEA Incident and Trafficking Database	X	Participates	X	Participates	
6	Other Agreements related to IAEA	X	IAEA Project and Supply Agreement of 1980 State Party to: Convention on Early Notification of a Nuclear Accident (Deposit 1 September 1987), and Convention on the Assistance in case of a Nuclear Accident or Radioactive Emergency (Deposit 1 September 1987)	X	IAEA Project and Supply Agreement of 1980 State Party to: Convention on Early Notification of a Nuclear Accident (Deposit 1 September 1987), and Convention on the Assistance in case of a Nuclear Accident or Radioactive Emergency (Deposit 1 September 1987)	

7	Additional national legislation/regulations related to nuclear materials including CPPNM					
8	Other	X	Approved INSSP	X	Approved INSSP	

OP 3 (a) and (b) - Account for/Secure/Physically protect CW including Related Materials (CW specific)

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect CW and Related Materials? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	National CWC authority	X	CWC Act of 2005, Articles 6-9	X	Ministry of Foreign Affairs	
2	Reporting Schedule I, II and III chemicals to OPCW	X	CWC Act of 2005, especially Articles 31 and 36	X	Submitted initial declarations.	
3	Account for, secure or physically protect "old chemical weapons"					
4	Other legislation/ regulations controlling chemical materials	X	Poisons Act of 1952 Pesticides Act of 1974	X	Poisons Act of 1952 Pesticides Act of 1974	
5	Other					

OP 3 (a) and (b) - Account for/Secure/Physically protect BW including Related Materials (BW specific)

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect BW and Related Materials? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	Regulations for genetic engineering work	?	National Biosafety Act 2007, Section 6 (Genetic Modification) Biosafety Guidelines For Contained Use Activity of Living Modified Organisms	?	National Biosafety Board, Genetic Modification Advisory Committee Biosafety Guidelines For Contained Use Activity of Living Modified Organisms	
2	Other legislation/ regulations related to safety and security of biological materials	X	Prevention and Control of Infectious Diseases Act of 1988 (Control of contaminated articles and infected animals)	X	Prevention and Control of Infectious Diseases Act of 1988	
3	Other	X	Plant Quarantine Act of 1976 Quarantine and Inspection Services Act of 2011 Animals Act of 1953 and its Amendment Act of 2013 Food Act of 1983	X	Plant Quarantine Act of 1976 Quarantine and Inspection Services Act of 2011 Animals Act of 1953 and its Amendment Act of 2013 Food Act of 1983	

OP 3 (c) and (d) and related matters from OP 6 and OP 10 - Controls of NW, CW and BW, including Related Materials

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials ? Can violators be penalized ?		National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc				Remarks
		YES			if YES, source document	YES			if YES, source document	
		N W	C W	B W		N W	C W	B W		
1	Border control	X	X	X	NW: Customs Act of 1967 Strategic Trade Act 2010 CW: Customs Act of 1967 Strategic Trade Act 2010 CWC Act of 2005, Articles 18 and 31-33 BW: Strategic Trade Act 2010 Biosafety Act of 2007, Parts III and IV Plant Quarantine Act of 1976 Customs Act of 1967	X	X	X	NW: Customs Act of 1967, Part IV Strategic Trade Act 2010, art 29-46 CW: Customs Act of 1967, Part IV Strategic Trade Act 2010, art 29-46 CWC Act of 2005, Articles 18 and 31-33, BW: Strategic Trade Act 2010, art 29-46 Biosafety Act 20073. Customs Act of 1967, Part IV	
2	Technical support of border control measures	X	X	X	NW: Customs Act of 1967, Parts XI and XII CW: Customs Act of 1967, Parts XI and XII BW: Customs Act of 1967, Parts XI and XII	X	X	X	NW: Scanning machines are installed at major ports and airports; participation in Container Security Initiative and Megaports Initiative CW: Scanning machines are installed at major ports and airports; participation in CSI BW: Scanning machines are installed at major ports and airports; participation in CSI	

3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	X	X	X	<p>NW: Strategic Trade Act 2010, Section 11, 19 Strategic Trade Regulations 2010</p> <p>CW: Strategic Trade Act 2010, Section 11, 19 Strategic Trade Regulations 2010</p> <p>BW: Strategic Trade Act 2010, Section 11, 19</p>	X	X	X	<p>NW: Customs and Police officers, Officers of Maritime Enforcement Agency, Officers of Malaysia Communication and Multimedia Commission, and other officers specified by the Controller Strategic Trade Act 2010, art 29-46</p> <p>CW: Customs and Police officers, Officers of Maritime Enforcement Agency, Officers of Malaysia Communication and Multimedia Commission, and other officers specified by the Controller Strategic Trade Act 2010, art 29-46</p> <p>BW: Strategic Trade Act 2010, art 29-46</p>	
4	Enforcement agencies/authorities	X	X	X	<p>NW: Strategic Trade Act 2010, Part II Strategic Trade Regulations 2010 Atomic Energy Licensing Act of 1984</p> <p>CW: Strategic Trade Act 2010, Part II Strategic Trade Regulations 2010 CWC Act of 2005</p> <p>BW: Strategic Trade Act 2010, Part II Biosafety Act of 2007, Part VI Enforcement</p>	X	X		<p>NW: Customs and Police officers, Officers of Maritime Enforcement Agency, Officers of Malaysia Communication and Multimedia Commission, and other officers specified by the Controller Strategic Trade Act 2010, art 29-46 Atomic Energy Licensing Board</p> <p>CW: Customs and Police officers, Officers of Maritime Enforcement Agency, Officers of Malaysia Communication and Multimedia Commission, and other officers specified by the Controller Strategic Trade Act 2010, art 29-46 Ministry of Foreign Affairs</p> <p>BW: Customs and Police officers, Officers of Maritime Enforcement Agency, Officers of Malaysia Communication and Multimedia Commission, and other officers specified by the Controller National Biosafety Board (NBB)</p>	

5	Export control legislation in place	X	X	X	<p>NW: The Strategic Trade Act 2010 Strategic Trade Regulations 2010 Customs Act of 1967 The Customs (Prohibition of Exports) Order 1998 The Atomic Energy Licensing Act 1984</p> <p>CW: Strategic Trade Act 2010 Strategic Trade Regulations 2010 The Customs Act of 1967 The Customs (Prohibition of Exports) Order 1998 Customs Order for the Prohibition of Exports and Imports of Scheduled Chemicals under the CWC of 14 September 2000 CWC Act 2005, Articles 18 and 31-33.</p> <p>BW: Strategic Trade Act 2010 The Customs Act of 1967 The Customs (Prohibition of Exports) Order 1998 The Prevention and Control of Infectious Diseases Act of 1988, Section 9 Prevention and Control of Infectious Diseases (Importation and Exportation of Human Remains, Human Tissues and Pathogenic Organisms or Substances) Regulations of 2005. The Plant Quarantine Act of 1976</p>	X	X	X	<p>NW: Strategic Trade Act 2010, art.29-46 The Atomic Energy Licensing act 1984,art.39-40</p> <p>CW: CWC Act 2005, Articles 18 and 31-33. Strategic Trade Act 2010 art.29-46 Customs Order for the Prohibition of Exports and Imports of Scheduled Chemicals under the CWC of 14 September 2000</p> <p>BW: Strategic Trade Act 2010, art. 29-46</p>	
6	Licensing provisions	X	X	X	<p>NW: Strategic Trade Act 2010 (uses and reviews the existing processes for nuclear items) Strategic Trade Regulations 2010 The Atomic Energy Licensing Act of 1984,art.39-40</p> <p>CW: Strategic Trade Act 2010 Strategic Trade Regulations 2010</p> <p>BW:</p>	X	X	X	<p>NW: Strategic Trade Act 2010, art.29-46,</p> <p>CW: Strategic Trade Act 2010, art. 29-46</p> <p>BW:</p>	

					Strategic Trade Act 2010 Strategic Trade Regulations 2010				Strategic Trade Act 2010, art. 29-46	
7	Individual licensing	X	X	X	NW: Strategic Trade Act 2010 (uses and reviews the existing processes for nuclear items) Strategic Trade Regulations 2010 The Atomic Energy Licensing Act of 1984,art.39-40 CW: Strategic Trade Act 2010 Strategic Trade Regulations 2010 BW: Strategic Trade Act 2010 Strategic Trade Regulations 2010	X	X	X	NW: Strategic Trade Act 2010 allows single use and special permits for restricted end-users CW: Strategic Trade Act 2010 allows single use and special permits for restricted end-users BW: Strategic Trade Act 2010 allows single use and special permits for restricted end-users	
8	General licensing	X	X	X	NW: Strategic Trade Act 2010 (uses and reviews the existing processes for nuclear items) Strategic Trade Regulations 2010 The Atomic Energy Licensing Act of 1984,art.39-40 CW: Strategic Trade Act 2010 Strategic Trade Regulations 2010 BW: Strategic Trade Act 2010 Strategic Trade Regulations 2010	X	X	X	NW: Strategic Trade Act 2010 allows for multiple use and bulk export permits CW: Strategic Trade Act 2010 allows for multiple use and bulk export permits BW: Strategic Trade Act 2010 allows for multiple use and bulk export permits	
9	Exceptions from licensing									
10	Licensing of deemed export/visa									
11	National licensing authority	X	X	X	NW: Strategic Trade Act 2010 (subsumes and uses existing licensing bodies) Strategic Trade Regulations 2010 The Atomic Energy Licensing Act of 1984,art.39-40	X	X	X	NW: Strategic Trade Controller, Minister in Charge of Trade and Industry Atomic Energy Licensing Board	

					CW: Strategic Trade Act 2010 (subsumes and uses existing licensing bodies) Strategic Trade Regulations 2010 Ministry of International Trade and Industry (Second Schedule of the Customs (Prohibition of Export) (Amendment) (No 4) Order of 2000 [P.U. (A) 338/2000]) BW: Strategic Trade Act 2010 Strategic Trade Regulations 2010				CW: Strategic Trade Controller, Minister in Charge of Trade and Industry Ministry of Health, Pharmaceutical Services Division (same order): toxic chemicals as well as chemicals already controlled under the Poisons Act of 1952 (revised 1989) and the Pesticides Act of 1974 (also a responsibility of the Ministry of Agriculture, Pesticides Board) BW: Strategic Trade Controller, Minister in Charge of Trade and Industry	
12	Interagency review for licenses	X	X	X	NW/CW/BW: Interagency consultations	X	X	X	NW/CW/BW: Interagency consultations	
13	Control lists	X	X	X	NW: List of radioactive and nuclear material, substances and eradicating apparatus Strategic Trade Act 2010 CW: Strategic Trade Act 2010 Strategic Trade Regulations 2010 Annexed to Customs (Prohibition of Exports) Order of 1998 and Customs (Prohibition of Imports) Order of 1998: Annexes A-C BW: Strategic Trade Act 2010 Strategic Trade Regulations 2010	X	X	X	NW: Strategic Trade Act 2010, art.29-46 CW: Strategic Trade Act 2010, art. 29-46 Strategic Trade (Strategic Items) Order 2010 Second Schedule of the Customs (Prohibition of Export) (Amendment) (No 4) Order of 2000 [P.U. (A) 338/2000]: CWC Schedule chemicals and precursors (also re-export) Third Schedule of the same Order: toxic chemicals. BW: Strategic Trade (Strategic Items) Order 2010 Strategic Trade Act 2010, art 29-46	
14	Updating of lists	X	X	X	NW/CW/BW: Strategic Trade (Strategic Items) (Amendment) Order 2014	X	X	X	NW/CW/BW: Strategic Trade (Strategic Items) (Amendment) Order 2014	
15	Inclusion of technologies	X	X	X	NW/CW/BW: Strategic Trade Act 2010, Section 4 Strategic Trade Regulations 2010	X	X	X	NW/CW/BW: Strategic Trade Act 2010, art 29-46	

16	Inclusion of means of delivery									
17	End-user controls	X	X	X	NW/CW/BW: Strategic Trade Act 2010, Section 8 Strategic Trade Regulations 2010 CW: CWC Act 2005	X	X	X	NW/CW/BW: Strategic Trade (Restricted End-Users and Prohibited End-Users) Order 2010 Has an End-user Certificate Form on-line	
18	Catch all clause	X	X	X	NW/CW/BW: Strategic Trade Act 2010, section 12 (Transactions involving unlisted items and restricted activities) Strategic Trade Regulations 2010	X	X	X	NW/CW/BW: Strategic Trade (Strategic Items) Order 2010 Strategic Trade Act 2010, art.29-46	
19	Intangible transfers	X	X	X	NW/CW/BW: Strategic Trade Act 2010 Strategic Trade Regulations 2010	X	X	X	NW/CW/BW: Strategic Trade (Strategic Items) Order 2010 Strategic Trade Act 2010, art 29-46	
20	Transit control	X	X	X	NW/CW/BW: Strategic Trade Act 2010, Section 9 Strategic Trade Regulations 2010	X	X	X	NW/CW/BW: Strategic Trade (Strategic Items) Order 2010 Strategic Trade Act 2010, art 29-46	
21	Trans-shipment control	X	X	X	NW/CW/BW: Strategic Trade Act 2010, Section 9 Strategic Trade Regulations 2010	X	X	X	NW/CW/BW: Strategic Trade (Strategic Items) Order 2010 Strategic Trade Act 2010, art 29-46	
22	Re-export control									
23	Control of providing funds	X	X	X	NW/CW/BW: Anti-Money Laundering and Anti-Terrorism Financing Act of 2001 (AMLA) (Terrorism Financing) Penal Code, as amended 2007, section 125A	X	X	X	NW/CW/BW: Anti-Money laundering and Anti-Terrorism Financing Act of 2001 (AMLA): criminalizes financing of terrorism Penal Code as amended 2007, section 125A 3. FIU within the Central Bank	
24	Control of providing transport services	X	?		NW: The Atomic Energy Licensing Act of 1984, Art 30 Transport of radioactive waste. CW:					

					The Poisons Act of 1952 (revised 1989) Section 10 (Transport of poisons)					
25	Control of importation	X	X	X	<p>NW: The Customs Act of 1967 The Customs (Prohibition of Imports) Order 1998 The Atomic Energy Licensing Act, arts. 13, 39-40 and 68</p> <p>CW: CWC Act of 2005, Articles 18 and 31-33 Second Schedule of the Customs (Prohibition of Imports) (Amendment) (No. 9) Order of 2000 [P.U (A) 339/2000]: CWC Schedule chemicals and precursors Fourth Schedule of the same Order: toxic chemicals Ministry of International Trade and Industry (Second Schedule of the Customs (Prohibition of Imports) (Amendment) (No 9) Order of 2000 [P.U (A) 339/2000]) Ministry of Agriculture, Pesticides Board (same order): toxic chemicals (Royal Customs Department retains import permit) as well as chemicals already controlled under the Poisons Act of 1952 (revised 1989) and the Pesticides Act of 1974 (also responsibility of the Ministry of Health)</p> <p>BW: Biosafety Act 2007, Parts III and IV The Customs Act of 1967 The Customs (Prohibition of Imports) Order 1998 The Prevention and Control of Infectious Diseases Act of 1988, Section 9 Prevention and Control of Infectious Diseases (Importation and Exportation of Human Remains, Human Tissues and Pathogenic Organisms or Substances) Regulations of 2005 The Plant Quarantine Act of 1976</p>	X	X	X	<p>NW: The Atomic Energy Licensing Act, art 39-40</p> <p>CW: CWC Act 2005, Articles 18 and 31-33</p> <p>BW: 1. Biosafety Act 2007 2. Prevention and Control of Infectious Diseases (Importation and Exportation of Human Remains, Human Tissues and Pathogenic Organisms or Substances) Regulations of 2005</p>	

26	Extraterritorial applicability	X	X	X	NW/CW/BW: Strategic Trade Act 2010, Section 4 CW: CWC Act 2005, Article 61	X	X	X	NW/CW/BW: Strategic Trade Act 2010, art. 29-46 CW: CWC Act 2005, Article 61	
27	Other	X	X	X	NW/CW/BW: Strategic Trade Act 2010 subsumes and supersedes all other laws on related products, including the Plant Quarantine Act 1976, Animals Act 1953, Prevention and Control of Infectious Diseases Act 1988, Atomic Energy Licensing Act 1984, Chemical Weapons Convention Act 2005, Customs Act 1967, Protection of New Plant Varieties Act 2004, and the Pesticide Act 1974	X	X	X	NW/CW/BW: Strategic Trade Act 2010 requires exporters to register	

OP 6, 7 and 8 (d) - Control lists, Assistance, Information

Can information be provided on the following issues ?		YES		Remarks
1	Control lists - items (goods/ equipment/ materials/ technologies)	X	Strategic Trade (Strategic Items) Order 2010 List is annexed to the Customs (Prohibition of Exports) Order of 1998 and Customs (Prohibition of Imports) Order of 1998 and updated time to time by the Royal Customs Department Strategic Trade (Strategic Items) (Amendment) Order 2014	
2	Control lists - other	X	Strategic Trade (Restricted End-Users and Prohibited End-Users) Order 2010	
3	Assistance offered	X	Malaysia is willing to consider requests from other States for assistance as appropriate in the areas of legal and regulatory infrastructure, implementation and/or resources for fulfilling the provisions of the Resolution. However, Malaysia stresses that the provision of such assistance will only be made after due consideration is made by the highest authority of the Government of Malaysia and will be subjected to its available means and resources.	
4	Assistance requested			
5	Point of Contact for assistance	X	Mr. Mohamed Khalit Sald (Minister Counsellor, Permanent Mission of Malaysia to the United Nations) Tel: 212-986-6410 ext 209 Fax: 212-983-0767 Under Secretary (Multilateral Political Division, Department of Multilateral Affairs Ministry of Foreign Affairs) Tel: +603-88874107 Fax: +603-88892788	
6	Assistance in place (bilateral/multilateral)			
7	Work with and inform industry	X	1. They are consulting industry on implementation of their new Strategic Trade Act, but they would appreciate the assistance from international bodies, such as the UN, other governments and industry. They're main concern is their local industry. 2. Ministry of International Trade and Industry conducts regular meetings with the Federation of Malaysian Manufactures (FMM) and the Chemical Industries Council of Malaysia (CICM)	
8	Work with and inform the public			

9	Point of Contact	X	<p>Mr. Mohamed Khalit Sald (Minister Counsellor, Permanent Mission of Malaysia to the United Nations) Tel: 212-986-6410 ext 209 Fax: 212-983-0767</p> <p>Under Secretary (Multilateral Political Division, Department of Multilateral Affairs Ministry of Foreign Affairs) Tel: +603-88874107 Fax: +603-88892788</p>	
10	Other ⁴			

4. Information may include references to voluntary implementation national action plan and visits to States, at their invitation, by the 1540 Committee.