



THE 10TH JOINT INDUSTRY OUTREACH SEMINAR ON STRATEGIC TRADE MANAGEMENT - SINGAPORE 2022

STA2010 REGULATORY UPDATES

12 SEPTEMBER 2022
STRATEGIC TRADE SECRETARIAT
MITI MALAYSIA



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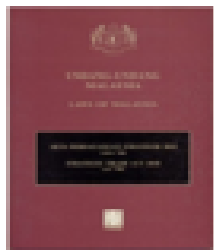


OVERVIEW OF STA 2010



United Nations
Security Council
Resolution 1540

United Nations Security
Council Resolution (UNSCR)
1540



DOMESTIC LEVEL
Malaysia
Strategic Trade Act (STA) 2010



MINISTERIAL LEVEL
Strategic Trade Secretariat (STS),
Ministry of International Trade and
Industry (MITI)





Strategic Trade (Compounding of Offences) Regulations 2022





STRATEGIC TRADE (COMPOUNDING OF OFFENCES) REGULATIONS 2022



LAWS OF MALAYSIA

Act A1537

STRATEGIC TRADE (AMENDMENT) ACT 2017

SECTION 50A OF STA 2010

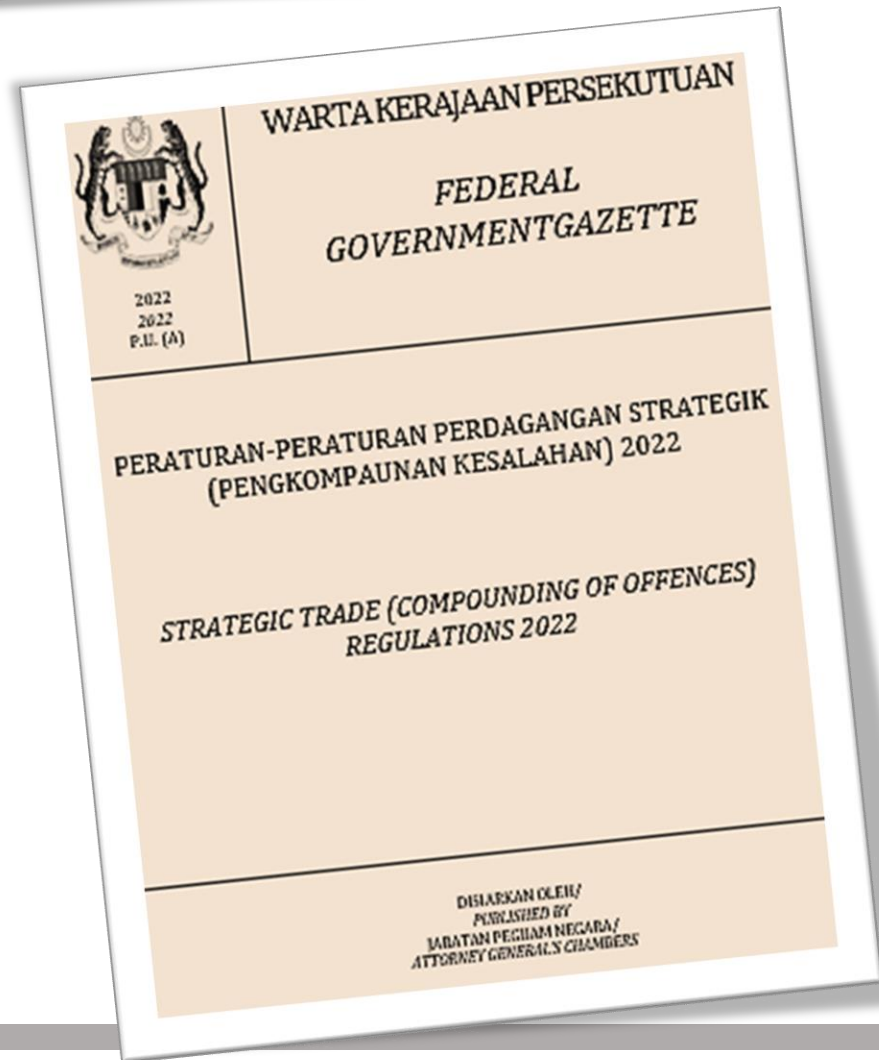
Amendment inserted in 2017 via Act A1537

To empower the Minister, with the approval of the Public Prosecutor, to make regulations prescribing any offence under Act 708 **to be compoundable** as well as criteria, method and procedure for compounding such offence. The proposed new section also seeks to empower the authorized officer to implements the compounding of such offences with the consent in writing of the Public Prosecutor.





STRATEGIC TRADE (COMPOUNDING OF OFFENCES) REGULATIONS 2022



- purpose: averting prosecution for an offence & to settle an offence by monetary payment, in lieu of prosecution
- published in the Federal Government Gazette on **10 May 2022**, known as P.U. (A) 154/2022
- enforced on **1 June 2022**.





STRATEGIC TRADE (COMPOUNDING OF OFFENCES) REGULATIONS 2022



FIRST SCHEDULE SUB-REGULATIONS 2(1)

Export, tranship or transit without a permit
Subparagraph 9(4)(a)(ii)
Subparagraph 9(4)(b)(ii)

Export, tranship or transit to the restricted end user
Subparagraph 9(5)(a)(ii)
Subparagraph 9(5)(b)(ii)

Export, tranship or transit to the prohibited end user
Subparagraph 9(6)(a)(ii)
Subparagraph 9(6)(b)(ii)

A transaction involving Unlisted items & restricted activity
Subparagraph 12(4)(a)(ii)
Subparagraph 12(4)(b)(ii)

Suspension of permit or registration upon disqualification
Subsection 21(3)
Subsection 21(4)

Unauthorized use of permit
Subsection 18(2)

Endorsement on permit
Subsection 23(2)

Maintenance of documents and register
Subsection 24(4)

Offences with respect to the information
Subsection 40(1)
Subsection 40(2)

TFS-PF related offences
Regulation 3
Strategic Trade (United Nations Security Council Resolutions) Regulations 2010





STRATEGIC TRADE (COMPOUNDING OF OFFENCES) REGULATIONS 2022



LAWS OF MALAYSIA

Act A1537

STRATEGIC TRADE (AMENDMENT) ACT 2017

AMOUNT OF COMPOUND

SECTION 50A (2) OF STA 2010

The authorized officer may, with the consent in writing of the Public Prosecutor, compound any offence committed by any person under this Act and prescribed to be a compoundable offence by making a written offer to the person suspected to have committed the offence to compound the offence upon payment to the authorized officer of an amount of money not exceeding fifty per centum of the amount of maximum fine for that offence within such time as may be specified in his written offer.





OTHER UPDATES

PLEASE REFER TO MITI PORTAL <https://www.miti.gov.my> > services > STA 2010

Announcements

STA 2010: Strategic Trade (Compounding Of Offences) Regulations 2022

Kindly be advised that the Strategic Trade (Compounding Of Offences) Regulations 2022 will come into operation on Wednesday, 1 June 2022 through the enforcement of Federal Government Gazette P.U (A) 154 published on 10 May 2022. Following the introduction of the Regulations, any person handling strategic goods who commits an offence unintentionally may be imposed monetary penalties. An offer to the compound may be made at any time after the offence is committed.

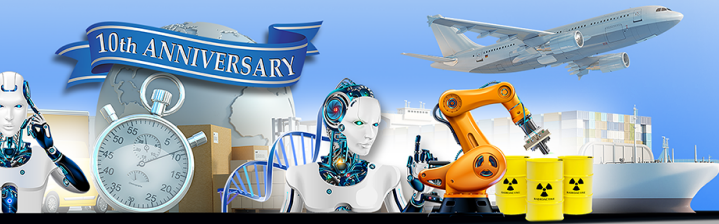
A copy of the Regulations can be accessed through the link below: [https://lom.agc.gov.my/act-vlew.php?type=pua&language=BI&no=P.U.%20\(A\)%20154/2022](https://lom.agc.gov.my/act-vlew.php?type=pua&language=BI&no=P.U.%20(A)%20154/2022).

Further information/clarification on the Regulations can be obtained [here](#); OR can be addressed to admin.sts@miti.gov.my.

Thank you.

Strategic Trade Secretariat
Ministry of International Trade and Industry
13 May 2022





MINISTRY OF
INTERNATIONAL TRADE AND INDUSTRY

Thank You

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