

**Central Bank of Malaysia Act 2009**

**Measures for financial stability**

31. (1) Where the Bank considers it necessary in the interest of financial stability, the Bank may—

(a) specify measures, which in the opinion of the Bank would contribute to the resilience of the financial system or limit the accumulation of any risk to financial stability, to a class, category or description of persons engaging in financial intermediation; or

(b) issue an order in writing requiring any person within a class, category or description of persons, including a class, category or description of persons engaging in financial intermediation, to take such measures as the Bank may consider necessary or appropriate to avert or reduce any risk to financial stability.

(2) Before issuing an order under paragraph (1)(b), the Bank shall give the person an opportunity to make representation.

(3) Notwithstanding subsection (2), an order under paragraph (1)(b) may be issued first and the opportunity to make representations shall be given immediately after the order has been issued if any delay would aggravate the risk to financial stability.

(4) An order issued under paragraph (1)(b) may be amended or modified where the representation is made after the order is issued.

(5) The person referred to in subsection (1) shall comply with such measure or order from the date as the Bank may specify notwithstanding the provisions of any other written law or of any obligations under any contract, agreement or arrangement to the contrary.

(6) The Bank may conduct due diligence or require such person to submit any document or information or appoint an auditor or any other person approved by the Bank to carry out an assessment, to determine whether the person has complied with such measure or order under subsection (1).

(7) The remuneration of the auditor or such other person as approved by the Bank under subsection (6) and other expenses relating to such assessment shall be paid by the person referred to in subsection (1).

(8) Notwithstanding subsection (5), any measure or order issued under subsection (1) shall not affect the enforcement by the parties of their rights under a qualified financial agreement.

(9) Any person who fails to comply with subsection (5) or any requirements imposed by the Bank under subsection (6) commits an offence and shall, on conviction, be liable to a fine not exceeding ten million ringgit or to imprisonment for a term not exceeding ten years or to both.