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# The 2nd Proceeding "Indonesia Clean of Corruption in 2020"



"Comparative Law System of Procurement of Goods and Services around Countries in Asia, Australia and Europe"



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INTERNATIONAL CONFERENCE AND CALL FOR PAPER  
“INDONESIA CLEAN OF CORRUPTION IN 2020”

An Act to establish the Anti-Corruption Agency,  
to vest powers on officers of the Agency and to make  
provisions connected therewith.

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BE IT ENACTED by the Duli Yang Maha Mulia 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:

1. This Act may be cited as the Anti-Corruption Agency Act 1982.

• 2. In this Act, unless the context otherwise requires--

"Agency" means the Anti-Corruption Agency established by this Act;

"officer of the Agency" means the Director-General of the Agency appointed under section 3 (2) and any officer appointed under section 4;

"prescribed law" means any written law prescribed by the Minister by order published in the Gazette with respect to which the provisions of this Act shall apply.

3. (1) For the purposes of this Act, the Prevention of Corruption Act 1961 and any prescribed law there is hereby established the Anti-Corruption Agency.

(2) The Director-General of the Agency shall be appointed by the Yang di-Pertuan Agong on the advice of the Prime Minister and shall hold office for such period as may be specified in the instrument of appointment.

4. (1) There shall be appointed so many officers of the Agency and of such classes or grades, as may be considered necessary for the purpose of carrying into effect the provisions of this Act.

(2) All officers of the Agency are members of the general public service of the Federation.

5. (1) The Director-General of the Agency shall have all the powers of a Deputy Public Prosecutor under the Criminal Procedure Code and all the powers of an officer of the Agency.

(2) For the purposes of this Act, the Prevention of Corruption Act 1961, and any prescribed law, an officer of the Agency shall be deemed to be a police officer and shall have all the powers and immunities of such officer appointed under the Police Act 1967, and the Criminal Procedure Code and any other written law shall be construed accordingly.

(3) An officer of the Agency shall, subject to section 6, have all the powers of an officer of customs under any prescribed law as if he were an officer appointed under the Customs Act 1967, and the Criminal Procedure Code shall be construed accordingly.

6. (1) The Minister may from time to time by order published in the Gazette prescribe any written law with respect to which the provisions of this Act shall apply.

(2) In any order made under subsection (1) or in any subsequent order, the Minister may specify that an officer of the Agency of a class or grade shall be regarded for the purpose of the law to be equivalent to an officer of a class or grade under the prescribed law.

7. (1) Every officer of the Agency when acting under the Prevention of Corruption Act 1961 or any prescribed law shall on demand declare his office and produce to the person against whom he is acting or from whom he seeks any information such authority card as the Director-General of the Agency may direct to be carried by such officer.

(2) It shall not be an offence for any person to refuse to comply with any request, demand or order made by an officer of the Agency acting or purporting to act under any law as aforesaid if such officer refuses to declare his office and produce his authority card on demand being made by such person.

8. The Director-General of the Agency may issue administrative orders to be called "Standing Orders", not inconsistent with the provisions of this Act, for the general control, training, duties and responsibilities of the officers of the Agency and for such other matters, as may be necessary or expedient for the good administration of the Agency or for the prevention of the abuse of powers or neglect of duty and generally for ensuring the efficient and effective functioning of the Agency.

9. Every officer of the Agency shall, for the purposes of this Act, be deemed to be always on duty when required to act as such and shall perform the duties and exercise the powers granted to him under this Act or any other law at any place in the Federation where he may be performing duty.

10. (1) Where any reference is made in any written law or otherwise to the Biro Siasatan Negara or in English, the National Bureau of Investigation, such reference shall from the commencement of this Act be construed as a reference to the Badan Pencegah Rasuah or, in English, the Anti-Corruption Agency respectively.

(2) Any act done or any action taken prior to the commencement of this Act by an officer of the Biro Siasatan Negara shall be deemed to have been done or taken, by an officer of the Anti-Corruption Agency and may accordingly be continued by an officer of the Anti-Corruption Agency.

(3) Any order made under section 6 of the Biro Siasatan Negara Act 1973 and in force immediately before the commencement of this Act shall, upon the coming into force of this Act, continue to remain in full force and effect and may be repealed or amended in accordance with this Act.

(4) It is hereby declared that the person holding the office of Director-General of the Biro Siasatan Negara and all other officers holding office in the said Bureau immediately before the commencement of this Act shall, upon the coming into force of this Act, become the Director-General and officers of the Agency, respectively.