



LAWS OF MALAYSIA

REPRINT

Act 373

YANG DI-PERTUAN AGONG (EXERCISE OF FUNCTIONS) ACT 1957

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**YANG DI-PERTUAN AGONG (EXERCISE OF
FUNCTIONS) ACT 1957**

First enacted	1957 (Ordinance No. 72 of 1957)
Revised	1989 (Act 373 w.e.f. 7 September 1989)

PREVIOUS REPRINTS

<i>First Reprint</i>	2001
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LAWS OF MALAYSIA**Act 373****YANG DI-PERTUAN AGONG (EXERCISE OF
FUNCTIONS) ACT 1957**

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LAWS OF MALAYSIA**Act 373****YANG DI-PERTUAN AGONG (EXERCISE OF
FUNCTIONS) ACT 1957**

An Act to provide for the exercise by a Ruler of the functions of the Yang di-Pertuan Agong whenever those functions fall to be performed by the Timbalan Yang di-Pertuan Agong but cannot be so exercised.

[30 December 1957]

WHEREAS by Clause (5) of Article 33 of the Federal Constitution Parliament may by law provide for the exercise by a Ruler of the functions of the Yang di-Pertuan Agong in cases where those functions would under Clause (1) of that Article fall to be exercised by the Timbalan Yang di-Pertuan Agong but cannot be so exercised owing to a vacancy in the office of the Timbalan Yang di-Pertuan Agong or to his illness, absence from Malaysia or to any other cause:

AND WHEREAS by Clause (5) of that Article such a law shall not be passed without the consent of the Conference of Rulers:

AND WHEREAS the Conference of Rulers has consented to the passing of the following law:

NOW, THEREFORE, IT IS HEREBY ENACTED by the Yang di-Pertuan Agong with the advice and consent of Parliament as follows:

Short title

1. This Act may be cited as the Yang di-Pertuan Agong (Exercise of Functions) Act 1957.

Interpretation

2. In this Act, unless the context otherwise requires—

“sovereign functions” means the functions of the Yang di-Pertuan Agong.

Exercise by a Ruler of the sovereign functions

3. Whenever owing to a vacancy in the office of the Timbalan Yang di-Pertuan Agong or to the illness or absence from Malaysia for a period expected to exceed fifteen days of the Timbalan Yang di-Pertuan Agong, or to any other cause, the Timbalan Yang di-Pertuan Agong cannot exercise the sovereign functions in cases where under Clause (1) of Article 33 of the Federal Constitution those functions would fall to be exercised by him, then such functions shall fall to be exercised by the Ruler whose State is first on the list maintained under section 4 of the Third Schedule to the Federal Constitution if he is able and willing to exercise such functions or, if such Ruler is not so able and willing, then by the first of the Rulers next after him (according to the order in which their States appear on such list) who is so able and willing.

Oath of office

4. As soon as the Ruler entitled under section 3 has signified to the Keeper of the Rulers’ Seal his willingness to exercise the sovereign functions he shall, after taking and subscribing in the presence of the Chief Justice of the Federal Court (or in his absence the next senior judge of the Federal Court available) the oath of office set out in the Schedule, be entitled to exercise and shall, subject to section 7 exercise such functions until the appointment under section 5 by the Conference of Rulers of a Ruler to exercise such functions.

Powers of the Conference of Rulers

5. At the next meeting of the Conference of Rulers following the taking of the oath by the Ruler under section 4 the Conference of the Rulers shall, unless at that date the Yang di-Pertuan Agong or the Timbalan Yang di-Pertuan Agong is exercising such functions

(and without prejudice to the validity of anything previously done under this Act) by resolution appoint a Ruler (being a Ruler qualified to be elected Yang di-Pertuan Agong) to exercise the sovereign functions; and such Ruler shall upon taking the oath of office prescribed by section 4 be entitled to exercise and shall, subject to section 7, exercise such functions.

Parliament to be notified of exercise of sovereign functions

6. When a Ruler has taken the oath of office prescribed by section 4 the Keeper of the Rulers' Seal shall thereupon notify the fact that such Ruler is exercising the functions of the Yang di-Pertuan Agong in writing to both Houses of Parliament.

Cesser of exercise of sovereign functions

7. A Ruler who is exercising the sovereign functions under this Act shall cease to exercise such functions as soon as the Yang di-Pertuan Agong or the Timbalan Yang di-Pertuan Agong resumes or assumes such functions.

Illness, etc., of Ruler exercising sovereign functions

8. When a Ruler who is exercising the sovereign functions under this Act cannot owing to illness or absence from Malaysia for a period not expected to exceed fifteen days or any other cause exercise such functions the sovereign functions shall fall to be exercised by the Ruler who would under section 3 have been entitled to exercise such functions if at the date on which the Ruler first referred to ceased to exercise such functions any of the events described in section 3 had first occurred; and this Act shall apply as if references to the Timbalan Yang di-Pertuan Agong included references to the Ruler first referred to in this section.

Saving

9. Subject to Article 34 of the Federal Constitution, nothing in this Act contained shall affect the exercise by a Ruler of his functions as Ruler of his State.

SCHEDULE

[Section 4]

OATH OF OFFICE OF A RULER EXERCISING THE FUNCTIONS OF THE YANG DI-
PERTUAN AGONG

We.....ibni.....
being nominated to exercise the functions of the Yang di-Pertuan Agong of
Malaysia under the Yang di-Pertuan Agong (Exercise of Functions) Act 1957,
do hereby swear:

Wallahi;

Wabillahi;

Watallahi;

and by virtue of that oath do solemnly and sincerely declare that We shall
faithfully exercise the functions of the Yang di-Pertuan Agong as laid down and
may from time to time be laid down by the laws and the Constitution of
Malaysia.

LAWS OF MALAYSIA**Act 373****YANG DI-PERTUAN AGONG (EXERCISE OF
FUNCTIONS) ACT 1957**

LIST OF AMENDMENTS

Amending law	Short title	In force from
Act A885	Constitution (Amendment) Act 1994	24-06-1994

LAWS OF MALAYSIA**Act 373****YANG DI-PERTUAN AGONG (EXERCISE OF
FUNCTIONS) ACT 1957**

LIST OF SECTIONS AMENDED

Section	Amending authority	In force from
4	Act A885	24-06-1994

