



# **LAWS OF MALAYSIA**

**Act A1549**

**PREVENTION OF CRIME (AMENDMENT) ACT 2017**

Date of Royal Assent	...	...	9 October 2017
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## Act A1549

### PREVENTION OF CRIME (AMENDMENT) ACT 2017

An Act to amend the Prevention of Crime Act 1959.

[ ]

**ENACTED** by the Parliament of Malaysia as follows:

#### **Short title and commencement**

**1.** (1) This Act may be cited as the Prevention of Crime (Amendment) Act 2017.

(2) This Act comes into operation on a date to be appointed by the Minister by notification in the *Gazette*.

#### **New section 4A**

**2.** The Prevention of Crime Act 1959 [*Act 297*], which is referred to as the “principal Act” in this Act, is amended by inserting after section 4 the following section:

**“Report of investigation to be submitted to Inquiry Officer, etc.**

**4A.** The police officer making an investigation pertaining to a person arrested under subsection 3(1) shall cause a copy of the complete report of the investigation to be submitted to an Inquiry Officer and the Board, within such period as may be prescribed by the Minister.”.

**Deletion of section 6**

3. The principal Act is amended by deleting section 6.

**Amendment of section 7A**

4. Section 7A of the principal Act is amended—

- (a) in subsection (2), by inserting after the words “terms and conditions of the electronic monitoring device” the words “as specified in the form as specified in the Third Schedule”;
- (b) in subsection (5), by inserting after the words “electronic monitoring device” the words “as specified in the form as specified in the Third Schedule”; and
- (c) by substituting for subsection (7) the following subsection:

“(7) Any person who tampers with, damages, destroys or loses the electronic monitoring device or any other device used in relation to the operation of the electronic monitoring device shall be guilty of an offence and liable to imprisonment for a term not exceeding three years, and such person shall be liable to pay for any damage to or loss of the electronic monitoring device or any other device used in relation to the operation of the electronic monitoring device, and the court may direct that in default of payment for the damage or loss the person shall suffer imprisonment for a term not exceeding three years.”.

**Amendment of section 7B**

5. Subsection 7B(2) of the principal Act is amended by deleting the words “once for another period of three years”.

**Amendment of section 9**

6. Subsection 9(1) of the principal Act is amended by substituting for the words “When any person is brought before an Inquiry Officer under section 6, the Inquiry Officer” the words “Upon receiving a complete report of the investigation under section 4A, an Inquiry Officer”.

**Amendment of section 10**

7. Section 10 of the principal Act is amended—

(a) in subsections (1) and (2), by deleting the words “, and shall forward a copy of his finding to the officer having custody of the person, who shall forthwith serve a copy of the finding of the Inquiry Officer on that person”; and

(b) by deleting subsections (3) and (4).

**New section 10A**

8. The principal Act is amended by inserting after section 10 the following section:

**“Decision of the Board**

**10A.** (1) Where the Board, after considering the finding of the Inquiry Officer submitted under subsection 10(1) and the complete report of the investigation submitted under section 4A, is satisfied that—

(a) there are no sufficient grounds for believing that the person is a member of any of the registrable categories, the Board shall confirm the finding; or

(b) there are reasonable grounds for believing that the person is a member of any of the registrable categories, the Board shall reverse the finding.