

A BILL

i n t i t u l e d

An Act to amend the Printing Presses and Publications Act 1984.

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ENACTED by the Parliament of Malaysia as follows:

Short title and commencement

1. (1) This Act may be cited as the Printing Presses and Publications (Amendment) Act 2012.

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

Amendment of section 3

2. The Printing Presses and Publications Act 1984 [*Act 301*], which is referred to as the “principal Act” in this Act, is amended by substituting for subsection 3(3) the following subsection:

“(3) The Minister may grant to any person a licence to keep for use or use a printing press and he may refuse any application for such licence or may at any time revoke or suspend such licence for any period he considers desirable.”.

Amendment of section 6

3. Subsection 6(1) of the principal Act is amended by deleting the words “in his absolute discretion”.

Substitution of section 12

4. The principal Act is amended by substituting for section 12 the following section:

“Validity of licence and permit

12. A licence or permit granted under this Act shall be subject to such conditions as may be endorsed in the licence or permit and shall remain valid for so long as it is not revoked.”.

Amendment of section 13A

5. Subsection 13A(1) of the principal Act is amended by deleting the words “and shall not be called in question by any court on any ground whatsoever”.

Substitution of section 13B

6. The principal Act is amended by substituting for section 13B the following section:

“Right to be heard

13B. A person who has been granted a licence or permit under this Act shall be given an opportunity to be heard before a decision to revoke or suspend such licence or permit is made under subsection 3(3), 6(2) or 13(1), as the case may be.”.

Savings provision

7. A licence or permit that has been granted and is valid at the date of coming into operation of this Act shall remain valid for so long as it is not revoked, notwithstanding its expiry date.

EXPLANATORY STATEMENT

This Bill seeks to amend the Printing Presses and Publications Act 1984 (“Act 301”).

2. *Clause 1* contains the short title and provision on the commencement of the proposed Act.
3. *Clause 2* seeks to amend subsection 3(3) of Act 301 to remove the reference to the Minister’s “absolute discretion” in granting or refusing a printing press licence. This amendment also seeks to remove the power of the Minister to specify in the licence the period of validity of such licence. This amendment is consistent with the amendment made in *clause 4*.
4. *Clause 3* seeks to amend subsection 6(1) of Act 301 to remove the reference to the Minister’s “absolute discretion” in granting a person a permit to print or publish a newspaper in Malaysia or in granting the proprietor of any newspaper in Singapore a permit allowing such newspaper to be imported, sold, circulated or distributed in Malaysia.
5. *Clause 4* seeks to amend section 12 of Act 301 to remove the period of validity for a licence or permit and to allow such licence or permit to remain valid for so long as it is not revoked.
6. *Clause 5* seeks to amend subsection 13A(1) of Act 301 to remove the prohibition of judicial review on the decision of the Minister to grant, refuse to grant, revoke or suspend a licence or permit under Act 301.
7. *Clause 6* seeks to amend section 13B of Act 301 to give a person an opportunity to be heard before a decision to revoke or suspend such licence or permit is made under subsection 3(3), 6(2) or 13(1), as the case may be.
8. *Clause 7* seeks to provide for savings provision.

FINANCIAL IMPLICATIONS

This Bill will not involve the Government in any extra financial expenditure.

[PN(U²)2849]