

A BILL

i n t i t u l e d

An Act to amend the Administration of Islamic Law (Federal Territories) Act 1993.

[]

ENACTED by the Parliament of Malaysia as follows:

Short title and commencement

1. (1) This Act may be cited as the Administration of Islamic Law (Federal Territories) (Amendment) Act 2018.

(2) This Act comes into operation on a date to be appointed by the Yang di-Pertuan Agong by notification in the *Gazette*.

Amendment of section 7

2. The Administration of Islamic Law (Federal Territories) Act 1993 [*Act 505*], which is referred to as the “principal Act” in this Act, is amended in paragraph 7(2)(f) by substituting for the words “Islamic schools” the words “Islamic religious school”.

Substitution of section 97

3. The principal Act is amended by substituting for section 97 the following section:

“Islamic religious school

97. The Majlis shall have the power—

- (a) to register and regulate an Islamic religious school;
and
- (b) for the purpose of safeguarding the interest of the public and the students of the Islamic religious school—
 - (i) to take over the administration of an Islamic religious school;
 - (ii) to cease the operation of an Islamic religious school;
 - (iii) to enter and inspect an Islamic religious school; and
 - (iv) to take such action as the Majlis considers necessary to ensure that the affairs of the Islamic religious school are in compliance with the provisions of this Act and the rules made under this Act.”.

Amendment of section 99

4. Section 99 of the principal Act is amended—

- (a) by renumbering the existing provision as subsection (1);
- (b) by substituting for paragraph (j) the following paragraph:
 - “(j) the registration and regulation of Islamic religious school and activities relating to Islamic religious teaching and learning.”; and

Administration of Islamic Law (Federal Territories) 3
(Amendment)

(c) by inserting after subsection (1) as renumbered the following subsection:

“(2) Any rules made under this Act may prescribe for any act or omission in contravention of the rules to be an offence and may prescribe penalties of a fine not exceeding five thousand ringgit or imprisonment for a term not exceeding three years or both for such offence.”.

EXPLANATORY STATEMENT

This Bill seeks to amend the Administration of Islamic Law (Federal Territories) Act 1993 (“Act 505”).

2. *Clause 1* contains the short title and provision on the commencement of the proposed Act.

3. *Clause 2* seeks to amend paragraph 7(2)(f) of Act 505 to substitute for the words “Islamic schools” the words “Islamic religious school” for the purpose of consistency.

4. *Clause 3* seeks to amend section 97 of Act 505 to expand the power of the Majlis Agama Islam Wilayah Persekutuan to also include the power to regulate an Islamic religious school, and for the purpose of safeguarding the interest of the public and the students of the Islamic religious school, to take over the administration and to cease the operation of an Islamic religious school. The Majlis is also empowered to enter and inspect an Islamic religious school and to take such action as the Majlis considers necessary to ensure that the affairs of the Islamic religious school are in compliance with the provisions of Act 505 and the rules made under Act 505.

5. *Clause 4* seeks to amend section 99 of Act 505. *Subclause 4(b)* seeks to empower the Yang di-Pertuan Agong, on the advice of the Majlis, to make rules pertaining to registration and supervision of Islamic religious schools and activities relating to Islamic religious teaching and learning. *Subclause 4(c)* seeks to introduce a new subsection 99(2) to empower the Yang di-Pertuan Agong, on the advice of the Majlis, to prescribe an offence and penalties for that offence which is a fine not exceeding five thousand ringgit or imprisonment for a term not exceeding three years or both in any rules made under Act 505.

FINANCIAL IMPLICATIONS

This Bill will involve the Government in extra financial expenditure the amount of which cannot at present be ascertained.

[PN(U2)3134]