

A BILL

*i n t i t u l e d*

An Act to amend the Evidence Act 1950.

[ ]

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

**Short title and commencement**

**1.** (1) This Act may be cited as the Evidence (Amendment) Act 2024.

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

**Amendment of section 118**

**2.** The Evidence Act 1950 [Act 56], which is referred to as the “principal Act” in this Act, is amended in section 118 by deleting the words “tender years.”.

**Deletion of section 133A**

**3.** The principal Act is amended by deleting section 133A.

## EXPLANATORY STATEMENT

This Bill seeks to amend the Evidence Act 1950 (“Act 56”).

2. *Clause 1* contains the short title and the provision on the commencement of the proposed Act.
3. *Clause 2* seeks to amend section 118 of Act 56 to delete the words “tender years” used in that section consequential to the amendment made to the Evidence of Child Witness Act 2007 [*Act 676*] to insert into the Act the provision relating to the competency of a child witness to give evidence. With this amendment, the competency of a child witness to give evidence in any proceedings shall be dealt with under the Evidence of Child Witness Act 2007.
4. *Clause 3* seeks to delete section 133A of Act 56 consequential to the amendment made to the Evidence of Child Witness Act 2007 to insert into the Act the provisions relating to the admissibility of evidence of a child witness given upon oath or otherwise and to allow the Court to convict an accused on the basis of the uncorroborated evidence of a child witness given upon oath or otherwise.

*FINANCIAL IMPLICATIONS*

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

[PN(U2)2953]