

A BILL

i n t i t u l e d

An Act to amend the Commercial Vehicles Licensing Board Act 1987.

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ENACTED by the Parliament of Malaysia as follows:

Short title

1. This Act may be cited as the Commercial Vehicles Licensing Board (Amendment) Act 2024.

New section 41A

2. The Commercial Vehicles Licensing Board Act 1987 [*Act 334*], which is referred to as the “principal Act” in this Act, is amended by inserting after section 41 the following section:

“Soliciting or touting

41A. (1) Any person who, without lawful authority, solicits or touts for the purpose of offering services in connection with accepting for hire or reward the carriage of passengers or plying for hire or reward, whether or not carried out by that person, at any public place or its ancillary areas or in the vicinity of such place, commits an offence and shall, on conviction, be liable to a fine not exceeding fifty thousand ringgit or to imprisonment for a term not exceeding five years or to both.

(2) Notwithstanding any other provisions in this Act, a police officer or road transport officer may arrest without warrant any person who has committed or is suspected of having committed an offence under this section and shall without unnecessary delay, bring the person arrested to the nearest police station, and thereafter the person shall be dealt with in accordance with the law relating to criminal procedure for the time being in force.

(3) For the purposes of this section, “public place” includes all parts of an airport that are freely accessible to members of the public, any road, any terminal, or any place which has been gazetted as a stand for public service vehicles.”.

New section 49A

3. The principal Act is amended by inserting after section 49 the following section:

“Magistrate to have full jurisdiction

49A. Notwithstanding the provisions of any written law to the contrary, a court of First Class Magistrate shall have jurisdiction to try any offence under this Act and to award the full punishment for any such offence.”.

Saving

4. (1) Any proceedings commenced or pending immediately before the date of coming into operation of this Act shall, after the date of coming into operation of this Act, be continued as if the principal Act had not been amended by this Act.

(2) Any obligation, liability, disqualification, penalty or punishment accrued or incurred under the principal Act may, after the date of coming into operation of this Act, be continued, enforced, imposed and be dealt with, as the case may be, as if the principal Act had not been amended by this Act.

EXPLANATORY STATEMENT

This Bill seeks to amend the Commercial Vehicles Licensing Board Act 1987 (“Act 334”).

2. *Clause 1* contains the short title.
3. *Clause 2* seeks to introduce new section 41A to provide for the offence of soliciting or touting for any person offering services of the carriage of passengers without lawful authority at any public places or its ancillary areas.
4. *Clause 3* seeks to introduce new section 49A to provide the power to a court of First Class Magistrate to try any offence under Act 334 and to award the full punishment for any such offence.
5. *Clause 4* contains saving provisions.

FINANCIAL IMPLICATIONS

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

[PN(U2)3360]