

A BILL

i n t i t u l e d

An Act to amend the Whistleblower Protection Act 2010.

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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 Whistleblower Protection (Amendment) Act 2025.

(2) This Act comes into operation on a date to be appointed by the Minister by notification in the *Gazette* and the Minister may appoint different dates for the coming into operation of different provisions of this Act.

Amendment of section 2

2. The Whistleblower Protection Act 2010 [*Act 711*], which is referred to as the “principal Act” in this Act, is amended in section 2 by inserting after the definition of “confidential information” the following definition:

‘ “Minister” means the Minister charged with the responsibility for law;’.

New section 5A

3. The principal Act is amended by inserting after section 5 the following section:

“Whistleblower Protection Committee

5A. (1) A committee to be known as the Whistleblower Protection Committee shall be established and shall have the following functions:

- (a) to oversee the implementation of this Act relating to the general powers of the enforcement agency under section 3; and
- (b) to obtain statistics and data relating to the disclosure and complaints received by the enforcement agency in accordance with this Act.

(2) The Minister shall appoint a Chairman and not more than seven persons to be members of the Whistleblower Protection Committee, whom he deems fit and proper, on such terms and conditions as may be specified in the instrument of appointment.

(3) The Chairman of the Whistleblower Protection Committee appointed under subsection (2) shall hold office for a term not exceeding three years after which he shall be eligible to be reappointed upon the expiry of his term of office.

(4) The other members of the Whistleblower Protection Committee appointed under subsection (2) shall hold office for a term not exceeding three years after which they shall be eligible to be reappointed upon the expiry of their term of office.

(5) The Whistleblower Protection Committee shall determine its own meeting procedure.

(6) Any statistics, data or information which is required to be submitted to the Whistleblower Protection Committee for the purposes of this section shall not include the confidential information protected under section 8.”.

Amendment of section 6

4. Subsection 6(1) of the principal Act is amended—

(a) by substituting for the colon at the end of the subsection a full stop; and

(b) by deleting the proviso.

Amendment of section 7

5. Subsection 7(3) of the principal Act is amended by inserting after the words “an offence” the words “, that includes the protection under the Witness Protection Act 2009 [Act 696]”.

Amendment of section 11

6. Paragraph 11(1)(a) of the principal Act is amended by inserting after the words “the whistleblower himself has” the word “wilfully”.

EXPLANATORY STATEMENT

This Bill seeks to amend the Whistleblower Protection Act 2010 (“Act 711”).

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

3. *Clause 2* seeks to amend section 2 of Act 711 to introduce new definition of “Minister” into Act 711.

4. *Clause 3* seeks to establish the Whistleblower Protection Committee whose Chairman and members will be appointed by the Minister and to provide for other matters relating to the Whistleblower Protection Committee. *Clause 3* also seeks to provide for the protection of confidential information under Act 711 from being submitted to the Whistleblower Protection Committee.

5. *Clause 4* seeks to delete the proviso to subsection 6(1) of Act 711.

6. *Clause 5* seeks to amend subsection 7(3) of Act 711 to provide for the reference to the Witness Protection Act 2009 [Act 696].

7. *Clause 6* seeks to amend paragraph 11(1)(a) of Act 711 in relation to the reasons applicable to the enforcement agency to revoke a whistleblower protection under Act 711.

8. Other amendments not specifically dealt with in this Explanatory Statement are minor or consequential in nature.

FINANCIAL IMPLICATIONS

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

[PN(U2)3339]