

LAWS OF MALAYSIA

REPRINT

Act 1

REVISION OF LAWS ACT 1968

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REVISION OF LAWS ACT 1968

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LAWS OF MALAYSIA

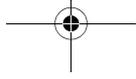
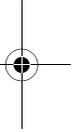
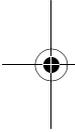
Act 1

REVISION OF LAWS ACT 1968

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LAWS OF MALAYSIA

Act 1

REVISION OF LAWS ACT 1968

An Act to provide for the revision and reprinting of laws and subsidiary legislation.

[Throughout Malaysia—1 January 1969]

BE IT ENACTED by the Seri Paduka Baginda Yang di-Pertuan Agong with the advice and consent of the Dewan Negara and Dewan Rakyat assembled, and by the authority of the same, as follows:

Short title

1. This Act may be cited as the Revision of Laws Act 1968.

Interpretation

2. In this Act, unless the context otherwise requires—

“Commissioner” means the Commissioner of Law Revision appointed under section 3;

“Committee” means the Law Revision Committee appointed under section 4;

“enactment” means a law as hereinafter defined or any part of such law;

“law” means any written law relating to a matter with respect to which Parliament has power to make laws, but, except in sections 14, 15 and 16, does not include this Act;

“reprint” means the reprint edition of any law, or any volume of such laws, prepared and published pursuant to section 3;

“revised law” means the revised edition of any law prepared and published pursuant to section 3.

Appointment of Commissioner

3. The Yang di-Pertuan Agong shall appoint a Commissioner of Law Revision and a Deputy Commissioner of Law Revision to prepare and publish revised laws and reprints as the Commissioner deems it expedient.

Appointment of Committee

4. (1) The Chief Justice of the Federal Court shall, by notification in the *Gazette*, appoint a Law Revision Committee comprising not less than five and not more than seven members from amongst the Judges and other persons who in his opinion are suitably qualified for the purpose of examining copies of revised laws in draft.

(2) A member of the Committee shall hold office for a period of two years and shall be eligible for reappointment:

Provided that the Chief Justice may terminate the appointment of a member, and any member may resign, at any time.

(3) The Chief Registrar of the Federal Court shall be the Secretary to the Committee.

Printing of revised laws

5. A revised law shall be printed by the Government Printer, or by such other printer as the Commissioner may in any particular case appoint for the purpose.

Powers of the Commissioner

6. (1) The Commissioner shall have the following powers:

- (i) to omit from any revised law—
 - (a) any repealing enactment and any table or list of repealed enactments, whether contained in a schedule or otherwise;
 - (aa) any provision, or part of a provision, in any law, which has ceased to have effect;
 - (b) any preamble or part of a preamble to a law;

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- (c) any introductory words of enactment in any law or provision thereof;
- (d) any enactment prescribing the date when a law or part of it is to come into force or operation:

Provided that the date on which the law or part thereof came into force or operation is inserted by the Commissioner in square brackets immediately following the long title of the revised law;

- (e) any amending enactment where the amendments affected thereby are embodied by the Commissioner in the law to which they relate or have been so embodied in any reprint printed in pursuance of any written law;
- (f) any enacting clause;
- (g) any part of a law which can more conveniently be included as subsidiary legislation;
- (h) any interpretation of any expression which is defined in identical or similar terms to those used in the definition of that term contained in the law applicable for the interpretation of the law after it has been revised;
- (i) any provision referring to any matter for which provision is made in identical or similar terms in the law applicable for the interpretation of the law after it has been revised:

Provided that the provisions relating to the construction of amending laws contained in the law applicable for the interpretation of laws shall apply to such omissions in the same way as if the provision omitted has been repealed; and

- (j) in the case of a law which refers to matters partly in the Federal List and—
 - (A) partly in the Concurrent or State List;
or
 - (B) partly in the Concurrent List and partly in the State List,

all provisions other than those which refer to matters in the Federal List:

Provided that the powers contained in this paragraph shall not be exercised except after consultation with the State Attorney General or the Legal Adviser of the State affected;

- (ii) to arrange the sequence of revised laws and to give chapter, serial or other numbers thereto;
- (iii) to make such formal alterations to any law as are necessary or expedient for the purpose of securing uniformity of expressions; or to bring the law into conformity with the provisions of the law applicable for the interpretation of the law after it has been revised;
- (iv) to adopt a convenient standard form in all revised laws for—
 - (a) the interpretation section;
 - (b) any penal section;
 - (c) any section giving power to make subsidiary legislation;
- (v) to alter the word “Enactment”, “Ordinance” or “Proclamation” in any law to “Act”;
- (vi) to add a long title or a short title to any law which may require it, and to alter the long title or short title of any law;
- (vii) to supply or alter tables of contents, chronological tables, references and notes:

Provided that such tables of contents, chronological tables, references and notes shall not form any part of the law in which they appear;
- (viii) to consolidate into one law any two or more laws or part thereof *in pari materia* relating to matters with respect to which Parliament has power to make laws, by whatever legislature those laws were enacted, making such alterations as are thereby rendered necessary in the consolidated enactment, and making modifications to have effect in particular States where if no such modifications were made it would bring

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about a substantial change in the law in force in such State and appointing such date for the coming into force thereof as may seem most convenient;

- (ix) to divide any law into two or more laws and to make such amendments, including the supplying of titles, or the alteration of existing titles, as are thereby rendered necessary;
- (x) to add to or omit from any law any provision required to be added or omitted, or to substitute for any provision of any law any provision required to be substituted, in consequence of any amendment made to that law by any other law or by any authority under powers conferred by law;
- (xi) to transfer any provision contained in a law from that law to any other law to which that provision more properly belongs, making any alterations thereby rendered necessary;
- (xii) to alter the order of the provisions in any law, and to re-number the provisions of any law;
- (xiii) to alter the form or arrangement of any provision of any law by transposing words, by combining it in whole or in part with another provision or other provisions or by dividing it into two or more provisions;
- (xiv) to divide any law, whether consolidated or not, into parts or other divisions;
- (xv) to correct grammatical, typographical and similar mistakes and for that purpose to make verbal additions, omissions, or alterations not affecting the meaning of any law;
- (xvi) to alter, insert or omit punctuation marks in any law;
- (xvi) to make such formal alterations as to names, localities, departments, offices, titles and otherwise as may be necessary to bring any law into conformity with the circumstances of the Federation on the date on which the law in its revised form is to come into force;
- (xviii) to make such adaptations or amendments in any law as may appear to be necessary or proper as a consequence

of any change in the constitution of the Federation or any part thereof or any part of the Commonwealth;

- (xix) to correct cross-references including references to the laws of other territories;
- (xx) to correct references to repealed laws by substituting for such references to any laws by which the repealed laws have been replaced, for which purpose it is declared that a law is deemed to be replaced by another law where it is expressly stated in the subsequent law that it replaces the repealed law, or where the subsequent law re-enacts with or without modification any provisions of a repealed law;
- (xxa) to update the terminology and spelling in the national language text of any law so that they are consistent with the terminology and spelling approved by the Dewan Bahasa dan Pustaka;
- (xxb) to delete any word, expression, nomenclature or other provision in any law which has become obsolete or has ceased to have effect, including references to repealed laws, and to substitute therefor, where necessary, the appropriate word, expression, nomenclature or provision or references to the appropriate laws;
- (xxi) to shorten or simplify the phraseology of any law;
- (xxii) to repeal or amend any enactment in consequence of the preparation of a revised law;
- (xxiii) to appoint the date on which a revised law shall come into force:

Provided that such date shall not be earlier than the date on which the revised law is published in the *Gazette*;
- (xxiv) to do all other things relating to form and method which may be necessary for the perfecting of a revised law.

(2) In subsection (1) “amendment” includes, where it is used in relation to the powers conferred upon the Commissioner, any variation of any law which is necessary for giving effect to any enactment in any other law whereby the scope, effect or

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construction of any provision of the first mentioned law is varied, modified, enlarged, restricted, qualified or otherwise affected.

(3) The powers conferred on the Commissioner by subsection (1) shall not be taken to imply any power in him to make any alteration or amendment in the substance of any law.

Method of compiling a revised law

7. A revised law shall be made up in such form as the Commissioner deems expedient and shall contain—

- (i) on the front page thereof—
 - (a) the expression “Laws of Malaysia”;
 - (b) the short title and number of the revised law;
 - (c) the date up to which it has been revised; and
 - (d) the date appointed under paragraph 6(1)(xxiii) on which the revised law is to come into force;
- (ii) a list of the laws by which the law has been amended up to the date of its revision showing the dates on which the amendments came into force;
- (iii) a list of the laws or parts thereof which the revised law supersedes or repeals.
- (iv) (*Deleted by Act A43*).

Examination by the Committee

8. (1) The Commissioner shall transmit ten draft copies of every revised law and of the list of amendments made by him in that edition of the revised law to the Committee for its examination. The Committee shall examine the draft copies and certify to the Commissioner whether in the opinion of the Committee the amendments made by the Commissioner are or are not within the powers conferred upon him by this Act. If the Committee shall fail so to certify within a period of thirty days from the receipt by the Secretary to the Committee of the draft copies the amendments shall be deemed to have been certified as being within the powers of the Commissioner and the Commissioner may proceed in accordance with subsection 10(1).

(2) The validity of any certificate given by the Committee under subsection (1) shall not be affected by any vacancy in the membership of the Committee or by the inability of any member thereof to give his opinion by reason of temporary absence, indisposition or any other cause.

Revised law to comply with Committee's opinion

9. Where the Committee certifies that an amendment is not within the powers of the Commissioner the Commissioner shall, before proceeding in accordance with subsection 10(1), amend the draft of the revised law to comply with the opinion of the Committee.

Publication of revised law

10. (1) A revised law containing amendments which have been certified or which are deemed to have been certified by the Committee as being within the powers of the Commissioner shall be published in the *Gazette* and shall come into force as from the date referred to in paragraph 7(i)(d).

(2) On and after the date from which a revised law comes into force, such revised law shall be deemed to be and shall be without any question whatsoever in all courts and for all purposes whatsoever the sole and only proper law in respect of matters included in it and in force on that date.

Completion of revision of pre-1969 laws to be notified in *Gazette*

11. As soon as may be, the Commissioner shall, by notification in the *Gazette* (to be published in the Acts Supplement), certify that the revision of all laws enacted before the first day of January 1969 (except for such laws as may be specified in the notification), which have not been repealed at the date of the notification, has been completed, and thereupon any such law which has not been revised under this Act and which has not been specified in the notification shall be deemed to have been repealed as from the date of publication of the notification.

Saving of existing subsidiary legislation

12. Subsidiary legislation made under any law and in force on the date on which that law as revised comes into force shall continue in force until otherwise provided; and references in any such subsidiary legislation to the law under which it was made, or to any part thereof, or to any other revised law shall be construed as references to the revised law or to that other law as revised.

Revision of subsidiary legislation

13. (1) There shall be prepared, as soon as may be convenient, as supplementary to each revised law a revised edition of such subsidiary legislation under such revised law as appears to the Commissioner to be of sufficient importance to be included in it.

(2) The provisions of this Act relating to the preparation and publication of a revised law, but not the provisions relating to examination by the Committee, shall apply with any necessary modifications to the preparation and publication of revised subsidiary legislation.

Reprint of laws

14. (1) The Government Printer or such other Printer as the Commissioner may in any particular case appoint for the purpose may, with the authority of the Commissioner, make a reprint of any law, whether revised or not, containing—

- (a) amendments effected by any law; and
- (b) amendments made by the Commissioner under the powers conferred upon him by subsection (2),

and any copy of a reprint purporting to be printed in accordance with this section shall be deemed, until the contrary is shown, to be the authentic text of the law as in force, except in so far as may be specified in the copy, on such date as may be so specified.

(2) In preparing a reprint the Commissioner shall have the powers contained in paragraphs 6(1)(vii), (x), (xv), (xvi), (xvii), (xviii), (xix), (xx), (xxa) and (xxb).

Publication volume by volume

14A. (1) The Commissioner may, if he considers it expedient, authorize a reprint to be prepared and published volume by volume, in any sequence and at such times as he deems expedient.

(2) Any volume of a reprint may contain such tables, appendices and other supplementary matter, including an index, as the Commissioner may consider necessary.

Updating of reprints

14B. The Commissioner may, if he considers it expedient, authorize the preparation and publication of updates incorporating the latest amendments to a reprint, in any sequence and at such times as he deems expedient.

Delegation of powers

14C. The Commissioner may delegate any of his powers under subsection 14(2), sections 14A and 14B to the Deputy Commissioner.

Rectification of formal errors

15. (1) The Commissioner may by order, made in the case of an Act after reference to the Committee, rectify any clerical, printing or other error in any law:

Provided that no such rectification shall be inconsistent with the powers conferred upon the Commissioner by sections 6, 13 and 14.

(2) An order made under subsection (1) shall have the force of law with effect from the date referred to in paragraph 7(i)(d).

Reference to number of line in any law

16. A reference in any law to the number of a line of any provision of any law shall mean that line in the latest official printed copy of that law at the time of the enactment of the law containing the reference.

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Place of this Act in the Laws of Malaysia series

17. This Act shall form the first Act of the “Laws of Malaysia” series and shall be numbered as Act 1.

Repeal

18. The Reprint of Federal Laws Act 1965 [*No. 26 of 1965*], is repealed and section 48 of the Interpretation and General Clauses Ordinance 1948 [*M.U. 7 of 1948*], in so far as it is a federal law, shall cease to have any application after the coming into force of this Act.

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LIST OF AMENDMENTS

Amending law	Short title	In force from
P.U.(A)107/1970	Emergency (Revision of Laws) (Amendment) Ordinance 1970	01-01-1969 11-03-1970 (sections 2, 7, 8 and 9)
Act A43	Revision of Laws (Amendment) Act 1971	30-04-1971
Act A885	Constitution (Amendment) Act 1994	24-06-1994
Act A1061	Revision of Laws (Amendment) Act 1999	01-10-1998

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LIST OF SECTIONS AMENDED

Section	Amending authority	In force from
2	Act A43	30-04-1971
	P.U.(A)107/1970	11-03-1970
	Act A1061	01-10-1998
3	Act A1061	01-10-1998
4	Act A885	24-06-1994
6	P.U.(A)107/1970	01-01-1969
	Act A43	30-04-1971
	Act A1061	01-10-1998
7	P.U.(A)107/1970	01-01-1969
	Act A43	30-04-1971
8	P.U.(A)107/1970	01-01-1969
	Act A43	30-04-1971
10	P.U.(A)107/1970	01-01-1969
13	P.U.(A)107/1970	11-03-1970
	Act A43	30-04-1971
14	P.U.(A)107/1970	11-03-1970
	Act A43	30-04-1971

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	Act A1061	01-10-1998
14A	Act A1061	01-10-1998
14B	Act A1061	01-10-1998
14C	Act A1061	01-10-1998
15	P.U.(A)107/1970	11-03-1970
	Act A43	30-04-1971
16	P.U.(A)107/1970	11-03-1970
	Act A43	30-04-1971
17	P.U.(A)107/1970	11-03-1970
	Act A43	30-04-1971
18	P.U.(A)107/1970	11-03-1970
	Act A43	30-04-1971
