



# LAWS OF MALAYSIA

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REPRINT

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**Act 198**

## **PUBLIC AUTHORITIES PROTECTION ACT 1948**

*Incorporating all amendments up to 1 January 2006*

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2006

**PUBLIC AUTHORITIES PROTECTION ACT 1948**

First enacted ... .. 1948 (Ordinance No. 19  
of 1948)

Revised ... .. 1978 (Act 198 w.e.f.  
15 February 1978)

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**LAWS OF MALAYSIA****Act 198****PUBLIC AUTHORITIES PROTECTION ACT 1948**

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**ARRANGEMENT OF SECTIONS**

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## Section

1. Short title
2. Protection of persons acting in execution of statutory or other public duty
3. Repeal

## SCHEDULE



**LAWS OF MALAYSIA****Act 198****PUBLIC AUTHORITIES PROTECTION ACT 1948**

An Act relating to the protection of persons acting in the execution of statutory and other public duties.

*[Peninsular Malaysia—19 August 1948;  
Sabah and Sarawak—25 February 1965]*

**Short title**

**1.** This Act may be cited as the Public Authorities Protection Act 1948.

**Protection of persons acting in execution of statutory or other public duty**

**2.** Where, after the coming into force of this Act, any suit, action, prosecution or other proceeding is commenced in the Federation against any person for any act done in pursuance or execution or intended execution of any written law or of any public duty or authority or in respect of any alleged neglect or default in the execution of any such written law, duty or authority the following provisions shall have effect:

- (a) the suit, action, prosecution or proceeding shall not lie or be instituted unless it is commenced within thirty-six months next after the act, neglect or default complained of or, in the case of a continuance of injury or damage, within thirty-six months next after the ceasing thereof;
- (b) whenever in any such suit or action a judgment is obtained by the defendant, it shall carry costs to be taxed as between solicitor and client;
- (c) where the proceeding is a suit or action for damages, tender of amends before the suit or action was commenced may be pleaded in lieu of or in addition to any other plea;

(d) if the suit or action is commenced after the tender or offer in writing, or is proceeded with after payment into court of any money in satisfaction of the plaintiff's claim, and the plaintiff does not recover more than the sum tendered, offered or paid, he shall not recover any costs incurred after the tender, offer or payment, and the defendant shall be entitled to costs to be taxed as between solicitor and client as from the time of the tender, offer or payment, and the costs up to the time of such tender, offer or payment shall be in the discretion of the court:

Provided that this provision shall not affect costs on any injunction in the suit or action.

### **Repeal**

3. The Enactments and the Ordinance mentioned in the Schedule to this Act are hereby repealed.

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SCHEDULE

[Section 3]

REPEAL

Federated Malay States Cap. 30	The Public Authorities Protection Enactment of the Federated Malay States.
Johore Enactment No. 60	The Public Authorities Protection Enactment of the State of Johore.
Kedah Enactment of No. 11 of 1359	The Public Authorities Protection Enactment 1359 of the State of Kedah.
Kelantan Enactment No. 3 of 1931	The Public Authorities Protection Enactment 1931 of the State of Kelantan.
Perlis Enactment No. 3 of 1340	The Public Authorities Protection Enactment 1340 of the State of Perlis.
Terengganu Enactment No. 2 of 1356	The Public Authorities Protection Enactment of the State of Terengganu.
Straits Settlements Cap. 14	The Public Authorities Protection Ordinance of the Straits Settlements.
Sabah Cap. 111	The Public Authorities Protection Ordinance of Sabah

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**LAWS OF MALAYSIA****Act 198****PUBLIC AUTHORITIES PROTECTION ACT 1948**

## LIST OF AMENDMENTS

Amending law	Short title	In force from
L.N. 67/1965	Modification of Laws (Government Proceedings and Public Authorities Protection) (Extension and Modification) Order 1965	25-02-1965
Act A252	Public Authorities Protection (Amendment) Act 1974	14-06-1974

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**LAWS OF MALAYSIA****Act 198****PUBLIC AUTHORITIES PROTECTION ACT 1948**

## LIST OF SECTIONS AMENDED

Section	Amending authority	In force from
2	Act A252	14-06-1974

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