



LAWS OF MALAYSIA

ONLINE VERSION OF UPDATED
TEXT OF REPRINT

Act 259

INDECENT ADVERTISEMENTS ACT 1953

As at 1 September 2012

INDECENT ADVERTISEMENTS ACT 1953

First enacted 1953 (Ordinance No.16 of 1953)

Revised 1981 (Act 259 w.e.f. 24 December 1981)

Latest amendment made by Act 160 which came into operation on 28 August 1975

PREVIOUS REPRINT

First Reprint 2001

Second Reprint 2006

LAWS OF MALAYSIA**Act 259****INDECENT ADVERTISEMENTS ACT 1953**

ARRANGEMENT OF SECTIONS

Section

1. Short title and application
2. Interpretation
3. Indecent or obscene pictures or printed or written matter
4. Persons sending others to do the acts punishable under section 3
5. Advertisements as to syphilis, *etc.*, declared indecent
6. Restriction on advertisements
7. Penalties
8. Arrest on view of offence
9. Repeal

LAWS OF MALAYSIA**Act 259****INDECENT ADVERTISEMENTS ACT 1953**

An Act to suppress indecent advertisements and advertisements relating to the treatment of venereal disease.

[30 April 1953]

Short title and application

1. (1) This Act may be cited as the Indecent Advertisements Act 1953.

(2) This Act shall apply to Peninsular Malaysia only.

Interpretation

2. In this Act, “Peninsular Malaysia” has the meaning assigned thereto in section 3 of the Interpretation Acts 1948 and 1967 [Act 388], and includes the Federal Territory.

Indecent or obscene pictures or printed or written matter

3. Whoever affixes to or inscribes on any house, building, wall, hoarding, gate, fence, pillar, post, board, tree or any other thing whatsoever, so as to be visible to a person being in or passing along any public place, or public road, or footpath, and whoever affixes to or inscribes on any public urinal, or delivers or attempts to deliver or exhibits to any inhabitant or to any person being in or passing along any public place, or public road, or footpath, or exhibits to public view in the window of any house or shop, any picture or printed or written matter which is of an indecent or obscene nature, shall, on

conviction, be liable to imprisonment for a term not exceeding one month and to a fine not exceeding fifty ringgit.

Persons sending others to do the acts punishable under section 3

4. Whoever gives or delivers to any other person any such pictures, or printed or written matter mentioned in section 3 with the intent that the same, or some one or more thereof, should be affixed, inscribed, delivered, or exhibited as therein mentioned, shall, on conviction, be liable to imprisonment for a term not exceeding three months and to a fine not exceeding one hundred ringgit.

Advertisements as to syphilis, etc., declared indecent

5. Any advertisement relating to venereal disease, nervous debility, or other complaint or infirmity arising from or relating to sexual intercourse, and any advertisement claiming for any preparation aphrodisiac properties, shall be deemed to be printed or written matter of an indecent nature within the meaning of section 3, if such advertisement is published to the public by any means or is affixed to or inscribed on any house, building, wall, hoarding, gate, fence, pillar, post, board, tree or other thing whatsoever, so as to be visible to a person being in or passing along any public place, public road, or footpath, or is affixed to or inscribed on any public urinal, or is delivered or attempted to be delivered to any person being in or passing along any public place, public road, or footpath:

Provided that nothing in this section shall apply to any advertisement relating to venereal disease published by or with the authority of the Government of Malaysia or the Government of any State or by any local or public authority.

Restriction on advertisements

6. (1) A person shall not by any advertisement or any public notice or announcement treat or offer to treat any person for venereal disease, or prescribe or offer to prescribe any remedy therefore, or

offer to give or give any advice in connection with the treatment thereof.

(2) A person shall not hold out or recommend to the public by any notice or advertisement, or by any written or printed papers or handbills, or by any label or words written or printed, affixed to or delivered with, any packet, box, bottle phial, or other inclosure containing the same, any pills, capsules, powders, lozenges, tinctures, potions, cordials, electuaries, plasters, unguents, salves, ointments, drops, lotions, oils, spirits, medicated herbs and waters, chemical and officinal preparations whatsoever, to be used or applied externally or internally as medicines or medicaments for the prevention, cure or relief of any venereal disease:

Provided that nothing in this section shall apply to any advertisement, notification, announcement, recommendation or holding out made or published by the Government of Malaysia or the Government of any State or by any local or public authority or to any publication sent only to registered medical practitioners or to registered pharmacists or wholesale dealers for the purposes of their business.

(3) In this section and in section 5 “venereal disease” means syphilis, gonorrhoea, soft chancre, or bubo (lymphogranuloma inguinale).

Penalties

7. If any person acts in contravention of section 6, he shall, on conviction, be liable to imprisonment for a term not exceeding one year and to a fine not exceeding five hundred ringgit.

Arrest on view of offence

8. Any police officer may arrest without warrant any person whom he shall find committing any offence against this Act.

Repeal

9. The Indecent Advertisements Ordinance 1941 [*S.S. Ord. 43 of 1941*], of the Straits Settlements is hereby repealed.

LAWS OF MALAYSIA**Act 259****INDECENT ADVERTISEMENTS ACT 1953**

LIST OF AMENDMENTS

Amending law	Short title	In force from
L.N. 332/58	Federal Constitution (Modification of Laws) (Ordinances and Proclamations) Order 1958	13-11-1958
Act 160	Malaysian Currency (Ringgit) Act 1975	29-08-1975

LAWS OF MALAYSIA**Act 259****INDECENT ADVERTISEMENTS ACT 1953**

LIST OF SECTIONS AMENDED

Section	Amending authority	In force from
3	Act 160	29-08-1975
4	Act 160	29-08-1975
7	Act 160	29-08-1975
