



LAWS OF MALAYSIA

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Act 326

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PRINTING OF QUR'ANIC TEXTS ACT 1986

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LAWS OF MALAYSIA

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PRINTING OF QUR'ANIC TEXTS ACT 1986

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LAWS OF MALAYSIA**Act 326****PRINTING OF QUR'ANIC TEXTS ACT 1986**

An Act to regulate the printing, importation, sale, publication and distribution of Qur'anic texts and Qur'anic material and to provide for related matters.

[1 January 1987, P.U. (B) 763/1986]

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

Short title and commencement

1. This Act may be cited as the Printing of Qur'anic Texts Act 1986 and shall come into force on a date to be appointed by the Minister by notification in the *Gazette*.

Interpretation

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

“correct” in respect of Qur'anic Verses includes being complete and correctly arranged, not only in themselves but also in the context of the Qur'anic text in question as a whole; and “incorrect” and “error” shall be construed accordingly;

“document” means any matter expressed, described, or howsoever represented, upon any substance, material, thing or article, including any matter embodied in a disc, tape, film, sound track or other device whatsoever, by means of—

(a) letters, figures, marks, symbols, signals, signs, or other forms of expression, description, or representation whatsoever;

- (b) any visual recording (whether of still or moving images);
- (c) any sound recording, or any electronic, magnetic, mechanical or other recording whatsoever and howsoever made, or any sounds, electronic impulses, or other data whatsoever;
- (d) a recording, or transmission, over a distance of any matter by any, or any combination, of the means mentioned in paragraph (a), (b) or (c),

or by more than one of the means mentioned in paragraphs (a), (b), (c) and (d), intended to be used or which may be used for the purpose of expressing, describing, or howsoever representing, that matter;

“Islamic Religious Council” means the authority, by whatever name called, established by or under any written law for the purpose, solely or besides other purposes, of advising the head of the religion of Islam in a State or Federal Territory in matters relating to the religion of Islam;

“Lembaga” means the Lembaga Pengawasan dan Pelesenan Pencetakan Al-Qur’an established under subsection 3(1);

“licence” means a licence issued under section 5;

“Minister” and “Ministry” mean the Minister and Ministry responsible for the licensing of printing presses;

“Mufti” means an official appointed to act as a Mufti for any State or Federal Territory under any written law relating to the administration of Islamic law;

“printing” and expressions referring to printing include writing, lithography, typewriting, photography and other modes of representing or reproducing words or objects in visible form;

“Qur’anic material” means any document containing any Qur’anic Verse, other than a “Qur’anic text”, as defined in this section;

“Qur’anic text” means any document containing the complete Arabic text of the Qur’an or any part thereof which contains one *juzu*’ or more with or without translation, or interpretation, as the case may be;

“Qur’anic Verse” includes any part of any Qur’anic Verse in Arabic.

The Lembaga Pengawalan dan Pelesenan Pencetakan Al- Qur’an

3. (1) For the purposes of this Act, there shall be a board to be known as the Lembaga Pengawalan dan Pelesenan Pencetakan Al-Qur’an.

(2) The Lembaga shall consist of fifteen members, thirteen representing the thirteen States in Malaysia, one representing the Federal Territories of Kuala Lumpur and Labuan, and one being the Director General of the Department of Islamic Development Malaysia of the Prime Minister’s Department.

(3) The members for the States of Malacca, Penang, Sabah and Sarawak and for the Federal Territories of Kuala Lumpur and Labuan shall be appointed by the Yang di-Pertuan Agong and the members for the other States shall be appointed by the respective Rulers.

(4) Each appointed member shall serve at the pleasure of the Yang di-Pertuan Agong or the respective Ruler, as the case may be.

(5) The Lembaga shall, from time to time, elect a Chairman and a Deputy Chairman from among its members for such term as the Lembaga may decide.

(6) The first Chairman and Deputy Chairman shall be elected at the first meeting of the Lembaga after the commencement of this Act, which meeting shall be convened by the Secretary General of the Ministry and chaired by him until the Chairman and Deputy Chairman are elected.

(7) Subject to this section, the Lembaga shall regulate its own procedure.

(8) The quorum for any meeting of the Lembaga shall be seven members present.

(9) In exercising its functions under this Act, the Lembaga shall be subject to the control, supervision and direction of the Minister.

(10) The Ministry shall provide the Lembaga with such staff, funds and other facilities as are necessary to enable it to carry out its functions under this Act.

Extension of executive authority of States

4. For the avoidance of doubt it is hereby declared—

- (a) that where it appears, directly or by implication, that the executive authority of a State is extended to the administration of any provision of this Act, such extension is provided by virtue of Clause (4) of Article 80 of the Federal Constitution; and
- (b) that the conferment of powers and the imposition of duties made by this Act on any authority of the State is made by virtue of the said Article for the purpose of such extension.

Licence to print, etc., Qur'anic texts

5. (1) No person shall print or assist in printing, or publish or assist in publishing, any Qur'anic text without a licence issued by the Lembaga, which licence the Lembaga may, at its absolute discretion, grant, refuse or revoke, or grant subject to conditions to be endorsed thereon.

(2) A licence, once issued, shall continue to remain in force until revoked.

(3) Without prejudice to subsection (4), where the Lembaga is satisfied that any person who has been issued with a licence has acted in contravention of this Act or any condition of the licence, it may, after giving such person an opportunity to show cause, revoke or suspend the licence without assigning any reason.

(4) Where a person to whom a licence has been issued is charged with any offence under this Act or any regulations made thereunder, the licence issued to him shall forthwith be deemed suspended and upon his being found guilty of such offence, the court shall order revocation of the licence.

(5) A licence issued under this section shall be in addition to any licence issued under any other written law relating to the licensing of printing presses.

(6) Any person who contravenes the provision of subsection (1) commits an offence and is liable on conviction to a fine not exceeding ten thousand ringgit or to imprisonment not exceeding three years or to both.

(7) Any person who fails to comply with or breaches any condition attached to the licence issued under this section commits an offence and is liable on conviction to a fine not exceeding five thousand ringgit or to imprisonment not exceeding one year or to both.

Submission of final proof or original copy of Qur'anic text to the Lembaga

6. (1) No person shall print or publish any Qur'anic text unless the final proof or original copy of the Qur'anic text, as the case may be, has been submitted to the Lembaga and the Lembaga has certified that the Qur'anic Verses contained in the final proof or original copy are correct, whether as originally submitted or as corrected by the Lembaga.

(2) The certificate issued under subsection (1) shall bear an appropriate reference number and shall specify the corrections, if any, made by the Lembaga to or in respect of the Qur'anic text.

(3) Any person who contravenes the provision of subsection (1) commits an offence and is liable on conviction to a fine not exceeding ten thousand ringgit or to imprisonment not exceeding three years or to both.

Imported Qur'anic texts

7. (1) No person shall import for sale or distribution any Qur'anic text printed outside Malaysia unless prior to importation one copy has been submitted to the Lembaga with a statutory declaration that he intends to import other Qur'anic texts which are identical in every particular to the one submitted and the Lembaga has certified in writing that the Qur'anic Verses contained therein are correct.

(2) Any person who contravenes the provision of subsection (1) commits an offence and is liable on conviction to a fine not exceeding ten thousand ringgit or to imprisonment not exceeding three years or to both.

Qur'anic texts to bear certain information

8. (1) Every Qur'anic text which is printed or published in Malaysia or imported into Malaysia shall bear conspicuously on the first or last printed leaf thereof, or in the case of a recorded text, at a conspicuous part of the text, the following information:

- (a) the name and address of its printer and publisher, or in the case of a recorded text, the person responsible for the making of the recording and publication of the recorded text;
- (b) in the case of an imported Qur'anic text, the name and address of its importer;
- (c) the address of the place where it was printed, recorded or published;
- (d) a statement to the effect that the Qur'anic Verses contained in the text have been certified to be correct by the Lembaga in accordance with section 6 or 7; and
- (e) the reference number of the relevant certificate.

(2) No person shall print or assist in printing, or publish or assist in publishing, any Qur'anic text which does not comply with the requirements of subsection (1) or in which any information or statement required to be borne under subsection (1) is false.

(3) Any person who contravenes the provision of subsection (2) commits an offence and is liable on conviction to a fine not exceeding twenty thousand ringgit or to imprisonment not exceeding five years or to both.

Qur'anic texts to be printed, as regards Qur'anic Verses, exactly as certified

9. (1) No person shall print or publish any Qur'anic text which differs, as regards the Qur'anic Verses contained therein, from the corresponding Verses as certified to be correct by the Lembaga on the final proof of the Qur'anic text under section 6.

(2) Any person who contravenes the provision of subsection (1) commits an offence and is liable on conviction to a fine not exceeding twenty thousand ringgit or to imprisonment not exceeding five years or to both.

One copy of Qur'anic text to be delivered to Lembaga and another kept

10. (1) Every person who prints any Qur'anic text shall, as soon as possible, deliver one copy thereof to the Lembaga and shall keep one copy thereof.

(2) Any person who fails to comply with the provision of subsection (1) commits an offence and is liable on conviction to a fine not exceeding two thousand ringgit or to imprisonment not exceeding six months or to both.

Waste material from printing of Qur'anic texts or Qur'anic material

11. (1) Any person who prints any Qur'anic text or Qur'anic material shall take all necessary steps to ensure that any waste material on which there is printed or there appears any Qur'anic Verse is immediately destroyed by burning in an enclosed place to which the public have no access and does not leave the printing premises by any means, except when being removed to a place to be destroyed as aforesaid.

(2) Except as provided in subsection (1), no person shall remove from any printing, premises, or cause, directly or by his negligence, or permit to be so removed, any waste material on which there is printed or there appears any Qur'anic Verse.

(3) Any person who contravenes or fails to comply with the provision of subsection (1) or (2) commits an offence and is liable on conviction to a fine not exceeding five thousand ringgit or to imprisonment not exceeding one year or to both.

Certifying of Qur'anic texts printed before commencement of Act

12. (1) Any person intending to sell, distribute or publish any Qur'anic text printed before the commencement of this Act shall submit the Qur'anic text to the Lembaga for it to be examined by the Lembaga and for the Lembaga to certify that the Qur'anic Verses contained therein are correct.

(2) As soon as possible after receiving a Qur'anic text under subsection (1), the Lembaga shall examine the Qur'anic text and determine whether the Qur'anic Verses contained therein are correct.

(3) If the Lembaga is satisfied that the Qur'anic Verses contained in the Qur'anic text are correct, the Lembaga shall so certify and shall cause a certificate to that effect to be conspicuously affixed on the first or last printed leaf thereof or, in the case of a recorded text, at a conspicuous part of the text.

(4) The Lembaga may direct such corrections as it considers necessary to be made to the Qur'anic text before certifying under subsection (3).

(5) If the Lembaga finds any error in the Qur'anic Verses contained in the Qur'anic text and that it is not suitable to direct correction under subsection (4), the Lembaga shall cause the Qur'anic text to be destroyed in such manner as it deems proper and shall cause the person concerned to be informed of the matter and of the errors justifying the destruction.

Control of sale, distribution and publication of Qur'anic texts

13. (1) As from a date to be appointed by the Minister by notification in the *Gazette*, which date shall not be earlier than six months from the date of publication of the notification, no person shall sell, offer for sale, distribute or publish, or have in his possession, custody or control for the purpose of sale or distribution, any Qur'anic text, unless it bears conspicuously on the first or last printed leaf thereof or, in the case of a recorded text, at a conspicuous part of the text, the information specified in subsection 8(1) or the certificate specified in subsection 12(3) and the information or certificate is genuine in respect of it.

(2) Any person who contravenes of subsection (1) commits an offence and is liable on conviction to a fine not exceeding five thousand ringgit or to imprisonment not exceeding two years or to both.

Printing of Qur'anic texts or Qur'anic material containing errors

14. (1) No person shall print or publish any Qur'anic text or Qur'anic material which contains any error in respect of any Qur'anic Verse therein.

(2) Any person who contravenes the provision of subsection (1) commits an offence and is liable on conviction to a fine not exceeding twenty thousand ringgit or to imprisonment not exceeding five years or to both.

Forfeiture and disposal of Qur'anic texts or Qur'anic material

15. (1) Where any person is charged with any offence under this Act or regulations made thereunder involving any Qur'anic text or Qur'anic material and the court is satisfied, on the basis of a certificate under paragraph 16(a), that there is any error in the Qur'anic Verses contained in the Qur'anic text of Qur'anic material, the court shall order its forfeiture, notwithstanding that no person is convicted of any offence or that no offence is proven.

(2) Without prejudice to subsection (1), where any person is charged in any court and it is proved to the satisfaction of the court that an offence under this Act or any regulations made thereunder has been committed and that any article, including a Qur'anic text or Qur'anic material, is the subject matter, or was used in the commission, of the offence, the court shall order the forfeiture of such article, notwithstanding that no person may have been convicted of any offence.

(3) Any Qur'anic text or Qur'anic material which is ordered to be forfeited under subsection (1) or (2) shall be delivered to the Lembaga to be disposed of in any manner it thinks fit.

Mufti's certificate to be conclusive proof

16. For the purposes of any prosecution or proceedings under this Act or any action or proceedings arising from or in relation to the implementation of this Act—

- (a) a certificate from any Mufti that any text or document is or contains a Qur'anic text or a Qur'anic Verse, or that any combination of words is a Qur'anic Verse, or that there is any error in any Qur'anic text or Qur'anic Verse shall be accepted by the court as conclusive proof of the matters certified therein;
- (b) an alleged Qur'anic text or Qur'anic Verse is a Qur'anic text or Qur'anic Verse, notwithstanding that it differs in any respect from the true Qur'anic text or from any true Qur'anic Verse, if there is produced a certificate from

any Mufti, which certificate shall be accepted by the court as conclusive proof of the matters certified therein, certifying that the alleged Qur'anic text would be the true Qur'anic text, or the alleged Qur'anic Verse would be a particular true Qur'anic Verse, specifying the Verse, if certain corrections are made or certain omissions supplied, specifying the corrections or omissions.

Power to seize, detain and search for unlawful Qur'anic texts or Qur'anic material

17. (1) Any police officer not below the rank of Inspector, or any public officer authorized in writing by the Islamic Religious Council of any State or Federal Territory, may seize and detain any Qur'anic text or Qur'anic material found in the possession of any person if the police officer or the public officer has reasonable cause to believe that it has been printed, published, distributed or sold, or is intended to be published, distributed or sold, in contravention of this Act or of any condition attached to the licence under section 5, or that there is any error in respect of the Qur'anic Verses contained in the Qur'anic text or Qur'anic material.

(2) Any police officer not below the rank of Inspector or any public officer authorized in writing by the Islamic Religious Council of any State or Federal Territory to apply for a warrant under this subsection may apply to a Magistrate or a Sessions Court Judge for a warrant empowering such officer to enter upon any premises and search for and seize and detain any Qur'anic text or Qur'anic material the printing, publication, distribution or sale of which is unlawful under this Act, or which contains any error in respect of the Qur'anic Verses contained in the Qur'anic text or Qur'anic material.

(3) An application for a warrant under subsection (2) shall be supported by an information to the effect that there is reasonable cause for suspecting that there is in the premises any Qur'anic text or Qur'anic material the printing, publication, distribution or sale of which is unlawful under this Act, or which contains any error in respect of the Qur'anic Verses contained in the Qur'anic text or Qur'anic material, and the Magistrate or Sessions Court Judge to whom the application is made shall, unless he has grounds to believe that the information supplied is not correct, issue the warrant applied for.

(4) Whenever it appears to any police officer not below the rank of Assistant Superintendent that there is reasonable cause to believe that in any premises there is concealed or deposited any Qur'anic text or Qur'anic material the printing, publication, distribution or sale of which is unlawful under this Act, or which contains any error in respect of the Qur'anic Verses contained in the Qur'anic text or Qur'anic material, and he has good grounds for believing that by reason of the delay which would be entailed by obtaining a search warrant the object of the search is likely to be frustrated, he may enter and search the premises and seize and detain the Qur'anic text or Qur'anic material as if he were empowered to do so by a warrant issued under subsection (2).

Examination and disposal of Qur'anic texts or Qur'anic material

18. Any Qur'anic text or Qur'anic material seized and detained under section 17 shall, unless any person is charged in court and such Qur'anic text or Qur'anic material is required to be produced as an exhibit, as soon as practicable be delivered to the Lembaga and be examined by the Lembaga and—

- (a) if it is certified by the Lembaga to be correct as regards the Qur'anic Verses contained therein, it shall be returned to the person from whom it was seized not later than six months from the date of the seizure; or
- (b) if it is certified by the Lembaga to contain any error in respect of the Qur'anic Verses contained therein, it shall be disposed of in any manner the Lembaga deems fit.

Barring of action

19. No person shall be entitled to maintain any action, whether for compensation, damages or otherwise, on account of any act done or any decision taken by or on behalf or on the direction of the Lembaga, or by any police officer or public officer, under section 12, 17 or 18, and no court shall have any jurisdiction to entertain any such action.

Sanction for prosecution

20. No prosecution shall be instituted under this Act without the previous sanction in writing of the Public Prosecutor.

Presumption as to printer, etc.

21. The printer, publisher or importer whose name or address is printed on any Qur'anic text or Qur'anic material shall be presumed, until the contrary is proved, to have printed such Qur'anic text or Qur'anic material at the address stated therein or to have published or imported it.

Corporations and firms

22. For the purposes of this Act, a corporation may act by a director or its secretary, and a firm may act by any of its partners.

Liability of partners, directors, employees, etc.

23. (1) Whenever an offence under this Act or any regulations made thereunder is committed by a body corporate, any director, manager, secretary or other officer of the body corporate shall also be deemed guilty of that offence.

(2) Any person who would have been guilty of an offence if anything had been done or omitted by him personally shall be guilty of that offence and liable to the same penalty if the thing had been done or omitted to be done by his partner, agent or servant in the course of the partnership business or in the course of his employment, as the case may be.

(3) Whenever any agent or servant in the course of his employment does or omits to do any act the doing or omission to do of which is an offence under this Act or any regulations made thereunder, his principal or employer shall also be guilty of the offence.

Exemption

24. (1) Nothing in this Act shall apply to the printing, publication, sale, distribution or circulation of any Qur'anic text or Qur'anic material by the Federal or any State Government or any statutory body authorized by the Federal or State Government, as the case may be.

(2) The Minister may by order published in the *Gazette* exempt any person or Qur'anic text or Qur'anic material from the application of all or any of the provisions of this Act.

Regulations

25. The Minister may make regulations—

- (a) for prescribing the forms to be used under this Act;
 - (b) for fixing the fees to be charged under this Act;
 - (c) to provide for any matter or thing which is to be or may be prescribed;
 - (d) to provide for the procedure for the submission of Qur'anic texts to the Lembaga;
 - (e) to provide for the form of the certificates under this Act;
 - (f) generally for carrying into effect the provisions of this Act.
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LAWS OF MALAYSIA**Act 326****PRINTING OF QUR'ANIC TEXTS ACT 1986**

LIST OF AMENDMENTS

Amending law	Short title	In force from
Act A671	Subordinate Courts (Amendment) Act 1987	22-05-1987
Act A1023	Printing of Qur'anic Texts (Amendment) Act 1998	01-10-1998

LAWS OF MALAYSIA**Act 326****PRINTING OF QUR'ANIC TEXTS ACT 1986****LIST OF SECTIONS AMENDED**

Section	Amending authority	In force from
2	Act A1023	01-10-1998
3	Act A1023	01-10-1998
6	Act A1023	01-10-1998
8	Act A1023	01-10-1998
12	Act A1023	01-10-1998
13	Act A1023	01-10-1998
17	Act A671	22-05-1987
