



# LAWS OF MALAYSIA

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TEXT OF REPRINT

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**Act 345**

## **CRIMINAL JUSTICE ACT 1953**

*As at 1 June 2013*

### **CRIMINAL JUSTICE ACT 1953**

First enacted ... .. 1953 (F.M Ord. No. 14 of 1953)

Revised ... .. 1988 (Act 345 w.e.f. 6 October 1988)

Latest amendment made by Act A1302 which came into operation on ... .. 7 September 2007

#### *PREVIOUS REPRINTS*

*First Reprint...* ... .. 2001

*Second Reprint* ... .. 2006

**LAWS OF MALAYSIA****Act 345****CRIMINAL JUSTICE ACT 1953**

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**ARRANGEMENT OF SECTIONS**

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## Section

1. Short title and application
2. Abolition of penal servitude, rigorous and simple imprisonment
3. Life sentences
4. Abolition of whipping with cat-o'-nine tails, *etc.*
5. (*Omitted*)
6. (*Omitted*)



**LAWS OF MALAYSIA****Act 345****CRIMINAL JUSTICE ACT 1953**

An Act relating to penal servitude, methods of imprisonment and whipping; and for purposes connected therewith.

*[Peninsular Malaysia—30 April 1953;  
Sabah and Sarawak—8 November 1991, P.U. (A) 407/1991;  
Federal Territory of Labuan—8 November 1991,  
P.U. (A) 408/1991]*

**Short title and application**

1. (1) This Act may be cited as the Criminal Justice Act 1953.
- (2) This Act shall \*apply to the Peninsular Malaysia only.

**Abolition of penal servitude, rigorous and simple imprisonment**

2. (1) No person shall be sentenced by a court to penal servitude; and every law conferring power on a court to pass a sentence of penal servitude in any case shall be construed as conferring power to pass a sentence of imprisonment for a term not exceeding the maximum term of penal servitude for which a sentence could have been passed in that case immediately before the commencement of \*this Act.

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\*NOTE—For application in Sabah, Sarawak and Labuan—see P.U. (A) 407/1991 w.e.f 8 November 1991 and P.U. (A) 408/1991 w.e.f 8 November 1991.

(2) No person shall be sentenced by a court to rigorous imprisonment or to simple imprisonment; and every law conferring power on a court to pass a sentence of rigorous imprisonment, simple imprisonment or imprisonment of either description, shall be construed as conferring power to pass a sentence of imprisonment for a term not exceeding the term for which a sentence of rigorous imprisonment, simple imprisonment or imprisonment of either description could have been passed in that case immediately before the commencement of \*this Act.

(3) Any person who immediately before the commencement of \*this Act was undergoing or liable to undergo a term of penal servitude under a sentence passed by any court or as a commuted punishment for an offence for which he was sentenced to death, shall be treated thereafter as if he had been sentenced to, or were undergoing or liable to undergo, imprisonment and not penal servitude for that term.

(4) Any person who immediately before the commencement of \*this Act was undergoing or liable to undergo a term of rigorous imprisonment or of simple imprisonment under a sentence passed by any court or as a commuted punishment for an offence for which he was sentenced to death, shall be treated thereafter as if he had been sentenced to, or were undergoing or liable to undergo, imprisonment and not rigorous imprisonment or simple imprisonment for that term.

### **Life sentences**

**\*3.** Where any person is treated as having been sentenced or is hereafter sentenced to imprisonment for life, such sentence shall be deemed for all purposes to be a sentence of imprisonment for thirty years.

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\*NOTE—For application in Sabah, Sarawak and Labuan—see P.U. (A) 407/1991 w.e.f 8 November 1991 and P.U. (A) 408/1991 w.e.f 8 November 1991.

**Abolition of whipping with cat-o'-nine tails, etc.**

**4.** No person shall be sentenced by a court to whipping with a cat-o'-nine tails; and every law conferring power on a court to pass a sentence of whipping with a cat-o'-nine tails, or whipping, shall be construed as conferring power to pass a sentence of whipping with a rattan.

**5.** *(Omitted).*

**6.** *(Omitted).*

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**LAWS OF MALAYSIA****ACT 345****CRIMINAL JUSTICE ACT 1953****LIST OF AMENDMENTS**

Amending law	Short Title	In force from
P.U. (A) 407/1991	Modification of Laws (Criminal Justice Act) (Extension to the States of Sabah and Sarawak) Order 1991	08-11-1991
P.U. (A) 408/1991	Modification of Laws (Criminal Justice Act) (Extension to the Federal Territory of Labuan) Order 1991	08-11-1991
Act A1302	Criminal Justice (Amendment) Act 2007	07-09-2007

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**LAWS OF MALAYSIA****ACT 345****CRIMINAL JUSTICE ACT 1953****LIST OF SECTIONS AMENDED**

Section	Amending authority	In force from
3	Act A1302	07-09-2007

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