



LAWS OF MALAYSIA

Act A1691

PENAL CODE (AMENDMENT) (NO. 2) ACT 2023

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LAWS OF MALAYSIA

Act A1691

PENAL CODE (AMENDMENT) (NO. 2) ACT 2023

An Act to amend the Penal Code.

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ENACTED by the Parliament of Malaysia as follows:

Short title and commencement

1. (1) This Act may be cited as the Penal Code (Amendment) (No. 2) Act 2023.

(2) This Act comes into operation on a date to be appointed by the Minister by notification in the *Gazette*.

Substitution of section 305

2. The Penal Code [Act 574], which is referred to as the “Code” in this Act, is amended by substituting for section 305 the following section:

“Abetment of suicide or attempted suicide of child or person who lacks mental capacity

305. (1) Whoever abets the commission of a suicide or an attempted suicide, and knows or ought reasonably to have known

that the person who committed the suicide or the attempted suicide is a child or a person who lacks mental capacity, shall be punished with imprisonment for a term which may extend to twenty years, and shall also be liable to fine.

(2) For the purposes of this section, “person who lacks mental capacity” means a person who lacks capacity to understand the consequences of committing or attempting to commit suicide, as the case may be, by reasons of unsoundness of mind, mental disorder, intoxication, or under the influence of any drug or other substance.”.

Substitution of section 306

3. The Code is amended by substituting for section 306 the following section:

“Abetment of suicide or attempted suicide

306. Whoever abets the commission of a suicide or an attempted suicide by any person, shall be punished with imprisonment for a term which may extend to ten years, and shall also be liable to fine.”.

Deletion of section 309

4. The Code is amended by deleting section 309.