



LAWS OF MALAYSIA

Act A1536

PENAL CODE (AMENDMENT) ACT 2017

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LAWS OF MALAYSIA

Act A1536

PENAL CODE (AMENDMENT) ACT 2017

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) Act 2017.

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

Amendment of section 292

2. The Penal Code [*Act 574*], which is referred to as the “Code” in this Act, is amended in section 292—

(a) in paragraph (a), by inserting after the words “obscene object” the words “or document”;

(b) in paragraph (b)—

(i) by inserting after the words “obscene object” the words “or document”; and

- (ii) by inserting after the words “such object” the words “or document”;
- (c) in paragraph (c), by inserting after the words “obscene objects” the words “or documents”; and
- (d) in paragraph (d), by inserting after the words “obscene object” the words “or document”.

Amendment of section 293

3. The Code is amended in section 293—

- (a) in the shoulder note, by inserting after the words “**obscene objects**” the words “**or documents**”; and
- (b) by inserting after the words “obscene object” the words “or document”.

Substitution of section 326A

4. The Code is amended by substituting for section 326A the following section:

“Punishment for causing hurt to spouse, former spouse, etc.

326A. (1) Whoever causes hurt to his spouse or former spouse, a child, an incapacitated adult or other member of the family and commits an offence under section 323, 324, 325, 326, 334 or 335 shall be punished with imprisonment for a term which may extend to twice of the maximum term for which he would have been liable on conviction for that offence under the relevant section notwithstanding any other punishment provided for that offence.

(2) For the purpose of this section, “spouse”, “child”, “incapacitated adult” and “other member of the family” have the meanings assigned to them in section 2 of the Domestic Violence Act 1994 [*Act 521*].”.

Amendment of section 376

5. The Code is amended in section 376—

- (a) in subsection (1), by substituting for the words “shall also be liable to” the words “shall also be punished with”; and
- (b) in subsection (2), by substituting for the words “shall also be liable to” the words “shall also be punished with”.

Amendment of section 376B

6. The Code is amended in subsection 376B(1) by substituting for the words “shall also be liable to” the words “shall also be punished with”.

Amendment of section 377B

7. The Code is amended in section 377B by substituting for the words “shall also be liable to” the words “shall also be punished with”.

Amendment of section 377C

8. The Code is amended in section 377C by substituting for the words “shall also be liable to” the words “shall also be punished with”.

Amendment of section 377CA

9. The Code is amended in section 377CA—

- (a) in the shoulder note, by inserting after the word “**object**” the word “, *etc.*”; and
- (b) by inserting after the words “of any object” the words “or any part of the body, except the penis”.

Amendment of section 377E

10. The Code is amended in section 377E by substituting for the words “shall also be liable to” the words “shall also be punished with”.

