

A BILL

i n t i t u l e d

An Act to amend the Dangerous Drugs Act 1952.

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ENACTED by the Parliament of Malaysia as follows:

Short title

1. This Act may be cited as the Dangerous Drugs (Amendment) Act 2013.

Amendment of section 31A

2. The Dangerous Drugs Act 1952 [*Act 234*], which is referred to as the “principal Act” in this Act, is amended in section 31A by inserting after subsection (1A) the following subsection:

“(1AA) Any biological sample collected for the purposes of an examination under this section may be analysed by a science officer employed by the Government.”.

Renumbering of section 37A

3. The principal Act is amended by renumbering the existing section 37A as section 37B.

New section 37A

4. The principal Act is amended by inserting before section 37B as renumbered the following section:

“Application of presumptions

37A. Notwithstanding anything under any written law or rule of law, a presumption may be applied under this Part in addition to or in conjunction with any other presumption provided under this Part or any other written law.”.

EXPLANATORY STATEMENT

This Bill seeks to amend the Dangerous Drugs Act 1952 (“Act 234”).

2. *Clause 1* contains the short title of the proposed Act.
3. *Clause 2* seeks to introduce a new subsection (1AA) into section 31A of Act 234 to provide for a science officer employed by the Government to be allowed to analyse any biological sample collected for the purpose of examination under that section. Where a class of such science officers are declared by a notification published in the *Gazette* under subsection 399(2) of the Criminal Procedure Code as a class of persons to whom subsection 399(1) of the same Code applies, the document purporting to be a report under the hand of such science officer may be given in evidence in a trial of an offence under Act 234.
4. *Clause 3* seeks to renumber the existing section 37A as section 37B.
5. *Clause 4* seeks to introduce a new section 37A into Act 234 to allow the Public Prosecutor to apply a presumption provided under Act 234 in addition to or in conjunction with any other presumption provided under Act 234 or any other written law.

FINANCIAL IMPLICATIONS

This Bill will not involve the Government in any extra financial expenditure.

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