

A BILL

i n t i t u l e d

An Act to amend the Private Higher Educational Institutions Act 1996.

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ENACTED by the Parliament of Malaysia as follows:

Short title

1. This Act may be cited as the Private Higher Educational Institutions (Amendment) Act 2014.

Amendment of Part IV

2. The Private Higher Educational Institutions Act 1996 [*Act 555*], which is referred to as the “principal Act” in this Act, is amended in Part IV by deleting section 22.

Amendment of section 23

3. Section 23 of the principal Act is amended by substituting for the words “Except as is expressly provided under sections 21 and 22” the words “For the avoidance of doubt,”.

Saving and transitional

4. All invitations made by the Minister under section 22 of the principal Act and applications made pursuant to such invitations immediately before the commencement of this Act shall, after the commencement of this Act, be dealt with as if section 22 of the principal Act had not been amended by this Act.

EXPLANATORY STATEMENT

This Bill seeks to amend the Private Higher Educational Institutions Act 1996 (“Act 555”).

2. *Clause 1* contains the short title of the proposed Act.
3. *Clause 2* seeks to delete section 22 of Act 555 on the requirement for an invitation by the Minister prior to applying for an approval to establish a University, University College or a branch campus of a foreign University or University College. This is in line with the liberalisation of services relating to the education sector.
4. *Clause 3* seeks to amend section 23 of Act 555 to reiterate the requirement to apply the provisions of Act 555 in relation to the application for the establishment of a University, University College or a branch campus of a foreign University or University College.
5. *Clause 4* seeks to introduce saving and transitional provisions.

Where an invitation has been made by the Minister under section 22 of Act 555 immediately before the commencement of the proposed Act, such invitation shall be dealt with as if section 22 of Act 555 had not been deleted by the proposed Act as provided in *clause 2*.

Where an application is made pursuant to an invitation made by the Minister under section 22 of Act 555 immediately before the commencement of the proposed Act, such application shall be dealt with as if section 22 of Act 555 had not been deleted by the proposed Act as provided in *clause 2*.

FINANCIAL IMPLICATIONS

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