

A BILL

i n t i t u l e d

An Act to amend the Arms Act 1960.

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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 Arms (Amendment) Act 2022.

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

Amendment of section 2

2. The Arms Act 1960 [*Act 206*], which is referred to as “the principal Act” in this Act, is amended in section 2 by deleting the definition of “imprisonment for life”.

Amendment of section 14**3.** Section 14 of the principal Act is amended—

(a) by substituting for subsection (1) the following subsection:

“(1) Any person who manufactures an arm or ammunition without a valid licence granted under section 12 or in contravention of any condition imposed under paragraph 12(2)(a), shall, on conviction—

(a) be punished with imprisonment for natural life and with whipping of not less than ten strokes; and

(b) in the case of a company, firm, society or body of persons, be punished with a fine not exceeding five million ringgit.”; and

(b) in subsection (2)—

(i) by substituting for the words “twenty-five thousand ringgit” the words “two hundred and fifty thousand ringgit”; and

(ii) by substituting for the words “one hundred thousand ringgit” the words “one million ringgit”.

Amendment of section 32

4. Paragraph 32(1)(a) of the principal Act is amended by substituting for the words “imprisonment for life” the words “imprisonment for natural life”.

Deletion of section 46

5. Section 46 of the principal Act is deleted.

Transitional

6. Upon the coming into operation of this Act, if a person is convicted by any court for the commission of an offence under paragraph 14(1)(a) of the principal Act, the person, whether at a trial or on an appeal, shall be sentenced in accordance with the provisions of the principal Act as amended by this Act even though the offence was committed before the date of coming into operation of this Act.

EXPLANATORY STATEMENT

This Bill seeks to amend the Arms Act 1960 (“Act 206”).

2. *Clause 1* contains the short title and the provision on the commencement of the proposed Act.
3. *Clause 2* seeks to amend section 2 of Act 206 to delete the definition of “imprisonment for life”. The terms “imprisonment for life” and “imprisonment for natural life” are explained in the Criminal Justice Act 1953 [Act 345].
4. *Clause 3* seeks to amend section 14 of Act 206 to vary the sentences for the manufacturing of an arm or ammunition without a valid licence and for the breach of conditions of an arm or ammunition manufacturing licence.
5. *Clause 6* seeks to provide for transitional provision relating to any person who has committed an offence under paragraph 14(1)(a) of Act 206 before the date of coming into operation of this Act.
6. Other amendments not specifically dealt with in this Explanatory Statement are minor or consequential in nature.

FINANCIAL IMPLICATIONS

This Bill will involve the Government in extra financial expenditure the amount of which cannot at present be ascertained.

[PN(U2)3135]