

A BILL

*i n t i t u l e d*

An Act to amend the Penal Code.

[ ]

**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 2023.

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

**New section 507A**

2. The Penal Code [*Act 574*] is amended by inserting after section 507 the following section:

**“Stalking**

**507A.** (1) Whoever repeatedly by any act of harassment, intending to cause, or knowing or ought to know that the act is likely to cause, distress, fear or alarm to any person of the person’s safety, commits an offence of stalking.

(2) For the purposes of subsection (1), the act of harassment may include the following:

- (a) following or tracking a person in any manner or by any means;
- (b) communicating or attempting to communicate with a person in any manner or by any means;
- (c) loitering at the place of residence or business of a person;
- (d) giving or sending any thing to a person in any manner or by any means.

(3) Whoever commits the offence of stalking shall be punished with imprisonment for a term which may extend to three years or with fine or with both.

(4) In this section, “repeatedly” shall refer to at least two occasions.”.

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#### EXPLANATORY STATEMENT

This Bill seeks to amend the Penal Code (“Act 574”). The purpose of this amendment is to introduce a new offence of stalking into Act 574.

2. *Clause 1* contains the short title and the provision on the commencement of the proposed Act.

3. *Clause 2* seeks to introduce a new section 507A into Act 574 to provide for an offence of stalking.

#### FINANCIAL IMPLICATIONS

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

[PN(U2)3137]