

A BILL

i n t i t u l e d

An Act to amend the Private Agencies Act 1971.

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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 Private Agencies (Amendment) Act 2025.

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

Amendment of section 3

2. The Private Agencies Act 1971 [*Act 27*], which is referred to as the “principal Act” in this Act, is amended in section 3—

(a) in subsection (2), by deleting the words “; and in issuing such licence or renewing the same under subsection (4) the Minister may impose thereon such conditions as he may deem desirable for the purpose of carrying into effect the provisions of this Act”;

(b) by inserting after subsection (2) the following subsections:

“(2A) Subject to payment of the fees as may be prescribed by the Minister, a licence issued under this Act shall be valid until 31 December of the same calendar year or 31 December of the following calendar year in which the licence is issued as may be determined by the Minister upon issuance of such licence under subsection (2) and such licence may be renewed upon payment of the prescribed fees.

(2B) In issuing such licence or renewing the same under subsection (2A), the Minister may impose thereon such conditions as he may deem necessary for the purpose of carrying into effect the provisions of this Act.”;

(c) by inserting after subsection (3) the following subsection:

“(3A) Any person who has been issued a licence under subsection (1) may apply for supplementary licence for the branch office of his private agency to carry out the same type of private agency business for which he was licenced.”; and

(d) by deleting subsection (4).

Deletion of section 5

3. Section 5 of the principal Act is deleted.

Amendment of section 9

4. Section 9 of the principal Act is amended—

(a) in subsection (1), by substituting for the words “Commissioner of Police or the Chief Police Officer” the words “Inspector General of Police”;

(b) by substituting for subsection (2) the following subsection:

“(2) A licensed private agency who desires to employ a person shall apply for a letter of approval to the Inspector General of Police and the application shall be in such form and shall contain such particulars as may be prescribed by the Minister.”;

(c) in subsection (3), by substituting for the words “Commissioner of Police or the Chief Police Officer” the words “Inspector General of Police”;

(d) in subsection (4), by substituting for the words “Commissioner of Police or the Chief Police Officer” the words “Inspector General of Police”; and

(e) in subsection (5), by substituting for the words “Commissioner of Police or the Chief Police Officer” the words “Inspector General of Police”.

Amendment of section 13

5. Section 13 of the principal Act is amended in paragraph (b) by substituting for the words “Commissioner of Police or the Chief Police Officer” the words “Inspector General of Police”.

New section 18A

6. The principal Act is amended by inserting after section 18 the following section:

“Power to issue directives, guidelines, etc.

18A. The Minister may issue any directives, guidelines, circulars or notices as may be expedient or necessary for the better carrying out of the provisions of this Act.”.

EXPLANATORY STATEMENT

This Bill seeks to amend the Private Agencies Act 1971 (“Act 27”), among others, to improve the provisions relating to the issuance and renewal of licence to a person who carries on a business of private agency.

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

3. *Clause 2* seeks to amend section 3 of Act 27 by introducing new subsections (2A), (2B) and (3A) into Act 27.

The proposed new subsection (2A) seeks to provide for the validity period of a licence issued under Act 27 to be until 31 December of the same calendar year or 31 December of the following calendar year in which the licence is issued as may be determined by the Minister upon issuance of such licence under subsection (2) and such licence may be renewed upon payment of the prescribed fees.

The proposed new subsection (2B) seeks to provide that the Minister may impose conditions in issuing or renewing such licence under the proposed new subsection (2A) as he may deem necessary for the purpose of carrying into effect the provisions of this Act.

The proposed new subsection (3A) seeks to provide that a person who has been issued a licence under subsection 3(1) of Act 27 may apply for supplementary licence for the branch office of his private agency to carry out the same type of private agency business for which he was licenced.

This *clause* also seeks to delete part of subsection 3(2) and the whole of subsection 3(4) of Act 27 since the provisions relating to the imposition of conditions by the Minister in issuing or renewing a licence under Act 27 have been improved under the proposed new subsections (2A) and (2B).

4. *Clause 3* seeks to delete section 5 of Act 27. Section 5 of Act 27 provides that the list of licensed private agencies, and additions to and deletions from the list shall be published in the *Gazette* in March every year to enable the public to check with regard to private agencies that have been licensed and cancelled by the Minister to carry out activities related thereto. In line with current developments, all governance of private agencies fully utilizes the Ministry of Home Affairs’ internal system. Through this internal system, the Ministry of Home Affairs has provided facilities for the public to check and search for the status of any private agency through online checking at any time.

5. *Clause 4* seeks to amend section 9 of Act 27 to empower the Inspector General of Police to issue a letter of approval on the application of a licenced private agency to employ a person in his private agency. Currently, the Commissioner of Police and the Chief Police Officer of the State are empowered to issue such letter of approval.

6. *Clause 5* seeks to amend section 13 of Act 27 consequential to the proposed amendment to section 9 of Act 27.

7. *Clause 6* seeks to introduce new section 18A into Act 27 to empower the Minister to issue any directives, guidelines, circulars or notices as may be expedient or necessary for the better carrying out of the provisions of Act 27.

FINANCIAL IMPLICATIONS

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

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