

A BILL

i n t i t u l e d

An Act to amend the Criminal Procedure Code.

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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 Criminal Procedure Code (Amendment) (No. 2) Act 2023.

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

Amendment of First Schedule

2. The Criminal Procedure Code [*Act 593*] is amended in the First Schedule—

(a) by substituting for the item relating to section 305 of the Penal Code the following item:

1	2	3	4	5	6	7
<i>Penal Code section</i>	<i>Offence</i>	<i>Whether the police may ordinarily arrest without warrant or not</i>	<i>Whether a warrant or a summons shall ordinarily issue in the first instance</i>	<i>Whether bailable or not</i>	<i>Whether compoundable or not</i>	<i>Maximum punishment under the Penal Code</i>
“305	Abetment of suicide or attempted suicide of child or person who lacks mental capacity	do.	do.	Not bailable	do.	Imprisonment for a term which may extend to twenty years, and fine”;

- (b) in the item relating to section 306 of the Penal Code, in column 2, by inserting after the words “of suicide” the words “or attempted suicide”; and
- (c) by deleting the item relating to section 309 of the Penal Code and particulars relating to it.

EXPLANATORY STATEMENT

The Criminal Procedure Code (Amendment) (No. 2) Bill 2023 (“the proposed Act”) seeks to amend the Criminal Procedure Code (“Act 593”) consequential to the amendments made to the Penal Code [Act 574], among others, to include an abetment of the commission of an attempted suicide by a child or a person who lacks mental capacity, or by any person, as a criminal offence.

- 2. *Clause 1* contains the short title and the provision on the commencement of the proposed Act.
- 3. *Clause 2* seeks to amend the First Schedule to Act 593 consequential to the amendments made to sections 305 and 306 of the Penal Code and the deletion of section 309 of the Penal Code.

FINANCIAL IMPLICATIONS

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

[PN(U2)3329]