

# Just improve existing laws

WHILE the Government considers amending the law regulating Internet content in Malaysia to protect citizens from "slander" and "character assassination", as said by Communications and Multimedia Minister Datuk Seri Mohd Salleh Said Keruak recently, it is crucial for us to know that there are already a number of laws to deal with these matters.

These include the Communications and Multimedia Act 1998 (Act 588), Computer Crimes Act 1997 (Act 563), Sedition Act 1948 (Act 15), Defamation Act 1957 (Act 286) and Penal Code (Act 574).

Section 233 (1) of the Communications and Multimedia Act, for example, clearly addresses this issue: "(1) A person who (a) by means of any network facilities or network service or applications service knowingly (i) makes, creates or solicits; and (ii) initiates the transmission of any comment, request, suggestion or other communication which is obscene,

indecent, false, menacing or offensive in character with intent to annoy, abuse, threaten or harass another person; or (b) initiates a communication using any applications service, whether continuously, repeatedly or otherwise, during which communication may or may not ensue, with or without disclosing his identity and with intent to annoy, abuse, threaten or harass any person at any number or electronic address, will be considered committing an offence.

And a person who commits an offence under this particular section shall, on conviction, be liable to a fine not exceeding RM50,000 or to imprisonment for a term not exceeding one year or to both and shall also be liable to a further fine of RM1,000 for every day during which the offence is continued after conviction.

In early 2012, the Government took another important step to combat Internet abuse by introducing Section 114A of the

Evidence Act 1950 (Act 56).

This extended the Malaysia Evidence Act 1950 to address the issue of Internet anonymity.

Section 114A states: "A person whose name, photograph, or pseudonym appears on any publication depicting himself as the owner, host, administrator, editor, or sub-editor, or who in any manner facilitates to publish or republish the publication is presumed to have published or republished the contents of the publication, unless the contrary is proved".

Further efforts to strengthen these laws might be needed but aiming for total control is not a good idea and would be seen as a step backward for Malaysia.

What is needed is a strong and consistent enforcement of the existing laws, improving them, and international cooperation to deal with the issue.

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