

D.R. 16/2012

RANG UNDANG-UNDANG

b e r n a m a

Suatu Akta untuk meminda Akta Keterangan 1950.

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DIPERBUAT oleh Parlimen Malaysia seperti yang berikut:

Tajuk ringkas dan permulaan kuat kuasa

1. (1) Akta ini bolehlah dinamakan Akta Keterangan (Pindaan) (No. 2) 2012.

(2) Akta ini mula berkuat kuasa pada tarikh yang ditetapkan oleh Menteri melalui pemberitahuan dalam *Warta*.

Pindaan seksyen 3

2. Akta Keterangan 1950 [*Akta 56*], yang disebut “Akta ibu” dalam Akta ini, dipinda dalam seksyen 3 dengan menggantikan takrif “computer” dengan takrif yang berikut:

‘ “computer” means an electronic, magnetic, optical, electrochemical, or other data processing device, or a group of such interconnected or related devices, performing logical, arithmetic, storage and display functions, and includes any data storage facility or communications facility directly related to or operating in conjunction with such device or group of such interconnected or related devices, but does not include an automated typewriter or typesetter, or a portable hand held calculator or other similar device which is non-programmable or which does not contain any data storage facility;’.

Seksyen baru 114A

3. Akta ibu dipinda dengan memasukkan selepas seksyen 114 seksyen yang berikut:

“Presumption of fact in publication

114A. (1) 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 re-publish the publication is presumed to have published or re-published the contents of the publication unless the contrary is proved.

(2) A person who is registered with a network service provider as a subscriber of a network service on which any publication originates from is presumed to be the person who published or re-published the publication unless the contrary is proved.

(3) Any person who has in his custody or control any computer on which any publication originates from is presumed to have published or re-published the content of the publication unless the contrary is proved.

(4) For the purpose of this section—

(a) “network service” and “network service provider” have the meaning assigned to them in section 6 of the Communications and Multimedia Act 1998 [Act 588]; and

(b) “publication” means a statement or a representation, whether in written, printed, pictorial, film, graphical, acoustic or other form displayed on the screen of a computer.”.

HURAIAN

Rang Undang-Undang ini bertujuan untuk meminda Akta Keterangan 1950 (“Akta 56”).

2. *Fasal 1* mengandungi tajuk ringkas dan kuasa Menteri untuk menetapkan tarikh permulaan kuat kuasa Akta yang dicadangkan.

3. *Fasal 2* bertujuan untuk meminda seksyen 3 Akta 56 untuk menyelaraskan takrif “komputer” dengan takrif “komputer” dalam Akta Jenayah Komputer 1997.

4. *Fasal 3* bertujuan untuk memasukkan seksyen baru 114A ke dalam Akta 56 untuk mengadakan peruntukan bagi anggapan fakta dalam penyiaran untuk memudahkan pengenalan dan pembuktian identiti seseorang yang namanya tidak diketahui yang terlibat dalam penyiaran melalui internet.

IMPLIKASI KEWANGAN

Rang Undang-Undang ini tidak akan melibatkan Kerajaan dalam perbelanjaan wang tambahan.

[PN(U²)2799]