



LAWS OF MALAYSIA

REPRINT

Act 298

PROTECTED AREAS AND PROTECTED PLACES ACT 1959

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**PROTECTED AREAS AND PROTECTED
PLACES ACT 1959**

First enacted 1959 (F.M. Ordinance
No. 33 of 1959)

Revised 1983 (Act 298 w.e.f.
19 January 1984)

PREVIOUS REPRINTS

First Reprint 1973

Second Reprint 2001

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ARRANGEMENT OF SECTIONS

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LAWS OF MALAYSIA**Act 298****PROTECTED AREAS AND PROTECTED
PLACES ACT 1959**

An Act to provide for protected areas and places.

*[Peninsular Malaysia—1 February 1960,
L.N. 27/1960;
Sabah and Sarawak—16 September 1963,
L.N. 232/1963]*

Short title

1. This Act may be cited as the Protected Areas and Protected Places Act 1959.

Interpretation

2. In this Act—

“authorized officer” means—

- (a) any police officer;
- (b) any person holding a commission in any of the armed forces or in any local force constituted under any written law or in any visiting forces lawfully present in Malaysia;
- (c) any member of the armed forces or of any local force constituted under any written law or of any visiting forces lawfully present in Malaysia performing the duties of a guard or sentry in any protected place or protected area in accordance with orders issued by a person holding a commission in any of the armed forces or of any local force constituted under any written law or of any visiting forces lawfully present in Malaysia;

- (d) any person performing the duties of a guard or watchman in a protected place or a protected area and specially authorized in that behalf by a police officer under section 3;

“Chief Police Officer” includes a Commissioner of Police vested with the control of the Royal Malaysia Police in respect of any area or State;

“protected area” means any area declared to be a protected area by virtue of the provisions of section 4;

“protected place” means any premises declared to be a protected place by virtue of the provisions of section 5.

Authorization of guards and watchmen

3. The Inspector General of Police, any Chief Police Officer and any police officer of or above the rank of Assistant Superintendent empowered in that behalf by the Inspector General of Police or a Chief Police Officer, may authorize any person performing the duties of a guard or watchman in a protected area or a protected place to exercise the powers of an authorized officer under this Act.

Protected areas

4. (1) If as respects any area it appears to the Minister to be necessary or expedient that special measures should be taken to control the movements and conduct of persons therein he may by order declare the area to be a protected area for the purposes of this Act.

(2) Any person who is in any protected area shall comply with such directions for regulating his movement and conduct as may be given by an authorized officer, and an authorized officer may search any person entering, or seeking to enter, or being in, a protected area, and may detain any such person for the purpose of searching him.

(3) If any person whilst in a protected area fails to comply with any direction given under subsection (2) then, without prejudice to any proceedings which may be taken against him, he may be removed from the area by an authorized officer.

Protected places

5. (1) If as respects any premises it appears to the Minister to be necessary or expedient that special precautions should be taken to prevent the entry therein of unauthorized persons he may by order declare the premises to be a protected place for the purposes of this Act; and so long as the order is in force no person shall be in those premises unless he is in possession of a pass-card or permit issued by such authority or person as may be specified in the order, or has received the permission of an authorized officer on duty at those premises to enter the same.

(2) Where, in pursuance of this section, any person is granted permission to be in a protected place, that person shall, while acting under the permission, comply with such directions for regulating his conduct as may be given by the authority or person granting the permission; and an authorized officer, or any person authorized in that behalf by the occupier of the premises, may search any person entering, or seeking to enter, or being in, a protected place, and may detain any such person for the purpose of searching him.

(3) If any person is in a protected place in contravention of this section, or while in such a place fails to comply with any direction given under this section, then, without prejudice to any proceedings which may be taken against him, he may be removed from the place by an authorized officer or any person authorized in that behalf by the occupier of the premises.

(4) Pass-cards or permits issued under subsection (1) shall be in such form as may be specified in the order made thereunder, or in such form as the authority or other person specified in the order may determine.

Notice of orders under sections 4 and 5

6. When any order is made under subsection 4(1) or subsection 5(1) the Minister shall cause notice of the effect of that order to be given in such a manner as he thinks necessary for bringing it to the notice of all persons who in his opinion ought to have notice thereof; and the order shall, notwithstanding subsection 19(1) of the Interpretation Acts 1948 and 1967 [*Act 388*], have effect as soon as the notice has been given, without publication in the *Gazette*.

Penalty

7. If any person contravenes or fails to comply with any of the provisions of section 4 or 5 or any order made thereunder or any direction given or requirement imposed thereunder he shall be guilty of an offence against this Act and shall be liable to imprisonment for a term of two years or to a fine of one thousand ringgit or to both.

Offences seizable and non-bailable

8. Every offence against the provisions of this Act shall be seizable and non-bailable for the purposes of the law for the time being in force relating to criminal procedure.

Special powers in protected areas and protected places

9. Any person who attempts to enter or who is in a protected area or a protected place and who fails to stop after being challenged three times by an authorized officer so to do may be arrested by force, which force may if necessary to effect the arrest extend to the voluntary causing of death.

Defensive measures at protected areas and protected places

10. (1) It shall be lawful for the Minister to authorize the taking of such steps as he may deem necessary for the protection of any protected area or protected place, and those steps may extend to the taking of defensive measures which involve or may involve danger to the life of any person entering or attempting to enter a protected area or protected place.

(2) Where any measures such as are referred to in subsection (1) are adopted the Inspector General of Police or the Chief Police Officer of the area or State in which the protected area or protected place is situate, or any person so authorized by the Minister in that behalf, shall cause such precautions to be taken, including the prominent display of warning notices, as he deems reasonably necessary to prevent inadvertent or accidental entry into any such protected area or protected place; and, where such precautions have been duly taken, no person shall be entitled to compensation or damages in respect of any injuries received or death caused as a result of any unauthorized entry into any such protected area or protected place.

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LIST OF AMENDMENTS

| Amending law | Short title | In force from |
|---------------|--|---------------|
| L.N. 232/1963 | Modification of Laws (Internal Security and Public Order) (Borneo States) Order 1963 | 16-09-1963 |
| Act 160 | Malaysian Currency (Ringgit) Act 1975 | 29-08-1975 |

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LIST OF SECTIONS AMENDED

| Section | Amending authority | In force from |
|---------|--------------------|---------------|
| 7 | Act 160 | 29-08-1975 |

