

**A REVIEW ON THE DESTITUTE PERSONS ACT 1977
ON BEGGARS**

By

Lily Umyra Binti Norani (2010307627)
Nur Syazana Binti Zambri (2010357759)
Siti Atikah Binti Abd Halim (2010134430)
Nur Amirah bt Nasron (2010973947)

Submitted in Partial Fulfillment of the Requirements
for the Bachelor in Legal Studies (Hons)

**Universiti Teknologi MARA
Faculty of Law**

June 2013

The students/authors confirm that the work submitted is their own and that appropriate credit has been given where reference has been made to the work of others.

ACKNOWLEDGEMENT

This research project has been carried out by a team which has included Lily Umyra Binti Norani, Nur Syazana Binti Zambri, Siti Atikah Abd Halim and Nur Amirah Nasron. Our Contribution has been through out this whole research project paper as we have distributed work fairly among us which helps in completing each chapter. It is our wish to express our gratitude upon the completion of our work. Indeed we did not managed to complete it without having to gone through hardship and sacrifices. A genuine thank you we would like to bestow to Pn. Norila Abu Hassan who despite her busy schedule, has acted as our supervisor for this research project paper. Her patience, guidance, enthusiastic encouragement and useful critiques to make this research paper worthy will not be forgotten. Without her, this paper would not have existed. Special thanks should also be given to Dr. J. Sheela for her professional guidance, useful and constructive recommendations for this project. To our respondents from Jabatan Kebajikan Masyarakat, Polis Diraja Malaysia and Dewan Bandaraya Kuala Lumpur, whom have diligently attend us with hospitality, thank you for the time and we are grateful for treatment they provide us while conducting the interview which make us believe that kind-hearted people are still exist in this world, whom would help others in need with nothing in return, thank you from the bottom of our heart. Our greatest appreciation goes to our beloved parents for their endless love, prayers, encouragement and sponsoring. Without them we probably cannot make it till the very end. To our course mates, whom we shared and exchanged thought, whom we have burnt the midnight oil together with and throw our tantrum at whenever things goes wrong. Thank you for lending your ears and make room for us to pour our miserable mind at. We shall carry it through the rest of our live. Last but not least, to those who gave indirect contribution for this project, we appreciate it very much. Even if it is just one letter, it still counts for us. Thank you.

ABSTRACT

In Malaysia, beggars are governed by the Destitute Persons Act 1977. Nonetheless as the researchers further researched, there are other provisions governing the beggars but however the effectiveness of the provisions is not yet proven. The research conducted has detected several loopholes and weaknesses where the provisions are insufficient in combating the beggars. The research also has taken into account the view from the law enforcers that deal with these beggars on the practicality of the law. The research also has look into other countries such as Singapore, India and Philippines, regarding their law on beggars. The research has come out with a result that these countries have better enforcement and regulation in governing the beggars. It is the intention of the researchers to review the Destitute Persons Act 1977 by suggesting method or ways from other countries, which may help in preventing the problem of begging. The research has suggested some ways in curbing and also preventing the problem from arisen. Along with that the researchers have suggested an amendment should be made to the Destitute Persons Act 1977.

TABLE OF CONTENTS

Acknowledgment	ii
Abstract	iii
Contents	iv
List of Cases	viii

CHAPTER ONE: INTRODUCTION

1.0	Introduction	1
1.1	Research Background	1
1.2	Problem Statement	3
1.3	Research Objective	4
1.4	Research Methodology	4
1.5	Scope Of Study And Limitations	5
1.6	Significance And Contribution	6
1.7	Provisional Plan	7
1.8	Conclusion	7

CHAPTER TWO: LITERATURE REVIEW

2.0	Introduction	8
2.1	Defining Begging, Beggars and Destitute Persons	8
2.2	Factors That Lead To the Occurrence Of Begging	11
2.2.1	Singapore	11
2.2.1.1	Factors	12
2.2.2	Malaysia	13
2.2.2.1	Factors	14
2.3	Prevention on Begging In Malaysia	14
2.4	Other Countries Prevention Methods On Begging	15
2.4.1	Philippines	15

CHAPTER ONE

INTRODUCTION

1.0 Introduction

In this chapter, the researchers have selected a topic regarding beggars in Malaysia. This chapter would also reveal the researchers' concerns on the enforcement of the Destitute Persons Act 1977 as a legislation in maintaining public order in a society. Nonetheless, it is inevitable that a discussion on the obstacles that were encountered in terms of gathering information, analyzing the information obtained, and composing the results of the findings.

1.1 Research Background

Every problem that was faced seeks a solution. In this matter, the beggar question is no exception to this rule. While the beggar in Malaysia has always been an object of charitable devotion, the beggar problem as such has rarely been a subject of strict scientific inquiry. The researchers could not agree more that there have been a few local studies and regional studies on this matter but no explicit research has been directed on the problem in its wholeness and proper evaluation. Even though there is the Destitute Persons Act 1977, the Act itself contains numerous lacunas thus it is wise for the said Act to be critically studied and to suggest a few amendment to it.

A destitute person based on the section 2 of Destitute Persons Act 1977¹ can be defined as “any person found begging in a public place in such a way as to cause or to be likely to cause annoyance to persons frequenting the place or otherwise to create a nuisance or any idle person found in a public place, whether or not he is begging, who has no visible means of subsistence or place of residence or is unable to give a satisfactory account of

¹ Refer appendix 1