

**A REVIEW ON THE RIGHT OF PEACEFUL ASSEMBLY IN
MALAYSIA**

By

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ABSTRACT

This is a study on The Peaceful Assembly Act 2012 and Section 27 of the Police of the Act 1957 which is completed as a fulfilment of the study of the Bachelor of Laws (Hons). The study concerns mainly analysing on the issue of the power of The Peaceful Assembly Act 2012 in regulating assemblies in Malaysia and the differences between The Peaceful Assembly Act 2012 and Section 27 of the Police Act 1957.

This research addressed the issue that the Peaceful Assembly Act 2012 is said to be infringing the citizens' rights in organizing assemblies. This may danger the democracy of people as this research findings contain information that may be influenced by certain political views. The objective of this research is to study the existing law in Malaysia (PAA 2012 and Section 27 of PA1957) in regulating organizers and participant of an assembly in Malaysia that has received tremendous criticism from the public.

This research discovers that the structure of the Peaceful Assembly Act has been drafted accordingly and it is suitable to be adopted in Malaysia. However more understanding of the law should be implemented to the public so they will understand the situation of the current law that regulates the organizer and participant of an assembly in Malaysia.

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CHAPTER 1: INTRODUCTION

1.0 Introduction

The Peace Assembly Act 2012 was designed to fulfil the aspirations of the citizens, who lately conducted quite a number of assemblies. This act is said to be part of the transformation that the government is trying to implement in order to enhance the democracy in Malaysia.¹

This chapter discusses the main idea of this research. This chapter will also provide all the information with regards to the establishment of the Peaceful Assembly Act (herein after refer as the PAA) until the abolishment of the Police Act 1967 (herein refer as the PA). This chapter commences with the discussion on background of the research. It continues to explain the problem statement of the research and the research objectives. This chapter examines further the research methodology and the scope and limitations of the research. The significance of this research, the literature review and the conclusion are also disclosed at the later stage of this research.

1.1 Background

The Peaceful Assembly Act 2012 (hereafter refer as The PAA 2012) came into existence upon the abolishment of Section 27 of the Police Act 1967 (hereafter refer as The PA 1967).² Section 27 of the PA 1967³ states that, in order for any assembly to be held it must first obtain permit from the Officer In Charge of Police Department (OCPD). If an assembly was held without acquiring any permit from the responsible OCPD the assembly can be declared as an illegal assembly. The police have the right to stop any

¹ "Gathering in peace".New Straits Times. 23 November 2011. Retrieved 11 November 2014.

² Police Act 1967

³ Police Act 1967