

CRITICAL ANALYSIS OF THE INADEQUACIES OF THE PEACEFUL ASSEMBLY ACT

2012

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The students 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.

## **ABSTRACT**

This paper studies the inadequacy of the newly implemented PAA which allows the Malaysian citizen to have the assembly on certain matter that arises. To extract the relevant information, semi-structured interviews were conducted with police officer, the lecturers and people in judiciary field to supplement the library-based information which were mostly on article of another country that we compared mainly being United Kingdom and Australia who had the same law implemented. Factors that we considered are like how the law will assist the society, the inadequacy of the law in governing the maturity of the citizens, and improvement that should be taken from time to time. Our study also signify that although it is too soon to study whether this newly legislated law will be able to facilitates our citizens needed, worldwide statistics have proven this fact. Finally, our findings indicate that although the government bodies are certain that enough research has been done before implementing the law, there are still lacuna in dealing with the society and their own hidden agendas and that's why this law should be more complete and critical. Lastly, the end-result will largely depend on public's acceptance and the authority to enforce the law justly.

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## CHAPTER ONE: INTRODUCTION

### 1.0 Introduction

This chapter concerns about the proposal of this research. It touches on the research title, background, research question, research objectives, methodology, scope of the research, limitations of the research, significance of the study and provisional plan of the research

### 1.1 Research Title

Critical Analysis of the Inadequacies of the Peaceful Assembly Act 2012 (PAA)

### 1.2 Background

The purpose of this research is to give the readers an insight of Peaceful Assembly Act (PAA) in terms of its adequacy and inadequacies. Through this research, readers will understand how this act plans to govern street protest, demonstrations and peaceful assemblies. This will be done through comparisons made to other similar laws on an international stage. The acts that will be referred specifically will be the Peaceful Assembly Act 1992, Queensland and the Public Order Act 1986. The goal of this act would be to create a balance between a citizen's rights to organize and participate in assemblies peaceably and without arms and restrictions deemed necessary and in the interest of public order and security.<sup>1</sup>

The PAA is the law which regulates public protests in Malaysia. The PAA replace Section 27 of the Police Act, which means police permits for mass assemblies will no longer be required. The Act was drafted four months after the Bersih 2.0 rally and two months after the government announced its intention to amend the Police Act. It was tabled in Parliament on 22 November 2011, passed by the lower house on 29 November, and approved by the Senate on 20 December.

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<sup>1</sup> The Borneo Post, (23 November 2011), Peaceful Assembly Bill Tabled For The First Reading, Retrieved from: <http://www.theborneopost.com/2011/11/23/peaceful-assembly-bill-2011-tabled-for-first-reading/>

<sup>2</sup> Loh, Loon Fong (29 November 2011). "Peaceful Assembly Bill passed". Retrieved from: <http://www.thestar.com.my/story.aspx?file=%2f2011%2f11%2f29%2fnation%2f20111129164017&sec=nation>