



# **LAWS OF MALAYSIA**

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**REPRINT**

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**Act 78**

## **NATIONAL REGISTRATION ACT 1959**

*Incorporating all amendments up to 1 January 2006*

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**2006**

**NATIONAL REGISTRATION ACT 1959**

First enacted	...	...	...	...	...	...	...	1959 (Act No. 12 of 1959)
Revised	...	...	...	...	...	...	...	1972 (Act 78 w.e.f. 1 June 1972)

*PREVIOUS REPRINTS*

<i>First Reprint</i>	...	...	...	...	...	1966
<i>Second Reprint</i>	...	...	...	...	...	1994
<i>Third Reprint</i>	...	...	...	...	...	1999

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## Act 78

### NATIONAL REGISTRATION ACT 1959

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## LAWS OF MALAYSIA

### Act 78

#### NATIONAL REGISTRATION ACT 1959

An Act to provide for the registration of persons in Malaysia, for the issue of identity cards and for purposes connected with it.

*[Peninsular Malaysia—1 August 1960, L.N. 150/1960;  
\*Sarawak—30 March 1966, P.U. 103/1966;  
\*Sabah—1 June 1972, P.U. (B) 2/1972;  
Federal Territory of Labuan—16 April 1984,  
P.U. (A) 200/1985]*

#### Short title

1. This Act may be cited as the National Registration Act 1959.

#### Interpretation

2. In this Act, unless the context otherwise requires—

“Director General” means the Director General of National Registration appointed under section 3;

“registration officer” means—

- (a) the Director General of National Registration and Deputy Director General of National Registration appointed under section 3;
- (b) the Director of the Identity Card Division appointed under section 3A;
- (c) the Director of National Registration of each State appointed under section 3A;

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\*NOTE—For extension and modification of the Act to Sabah and Sarawak—see P.U. 61/1966.

- (d) any registration officer appointed under paragraph 3B(1)(a);
- (e) any registration agent appointed under paragraph 3B(1)(b).

### **Appointment of Director General and Deputy Director General**

**3.** (1) The Yang di-Pertuan Agong may appoint a Director General and a Deputy Director General of National Registration for the purposes of the Act.

(2) Subject to the general direction and control of the Minister, the Director General may exercise the powers conferred, and shall perform the duties imposed, upon him by this Act.

(3) For the purposes of this Act, and subject to the general direction and control of the Minister, the Deputy Director General of National Registration may exercise all the powers and shall perform all the duties of the Director General and, in the absence of the Director General, may act in his behalf.

### **Appointment of Directors**

**3A.** (1) The Minister may appoint a Director of the Identity Card Division at the Headquarters of the National Registration Department and a Director of National Registration for each State for the purposes of this Act.

(2) Subject to the direction and control of the Director General, the Director of the Identity Card Division at the Headquarters of the National Registration Department and the Director of National Registration for each State shall have and may exercise all the powers and perform all the duties of the Director General.

### **Appointment of registration officers and registration agents**

**3B.** (1) The Director General may appoint—

- (a) such number of registration officers; and
- (b) such number of persons who are not public officers as registration agents,

as he deems necessary and expedient.

(2) The Director General may, in relation to any matter or class of matters, appoint any road transport officer or, immigration officer or any officer of any Government department to be a registration officer for the purposes of this Act, and a person so appointed shall exercise his powers and perform his duties subject to the direction and control of the Director General.

(3) A person who is in the employment of the State Government of Sabah or the State Government of Sarawak may not be appointed as a registration officer without the prior written consent of the State Government.

### **Public servants**

**3c.** All registration officers shall be deemed to be public servants for the purposes of the Penal Code [*Act 574*].

### **Establishment of register**

**4.** (1) The Director General shall cause to be kept and maintained a register of all persons in Malaysia who are required to register under this Act.

(2) The register shall be in such form and shall contain such particulars as may be prescribed by regulations made under section 6.

### **Registration**

**5.** Subject to any exemption which may be granted by regulations made under section 6, every person within Malaysia shall be registered under and in accordance with this Act.

### **Regulations**

**6.** (1) The Minister may make regulations for the purposes of this Act.

(2) Without prejudice to the generality of the powers conferred by subsection (1), the regulations may provide for—

- (a) the manner in which and the places at which application for registration of persons shall be made;
- (b) the establishment of a central registry;
- (c) the information and documents to be furnished for the purposes of registration;
- (d) the taking and recording of photographs and finger and thumb prints of persons required to be registered;
- (e) the issue and form of identity cards and the particulars to be entered thereon;
- (f) the inspection of identity cards by persons in charge of hotels and lodging houses and other classes or descriptions of persons;
- (g) the issue of replacement of identity cards;
- (h) requiring persons who have obtained identity cards (or replacements thereof) before attaining the age of eighteen years to re-register within a period of thirty-six months after the lapse of six years from the date of issue of the card;
- (i) requiring persons who have obtained identity cards or replacements thereof to re-register within a period not exceeding ten years from the date of their last preceding registration;
- (j) the maximum charges that may be made for, and the conditions which may be imposed on the taking by any person of photographs;
- (k) the temporary surrender of identity cards;
- (l) the custody and production of identity cards;
- (m) the times and places for the attendance before a registration officer of applicants and holders of identity cards;
- (n) the publication of information derived from the register;



- (o) the making of corrections to and alterations in the register and identity cards;
- (p) the preparation, custody and inspection of indices of and the issue of extracts from the register;
- (q) the fees to be imposed, and the conditions under which the collection thereof may be waived;
- (r) the presumptions relating to proof of documents kept under this Act and issued under the hand of a registration officer other than a registration agent;
- (s) the conferring and exercise of powers of arrest and search;
- (t) the absolute or conditional exemption of any person or category of persons from this Act;
- (u) the imposition of penalties for any contravention of any regulations and \*such penalty shall not exceed a fine of fifty thousand ringgit or imprisonment for a term of five years or both; and
- (v) the surrender and replacement of identity cards issued under any repealed written law relating to registration of persons within such periods and within such areas as may from time to time be provided in the regulations.

7. *(Deleted by Act A1114).*

### **Jurisdiction of a court of the First Class Magistrate**

7A. Notwithstanding the provisions of any written law to the contrary, a First Class Magistrate shall have the jurisdiction to try any offence under this Act or any regulations made under this Act, and to impose the full punishment for any such offence.

### **Obligation to be in possession of travel document**

8. Nothing in this Act shall be deemed to relieve any person of any obligation under any other written law to be in possession of a passport or any other travel document whatsoever.

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\*NOTE—Previously provided that no such penalty shall exceed a fine of three thousand ringgit or imprisonment for a term of two years or both—see Act A1114

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#### LIST OF AMENDMENTS

Amending law	Short title	In force from
P.U. 61/1966	Modification of Laws (National Registration) (Borneo States) (Extension and Modification) Order 1966	30-03-1996 for Sarawak ( <i>see</i> Sarawak L.N.(F) 31/1966) 01-06-1972 for Sabah ( <i>see</i> Sabah G.N.S. 2/1972)
P.U. (B) 324/1970	Notification under section 3 of Titles of Office Ordinance 1949	01-01-1971
P.U. (A) 120/1972	Notification under section 3 of Titles of Office Ordinance 1949	05-05-1972
Act A156	National Registration (Amendment) Act 1972	27-04-1967
Act 160	Malaysian Currency (Ringgit) Act 1975	29-08-1975
Act A327	Penal Code (Amendment and Extension) Act 1976	31-03-1976
Act A1114	National Registration (Amendment) Act 2001	s.2, 3 and 4: 01-11-2000; remaining provisions 06-07-2001

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#### LIST OF SECTIONS AMENDED

Section	Amending authority	In force from
2	P.U. (B) 324/1970	01-01-1971
	P.U. (A) 120/1972	05-05-1972
	Act A1114	01-11-2000
3	P.U. (B) 324/1970	01-01-1970
	P.U. (A) 120/1972	05-05-1972
	Act A1114	01-11-2000
3A	Act A1114	01-11-2000
3B	Act A1114	01-11-2000
3C	Act A1114	01-11-2000
6	Act A156	27-04-1967
	Act 160	29-08-1975
	Act A1114	06-07-2001
7	Act A1114	06-07-2001
7A	Act A1114	06-07-2001