

## Client Alert

August 2018

For further information, please contact:

Chew Kherk Ying  
Partner  
+603 2298 7933  
KherkYing.CheW@WongPartners.com

Adeline Lew  
Associate  
+603 2298 7831  
Adeline.Lew@WongPartners.com

## Repeal of the Anti-Fake News Act 2018

### No more anti-fake news law?

The Malaysian Government has tabled a bill to repeal the Anti-Fake News Act 2018 (“ANFA”). The move comes less than half a year after the enactment of the ANFA prior to the May 9 elections this year.

The controversial ANFA garnered much discussion both domestically and abroad since it was tabled in the Parliament on 26 March 2018 (less than two months from the 9 May elections).<sup>1</sup> The first conviction under the AFNA, which involved a Danish national, was reported in less than a month after it was enacted.<sup>2</sup>

Prior to being elected into office, the Malaysian Prime Minister (then chairman of the Pakatan Harapan (“PH”) coalition), Tun Dr Mahathir Mohamad, had indicated that the PH coalition would abolish the ANFA if the coalition were to be elected into office.

Honouring his election promise, the new bill, titled the Anti-Fake News (Repeal) Bill 2018 (**Repeal Bill**), was tabled by the Minister in the Prime Minister’s Department, Datuk Liew Vui Keong<sup>3</sup> on 8 August 2018 for a first reading in the House of Representatives. While the Repeal Bill will repeal the AFNA once it comes into force (**Effective Date**), it will not affect any order made under the AFNA prior to the Effective Date and any on-going applications for order, investigations, prosecutions or proceedings in relation to the AFNA. These may continue as if the repealed AFNA is still in force.

There is no indication as to when the Repeal Bill will come into effect.

[www.wongpartners.com](http://www.wongpartners.com)

Wong & Partners  
Level 21  
The Gardens South Tower  
Mid Valley City  
Lingkaran Syed Putra  
59200 Kuala Lumpur

<sup>1</sup> [https://www.ohchr.org/Documents/Issues/Opinion/Legislation/OL\\_MYS\\_03.04.18.pdf](https://www.ohchr.org/Documents/Issues/Opinion/Legislation/OL_MYS_03.04.18.pdf)

<sup>2</sup> <https://www.thestar.com.my/news/nation/2018/04/30/danish-national-first-to-be-sentenced-under-anti-fake-news-law/>

<sup>3</sup> <https://www.thestar.com.my/news/nation/2018/08/08/bill-to-repeal-controversial-anti-fake-news-tabled-in-parliament/>