



LAWS OF MALAYSIA

Act 876

ANTI-BULLY ACT 2026

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LAWS OF MALAYSIA

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ANTI-BULLY ACT 2026

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LAWS OF MALAYSIA

Act 876

ANTI-BULLY ACT 2026

An Act to provide for a specific mechanism to address complaint of bully, to prevent and manage bullying cases in the educational institution and other institution, to provide for the establishment of the Tribunal for Anti-bully, to raise awareness of bully and prevention of bully and to provide for related matters.

[]

ENACTED by the Parliament of Malaysia as follows:

PART I

PRELIMINARY

Short title and commencement

1. (1) This Act may be cited as the Anti-bully Act 2026.

(2) This Act comes into operation on a date to be appointed by the Minister by notification in the *Gazette* and the Minister may appoint different dates for the coming into operation of different provisions of this Act.

Interpretation

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

“award” means an award made by the Tribunal in respect of any complaint or matter referred to it or any decision or order made by it under this Act;

“bully” means any act amounting to bully as provided for under section 3;

“institution” means any institution established or appointed under the Child Act 2001 [*Act 611*] for the purposes of detention, rehabilitation and protection as specified in the Second Schedule;

“educational institution” means any educational institution as specified in the First Schedule;

“victim” means—

- (a) a child under the age of eighteen years;
- (b) a student of any age, for whom education or training is being provided in an educational institution; or
- (c) a child who is being detained, rehabilitated or protected at the institution including person who has been detained at Henry Gurney School;

“Minister” means the Minister charged with the responsibility for law;

“complainant” means—

- (a) victim; or
- (b) parent or guardian of the victim;

“Commission” means the Human Rights Commission of Malaysia established under section 3 of the Human Rights Commission of Malaysia Act 1999 [*Act 597*];

“Tribunal” means the Tribunal for Anti-bully established under Part VII.

PART II

BULLY

Bully

3. (1) Bully means any wilful act and directed at a victim by any means, whether committed repeatedly or in a single severe incident which cause physical, psychological or social harm to the victim.

(2) Bully referred to in subsection (1) may include the following act:

- (a) any act that causes physical harm to a victim or his belongings;
- (b) any use of language which abuse, threaten or demean the victim, which causes harm to a victim's psychological wellbeing;
- (c) any act which is intended to socially isolate a victim, damage the reputation of a victim or to create a hostile environment for the victim;
- (d) any act that humiliate or discriminate a victim on the basis of sex, race, religion or disability; or
- (e) any act referred to in paragraph (b), (c) or (d) committed through electronic or digital communication.

PART III

EDUCATIONAL INSTITUTION UNDER EDUCATION ACT 1996

Interpretation

4. In this Part, "Minister" means the Minister charged with the responsibility for education.

Application of this Part

5. This Part shall apply to the educational institution established or registered under the Education Act 1996 [Act 550] as specified in the First Schedule.

Power of Minister under this Part

6. (1) For the purposes of this Part, the Minister shall—

(a) issue guidelines in relation to—

(i) the necessary step to be taken to prevent bully in the educational institution; and

(ii) the procedures in handling the bully case in the educational institution;

(b) cause to be undertaken any research in relation to the prevention and management of bully case;

(c) cause to be prepared training materials in relation to the prevention and management of bully case for the purposes of reference and guidance by the educational institution and committee in relation to the prevention and management of bully case;

(d) cause to be established and implemented any system as may be necessary to monitor and evaluate the educational institution in relation to the prevention and management of bully case; and

(e) issue any guidelines or give any directions as may be expedient or necessary for giving full effect or the better carrying out of the provisions of this Act and for the purpose of ensuring compliance with this Act.

(2) The powers of the Minister referred to in subsection (1) under this Part shall be in addition to, and not in derogation of, the powers of Minister under the Education Act 1996 and any subsidiary legislation made under the Education Act 1996.

Duty of educational institution

7. (1) For the purposes of this Part, any person who is responsible for the administration, management and supervision of the educational institution shall ensure that such educational institution—

- (a) establishes and maintains a committee in relation to the prevention and management of bully case;
- (b) implements the policies, guidelines and procedures in relation to the prevention and management of bully case;
- (c) establishes an accessible and child-sensitive channel, and complies with confidentiality of information for any student to report bully case;
- (d) establishes and provides counselling services and psychosocial support for the purpose of managing and preventing bully case;
- (e) provides training in relation to the prevention and management of bully case as may be determined by the educational institution; and
- (f) achieves the standard of compliance in relation to the prevention and management of bully case as may be determined by the Minister.

(2) The Minister may, from time to time, cause to be audited the educational institution for the purpose of monitoring and evaluating compliance with the duties referred to in subsection (1).

(3) Any findings that have been made as a result of the audit conducted pursuant to subsection (2) shall be submitted to the Commission in the form and manner as may be determined by the Minister.

Committee in relation to prevention and management of bully case

8. (1) For the purposes of this Part, any person who is responsible for the administration, management and supervision of the educational institution shall ensure that such educational institution establishes a committee in relation to the prevention and management of bully case in the form and manner as may be determined by the Minister.

(2) Every committee established under subsection (1) shall have functions to—

- (a) advise the educational institution in any matter relating to the prevention and management of bully case;
- (b) assist the educational institution in any matter relating to the prevention and management of bully case; and
- (c) receive, handle and conduct mediation for any complaint in relation to any bully case in the form and manner as may be determined by the Minister.

(3) Notwithstanding paragraph (2)(c), the committee may, if it thinks appropriate, refer the complaint to the Tribunal subject to the complainant give informed consent to such reference.

PART IV

EDUCATIONAL INSTITUTION UNDER MAJLIS AMANAH RAKYAT ACT 1966

Interpretation

9. In this Part, “Majlis” has the meaning assigned to it in the Majlis Amanah Rakyat Act 1966 [Act 489].

Application of this Part

10. This Part shall apply to the educational institution established under the Majlis Amanah Rakyat Act 1966 as specified in the First Schedule.

Power of Majlis under this Part

11. (1) For the purposes of this Part, the Majlis shall—

- (a) issue guidelines in relation to—
 - (i) the necessary step to be taken to prevent bully in the educational institution; and
 - (ii) the procedures in handling the bully case in the educational institution;

- (b) cause to be undertaken any research in relation to the prevention and management of bully case;
- (c) cause to be prepared training materials in relation to the prevention and management of bully case for the purposes of reference and guidance by the educational institution and committee in relation to the prevention and management of bully case;
- (d) cause to be established and implemented any system as may be necessary to monitor and evaluate the educational institution in relation to the prevention and management of bully case; and
- (e) issue any guidelines or give any directions as may be expedient or necessary for giving full effect or the better carrying out of the provisions of this Act and for the purpose of ensuring compliance with this Act.

(2) The powers of the Majlis referred to in subsection (1) under this Part shall be in addition to, and not in derogation of, the powers of the Majlis under the Majlis Amanah Rakyat Act 1966 and any subsidiary legislation made under the Majlis Amanah Rakyat Act 1966.

Duty of educational institution

12. (1) For the purposes of this Part, any person who is responsible for the administration, management and supervision of the educational institution shall ensure that such educational institution—

- (a) establishes and maintains a committee in relation to the prevention and management of bully case;
- (b) implements the policies, guidelines and procedures in relation to the prevention and management of bully case;
- (c) establishes an accessible and child-sensitive channel, and complies with confidentiality of information for any student to report bully case;

- (d) establishes and provides counselling services and psychosocial support for the purpose of managing and preventing bully case;
- (e) provides training in relation to the prevention and management of bully case as may be determined by the educational institution; and
- (f) achieves the standard of compliance in relation to the prevention and management of bully case as may be determined by the Majlis.

(2) The Majlis may, from time to time, cause to be audited the educational institution for the purpose of monitoring and evaluating compliance with the duties referred to in subsection (1).

(3) Any findings that have been made as a result of the audit conducted pursuant to subsection (2) shall be submitted to the Commission in the form and manner as may be determined by the Majlis.

Committee in relation to prevention and management of bully case

13. (1) For the purposes of this Part, any person who is responsible for the administration, management and supervision of the educational institution shall ensure that such educational institution establishes a committee in relation to the prevention and management of bully case in the form and manner as may be determined by the Majlis.

(2) Every committee established under subsection (1) shall have functions to—

- (a) advise the educational institution in any matter relating to the prevention and management of bully case;
- (b) assist the educational institution in any matter relating to the prevention and management of bully case; and
- (c) receive, handle and conduct mediation for any complaint in relation to any bully case in the form and manner as may be determined by the Majlis.

(3) Notwithstanding paragraph (2)(c), the committee may, if it thinks appropriate, refer the complaint to the Tribunal subject to the complainant give informed consent to such reference.

PART V

EDUCATIONAL INSTITUTION UNDER MINISTRY OF DEFENCE

Interpretation

14. In this Part, “Minister” means the Minister charged with the responsibility for defence.

Application of this Part

15. This Part shall apply to the educational institution established by the Ministry of Defence as specified in the First Schedule.

Power of Minister under this Part

16. For the purposes of this Part, the Minister shall—

(a) issue guidelines in relation to—

(i) the necessary step to be taken to prevent bully in the educational institution; and

(ii) the procedures in handling the bully case in the educational institution;

(b) cause to be undertaken any research in relation to the prevention and management of bully case;

(c) cause to be prepared training materials in relation to the prevention and management of bully case for the purposes of reference and guidance by the educational institution and committee in relation to the prevention and management of bully case;

- (d) cause to be established and implemented any system as may be necessary to monitor and evaluate the educational institution in relation to the prevention and management of bully case; and
- (e) issue any guidelines or give any directions as may be expedient or necessary for giving full effect or the better carrying out of the provisions of this Act and for the purpose of ensuring compliance with this Act.

Duty of educational institution

17. (1) For the purposes of this Part, any person who is responsible for the administration, management and supervision of the educational institution shall ensure that such educational institution—

- (a) establishes and maintains a committee in relation to the prevention and management of bully case;
- (b) implements the policies, guidelines and procedures in relation to the prevention and management of bully case;
- (c) establishes an accessible and child-sensitive channel, and complies with confidentiality of information for any student to report bully case;
- (d) establishes and provides counselling services and psychosocial support for the purpose of managing and preventing bully case;
- (e) provides training in relation to the prevention and management of bully case as may be determined by the educational institution; and
- (f) achieves the standard of compliance in relation to the prevention and management of bully case as may be determined by the Minister.

(2) The Minister may, from time to time, cause to be audited the educational institution for the purpose of monitoring and evaluating compliance with the duties referred to in subsection (1).

(3) Any findings that have been made as a result of the audit conducted pursuant to subsection (2) shall be submitted to the Commission in the form and manner as may be determined by the Minister.

Committee in relation to prevention and management of bully case

18. (1) For the purposes of this Act, any person who is responsible for the administration, management and supervision of the educational institution shall ensure that such educational institution establishes a committee in relation to the prevention and management of bully case in the form and manner as may be determined by the Minister.

(2) Every committee established under subsection (1) shall have functions to—

- (a) advise the educational institution in any matter relating to the prevention and management of bully case;
- (b) assist the educational institution in any matter relating to the prevention and management of bully case; and
- (c) receive, handle and conduct mediation for any complaint in relation to any bully case in the form and manner as may be determined by the Minister.

(3) Notwithstanding paragraph (2)(c), the committee may, if it thinks appropriate, refer the complaint to the Tribunal subject to the complainant give informed consent to such reference.

PART VI

INSTITUTION UNDER CHILD ACT 2001

Interpretation

19. In this Part, “Minister” has the meaning assigned to it in the Child Act 2001.

Application of this Part

20. This Part shall apply to the institution established under the Child Act 2001 as specified in the Second Schedule.

Determination of Minister responsible under this Part

21. For the purpose of determining the Minister responsible for the relevant institution under this Part, the Minister who is for the time being charged with the responsibility for the matter in connection with the institution which the reference to the “Minister” is made, acting individually or jointly or in consultation, as the case may require as provided in the Child Act 2001 and any subsidiary legislation made under the Child Act 2001.

Power of Minister under this Part

22. (1) For the purposes of this Part, the Minister shall—

- (a) issue guidelines in relation to—
 - (i) the necessary step to be taken to prevent bully in the institution; and
 - (ii) the procedures in handling the bully case in the institution;
- (b) cause to be undertaken any research in relation to the prevention and management of bully case;
- (c) cause to be prepared training materials in relation to the prevention and management of bully case for the purposes of reference and guidance by the institution and committee in relation to the prevention and management of bully case;
- (d) cause to be established and implemented any system as may be necessary to monitor and evaluate the institution in relation to the prevention and management of bully case; and

- (e) issue any guidelines or give any directions as may be expedient or necessary for giving full effect or the better carrying out of the provisions of this Act and for the purpose of ensuring compliance with this Act.

(2) The powers of the Minister referred to in subsection (1) under this Part shall be in addition to, and not in derogation of, the powers of Minister under the Child Act 2001 and any subsidiary legislation made under the Child Act 2001.

Duty of institution

23. (1) For the purposes of this Part, any person who is responsible for the administration, management and supervision of the institution shall ensure that such institution—

- (a) establishes and maintains a committee in relation to the prevention and management of bully case;
- (b) implements the policies, guidelines and procedures in relation to the prevention and management of bully case;
- (c) establishes an accessible and child-sensitive channel, and complies with confidentiality of information for any child who is being detained, rehabilitated or protected at the institution including person who has been detained at Henry Gurney School to report bully case;
- (d) establishes and provides counselling services and psychosocial support for the purpose of managing and preventing bully case;
- (e) provides training in relation to the prevention and management of bully case as may be determined by the institution; and
- (f) achieves the standard of compliance in relation to the prevention and management of bully case as may be determined by the Minister.

(2) The Minister may, from time to time, cause to be audited the institution for the purpose of monitoring and evaluating compliance with the duties referred to in subsection (1).

(3) Any findings that have been made as a result of the audit conducted pursuant to subsection (2) shall be submitted to the Commission in the form and manner as may be determined by the Minister.

Committee in relation to prevention and management of bully case

24. (1) For the purposes of this Act, any person who is responsible for the administration, management and supervision of the institution shall ensure that such institution establishes a committee in relation to the prevention and management of bully case in the form and manner as may be determined by the Minister.

(2) Every committee established under subsection (1) shall have functions to—

- (a) advise the institution in any matter relating to the prevention and management of bully case;
- (b) assist the institution in any matter relating to the prevention and management of bully case; and
- (c) receive, handle and conduct mediation for any complaint in relation to any bully case in the form and manner as may be determined by the Minister.

(3) Notwithstanding paragraph (2)(c), the committee may, if it thinks appropriate, refer the complaint to the Tribunal subject to the complainant give informed consent to such reference.

PART VII

TRIBUNAL FOR ANTI-BULLY

Establishment of Tribunal

25. There shall be established a tribunal to be known as the “Tribunal for Anti-bully”.

Members, terms of office and allowances

26. (1) The Tribunal shall consist of the following members who shall be appointed by the Minister:

- (a) a President and a Deputy President to be appointed from amongst the officers of the Judicial and Legal Service;
- (b) not less than five other members which shall comprise of—
 - (i) persons who are officers of or who have held office in the Judicial and Legal Service; or
 - (ii) persons who are admitted as advocates and solicitors under the Legal Profession Act 1976 [Act 166], the Advocates Ordinance of Sabah [Sabah Cap. 2] or the Advocates Ordinance of Sarawak [Sarawak Cap. 110], and who have not less than seven years' standing and who have experience in matters relating to child; and
- (c) not less than five other members, as may be determined by the Minister, who have knowledge of or practical experience in matters relating to child, child psychology and development, or child restorative justice.

(2) Where the President is for any reason unable to perform his functions or during any period of vacancy in the office of the President, the Deputy President shall perform the functions of the President.

(3) The President, the Deputy President and the members of the Tribunal shall hold office for a term of three years and may be reappointed only for another term consecutively.

(4) The President, the Deputy President or the members of the Tribunal may at any time resign his office by giving three months' written notice to the Minister.

(5) The Minister may at any time revoke the appointment of members of the Tribunal appointed under paragraphs (1)(b) and (c), and fill any vacancy in its membership.

(6) The President and the Deputy President shall be paid such fixed allowances and other allowances as the Minister may determine.

(7) The members of the Tribunal appointed under paragraphs (1)(b) and (c) shall be paid a daily sitting allowance during the sitting of the Tribunal and such lodging, travelling and subsistence allowances as the Minister may determine.

Disqualification

27. The President, the Deputy President and the members of the Tribunal appointed under subsection 26(1) shall be disqualified from being a member of the Tribunal if—

- (a) the person is adjudged bankrupt by a court of competent jurisdiction;
- (b) the person is certified by a qualified medical officer to be physically or mentally incapable of continuing office;
- (c) the Minister is of the opinion that the person has engaged in any paid office, commission or employment which conflicts with the duties of the person under this Act;
- (d) the person's conduct, whether in connection with his duties as a member of the Tribunal or otherwise, has been such as to bring discredit to the Tribunal;
- (e) the person has been convicted on, a charge in respect of—
 - (i) an offence involving fraud, dishonesty or moral turpitude;
 - (ii) an offence under any law relating to corruption; or
 - (iii) any other offence punishable with imprisonment, in itself only or in addition to or in lieu of a fine, for more than two years; or
- (f) the person absents himself from three consecutive sittings of the Tribunal without leave of the President.

Secretary, officers and staff of the Tribunal

28. (1) The Minister shall appoint—

(a) a Secretary to the Tribunal; and

(b) such number of other officers and staff of the Tribunal as may be necessary for carrying out the functions of the Tribunal.

(2) For the purposes of paragraph (1)(a), the Secretary shall cause to be furnished to the Commission, quarterly, records and statistical data relating to complaints of bully and its outcomes.

(3) Any data furnished under subsection (2) shall not include the names or identifying details of the parties involved and shall comply with any written law relating to personal data protection or confidentiality.

Jurisdiction of Tribunal

29. (1) Subject to subsections (2) and (3), the Tribunal shall have jurisdiction to hear and determine any complaint of bully made by a complainant.

(2) The Tribunal shall have jurisdiction to hear and determine a complaint of bully in the following circumstances:

(a) if the complaint of bully involving an incident which occur under supervision and monitoring of an educational institution or an institution—

(i) the complainant has made a complaint of bully to the committee referred to in Parts III, IV, V and VI and alleges that—

(A) there is no action taken by the committee;
or

(B) the complaint was not dealt with accordingly by the committee; or

- (ii) the complainant has made a complaint of bully to the committee referred to in Parts III, IV, V and VI and the committee referred the complaint to the Tribunal subject to the complainant give informed consent to such reference;
 - (b) if the complaint of bully involving a child victim who is a student of an educational institution but the incident of bully occurs outside the supervision or monitoring of the educational institution; or
 - (c) if the complaint of bully involving a child victim who is not under supervision and monitoring of any educational institution and institution.
- (3) The complaint of bully made under subsection (1) shall refer to bully which occurs after the coming into operation of this Act.

Exclusion of jurisdiction of court

30. (1) Where a complaint of bully is lodged by the complainant to the Tribunal, the issues in dispute in that complaint of bully, whether as shown in the initial complaint or as emerging in the course of the hearing, shall not be the subject of proceedings between the same parties in any court unless—

- (a) the proceedings before the court were commenced before the complaint of bully was lodged with the Tribunal;
 - (b) the complaint of bully involves any conduct constituting a crime under the provisions of any written law; or
 - (c) the complaint of bully before the Tribunal is withdrawn or struck out.
- (2) Where paragraph (1)(a) applies, the issues in dispute in the claim of bully to which those proceedings relate, whether as shown in the initial claim or emerging in the course of the hearing, shall not be the subject of proceedings between the same parties before the Tribunal unless the claim of bully before the court is withdrawn or struck out.

Determination of rules and procedures

31. (1) The proceedings of the Tribunal shall be conducted in accordance with such procedure as may be determined by the Tribunal.

(2) The President shall cause the procedure determined under subsection (1) to be reduced into writing and published in such a manner as the President deems fit.

(3) Notwithstanding subsections (1) and (2), the Minister may prescribe any procedure relating to service of notice, hearing and mediation for proceedings involving a child and the Tribunal shall give effect to such prescribed procedure.

(4) For the purposes of any proceedings involving child, the proceedings shall be conducted in the following manners:

- (a) any proceedings involving child shall be conducted in an informal and child friendly manner;
- (b) any child involved shall be able to understand and give evidence in the proceedings;
- (c) Tribunal shall adopt any measures as necessary to protect the best interests of the child;
- (d) Tribunal shall ensure that the proceedings is suitable and appropriate in accordance with the age, maturity and circumstances of the child, which may include—
 - (i) child witness gives evidence by means of a live link or other appropriate electronic means;
 - (ii) the use of screens or other arrangements; and
 - (iii) the appointment of any intermediary, psychologist, disability specialist or other suitable expert to assist the Tribunal in communicating with a child party.

(5) Nothing in subsection (4) shall derogate from the protections available to child witnesses under the Evidence of Child Witness Act 2007 [*Act 676*].

(6) In conducting the proceedings under subsections (1), (2), (3) and (4) the Tribunal shall have the powers to—

- (a) make an interlocutory order;
- (b) determine the relevancy, admissibility and weight of any evidence;
- (c) take evidence on oath or affirmation and for that purpose a member of the Tribunal may administer an oath or affirmation;
- (d) order the provision of further particulars in a statement of complaint of bully or statement of reply;
- (e) order the preservation and interim custody of any evidence for the purposes of the hearing; and
- (f) summon the parties to the proceedings or any other person to attend before the Tribunal to give evidence or to produce any document, record or other thing in his possession or otherwise to assist the Tribunal in its deliberations.

(7) A summons issued by the Tribunal under this section shall be served and enforced as if it were a summons issued by a court.

(8) The Tribunal shall determine the complaint of bully on the balance of probabilities.

(9) For the purposes of this section, “interlocutory order” means an order that—

- (a) is made pursuant to a complaint of bully to the Tribunal in the course of any proceedings of the Tribunal; and
- (b) is incidental to the principal object of that proceedings,

and includes any directions about the conduct of that proceedings, but does not include any partial or interim order making a final determination in respect of that proceedings.

Commencement of proceedings

32. (1) Subject to subsection (2), any complainant may lodge a complaint of bully with the Tribunal in a prescribed form.

(2) In the case the victim involved in—

(a) the complaint of bully under paragraph 29(2)(a), the parent or guardian of the victim shall fulfil the requirement under subparagraph 29(2)(a)(i) or 29(2)(a)(ii) before lodging a complaint to the Tribunal in the form and manner as prescribed; or

(b) the complaint of bully under paragraph 29(2)(b) or 29(2)(c), the parent or guardian of the victim may lodge a complaint directly to the Tribunal in the form and manner as prescribed.

(3) A complaint of bully referred to the Tribunal under this Act is subject to the Limitation Act 1953 [*Act 254*], the Limitation Ordinance of Sabah [*Sabah Cap. 72*] or the Limitation Ordinance of Sarawak [*Sarawak Cap. 49*], as the case may be.

Hearings by electronic means

33. (1) The Tribunal may conduct hearings wholly or partly by electronic means if the Tribunal considers it is appropriate to do so.

(2) Where a hearing is conducted by electronic means, the Tribunal shall take all reasonable steps to ensure—

(a) the privacy and protection of any child involved;

(b) the confidentiality of information; and

(c) the parties have a reasonable opportunity to be heard.

Notice of complaint of bully

34. (1) Upon a complaint of bully being lodged under section 32, the Secretary to the Tribunal shall give a written notice in the prescribed form to the complainant and the respondent of the details of the day, time and place of the hearing.

(2) Where a party to the proceedings is a child, the written notice in subsection (1) shall also be given to the child's parent or guardian.

Sittings of Tribunal

35. (1) Each sitting of the Tribunal shall be determined by the President and shall comprise of a panel of three members of the Tribunal as follows:

- (a) the President or the Deputy President appointed under paragraph 26(1)(a), or any other member of the Tribunal appointed under paragraph 26(1)(b), as a Chairperson; and
- (b) any other two of the members of the Tribunal appointed under paragraph 26(1)(c).

(2) The panel of each sitting of the Tribunal in subsection (1) shall comprise of at least a woman.

(3) The Tribunal may sit in one or more sittings on such day and at such time and place as the President may determine.

(4) If the Chairperson referred to in paragraph (1)(a) presiding over any proceedings in respect of a complaint of bully dies or becomes incapacitated, or is for any other reason unable to complete or dispose of the proceedings, the complaint of bully shall be heard and continued and presided over by any other Chairperson as determined by the President.

(5) If any of the members of the Tribunal referred to in paragraph (1)(b) in respect of a complaint of bully dies or becomes incapacitated, or is for any other reason unable to complete or dispose of the proceedings, the President shall appoint any other member of the Tribunal to the panel to continue the proceedings.

(6) Where the term of appointment of any Chairperson or member of the Tribunal referred to in paragraph (1)(b) expires during the pendency of any proceedings in respect of a complaint of bully, the term of his appointment shall be deemed to have been extended until the final disposal of the complaint of bully.

Right to appear at hearings

36. (1) At the hearing of a complaint of bully, every party to the proceedings shall be entitled to attend and be heard.

(2) No party shall be represented by an advocate and solicitor at a hearing unless, in the opinion of the Tribunal, the matter in question involves complex issues of law.

(3) If one party is allowed to be represented by an advocate and solicitor under subsection (2), the other party shall also be so entitled.

(4) A party who is a child has the right to be accompanied and assisted by a parent or guardian at the hearing.

(5) Where the proceedings referred to in subsection (2) involves an unrepresented child, the Tribunal may refer the unrepresented child to the Director General of Legal Aid for the purposes of application for legal aid in accordance with the Legal Aid and Public Defence Act 202... [*Act*].

Hearings to be closed

37. All hearings before the Tribunal shall be closed to the public.

Tribunal may act in absence of party

38. (1) The Tribunal may hear and determine a complaint of bully before it notwithstanding the absence of any party to the proceedings if it is proved to the satisfaction of the Tribunal that a notice of the hearing has been duly served on the absent party.

(2) Before making any decision under subsection (1), the Tribunal shall satisfy itself that—

(a) the absent party had a reasonable opportunity to attend and be heard; and

(b) proceedings in the absence of the party is just and appropriate, having regard to the best interests of any child involve in the proceedings.

Mediation

39. (1) The Tribunal shall give priority to resolve the complaint of bully by mediating an agreed resolution between the parties, provided that—

- (a) both parties give informed consent to mediation process;
and
- (b) the Tribunal has determined that mediation is appropriate, in all the circumstances.

(2) Without limiting the generality of subsection (1), in determining whether mediation is appropriate, the Tribunal shall have regard to the safety and wellbeing of the child parties and any other factors that, in the opinion of the Tribunal, are likely to impair the ability of either or both of the parties to participate effectively in mediation.

(3) Where the parties have given informed consent for the mediation process, the Tribunal shall refer the parties to the Director General of Legal Aid for the purposes of application for mediation service in accordance with the Legal Aid and Public Defence Act 202... [*Act ...*].

(4) Where the parties reach an agreed resolution in the mediation sessions, the Tribunal shall approve and record the agreed resolution, and that recorded resolution shall then take effect as if it is an award of the Tribunal.

(5) The Tribunal shall proceed to determine the complaint of bully if—

- (a) either party does not consent to mediation;
- (b) it appears to the Tribunal that it would not be appropriate for the Tribunal to mediate a resolution in relation to the complaint of bully; or
- (c) the parties are unable to reach an agreed resolution in relation to the complaint of bully.

Reference to Judge of High Court on question of law

40. (1) Before the Tribunal makes an award under section 42, the Tribunal may, in its discretion, refer to a Judge of the High Court a question of law—

- (a) which arose in the course of the proceedings;
- (b) which, in the opinion of the Tribunal, is of sufficient importance to merit such reference; and
- (c) the determination of which by the Tribunal raises, in the opinion of the Tribunal, sufficient doubt to merit such reference.

(2) If the Tribunal refers any question of law under subsection (1) for the decision of a Judge of the High Court, the Tribunal shall make its award in conformity with such decision.

(3) For the purposes of reference to the High Court on any question of law, a Federal Counsel authorized by the Attorney General may appear on behalf of the Tribunal in any proceedings before a Judge of the High Court.

Procedure where no provision is made

41. Where no provision is made relating to procedures of the Tribunal, subject to this Act and any regulations made under this Act, the Tribunal shall adopt such procedure as the Tribunal thinks fit.

Award of Tribunal

42. (1) The Tribunal shall make its award without delay and, where practicable, within sixty days from the first day the hearing before the Tribunal commences.

(2) The Tribunal shall state in writing reasons for the award or dismissal of the complaint of bully together with any finding of facts that the Tribunal has noted or recommendations that the Tribunal has made in those proceedings.

(3) Proceedings shall be decided in accordance with the decision of the majority of the members composing the Tribunal.

Power to make order, to refer, etc.

43. (1) In making an award under section 42, the Tribunal may make any one or more of the following orders:

- (a) an order for the respondent to issue a statement of apology to the victim as specified in the order;
- (b) where the respondent is an adult, an order for the respondent to publish a statement of apology to the victim in any manner as specified in the order;
- (c) an order for the respondent to remove any content relating to bully from any social media platform, any electronic device or digital storage medium;
- (d) an order for the respondent, or in the case of a child respondent, the parent or guardian, to reimburse the victim for any reasonable expenses incurred as a result of the bully;
- (e) an order for the respondent, or in the case of a child respondent, the parent or guardian, to pay any compensation or damages not exceeding two hundred and fifty thousand ringgit for any loss or damage suffered by the victim in respect of the bully, excluding expenses referred to in paragraph (d);
- (f) an order for the respondent to attend any programme as the Tribunal thinks necessary; or
- (g) an order which require such parent or guardian of the respondent to attend, together with the child respondent, counselling or parenting support sessions provided by the relevant government agency.

(2) The Tribunal may—

- (a) refer any findings in relation to the complaint which the Tribunal has determined to the Malaysian Communications and Multimedia Commission for the purposes of any steps or action that may be taken by the Malaysian Communications and Multimedia Commission under the Communications and Multimedia Act 1998 [Act 588] or the Online Safety Act 2025 [Act 866]; or

(b) notify the relevant educational institution or institution on any findings of the Tribunal in relation to the complaint which the Tribunal has determined.

(3) The Tribunal may make such ancillary or consequential orders or relief as may be necessary to give effect to any order made by the Tribunal.

(4) The Tribunal may dismiss a complaint of bully which the Tribunal considers to be frivolous or vexatious.

Criminal penalty for failure to comply with award

44. (1) Any person who fails to comply with an award made by the Tribunal under section 42 within thirty days from the date on which the award was made, commits an offence and shall, on conviction, be liable to any of the following:

(a) in the case where any compensation or damages is ordered by the Tribunal, a fine which is two times the total amount of the compensation or damages, or to imprisonment for a term not exceeding two years, or to both; or

(b) in the case where no compensation or damages is ordered by the Tribunal, a fine not exceeding ten thousand ringgit, or to imprisonment for a term not exceeding two years, or to both.

(2) In the case of a continuing offence, the person shall, in addition to the penalties specified under subsection (1), be liable to a fine not exceeding one thousand ringgit for each day or part of a day during which the offence continues after the conviction.

Award of Tribunal to be final

45. (1) An award made under this Act shall—

(a) be final and binding on all parties to the proceedings; and

(b) be deemed to be an order of a court and be enforced accordingly by any party to the proceedings.

(2) For the purposes of paragraph (1)(b), the Secretary to the Tribunal shall send a copy of the award made by the Tribunal to the court having jurisdiction in the place to which the award relates or in the place where the award was made and the court shall cause the copy of the award to be recorded.

Challenging award on ground of serious irregularity

46. (1) Any party to the proceedings of the Tribunal may, upon notice to the other party and to the Tribunal, apply to the High Court challenging an award in the proceedings only on the ground of serious irregularity affecting the award.

(2) If there is shown to be serious irregularity affecting the award, the High Court may—

(a) remit the award to the Tribunal, in whole or in part, for reconsideration; or

(b) set aside the award in whole or in part.

(3) For the purposes of this section, “serious irregularity” means an irregularity of one or more of the following kinds which the High Court considers has caused substantial injustice to the applicant:

(a) failure of the Tribunal to deal with all the relevant issues that were put to it; or

(b) uncertainty or ambiguity as to the effect of the award.

PART VIII

FUNCTIONS OF HUMAN RIGHTS COMMISSION OF MALAYSIA UNDER THIS ACT

Interpretation

47. In this Part, “Chairman” means the Chairman of the Commission appointed and designated under sections 5 and 6A of the Human Rights Commission of Malaysia Act 1999 charged with the responsibility for human rights.

Functions and powers of Commission under this Act

48. (1) For the purposes of this Part, the Commission established under the Human Rights Commission of Malaysia Act 1999 shall have the powers and exercise the functions conferred by this Act.

(2) The functions and powers of the Commission under this Act shall be conducted by the Chief Children Commissioner appointed under sections 5 and 6A of the Human Rights Commission of Malaysia Act 1999.

(3) For the purposes of subsection (2), Chief Children Commissioner shall have the following functions:

- (a) to recommend to the Government any necessary or appropriate measures to be taken to prevent bully;
- (b) to promote awareness and provide education relating to the prevention of bully;
- (c) to advise and assist the Government in formulating policies, guidelines, legislation or administrative directives and procedures and recommend the necessary measures to be taken to prevent bully;
- (d) to conduct programmes, seminars and workshops relating to the prevention of bully;
- (e) to disseminate and distribute the results of any research relating to the prevention of bully; and
- (f) to carry out such other functions as are necessary for giving full effect to the provisions of this Act.

(4) In carrying out the functions under this Part, the Chief Children Commissioner shall be subject to the directions of the Chairman.

(5) The functions of the Chief Children Commissioner under this Part shall be in addition to, and not in derogation of, his functions as a member of the Commission.

(6) For the purpose of carrying out the functions under subsection (3), the Chief Children Commissioner shall have all such powers as are necessary for, or in connection with, or incidental to, the performance of those functions.

Reporting of activities relating to functions of Commission under this Act

49. For the purposes of this Part, the Commission shall provide in its annual report to Parliament, a reporting of all its activities relating to prevention and management of bully case in educational institution and institution during the year to which the report relates, pursuant to section 21 of the Human Rights Commission of Malaysia Act 1999.

PART IX

GENERAL

Restrictions on publication

50. (1) No person shall publish or cause to be published any information in any newspaper or magazine or transmitted through any electronic medium that may lead to the identification of any child involved in proceedings under this Act.

(2) Any person who contravenes subsection (1) commits an offence and shall, on conviction, be liable to a fine not exceeding fifty thousand ringgit or to imprisonment for a term not exceeding two years or to both.

Protection under this Act

51. (1) No action, suit, prosecution or any other proceedings shall lie or be brought, instituted or maintained in any court against—

- (a) the President, the Deputy President or any member of the Tribunal;
- (b) the Secretary to the Tribunal, or any officer or staff of the Tribunal;
- (c) any person who is responsible for the administration, management and supervision of the educational institution, institution or the committee under Part III, IV, V or VI;
or

- (d) any other person for or on account of or in respect of any act done or purported to be done by him under the order, directions or instruction of the person referred to in paragraph (c),

in respect of any act done or statement made in good faith in the performance of any duty or function, or in the exercise of any power, under this Act or any regulations made under it.

(2) Nothing in this section shall exempt any person from liability for any act or omission which was done negligently, fraudulently or in bad faith.

Power to amend Schedule

52. The Minister may, after consultation with the Minister under Part III, IV, V or VI, by order published in the *Gazette*, amend the Schedule to this Act.

Power to make regulations

53. (1) The Minister may make such regulations as may be necessary or expedient for carrying into effect the provisions of this Act.

(2) Without prejudice to the generality of subsection (1), the regulations may be made for—

- (a) prescribing the forms to be used in proceedings before the Tribunal;
- (b) prescribing the manner and form in which a complaint may be lodged to the Tribunal, including by electronic means;
- (c) prescribing the manner of service of notice under this Act;
- (d) prescribing procedure relating to service of notice and hearing involving child;

- (e) prescribing procedure relating to mediation; and
- (f) prescribing any other matter which is required to be prescribed under this Act.

Special provision for police report under any written laws

54. Notwithstanding a complaint of bully made under this Act, a complainant shall not be precluded from lodging a police report for any offence relating to bully under any written laws.

FIRST SCHEDULE

[Section 2]

EDUCATIONAL INSTITUTION

Interpretation

In this Schedule—

“Government-aided educational institution” has the meaning assigned to it in the Education Act 1996;

“Government educational institution” has the meaning assigned to it in the Education Act 1996;

“private educational institution” has the meaning assigned to it in the Education Act 1996;

“Maktab Rendah Sains MARA” means an educational institution established by the Majlis Amanah Rakyat;

“Royal Military College” means an educational institution established by the Ministry of Defence.

(1) No.	(2) Educational institution
1.	Government educational institution
2.	Government-aided educational institution
3.	Private educational institution
4.	Maktab Rendah Sains MARA
5.	Royal Military College

SECOND SCHEDULE

[Section 2]

INSTITUTION

Interpretation

In this Schedule—

“probation hostel” has the meaning assigned to it in the Child Act 2001;

“approved school” has the meaning assigned to it in the Child Act 2001;

“Henry Gurney School” has the meaning assigned to it in the Child Act 2001;

“place of refuge” has the meaning assigned to it in the Child Act 2001;

“place of safety” has the meaning assigned to it in the Child Act 2001.

(1) No.	(2) Institution
1.	Place of safety
2.	Probation hostel
3.	Approved school
4.	Place of refuge
5.	Henry Gurney School