

Malaysia Will Follow International Standards In Internet Regulation - Mohd Salleh Bernama
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KUALA LUMPUR, Aug 8 (Bernama) -- Communications and Multimedia Minister Datuk Seri Dr Mohd Salleh Said Keruak said Malaysia would follow international standards in regulating the internet.

He said in this regard the revision of related laws would include a study on what was considered to be the norm in advanced countries that uphold freedom of speech.

"However, even in the 'free' and 'liberal' west there are limitations as to what you can say and publish. And this is what Malaysians need to understand," he said in his latest post on his blog Saturday.

Hitting out at the opposition for jumping to conclusions and accusing the government of trying to stifle free speech, the minister cited examples of what the government was studying and considering in the revision of the laws.

"For example, Section 1 of the United Kingdom's Malicious Communications Act 1988, criminalises sending another person any article which is indecent or grossly offensive with an intent to cause distress or anxiety.

"Section 127 of the United Kingdom's Communications Act 2003 makes it an offence to send a message that is grossly offensive or of an indecent, obscene or menacing character over a public electronic communications network," he said.

Dr Mohd Salleh said to strike a balance between freedom of speech and criminality, the Director of Public Prosecutions issued guidelines, clarifying when social messaging is eligible for criminal prosecution under the UK law.

"Then we have the English defamation laws that come into play. UK's libel laws apply to Internet publishing.

"However, the time limit of one year after publication for libel suits does not apply to Internet publishing because each incidence of material being accessed on the Internet is defined as a new publication.

"As a result, many newspapers and journals do not publish controversial material in their online archives due to a fear of potential libel suits. Then we have contempt of court issues to take into consideration," he said.

He said even in the UK there were limitations to freedom of speech which excluded prior restraint, restrictions on court reporting including names of victims and evidence and prejudicing or interfering with court proceedings, prohibition of post-trial interviews with jurors, and scandalising the court by criticising or murmuring judges.

"The use of social media to comment on a legal case can constitute contempt of court, resulting in a fine or an imprisonment and there have been instances of social media users being prosecuted," he said. Dr Mohd Salleh has advised the opposition to "learn to wait and see what happens first before throwing accusations at the government".

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