



PARLIMEN MALAYSIA



BILL

Age of Majority 1961

D.R.04/1961

A BILL

intituled

D. R. No.

4-61

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An Act to declare the age of majority.

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BE IT ENACTED by the Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong with the advice and consent of the Dewan Negara and Dewan Ra'ayat in Parliament assembled, and by the authority of the same, as follows:

Short title
and applica-
tion.

1. (1) This Act may be cited as the Age of Majority Act, 1961.

(2) Section 4 shall not come into operation in any State until it has been adopted by a law made by the Legislature of that State.

Interpreta-
tion.

2. (1) In this Act "Muslim" means a person professing the Muslim religion.

(2) All computations of age under this Act shall be reckoned according to the Gregorian calendar.

(3) In computing the age of any person, the day on which he was born shall be included as a whole day, and he shall be deemed to have attained the age of eighteen years or twenty-one years, as the case may be, at the beginning of the eighteenth or twenty-first anniversary of that day.

Age of
majority
for non-
Muslims.

3. Subject to the provisions of section 5, the minority of all males and females who are not Muslims shall cease and determine within the Federation at the age of twenty-one years, and every such male and female attaining that age shall be of the age of majority.

Age of
majority for
Muslims.

4. (1) Subject to the provisions of section 5, the minority of all Muslim males and females shall cease and determine within the Federation at the age of eighteen years, and every such male and female attaining that age shall be of the age of majority.

(2) On the coming into operation of this section in a State any Enactment specified in the Schedule and in force in such State immediately before the coming into operation of this section shall be repealed within such State insofar as it relates to Muslims.

Savings.

5. Nothing in this Act shall affect—

(a) the capacity of any person to act in the following matters, namely, marriage, divorce, dower and adoption;

- (b) the religion and religious rites and usages of any class of persons within the Federation;
 - (c) the capacity of any person who, before this Act comes into force, has attained majority under the law applicable to him;
 - (d) any provision in any other written law contained fixing the age of majority for the purposes of such written law.
6. The Enactments specified in the Schedule are hereby Repeal.
 repealed insofar as they relate to persons who are not Muslims.

SCHEDULE

F.M.S. Cap. 68	...	...	...	Age of Majority Enactment.
Johore Enactment No. 135	...	...	...	Age of Majority Enactment.
Trengganu Cap. 35	...	...	...	Majority Enactment.

EXPLANATORY STATEMENT

The above Bill, which is based upon the Age of Majority Enactment of the Federated Malay States (*Cap. 68*) is designed to declare the age of majority of Muslims as 18, and the age of majority of non-Muslims as 21 years of age, subject to the reservations set out in *Clause 5* of the Bill. Insofar as the Bill extends to Muslims it falls within the legislative powers conferred by Article 76 (1) (b) of the Constitution, and cannot (see *clauses 1 (2) and (4)*) therefore come into force in any State until adopted by a State law.

[CLR. 4.]