

March 26, 2018

TO ALL NEWS EDITORS

PRESS STATEMENT FOR IMMEDIATE RELEASE

The National Union of Journalists Peninsular Malaysia (NUJ) is concerned over the Anti-Fake News Bill's approach to dealing with allegations of fake news and the potential impact to journalists as a whole.

The Bill has wide reaching implications to the industry due to the heavy penalties imposed to sources, publishers and funders plus its capacity to force media organisations to remove articles through ex-parte applications.

Though the target of the Bill is those who create fake news, media organisations would also likely to be stifled.

The Union also questions Clause 8(3), which states a removal order by the Government against a publication that is possibly prejudicial to public order or national security cannot apply to be set aside.

We are gravely concerned in allowing one party to have unquestionable power to remove articles it disagrees with could be easily abused.

The Bill, tabled at the Parliament for its first reading on March 26, seeks to criminalise fake news and introduce measures to curb its dissemination.

Once the Bill is passed, anyone found "knowingly creating, offering, publishing, printing, distributing, circulating or disseminating" any fake news can be fined up to RM500,000 and imprisonment up to 10 years or both.

Anyone who is found abetting by providing financial assistance would face similar punishments, while any person who fails to remove publications containing fake news can be fined up to RM100,000.

In addition to the sentence, the Court may also order for an apology in open court or by publishing it in newspapers.

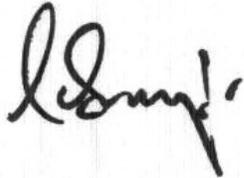
The Union questions why the new Bill has penalties so much heavier than existing ones that address the similar issue of contentious news and social media posts.

It referred to Section 500 of the Penal Code for criminal defamation and Section 233(3) of the Communications and Multimedia Act 1998.

Section 500 carries a punishment of up to two years jail, a fine or both, while Section 233(3) was punishable by up to one year jail, an RM50,000 fine, or both.

NUJ urges the Government to re-examine the Fake News Act in depth together with other relevant bodies before it is implemented so as to clearly define the application of the said Act.

On behalf of the Executive Council,

A handwritten signature in black ink, appearing to read 'Chin Sung Chew', written in a cursive style.

CHIN SUNG CHEW
General Secretary, NUJM