



Offensive Content on The Internet: The Malaysian Legal Approach

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Recently, there has been a lot of offensive contents available on the internet. Therefore, new legal challenges have arisen, and many legislators have updated the existing laws to criminalise offensive content on the internet. In Malaysia, s.211 and 233 of the Communications and Multimedia Act 1998 regulates offensive content on the internet. However, these two provisions have been criticized as they can be used to silence the critics and comments on political issues, as well as a breach of freedom of expression. This paper aims to discuss the offensive content on the internet, under s.211 and s.233 of the CMA 1998, by analysing legal texts and cases and legal opinion. To sum up, no comprehensive definition for offensive content exists, and it is submitted that s.211, and 233 CMA is very broad to describe the offensive content on the internet, but it's subject to the court's assessment whether the content falls under the types of offensive content on the internet in s.211 and s. 233 of CMA. After All, there is no breach to freedom of expression under s 211 and 233 of CMA, because freedom of expression is not absolute and must be limited within the law, and nobody can insult others under the guise of freedom of expression. Finally, s. 211 and 233 CMA protects people's rights and the broad interpretation will help to stop any offensive content on the Internet in the future as it will be in the end evaluated by the court whether the content is offensive or not.

Key words: *Offensive Content, Internet, Malaysia, Communications and Multimedia Act.*