



Malaysia

Newsletter No.3 - 6-week of Movement Control in Malaysia until 28 April 2020

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1. 6-week of Movement Control in Malaysia until 28 April 2020

The Prime Minister of Malaysia has announced the further extension of the Movement Control Order to 28 April 2020.

The Movement Control Order has been implemented nationwide since 18 March 2020 in the following phases:

- (a) 2 weeks from 18 to 31 March 2020 (Phase 1);
- (b) 2 weeks from 1 to 14 April 2020 (Phase 2); and
- (c) 2 weeks from 15 to 28 April 2020 (Phase 3).

The Prime Minister said that more businesses will be re-opened in stages, and a strict standard operating procedure on health guidelines will be issued as these industries reopen.

For existing essential services which are allowed to operate during the Movement Control Order period, please see https://www.jurists.co.jp/en/newsletters/asia_200413.html.

2. More Economy Sectors are allowed to operate during Phase 3

The Ministry of International Trade and Industry (MITI) has issued media statements and FAQs regarding additional sectors which are allowed to operate during Phase 3. To protect the economy of the country during and after the crisis of COVID-19, the following additional sectors are allowed to operate during Phase 3, subject to approval and conditions:

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- (a) Automotive (limited to exports of complete-build up (CBU) units, equipment and components, and after-sales service (such as repair and maintenance)
- (b) Machinery and equipment industry
- (c) Aerospace industry
- (d) Construction projects and construction-related services, that are:
 - projects where the main contractors are G1-G2 contractors
 - projects which have been certified to have achieved a minimum 90% physical completion
 - tunneling works
 - maintenance works
 - sloping works
 - emergency works that are consequent to contractual obligations
 - maintenance, cleaning and drying of stagnant waters, spraying of pesticides at construction sites which prevent the breeding of Aedes mosquitoes and other pests
 - other works that may result in danger if left incomplete
 - building projects with IBS scores of 70 and above
 - construction of accommodation facilities for workers, such as centralised quarters for workers or workers' camps
 - professional services related to the construction industry including architects, engineers, town planners, land surveyors, quantity surveyors, project managers, facility managers and others
- (e) Science, professional and technical services, including R&D (limited to legal services, services incidental to oil and gas, R&D activities related to COVID-19, and testing labs for the sectors allowed to operate)
- (f) Social health services including registered traditional healthcare services (limited to registered Traditional and Complementary Medicine or TCM practitioners)
- (g) Hardware stores, electrical and electronic appliances stores, which are in the wholesale and retail industry
- (h) Laundry services (full service only and self service is not allowed)

Industries allowed to operate during the Movement Control Order period must strictly comply with the prescribed standard operating procedures and protocols, conditions and guidelines issued from time to time by the Ministry of Health and other authorities. Non-compliance will result in immediate revocation of operating permits and legal sanctions. One of the conditions as stated in the standard operating procedure (available at <https://application.miti.gov.my/register>) is that the company has to bear all the medical costs of the employee who is tested positive for COVID-19, to conduct cleaning and disinfection of the premise and to fully cooperate with the Ministry of Health on contact tracing.

Please note that companies in the additional sectors above are only allowed to operate after approval from MITI has been granted. Applications to operate during the Movement Control Order are to be submitted online through the COVID-19 Intelligent Management System (CIMS) 2.0 at <https://application.miti.gov.my>. Information to be provided includes the company's estimated revenue for the years 2017, 2018 and 2019 and the company's total number of employees and the list of working employees during the control period. To submit applications online, please refer to <https://www.miti.gov.my/>.

For further information, please see https://www.miti.gov.my/miti/resources/FAQ_MITI_BIL_3.pdf (available in English).



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