

# GMS Flash Alert

Immigration Edition

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## Malaysia - Travel and Immigration Restrictions to Combat COVID-19

The Malaysian prime minister on March 25 extended a 16 March 2020 movement control order (“MCO”) to combat the sharp rise of COVID-19 cases in Malaysia,<sup>1</sup> and the local state governments of East Malaysia (States of Sabah and Sarawak), have also imposed restrictions on visitor entry, including Malaysians. The local state government additional measures take effect from 18 March 2020 to 31 March 2020, while the MCO has been extended to 14 April.

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### WHY THIS MATTERS

The MCO significantly impacts not only travelers who are currently in Malaysia but also expatriates or long-term pass holders intending to return to Malaysia. Malaysians are also not allowed to travel abroad or inter-state.

Companies with expatriates should be aware that if employees exit Malaysia during this period, they will not be allowed to return to Malaysia even if they have a valid employment pass or professional visit pass.

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### MCO in Brief

The 16 March MCO:

- 1) restricts movement and assembly nationwide;
- 2) restricts travel for all Malaysians going overseas;
- 3) restricts foreign visitors and tourists into Malaysia;
- 4) closes all kindergartens, public and private schools including institutions of higher learning;
- 5) closes all government and private premises except those involved in essential services.

Foreign nationals who are in Malaysia and Malaysians are advised to adhere to the MCO. Violators are liable to a maximum fine of MYR 1,000 or jail for up to six months or both.

## **MCO: More Details**

With the Immigration Department Office being closed effective 19 March 2020, travelers whose visit passes expire during the MCO period are not able to secure a special pass or to extend their visit passes to remain in Malaysia with a valid pass.

The eXpats office, under the Malaysia Digital Economic Corporation, notified companies under their purview that the special pass is not required for expatriates and their families if their passes expire during this period. They may remain in or leave Malaysia. The Immigration Department Office official site has not published the exemption. However, it is likely to be the same practice.

Long-term pass holders (e.g., Employment Pass, Dependent Pass) intending to return to Malaysia are also facing an entry ban. According to the FAQ issued, only foreign employee under the “essential services” will be considered for entering Malaysia.<sup>2</sup>

Foreign spouses of Malaysians may return to Malaysia, but must produce supporting documents such as a marriage certificate.<sup>3</sup> Anyone who intends to enter Malaysia is subject to health screening and immigration checks at the port of entry. A travel ban has been imposed previously for visitors from the Chinese Province of Wuhan, Hubei, and Jiangsu, South Korea, Italy, Iran, Hokkaido (Japan), and Denmark.<sup>4</sup> However, during this MCO period, all foreign nationals are prohibited from entering Malaysia.

### **Sabah, State in East Malaysia**

Sabahans are banned from travelling abroad, while all foreign tourists and visitors are banned from entering the state.<sup>5</sup> Non-Sabahans are not allowed enter to Sabah via air, sea, or land without special approval from the state government.

Visitors from Sarawak, which is the neighbouring state of Sabah, and Peninsular Malaysia wishing to enter Sabah are required to provide medical certificates from hospitals to prove that they are not infected with COVID-19.

For those who have just returned from abroad, they are required to undergo a medical check and 14-days of self-quarantine.

### **Sarawak, State in East Malaysia**

All visitors (foreign and domestic) coming into Sarawak and returning Sarawakians will be issued with a 14-day “stay home notice” (SHN).<sup>6</sup> This includes Sarawak residents, and long-term and short-term pass holders.

The relevant agencies will monitor the SHN holders through random visits, phone calls and modern technology applications.

Exemptions to the measures will only be granted by the State Health Department to those required to travel under special circumstances for official and business duties.

## FOOTNOTES:

- 1 See [news coverage](#) on the extension, and the original [16 March MCO order](#). (Note that this is a 3<sup>rd</sup> party (non-governmental, non-KPMG) website. Providing this link does not represent an endorsement of this website by KPMG.)
- 2 See: [FAQ – Movement Control Order, Employment Pass & Professional Visit Pass](#).
- 3 See “[Frequently asked questions \(FAQs\) on movement control order](#),” in *The Star* (online) 17 March 2020. (Note that this is a 3<sup>rd</sup> party (non-governmental, non-KPMG) website. Providing this link does not represent an endorsement of this website by KPMG.)
- 4 See: [12 March 2020 COVID-19 announcement](#). Also, see T. Pei Ying in a *New Straits Times* (online) 12 March 2020 article, “[Travel ban on Denmark from Saturday](#),” on Denmark’s travel ban. (Note that this is a 3<sup>rd</sup> party (non-governmental, non-KPMG) website. Providing this link does not represent an endorsement of this website by KPMG.)
- 5 See A. Geraldine, in a *New Straits Times* (online) 17 March 2020 article, “[Sabah govt imposes immigration restriction order](#).” (Note that this is a 3<sup>rd</sup> party (non-governmental, non-KPMG) website. Providing this link does not represent an endorsement of this website by KPMG.)
- 6 See A. Povera in a *New Straits Times* (online) 16 March 2020 article, “[Covid-19: Sarawak schools to shut, or have holidays extended](#).” (Note that this is a 3<sup>rd</sup> party (non-governmental, non-KPMG) website. Providing this link does not represent an endorsement of this website by KPMG.)

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