

# GMS Flash Alert

### **Immigration Edition**

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## Malaysia - Improvements and Enhancements to Immigration Processes

The Immigration Department of Malaysia has recently made announcements on the following matters:

- 1. Endorsement of Employment Pass Category III and Professional Visit Pass at the Expatriate Service Centre in Kuala Lumpur International Airport Terminal 1;
- 2. Introduction of e-Pass to replace the physical endorsements on passports;
- 3. Extension of the e-VISA facility to Multiple Entry Visa (MEV) applications;
- 4. Extension of the "autogate" facility at Kuala Lumpur International Airport to foreign travellers and long-term pass holders;
- 5. Approval from the Department of Labour Peninsular Malaysia (JTKSM).

#### WHY THIS MATTERS

The new improvements and enhancements made in these various areas of the country's immigration system, in part, centre on digitalisation changes which aim to simplify and speed up immigration processes, bring convenience in terms of application procedures and entry and exit for expatriates and business travellers, and boost the appeal of Malaysia as a place to travel to and do business in.

It is important for expatriates, business travellers, and companies in Malaysia to understand and get their arms around these changes, as they will impact a company's ability to determine how best to manage timelines in respect of obtaining a work pass, getting clearance to start work, and benefitting from the convenience of the e-VISA for business travel. Having said so, with respect to the additional approvals, care should also be taken to avoid delays in the process of procuring work passes.

#### **More Details**

Endorsement of Employment Pass Category III (EP III) and Professional Pass Category (PVP) at the Expatriate Service Division (ESD) Satellite Centre in Kuala Lumpur International Airport 1 (KLIA1)<sup>1</sup>

Endorsements at the ESD Satellite Centre (ESC), KLIA1 are now extended to all new applications for EP III and PVP, effective 20 February 2023. The Immigration Department of Malaysia (IDM) has made it compulsory for expatriates who are entering via KLIA1 to complete the endorsement at this centre.

#### e-PASS for Renewed Employment Pass (EP) and Its Related Passes<sup>2</sup>

The IDM announced the new electronic Pass known as "e-Pass" in December 2022. However, it was rolled-out in January 2023, applicable to renewed EPs under existing passports. It was also announced that the e-PASS is applicable to related Passes of EP holders (i.e., dependents). However, at this stage, the e-Pass is not issued for renewed Dependent Passes. Hence, renewed Dependent Passes will continue to be issued with the printed sticker to be affixed onto the dependent's passport.

Conditions for the issuance of e-Passes are available on the ESD's portal<sup>3</sup>.

## e-VISA: Multiple Entry Visa (MEV) Application is Now Available for Visa-Required Nationals to Facilitate Entry to Malaysia<sup>4</sup>

Visitors holding passports issued by countries requiring entry visas to enter Malaysia are now able to apply for the MEV conveniently via the eVISA online portal instead of making a physical application to the Embassy. The facility is made available effective 20 January 2023, for the following purposes of a person's visit:

- i. Business;
- ii. Fly and cruise;
- iii. Wedding tourism;
- iv. Medical treatment.

The MEV for business and medical treatment purposes is valid for six months, whereas the MEV for fly and cruise purposes and wedding tourism purposes is valid for three months. Applicants may refer to the eVISA FAQs that is available on the portal for guidance<sup>5</sup>.

#### Extension of Autogate Facility to Foreign Travellers<sup>6</sup> and Long-Term Pass Holders<sup>7</sup>

The IDM has extended the autogate facility to foreign travellers and Long-Term Pass holders to exit and enter the country, with the following requirements:

#### Foreign Travellers:

- 1. Eligible countries Australia, Brunei, Germany, Japan, South Korea, New Zealand, Saudi Arabia, Singapore, the United States, and the United Kingdom;
- 2. Passport must be valid for at least six months;
- 3. Complete and submit Malaysia Digital Card (MDAC)<sup>8</sup> three days before arrival:
- 4. Arrivals and departures via KLIA1 and KLIA2.

#### Long-Term Pass Holder.

- 1. The person must hold a passport that contains a digital chip and complies with the standards set by the International Civil Aviation Organisation (ICAO);
- 2. The person must hold a valid Long-Term Pass such as a Residence Pass Talent (RPT), EP, Student Pass, PVP, Temporary Work Visit Pass, Premium Visa Pass, MM2H, and Long-Term Social Visit Pass.

No registration is required to use the facility.

#### Approval from Department of Labour for Expatriate Hiring9

Malaysia Digital Economy Corporation (MDEC) has announced<sup>10</sup> that effective 1 February 2023, companies are mandated to provide the approval letter or proof of application for approval to hire the expatriate from the Department of Labour Peninsular Malaysia (JTKSM) as an additional document to facilitate the application for a Foreign Knowledge Worker (FKW) Projection.

The change is in line with the announcement made by Ministry of Human Resource on 21 December 2022,<sup>11</sup> whereby companies are required to register with JTKSM for employment of expatriates / FKWs.

The new process is currently made mandatory for FKW Projection applications under the purview of the MDEC as announced, while the ESD has yet to issue an announcement on said matter notwithstanding the infographic issued by JTKSM mentioning the ESD<sup>12</sup>.

#### **KPMG INSIGHTS**

Malaysia is taking steps to enforce compliance with its employment rules and adherence to standards, while at the same time making efforts to ease endorsement processes as well as the entry and exit of travellers and foreign employees. Malaysia is also conscious of the need for foreign talent to help fill shortages and, thus, is simplifying the immigration process for work pass applications and immigration clearance for business visitors entering Malaysia.

As Malaysia is ramping up digitalisation, it will be interesting to see what additional developments arisethat will impact the country's immigration system in future.

As there have been numerous changes to policy and procedures introduced by the IDM over the past 12 months – and it can be confusing to navigate them – if there are any questions about eligibility and the conditions for applying for the various Employment Pass categories, the Multiple Entry Visa, and obtaining approvals from the Department of Labour, it may be prudent to consult with a qualified global-mobility professional and/or immigration counsel, or a member of the Immigration team with KPMG in Malaysia (see the Contacts section).

#### **FOOTNOTES:**

- 1 See ESD, "EXPANSION OF EMPLOYMENT PASS CATEGORY III (EPIII) AND PROFESSIONAL VISIT PASS (PVP) ENDORSEMENT AT ESD SATELLITE CENTRE (ESC), KUALA LUMPUR INTERNATIONAL AIPORT 1 (KLIA1)."
- 2 See ESD, "INTRODUCTION OF ELECTRONIC PASS (EPASS) FOR RENEWAL OF EMPLOYMENT PASS AND ITS RELATED PASSES."
- 3 See MYXpats Centre (in English), "Frequently Asked Questions: Employment Pass E-Pass."
- 4 See IDM, Malaysia Electronic Visa Facilitation & Services (in English) at: https://malaysiavisa.imi.gov.my/evisa/evisa.jsp.
- 5 See (in English) "eVISA FAQ."
- 6 See "Foreign Travellers arrived at KLIA1 and KLIA2 International Airports and all Gazetted International Checkpoints" at: <a href="https://www.imi.gov.my/index.php/pengumuman/foreign-travellers-arrived-at-klia1-and-klia2-international-airports-and-all-gazetted-international-checkpoints/">https://www.imi.gov.my/index.php/pengumuman/foreign-travellers-arrived-at-klia1-and-klia2-international-airports-and-all-gazetted-international-checkpoints/</a>.
- 7 See ESD (in English), "AUTOGATE FACILITY EXTENSION."
- 8 See (in English) the Malaysia Digital Arrival Card webpage.
- 9 See "Update on Registration with Department of Labour Peninsular Malaysia (JTKSM)" at: <a href="https://mdec.my/expat/update-on-registration-with-department-of-labour-peninsular-malaysia-jtksm">https://mdec.my/expat/update-on-registration-with-department-of-labour-peninsular-malaysia-jtksm</a>.
- 10 Ibid.
- 11 See footnote 9.
- 12 See (in Malay) JTKSM Infographic.

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