



PEMUDAH

Pasukan Petugas Khas Pemudahcara Perniagaan | The Special Task Force To Facilitate Business

www.pemudah.gov.my

A decade of public - private sector collaboration for and a world - class regulatory environment.

Established since 7 February 2007, PEMUDAH, the special task force to facilitate business, is a collaboration between the public and private sector to enhance good regulatory practices in the business environment for the common good of the rakyat.



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MESSAGE FROM THE HONOURABLE PRIME MINISTER

**YAB DATO' SRI ISMAIL
SABRI YAAKOB**

PRIME MINISTER OF MALAYSIA

Heartiest congratulations to PEMUDAH on the occasion of its Fifteenth Anniversary as the Special Task Force to Facilitate Business.

Established on 7 February 2007, this PEMUDAH anniversary celebration is pivotal as the Nation strives for socio-economic recovery and resume growth and development post-pandemic COVID-19. At the same time, it also marks the beginning of the implementation period of the Twelfth Malaysia Plan (2021-2025) (12MP).

PEMUDAH's successful rationale pursuit of public-private sector improvement initiatives over the past decade for greater service delivery and regulatory qualities has strengthened the business environment ecosystem and Malaysia's international competitiveness. This endeavour has rightly taken on another dimension to support the realisation of the Twelfth Plan's objectives and goals by resetting the economy for even greater competitiveness in line with evolving global perspectives and growth opportunities and to create and build on inclusive and sustainable prosperity for the rakyat.

Achieving labour productivity growth of 3.6% per annum is among the Twelfth Plan's macroeconomic strategies to restore growth and strengthen economic fundamentals. Higher productivity-driven quality growth is preferred over input-driven growth.

The well-being of the rakyat will be improved through higher salaries, wages and employees' compensation in general when higher value-added economic activities and technology-driven and knowledge-intensive industries are established to create more employment opportunities while educational attainment, upskilling, reskilling and technology adoption raise workers' productivity.

Of equal importance, Malaysia has also committed to focus on transforming the economy and the society to be more conscious and pro-active about environmental, social and governance (ESG) values for which the Government is to provide an enabling policy-driven and incentivised framework.

With economic recovery gathering momentum from the implementation of the various programme initiatives and measures outlined in the Twelfth Plan and Budget 2022 as well as from the careful management of the prevailing COVID-19 challenge, the economy is forecast to grow between 5.5% and 6.5% in 2022. The rakyat and the private sector especially micro, small and medium enterprises (MSMEs) will benefit from the upsurge in economic activities.

I am confident that PEMUDAH will forge ahead to help rebuild a dynamic and resilient national economy as the foundation of "A Prosperous, Inclusive and Sustainable Keluarga Malaysia" and contribute to a successful national development agenda.

FOREWORD FROM THE PEMUDAH CO-CHAIR

**YB DATO' SRI MUSTAPA
BIN MOHAMED**

MINISTER IN PRIME MINISTER'S
DEPARTMENT (ECONOMY)



The Government and the people of Malaysia have shown great resilience and fortitude towards the unprecedented economic challenges and social hardships of the past two years due to the global COVID-19 pandemic.

Keluarga Malaysia want to re-build and move forward with productivity and technology driven growth to spur faster national socio-economic recovery. Preventive standard operating procedures adherence, vaccinations, and our public healthcare system had established a new normalcy to life.

PEMUDAH has engaged tirelessly with businesses from various economic sectors during the pandemic to help reduce or remove their regulatory challenges and burdens through joint public and private sectors' stakeholder consultations and outcome-focussed initiatives for business sustainability breakthroughs.

The Government established Pasukan Petugas Khas Pemudahcara Perniagaan (PEMUDAH), the Special Task Force to Facilitate Business, on 7 February 2007 subsequent to its introduction in the Honourable Prime Minister's annual speech delivered to the Civil Service on 11 January 2007.

Since then, PEMUDAH has fulfilled its crucial role steadfastly in the past 15 years to facilitate the ease of doing business which helped elevate Malaysia's global competitiveness. The International Institute for Management Development's World Competitiveness Yearbook 2021 ranked Malaysia 25th amongst 64 economies which represented an improvement from the 27th ranking in 2020. The Twelfth Malaysia Plan (2021-2025) targets for Malaysia to be ranked amongst the top nine economies in the government efficiency sub-index of the Yearbook. The public sector service delivery being enhanced by PEMUDAH's regulatory and process improvement initiatives through public-private sector collaboration will help realise the target.

Most importantly, the ease of doing business in Malaysia is being continuously strengthened with the public and private sectors collaborating on the PEMUDAH platform. This unique collaboration strives to ensure governmental regulations are responsive to and agile with market conditions and needs. It must be transparent in their formulation and delivery for ready compliance by stakeholders, inclusive and comprehensive enough to stimulate more capital investments to accelerate national economic growth and development.

It gives me great pleasure to congratulate PEMUDAH on the fifteenth anniversary of its establishment for its admirable decade and a half track record of successful regulatory as well as process improvement initiatives. It meant so much to the business community and has contributed immensely to Malaysia's socio-economic growth and development.

I wish to extend my appreciation and gratitude to all PEMUDAH members from both the public and private sectors for their strong commitment and selfless dedicated services to drive for greater efficiency, productivity and sustainability in the public-private sector service delivery.

We are truly inspired by the trust and support given by our Honourable Prime Minister, YAB Dato' Sri Ismail Sabri Yaakob, to PEMUDAH to fulfil its role in realising the national goals of a developed nation status and sustainable high-income prosperity for Malaysia.

FOREWORD FROM THE PEMUDAH CO-CHAIR

**YBHG. TAN SRI DATO' SERI
MOHD ZUKI BIN ALI**

CHIEF SECRETARY
TO THE GOVERNMENT



As the rest of the world, Malaysia had gone through two exceptionally challenging years of the COVID-19 pandemic in 2020 and 2021. COVID-19 had caused socio-economic losses at an unprecedented scale, forcing us to adopt a new normal in order to save lives and livelihoods. Utmost gratitude is certainly due to all frontline workers for their commitment and sacrifices in managing the crisis throughout the years. Amidst these trying times, PEMUDAH had reached the decade and a half milestone since its establishment in 2007.

Since the outbreak of the pandemic, PEMUDAH has been partaking in various Government assistance and economic recovery programmes, particularly those involving the vulnerable sectors of the economy. Initiatives taken by PEMUDAH to support business survivability include resolving regulatory constraints on supply chains and workforce, as well as providing advisory services for business digital transformation. Close cooperation among PEMUDAH members across the public and private sectors allows the Special Task Force to respond swiftly towards promoting ease in doing business.

At this opportunity, I would like to express my appreciation to all PEMUDAH members for their dedication, especially in efforts to facilitate business processes and boost Malaysia's global competitiveness. In support of the Honourable Prime Minister's call for us to jointly develop the nation in the spirit of Keluarga Malaysia, I wish for PEMUDAH to continue moving forward with vigor to enhance productivity, inclusivity and sustainability in both the public and private sectors towards a prosperous Malaysia.

FOREWORD FROM THE PEMUDAH CO-CHAIR

**YBHG. DATO' DR. IR.
ANDY SEO KIAN HAW.**



The fifteenth anniversary of the establishment of PEMUDAH by the Government testifies to its enduring relevancy and growing legacy which leverages on public-private sector collaboration to address bureaucracy and improve regulatory governance for businesses to prosper and the betterment of Keluarga Malaysia.

PEMUDAH as the pre-eminent task force to facilitate the ease of doing business has accomplished many successful improvement initiatives with wide beneficial outcomes over the past 15 years by virtue of the unwavering strong support given by the Government to it and through the commitment and untiring efforts of all its members from both the public and private sectors as well as stakeholders in general.

First and foremost, we wish to express our deepest gratitude to our Honourable Prime Minister, YAB Dato' Sri Ismail Sabri Yaakob, for his confidence placed in PEMUDAH to fulfil its role of reducing bureaucracy and improving the regulatory framework for greater efficiency and productivity that underpin sustainable national economic growth and development within an increasingly competitive global perspective. We are heartened to strive for Malaysia to progress ever closer to, and ultimately achieving the goal of becoming a developed high-income nation with prosperity for all.

On behalf of the members of PEMUDAH, I also wish to express our profound appreciation to YB Dato' Sri Mustapa bin Mohamed, the Minister in the Prime Minister's Department (Economy) and YBhg. Tan Sri Dato' Seri Mohd Zuki bin Ali, the Chief Secretary to the Government of Malaysia, for their astute leadership and invaluable guidance given to PEMUDAH in its improvement initiatives and activities to help achieve their objectives.

The great dedication with which our members from both the public and private sectors serve PEMUDAH in addressing and resolving regulatory issues and instituting enhancements in policies, regulations, processes and procedures deserves the fullest gratitude from the economic sectors that benefit through their contributions. PEMUDAH private sector members are initiating interventions that are supported by public sector members to resolve unnecessary regulatory burdens faced by businesses seeking to sustain beyond the challenges posed by the COVID-19 pandemic, gain traction for economic recovery and resume their journeys on the path of growth and development.

Malaysia's international competitiveness is recognised globally in competitiveness reports such as the World Bank Group's Doing Business Report 2020 which ranked Malaysia in twelfth position amongst 190 economies. Malaysia was ranked second in the indicator areas of Dealing with Construction Permits and Protecting Minority Investors and fourth in Getting Electricity, and achieved world-best regulatory performances in Getting Electricity for the reliability of supply and transparency of tariffs and in Protecting Minority Investors for the extent of disclosure. I believe these performances reflect that PEMUDAH and its technical working groups are pursuing specific improvement initiatives in the right direction.

PEMUDAH itself is restructuring to a more pro-active and agile approach in identifying and resolving regulatory issues in order to directly support governmental programmes for national economic recovery. We are guided by the aspirations of the Twelfth Malaysia Plan (RMK-12), 2021-2025, for 'A Prosperous, Inclusive, Sustainable Malaysia'.

It is essential for PEMUDAH to help with a sense of urgency the private sector to grasp the opportunities and moderate the challenges of re-setting economic sectors for accelerated recovery and resumption of growth under the New Normal.

For the way forward, PEMUDAH can and will do even much more to enhance the public-private sector service delivery to better serve the doing of business and the people of Malaysia in elevating the global competitiveness.



CHAPTER 1: INTRODUCTION

VISION

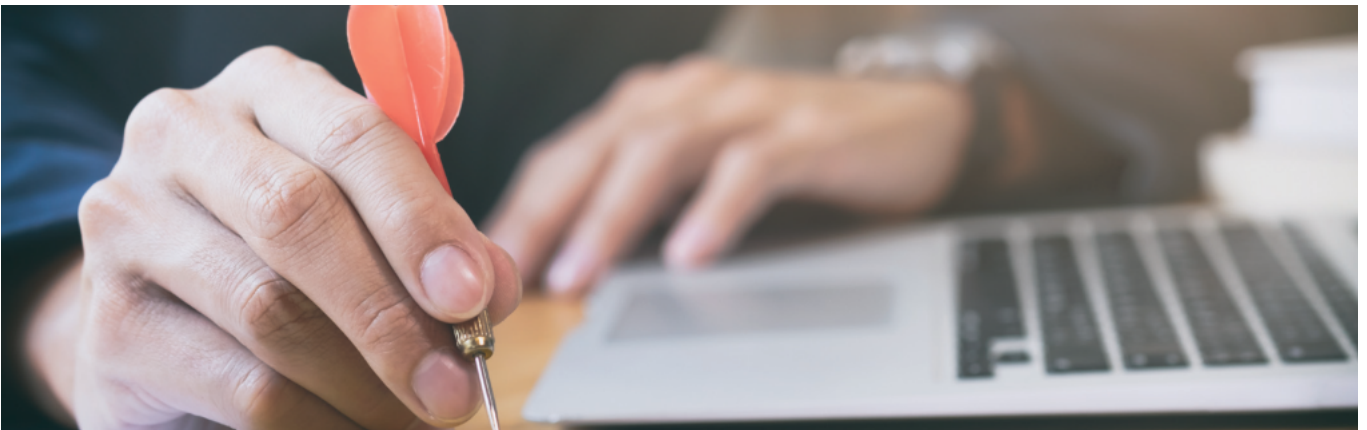
To enhance and strengthen the public and private sector regulatory delivery in being globally benchmarked, proactive, responsive, business-friendly and results-oriented for greater efficiency, productivity, international competitiveness, sustainability and inclusiveness in the national economy which uphold the welfare of the people.

VALUES

- I. Sense of urgency.
- II. Proactive public/private sectors collaboration.
- III. Facilitation, not hampering.
- IV. No more regulation than necessary.
- V. Zero tolerance for corruption.

MISSION STATEMENT

To ease the doing of business by creating a harmonious equilibrium between the necessity for regulatory governance and the timely and cost-effective implementation of business decisions and operations. Public and private sectors collaboration enables the formulation of effective and acceptable government policies and regulations that can grow and develop the economy.



OPERATIONAL SCOPE

- To foster closer collaboration between public sector agencies and the private sector to improve Malaysia's productivity and competitiveness;
- To review policies, procedures, conventions and legislations in relation to the public and private sector service delivery and propose reforms and enhancements for their greater relevancy, efficiency, effectiveness and business-friendliness;
- To monitor the implementation of reformative and enhancement measures and programmes for the achieving of targetted outcomes;
- To support the dissemination and adoption of Good Regulatory Practices (GRPs) in both the public and the private sectors for a dynamic and stakeholders-centric public sector service delivery and a robust business environment;
- To benchmark with best practices to improve the ease of doing business; and
- To address issues and recommend solutions in line with the National Philosophy of Keluarga Malaysia for Inclusivity, Common Ground and Contentment.

ABOUT PEMUDAH

MANDATE

Pasukan Petugas Khas Pemudahcara Perniagaan (PEMUDAH), the Special Task Force to Facilitate Business, was established by the Federal Government of Malaysia on 7 February 2007 following its introduction in the Honourable Prime Minister's annual speech made to the Civil Service on 11 January 2007.

The Chief Secretary to the Government was designated as the Chairman of PEMUDAH and the Co-Chair was held by a private sector business leader.

The public sector members of PEMUDAH are mainly the secretary generals and director generals of government ministries, agencies and departments and the private sector members are drawn from prominent industry and trade leaders and non-governmental organisation heads.

Collaboration between the public sector and the private sector through PEMUDAH has since been driving policy and regulatory reforms and improvements to enhance the public and private sectors service delivery and the general business environment in Malaysia.

HISTORY & JOURNEY

The initial scope of work of PEMUDAH was conceptualised from the methodology of the World Bank Group Doing Business Report which ranked economies worldwide on the ease of doing business.

PEMUDAH reform and enhancement initiatives were pursued through Focus Groups, each co-chaired by a senior government official and a corporate leader with their memberships consisting of senior Civil Service administrators, professional practitioners and business community leaders.

The terms of reference of the Focus Groups were aligned with the ten business regulation indicators of the Doing Business Report. Malaysia's performances scored on these indicators were benchmarked with the performance scores of the other economies. Malaysia was perennially ranked in the highest percentile grouping of economies in the report due to the many initiatives successfully undertaken.

The PEMUDAH Working Group on Efficiency Issues (WGEI) met monthly to consider policy and regulatory issues and assign them to the Focus Groups to be in-depth assessed by their working groups which put up recommendations. WGEI-sanctioned recommendations were escalated to the monthly PEMUDAH meetings for endorsement before their implementation subject to obtaining prior approvals, wherever applicable, from higher authorities.

The PEMUDAH organisational structure had undergone a change after its first decade milestone in 2017 when WGEI was discontinued and the work done by the Focus Groups was assumed over by Technical Working Groups still aligned with the business regulation indicators of the Doing Business Report.

The onset of the COVID-19 virus pandemic in Malaysia in March 2020 and the ensuing impositions of Movement Control Orders (MCOs) by the Government to control the spread of the virus had a huge adverse impact on businesses mainly in those sectors of the economy deemed as non-essential. The unprecedented curtailment of goods and services production, distributive and retail trades and services compounded by supply chain breakdowns seriously challenged the very survivability of businesses.

To support the Government's various financial assistance and relief programmes for businesses and the people in response to the impacts of the COVID-19 virus pandemic, PEMUDAH had also reacted swiftly to the crisis and instituted the PEMUDAH Private Sector Meeting in April 2020 specifically to address and help resolve issues brought about by the impact of the pandemic and the MCOs on economic sectors so as to assist businesses to tide over constraints related to workforce, supply chains, logistics, marketing, cash flows, workers' vaccinations, etc. Solutions were recommended to the PEMUDAH meeting for endorsement and, where deemed necessary, for escalation to the Economic Action Council (EAC) chaired by the Honourable Prime Minister for further endorsement before being shared with the relevant government ministries, agencies and departments for implementation. Prior consultations with regulatory ministries, agencies and departments were inherent in the process of forming recommendations.

PEMUDAH is a partner in the MyMudah initiative launched by the Government in July 2020 to be operated in tandem with the online Unified Public Consultation (UPC) Portal to enable businesses to present, and have resolved, their concerns and on-the-ground difficulties over regulations hindering economic recovery and growth especially during the post-pandemic national economic recovery.

The cornerstone of PEMUDAH is the public and private sector collaboration which is being replicated such as the establishment of PEMUDAH Pahang in 2021. Outreach is being made to the business community at large primarily through the hosting of online topical webinars highlighting regulatory issues and encouraging discourses amongst stakeholders. Good Regulatory Practices (GRPs) are championed.

A major operational restructuring was finalised towards the end of 2021 for implementation in 2022. The work focus areas of the Technical Working Groups in terms of economic sectors will be re-aligned since the World Bank Group had ceased publishing the Doing Business Report and will also include key strategic national interest areas. This development serves to maintain the relevancy of PEMUDAH's role in addressing and resolving the doing of business-related issues and challenges so as to enhance efficiency, productivity and competitiveness for a vibrant and prosperous business environment in Malaysia.

PEMUDAH had, in its first 15 years of establishment (2007 - 2022), continuously facilitated many reform and enhancement initiatives in the regulatory environment that had enabled industries and services to have tremendous savings in terms of effort, time and costs which then contributed to greater efficiency, productivity, economic resilience, sustainability and Malaysia's international competitiveness.

The stature of the PEMUDAH public and private sector collaborative taskforce is expected to continue to grow over the years and from strength to strength with support from the Government due to its pro-activeness and responsiveness to facilitate the doing of business in the various sectors of the economy by having government policies and regulations to be not more than what is necessary.





PEMUDAH
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Dato' Sri Mustapa
Mohamed Minister



Tan Sri Mohd Zuki Ali
Chief Secretary



Dato' Dr. Ir Andy
Seo Kian Haw
Council Members



YBhg. Tan Sri Mohd Khairul
Adib Abd Rahman
Director General Of Public
Service Malaysia



Dato' Sri Haji
Mohammad Mentek
Secretary General



Dato' Lokman
Hakim Ali
Chief Secretary



Dato' Asri
Bin Hamidon
Secretary General



Dato' Suriani Binti
Dato' Ahmad
Secretary General



Dato' Arham
Abdul Rahman
Chief Executive Officer



Dato' Haslina
binti Abdul Hamid
Secretary General



Dato' Abdul Latif
Hj Abu Seman
Director General



Datuk Saiful
Anuar Lebai Hussen
Director General



YBhg. Tan Sri Nor Shamsiah
Binti Mohd Yunus
Governor



Datuk M Noor
Azman Bin Taib
Secretary General



Datuk Wan Ahmad Dahlan
Bin Hj. Ab. Aziz
Secretary General



Datuk Haji Ruji
Bin Haji Ubi
Director General



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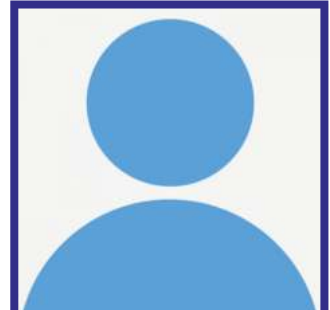
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Yusof Ismail
Director General



Datuk Muhammad Azmi bin
Mohd Zain
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Datuk Wira Dr. Noor Zari
bin Hamat
Secretary General



Secretary General



Dato' Chua Tia Guan
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Chairman



Dato' Pardip
Kumar Kukreja
Founder and Chairman



Dato' Seri
Wong Siew Hai
President



Tan Sri Dato' Teo Chiang Kok
Vice President cum Chair-
man



Tan Sri Dato'
Soh Thian Lai
President



Datuk Dr Syed Hussain
Syed Husman
President



Tan Sri Sufri
Hj Mhd Zin
President



Chris Daniel Wong
President



Prof. Emerita Tan Sri Dato'
Seri Dr. Sharifah Hapsah
President



Naguib Mohd Nor
President



Ding Hong Sing
President



CHAPTER 2: PEMUDAH KEY ACTIVITIES

STARTING A BUSINESS

Companies Act 2016: Transforming Company Incorporation Process and Procedures

Technical Working Group on Starting a Business (TWGSAB), private sector practitioners and other stakeholders review, analyse and strategise on how to reduce the number of procedures, time and costs involved in the process of Starting a Business in Malaysia. TWGSAB held engagements with the World Bank Group Doing Business team to better understand how they assessed the Starting a Business process in Malaysia and wherein laid the performance gaps between Malaysia and the top-performing economies in Starting a Business.

Understanding and Benchmarking with Regulatory Frameworks in Best Practices Economies

Ministry of Business, Innovation and Employment (MBEI), New Zealand

The Starting a Business reform journey in New Zealand started in 1989 and it took about 10 years to have the system basics in place by the year 2000 through technology by the use of Application Programming Interfaces (APIs) and web services. The incorporation process in New Zealand is of a single step involving two stages. The process is streamlined, fast and technology-driven.



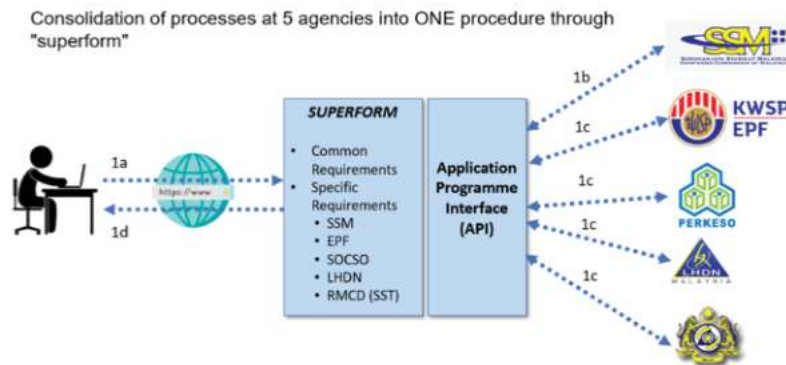
Accounting and Corporate Regulatory Authority (ACRA), Singapore

Singapore and Malaysia mutually benefit from deep economic interdependence and linkages. Both countries are each other's second-largest trading partner. Malaysia receives very substantial foreign direct investments from Singapore. Improvements made to the Malaysian incorporation process will also be beneficial to Singaporean business interests especially equity investments and new projects.



Developing a Super Form for Registering of Businesses

PROPOSED NEW FRAMEWORK FOR STARTING A BUSINESS



Consolidation of the processes at five agencies namely the Companies Commission of Malaysia (SSM), Employees’ Provident Fund (EPF), Social Security Organisation (SOCSO), Inland Revenue Board of Malaysia (LHDN) and Royal Malaysian Customs Department (RMCD) into a single procedure through a Superform will capture common and specific requirements of these agencies via API. The targetted improvements will more than halved the current number of procedures and the time taken in the processing.

Conducting Public Consultations with Key Stakeholders on Proposed Improvement Concept



e-Lesen 4.0

The e-Lesen 4.0 System will coordinate the management of application processing for all types of licences issued by regulatory departments via on-line starting from application registration, investigation/comments, recommendation, JKP meeting, application decision and payment until the printing of a licence. This initiative is expected to reduce the number of processing days from 5 days to 1 day in licence issuances. The e-Lesen 4.0 System is expected to be launched in March 2022.

TWGSAB Public Sector Co-Chair:

YBhg. Datuk Seri Dr. Yusof Ismail, Director General, Malaysian Administrative Modernisation and Management Planning Unit (MAMPU)

TWGSAB Private Sector Co-Chair:

YBhg. Tan Sri Abdul Rahman Mamat, PEMUDAH Member/Chairman, Asia Logistics Council Sdn. Bhd.

EMPLOYING WORKERS

Supply, Upgrade and Matching of Human Resources

The Malaysian economy gradually progressed on a recovery mode in the final quarter of 2021. The labour market remains in a challenging situation despite the improved performances of the key economic indicators. As at November 2021, labour force participation totalled 16.3 million of whom 15.6 million were employed. The unemployment rate was at 4.3%. The Technical Working Group on Employing Workers (TWGEW) had examined and addressed the issues related to the shortage of workers in Malaysia within this context throughout 2021.

The Shortage of Workers: Causes and Impacts

Issues related to the shortage of workers continue to burden industries and services due to a high attrition rate for new hires, border restrictions on foreign workers, inconsistent supply of workers, and the mind-sets of local talents especially the Gig millennials towards working in factories because of their preferences to work in services jobs or to venture into online businesses. The mismatching of talents and talent wars in the manufacturing sectors have worsened the scenario and are affecting the economic value chains.

The shortage of workers is a critical business concern in the thriving economic sectors. The construction, E&E, oil palm and rubber gloves industries are particularly affected. The E&E subsector requires more than 23,000 workers; more than 15,000 operators, 4,000 engineers, 1,500 executives, and 2,500 technicians. The E&E industry contributed RM386 billion to or 39.4 per cent of Malaysia's total exports. Rubber glove manufacturers require about 20,000 factory workers in 2021 for the purposes of worker replacements and the expansion of operations. These vacancies were not filled-in causing the rubber gloves industry to bear business opportunity losses estimated at about RM12.2 billion. The construction industry faced a shortage of 550,000 unskilled workers in dirty, difficult, and dangerous (3D) jobs causing major projects to fall behind schedule. The Malaysia Palm Oil Association (MPOA) stated that the oil palm industry registered a shortage of 45,000 workers of whom 32,000 were for harvester vacancies. This shortage has affected 32 per cent of the total national planted area.



Initiative to Improve the Talent Ecosystem for the Future Workforce

Three-Pronged Concept to Address the Shortage of Workers

TWGEW embarked on a new broad-based policy approach to address the issues related to the shortage of workers with a three-pronged concept namely Supply, Upgrade and Matching. At the Supply Level, the objective is to sustain the supply of human resources for industries' expansion and growth and to shift human resources to high-productivity sectors. The Upgrade Level involves the massed upgrading of industry-required skill sets by an industry-driven programme. The Matching Level will involve data exchanges between institutions and industries through collaborative innovations to ensure adequate supply of talents.

TWGEW had initiated various activities on labour supply and demand-related issues including discourses among key industry players through a series of discussions and workshops participated in by the public and private sectors such as the Economic Planning Unit (EPU), Ministry of Education (MOE), Ministry of Higher Education (MOHE), Ministry of International Trade and Industry (MITI), Social Security Organisation (SOCSO), , DRB-HICOM Berhad, Chemical Productivity Nexus (CPN) and Malaysia Semiconductor Industry Association (MSIA).



TWGEW Public Sector Co-Chair :

YBhg. Datuk Muhd Khair Razman bin Mohamed Anuar, Deputy Secretary-General, Ministry of Human Resources (MOHR)

TWGEW Private Sector Co-Chairs :

YBhg. Dato' Seri Wong Siew Hai, PEMUDAH Member/President, Malaysia Semiconductor Industry Association (MSIA)

YBhg. Dato' Dr. Syed Hussain Syed Husman J.P., PEMUDAH Member/President, Malaysian Employers Federation (MEF)

DEALING WITH CONSTRUCTION PERMITS

Expediting Processing and Approval of Construction Permit Applications

An online workshop was held on 8 February 2021 on Improving Efficiency of Regulatory Delivery in Dealing with Construction Permits (DCP) through Public and Private Sectors Collaboration which was attended by more than 160 participants. Nine issues were discussed. Action plans for the issues were monitored throughout the year:

An online workshop was held on 8 February 2021 on *Improving Efficiency of Regulatory Delivery in Dealing with Construction Permits (DCP) through Public and Private Sectors Collaboration* which was attended by more than 160 participants. Nine issues were discussed. Action plans for the issues were monitored throughout the year:

- Inconsistency between regulatory requirements and practices in obtaining construction permit approvals;
- Monitoring and tracking of development approvals;
- *Effective implementation on the eligibility of Planning Approval (Kebenaran Merancang) submissions;*
- Confusing procedures of Open Space requirements;
- Deeming clause for clearance of Certificate of Completion and Compliance (CCC) by technical agencies;
- Issues of Centralised Labour Quarters (CLQ) & Temporary Labour Quarters (TLQ); and
- Traffic Impact Assessment (TIA) and Road Safety Audit (RSA) Issues.

The Ministry of Housing and Local Government (KPKT) had taken pro-active measures to improve the business process by issuing an official letter and guidelines to address the issues raised in the workshop.



28-Day Silent Implies Consent

In the construction industry, developers have to deal with the process of obtaining Certificate of Completion and Compliance (CCC) before completed units can be handed over to buyers. The CCC is a certificate which provides the final sign-off by a Principal Submitting Person on the construction of a building and is an assessment undertaken by industry professionals to ensure that the building has been constructed true to its original plans approved by the Local Authority and safely constructed and is fit for occupation. During the COVID-19 pandemic, about 9,000 completed buildings/ premises could not be occupied due to the pending issuances of clearance letters by technical agencies.

TWGDCP introduced, through the Government’s *MyMudah* online platform which receives and resolves bureaucratic regulatory issues, a concept called ‘silence implies consent’ that provides that if no feedback was given by technical agencies such as *Tenaga Nasional Berhad* (TNB) and Water Utility Authorities after 14 or 28 days from the date of submission of an application for approval, approval will then be given automatically. By addressing this issue, businesses can commence their operations faster and compliance cost savings of RM1.75 billion per year were estimated.



14-Day Deeming Clause

Subsequent to the successful implementation of the 28-day “silence implies consent”, Jabatan Bomba dan Penyelamat Malaysia (JBPM) agreed to allow a deeming provision granting automatic clearance for fire safety inspections of newly-completed buildings. A circular dated 24 May 2021 stated that “if JBPM does not issue any comment or clearance letter within 14 days from the date of inspection and if during the closing of the inspection, no action needs to be taken by the Principal Submitting Person (PSP) or Submitting Person (SP), the clearance letter for the inspections of Passive Design (Form G8) and Active System (Form G9) is deemed to have been issued for the purpose of the Certificate of Completion and Compliance (CCC) issuance”.

The 14-day deeming clause approved by JBPM enhances business and public sector service delivery efficiencies. JBPM had responded to challenges arising from the impact of the COVID-19 pandemic on the construction industry as voiced out by industry players to PEMUDAH.

The Department of Occupational Safety and Health (DOSH) had also allowed a 14- day deeming clause for lift and escalator inspections to be given CCC if there are no technical comments given out by DOSH.



Making Real Properties Affordable for Malaysians

The National House Buyers Association (HBA) presented a paper at the TWGDPC Meeting No. 2/2021 on making real properties affordable for Malaysians which was subsequently also presented at PEMUDAH Meeting No.4/2021. The paper proposed for a study to be conducted on the compliance costs that were causing the prices of housing to increase year by year.

The PEMUDAH Meeting decided Focus Groups should be formed to conduct the study which would be monitored by their Co-Chairs from both the public and private sectors - Focus Group on Building Cost, Focus Group on Infrastructure and Land Costs, Focus Group on Regulatory Compliance Costs and Focus Group on Capacity Building.

Focus Group on Infrastructure and Land Costs had conducted several stakeholder engagements and will present their preliminary findings in PEMUDAH Meeting No.2/2022 in early 2022.

TWGDPC Initiatives to Support Revival from COVID-19 Pandemic Challenges

- Improving Procedures and Time in Dealing with Construction Permits**
 Expand the implementation of 1 State 1 DCP initiatives at the State Level using the E10 Model and to remove unnecessary regulatory burdens to kick-start post COVID-19 construction activities;
- TLQ and CLQ Improvements**
 Reduce the renewal fees for TLQ with States/Local Authorities and give exemption for CLQ requirement for 2 years in properties;
- Improve Coordination between the Federal Government, State Governments and Local Authorities**
 To strengthen the implementation of guidelines, regulations, and policies; and
- Improvement in Permits/Licences/Approvals in Construction Activities**
 Validity of all permits/licences/approvals should be automatically extended until the end of 2022 to allow the preservation of cash flows as most permits/licences/approvals were not utilised during the lockdowns and Movement Control Orders (MCO).



E10: Express Construction Permit Pilot Project



E10: Express Construction Permit Project is an innovative pilot project driven by the Kulim Municipal Council, Kedah (MPKK) and facilitated by Malaysia Productivity Corporation (MPC) that accelerated the commencement and completion of the construction of a large factory in the Kulim Hi-Tech Park.

The outstanding feature of E10 is that it enabled the investor to begin manufacturing operations in a record-time of just 10 months instead of the average of 24 months by speeding-up regulatory approvals and facilitating compliances for the construction process of the project.

The E10 pilot project was implemented in close cooperation between the Kedah State Government, MPKK, technical agencies and the investor, ASPEN Glove Sdn. Bhd. (AGSB) and was facilitated by MPC. Construction works commenced in September 2020. The new AGBS manufacturing plant was ready to operate in July 2021 in the Kulim Industrial Corridor (KIC).



The E10 Pilot Project Timeline & Milestones at ASPEN Glove Sdn. Bhd.

PROCESS	BEFORE E10	AFTER E10
Duration Project	24 months and above	10 Months
Technical Approvals	6 Months	2 Weeks
	Mandatory	Not Mandatory before submission through the One-Stop-Centre (OSC)
Business Licence	2 Months	24 Hours
Consultations and engagements among Investors and Authorities	None	Before submission through the OSC
Temporary Approval for Initial Work	None	2 Weeks
Installation of Manufacturing Machinery	After Obtaining ccc	During the final phase of the plant construction
Certificate of Completion and Compliance (CCC)	Average 12 Months	Within 2 Weeks

The pilot project's success was apparent. AGSB achieved compliance cost savings of about RM9 million and generated upfront revenues of about RM840 million by starting its operations 14 months earlier than the industry average of 2 years. New job opportunities were created for 2,500 local residents.

The positive spill-over effects of the implementation of E10 are abundant. E10 has further elevated the already strategic position of Kulim as a business-friendly destination for foreign as well as domestic investments. The vibrant economic activities proliferating in Kulim are benefiting the local community particularly small and medium-sized enterprises providing supportive products and services to the multinational and large companies located there. Not surprisingly, Kedah emerged as the State that received the second-highest level of investments valued at RM68.3 billion in 2021, out of which RM66.2 billion was invested in manufacturing projects.

Productivity Increases of 140% through the Agile Regulation Approach

E10 has yielded a 140% increase in productivity. Productivity improvement and a 14-month time saving were achieved through the agile regulation approach which enabled regulatory compliance to be more flexible, non-repetitive or redundant and better integrated. The investor's waiting time was reduced as all the relevant regulatory authorities were actively engaged from the initial stage of the project construction right up to the issuance of the business licence.

The relevant government agencies discontinued their in-silo work processes and procedures and shifted to project-based cohesive delivery. This boosted the integrity of the public service delivery as processes and procedures were made transparent, open and efficient, and minimised bureaucracy and red tape which, otherwise, would have imposed on businesses unnecessary regulatory burdens and increased costs of doing business.

The agile regulation approach neither changes any federal, state or local policies and regulations relating to the construction and manufacturing sectors nor disregards safety and security measures. Investors are bound to comply with the existing Acts and regulations for the construction processes of manufacturing plants which include, among others, applications for Planning Permission (*Kebenaran Merancang*), the Certificate of Completion and Compliance (CCC) and the Business Operation Licence.

Regulatory implementation which was more integrated, seamless and efficient was the key success factor of the E10 pilot project of AGSB.

The main causes delaying the establishment of a manufacturing plant usually include repetitive and sequential procedures where each agency has its own specific format for the submitting of documents, bureaucratic decision-making and fragmented intra- and inter-communications of authorities and the industry.



Behavioural Insights (BI) Inculcates Productivity and Facilitation Mind-Set

Behavioural Insights (BI), an approach combining psychology, cognitive and social sciences and empirical evidence in understanding decision-making and human behaviour, can shift civil servants' mind-sets from being "regulator" to "facilitator" with productivity and efficiency as the fundamentals.

The shift transforms civil servants' work processes to be based on decisions and actions predicated on customisation, consultation and facilitation that prioritise investors' needs and specifics. This transformational change requires substantial strategic leadership to steer an agency or a department in the proper direction.

Replicating the E10 Concept at Other Locations

MPC is currently disseminating the E10 concept through the MPC Regional Offices to the other States. Pahang and Johor have started to implement the E10 concept in selected localities. The effectiveness of the E10 concept is evidential. It generates high positive impact. Efforts are being stepped-up to increase its take-up rate at Local Authorities.

Investments in Kedah had increased by leaps and bounds. MPKK has seen its revenues boosted seven-fold. Employment opportunities had grew by 12-fold. States and their local councils and communities stand to gain substantially by adopting the E10 concept.

TWGDCP Public Sector Co-Chair:

YBhg. Datuk M Noor Azman bin Taib, Secretary-General, Ministry of Housing and Local Government (KPKT)

TWGDCP Private Sector Co-Chair:

YBhg. Tan Sri Dato' Sri Ir. Teo Chiang Kok, PEMUDAH Member / President, Malaysia Shopping Malls Association



GETTING ELECTRICITY

Accessible, Efficient and Stable Electricity Supply

Malaysia improved its ranking in the Getting Electricity indicator of the annual World Bank Doing Business Report from 60th position in 2011 to 4th position in the 2020 Report. This boosted higher investor confidence and attracted more foreign direct investments into Malaysia. The E&E sector recorded approved investments totalling RM15.6 billion in 2020 despite the severe economic downturn due to the COVID-19 virus pandemic.

Improvement of Power Quality in Semiconductor Manufacturing Plants (TNB-Intel Collaboration)

This public-private sector collaborative initiative was undertaken after a Power Quality Benchmarking Mission was made to the United States of America in July 2019. Technical Working Group on Getting Electricity (TWGGE) which was then and still is co-chaired by the Chief Executive Officer of the Energy Commission and by the President of the Malaysia Semiconductor Industry Association (MSIA)/Champion of E&E Productivity Nexus spearheaded the initiative with strong support from Tenaga Nasional Berhad (TNB) and Intel Malaysia (Intel).

Project Objectives:

- To ensure Malaysia possesses one of the most stable electrical power grids in the world; and
- To improve the quality and stability of Malaysia's power supply as important requirements to attract high-technology manufacturing facilities.

As the power quality issue of voltage sag is unavoidable in the power system, continuous improvement efforts are required to mitigate the number of incidences. Voltage sag occurs in every country and becomes a major issue if not addressed.

Through this pilot initiative, TNB and Intel conducted a study to improve power quality performance in the northern region of Peninsular Malaysia which focussed on key improvements to the power grid and the distribution infrastructure. TNB and Intel agreed to undertake the measures highlighted in the table below.

TNB and Intel also developed the Standard Operating Procedures (SOPs) for the project to be used as a reference by the working committees that may be set up in the future.

Malaysia Productivity Corporation (MPC), through TWGGE, is planning to replicate the initiative to the other regions in Malaysia to mitigate power quality issues that hamper industries.



Power Quality Measures Undertaken by TNB and Intel Malaysia to Mitigate Voltage Sag

NO.	IMPROVEMENT MEASURE	OWNERSHIP
1	TOWER GROUNDING SYSTEM IMPROVEMENT. RE-MEASURE AND IMPROVE TOWER FOOTING RESISTANCE (TFR).	TNB
2	OVERHEAD LINE LIGHTNING PERFORMANCE STUDY.	TNB
3	CABLE REPLACEMENT 132KV BAYAN LEPAS - FARLIM.	TNB
4	SWITCHGEAR (GAS-INSULATED) REFURBISHMENT*. (WILL ONLY TAKE PLACE IN 2025)	TNB
5	OIL-IMPREGNATED PAPER (OIP) BUSHING TO RESIN- IMPREGNATED (RIP) BUSHING REPLACEMENT.	TNB
6	EQUIPMENT HARDENING TO COMPLY WITH SEMI F47.	INTEL
7	BEYOND SEMI F47 HARDENING.	INTEL

Implementation of the measures varies depending on the need and the priority. Some of the measures are still in progress.

New SOP Document Developed by TNB and Intel Malaysia for Power Quality Assessment Initiative



Malaysian Delegation on Power Quality Benchmarking Mission to the United States of America (Hosted by Intel US in July 2019)



TWGGE Public Sector Co-Chair:

YBrs. Tuan Haji Ir. Ts. Abdul Razib bin Dawood, Chief Executive Officer, Energy Commission

TWGGE Private Sector Co-Chair:

YBhg. Dato' Seri Wong Siew Hai, PEMUDAH Member/President of Malaysia Semiconductor Industry Association (MSIA)

REGISTERING PROPERTY

Reforming Land Administration for Better Service Delivery

The PEMUDAH Technical Working Group on Registering Property (TWGRP) facilitates the reforming and modernising of land administration through close collaboration between PEMUDAH, Malaysia Productivity Corporation (MPC) and the other public sector ministries and agencies such as the Ministry of Housing and Local Government (KPKT), Department of Director General of Lands and Mines (JKPTG), Land Offices, Department of Survey and Mapping (JUPEM), National Housing Department (JPN) and Selangor Housing and Property Board (LPHS), and the private sector players such as the Malaysian Institute of Architects (PAM), Master Builders Association Malaysia (MBAM), Real Estate & Housing Developers' Association Malaysia (REHDA), Bar Council Malaysia, and National House Buyers Association (HBA) to promote the doing of business, investments, home ownership and national economic growth and development.

TWGRP addresses and helps to resolve regulatory issues relating to property development, ownership and utilisation through public and private sector collaboration so as to realise more transparent, efficient and productive land administration in Peninsular Malaysia. Engagements and consultations are facilitated between land administration regulators and the private sector stakeholders such as property developers, industrial players and house buyers.

Digitalised Efficiency of the E-Tanah System

The e-Tanah electronic land administration system (e-Tanah) in use at the Federal Territories Director of Lands and Mines Office Kuala Lumpur (PPTGWPKL) since 2017 and at the Office of the Director of Lands and Mines Perak since 2021 had enabled transactions to be conducted online between these regulators and the private sector stakeholders even during the Movement Control Order (MCO) periods of the COVID-19 virus pandemic.

E-Tanah increases service delivery efficiency in land administration and will be fully expanded to Putrajaya, Labuan and the other peninsular states by 2024. Private searches, applications for ownership transfers and land mortgages, and payments can be performed online. The e-Tanah initiative is in line with the emphasis placed on national digitalisation in the Twelfth Malaysia Plan (RMK-12).

Vacant Possession with Strata Titles (VPST) Initiative

TWGRP is pursuing an important initiative to resolve the issue of vacant possession with strata titles (VPST) not being achieved within the set timeline. Amendments passed to the Housing Development Act 1966 that came into force on 1 June 2015 require developers to apply for subdivision of title and execute the memorandum of transfer in favour of purchasers before the delivery of vacant possession so as to enable them to deliver the title deed or strata title to purchasers upon the granting of vacant possession.

An initial workshop organised and held on 9 December 2021 by TWGRP to address the VPST issue was attended by representatives from JKPTG, JUPEM, the Division of Strata and Stratum Titles (BHSS), REHDA, Bar Council Malaysia, the Association of Authorised Land Surveyors Malaysia (PEJUTA) and the Royal Institution of Surveyors Malaysia, Northern Branch (RISM Northern Branch). Its objective was to simplify the process for stratified property purchasers to obtain the keys and strata titles to their stratified properties in a timely and cost-effective manner and to develop an action plan on initiatives for process improvements in obtaining VPST. The workshop participants deliberated on whether VPST could be expedited through administrative changes and/or amendments to be passed to the Act and on working towards enabling strata titles to be issued within two years after the issuance of the Certificate of Completion and Compliance (CCC). Technical, administrative and legislative reforms are being explored to simplify the regulatory process and facilitate procedural compliances in the workflow.

At the time of the publication of the PEMUDAH Annual Report 2021, two further VPST workshops were held and PPTGWPKL had given a briefing to TWGRP on their work process flow and best practices that had enabled VPST to be achieved for stratified development projects in Kuala Lumpur.

TWGRP will recommend to PEMUDAH to obtain endorsement for PPTGWPKL's work process flow in achieving VPST to be benchmarked with by the other land offices in the various States and a One-Stop Centre (OSC) to be established to coordinate and monitor VPST applications. In addition, the general work process flow to achieve VPST will be significantly expedited by the on-going initiative of a pilot project to digitally integrate the eKadaster System of JUPEM with the e-Tanah System at PPTGWPKL. This is expected to lead to significant saving on the processing time between these two regulators from the current 30 days that involve manual work processes of downloading and uploading of plans to just 2 days.

Strata Titles and Liquidated Property Developers

When property developer companies are liquidated, the signing-off of the memorandum of transfer of strata titles to the names of purchasers of units in completed stratified property projects have to be transacted with Court-appointed private liquidators or liquidator agents appointed by the Malaysian Department of Insolvency (Mdl) who act as de facto housing developers.

The administrative and vetting fees charged on purchasers by private liquidators are very much higher than the relatively nominal fee charged on purchasers by a developer company that is still in a solvent state. This poses a financial burden on purchasers that prevents them from obtaining their strata titles. Private liquidators are charging administrative fees of between 1% and 3% of the original purchase price or the sale price in a sub-sale, whichever is the higher.

TWGRP had held two meetings with Mdl in 2021 that discussed issues arising from the situation where a developer was wound-up before completing its duties and contractual obligations and a liquidator had to fill-up the void and take on duties such as completing the construction of buildings and delivering vacant possession or applying for individual/strata titles to assist purchasers. Proposals were made to resolve the issue of private liquidators' high fees and discussed. Further stakeholder engagements were agreed to be held.

At the time of the publication of the PEMUDAH Annual Report 2021, TWGRP had organised a workshop among stakeholders such as Mdl, the Companies Commission of Malaysia (SSM), HBA, Bar Council Malaysia and PEJUTA that further discussed the issue of the services and fee charges of private liquidators appointed by Mdl as their agents. Mdl subsequently reverted to TWGRP with their feedback on the proposals made at the workshop towards resolving the issue. A breakthrough is expected to be achieved to moderate private liquidators' fees imposed on cases where strata titles are already available. The issue of cases without available titles and other related issues will continue to be addressed to seek out their solutions.

Workshop on Private Liquidators' Fees and Services Charges held in Putrajaya



A Hectic Year 2021 for Technical Working Group on Registering Property (TWGRP)

TWGRP had held in total six technical working group meetings throughout the whole of 2021. Numerous working group meetings were convened that discussed issues and their proposed solutions in greater detail. Issues not resolvable at the technical working group level are escalated to the PEMUDAH Meeting for consideration. Among the issues addressed by TWGRP in 2021 are as follows:

- Implementation of the e-Tanah System in Peninsular Malaysia;
- Deletion of Subsection 160 (1), Local Government Act 1976;
- Property registration issues faced by lawyers at land offices during Movement Control Order periods of the COVID-19 pandemic;
- Time taken for the stamping of documents;
- Client Charters for the amalgamation of land, conversion of land and conversion from old to new titles;
- Stamp duty refunds for cancelled transactions and RPGT refunds for transactions not realised; Applications for the amendment of express conditions (syarat nyata);
- Sale by property developers of the quotas of bumiputera-reserved property units to non-bumiputera. The engagements being held with LPHS are led by TWGRP Members namely HBA and REHDA;
- Inland Revenue Board Malaysia (IRBM)'s rejection of SOHO/SOFO/serviced apartments for stamp duty exemption;
- Penang Bar Committee's recommendations for process improvements to be implemented at the Penang Lands and Mines Office (PTGPP);
- Hard copies of applications for consent were required to be submitted to the Selangor Lands and Mines Office (PTGS) unlike submissions made fully online to PPTGWPKL. Benchmarking the 30-working-day key performance index at PPTGWPKL for its promotion to the other land offices; and
- Monitoring reports on IRBM's stamping of land ownership transfer instruments i.e. the number of applications received, processed and with stamp duty already paid or exempted, the completion of property valuation reports by JUPEM and the registration of land transfers (Form 14A) at the various States.

TWGRP Public Sector Co-Chair:

YBhg. Datuk Muhammad Azmi bin Mohd Zain, Director-General, Department of Director General of Lands and Mines (JKPTG).

TWGRP Private Sector Co-Chair:

YBhg. Dato' Andy Seo Kian Haw, PEMUDAH Co-Chair/Council Member, Federation of Malaysian Manufacturers (FMM).

GETTING CREDIT

Enhancing Access to Financing and Safeguarding Interests of Financiers and Consumers

Conventional Standard Housing Loan Form: Fees and Charges

The Technical Working Group on Getting Credit (TWGGC) meetings held on 28 April and 12 May 2021 prompted a study to be undertaken pertaining to loan agreements and charges imposed by banks. The issue of the practice of banks charging fees on the conventional standard housing loan form set out by Bank Negara Malaysia (BNM) with effect from 1 January 2013 was raised. Concern was expressed that the fees seemed to be unreasonable in view of the absence of any 'added value' in the service rendered by banks since the loan form was a mere adoption of the BNM standard form. In order to address the issue, three sets of feedback forms were prepared and distributed to three categories of respondents namely the banks, lawyers and homebuyers.

The findings from the responded-to feedback forms suggested the following:

- Fee for Standard Loan Agreement

OPTION 1:

In order to control the fees charged by banks, it is suggested that the Guidelines on the Imposition of Fees and Charges on Financial Products and Services 2004: Clauses 5.1 & 5.2: Fees approval needed for services to individuals and small and medium-sized enterprises (SMEs) be extended to lawyers.

OPTION 2:

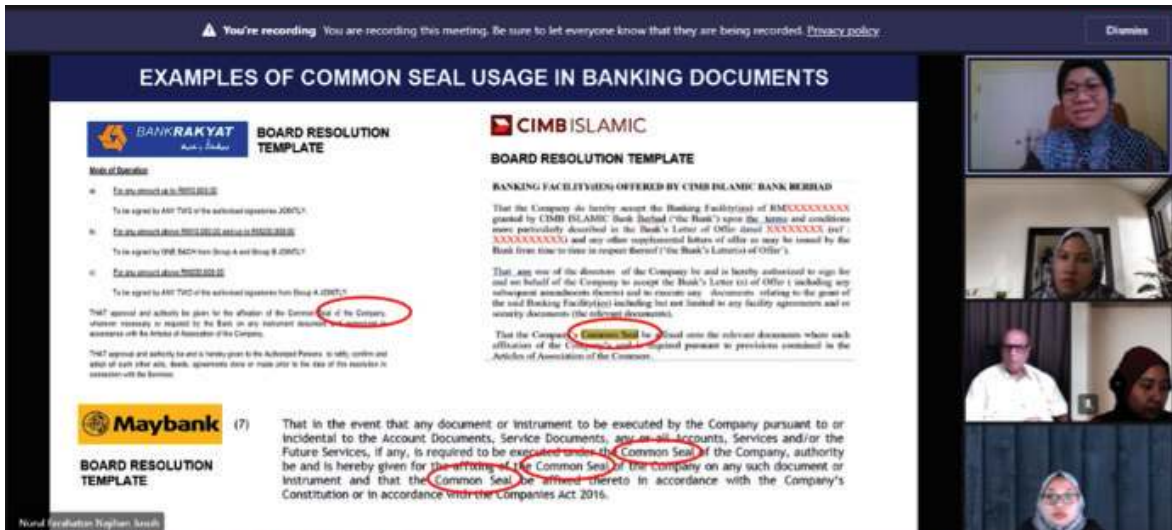
BNM could issue a directive to prohibit/control the charging of fees by banks to lawyers and consumers for a standard loan agreement.

- To have a standard loan agreement for housing-related loans and financing above RM500,000/-; and
- Loan agreements can be prepared by either bank officers or lawyers but charges imposed on a standard loan agreement must be controlled. It is also proposed that consumers themselves be given the option of preparing the necessary documentation required for loan agreements. Hence, banks should no longer make it compulsory for a lawyer to be engaged in the preparation of loan agreements.

The banner features the MPC logo and the text: 'We are currently collecting feedback pertaining to the loan agreements and charges imposed by banks. This should only take 5 minutes. Information collected is kept strictly confidential.' It includes three QR codes with labels: 'To be filled by Bank Officers', 'To be filled by Homebuyers', and 'To be filled by Lawyers'. The banner also says 'Please scan here:' and 'Thank you'.

Revisiting the Need for a Common Seal

The requirement for the use of a common seal can be a burden for businesses to comply with. Banks still require their clients to affix their common seals in banking documents even though a common seal is an option under the Companies (Amendment) Act 2019 which came into effect on 15 January 2020. Nevertheless, certain statutes such as the National Land Code (NLC) and the Sarawak Land Code still require the affixing of a common seal.



Simplifying the Process

TWGGE is exploring the feasibility and options of dispensing with the requirement for a common seal principally with reference to best practices in place at other jurisdictions as well as taking into consideration the nuances for the use of a common seal in the prevailing corporate, banking and finance and land administration systems.

With inference to the Australian and the United Kingdom models being practised, the NLC may be amended to replace the need for a common seal with a presumption of seal (authorised signatories of directors/authorised officers be maintained).

A deed can be deemed to have been sealed where it is specifically described as a deed ('executed as a deed'/'Signed, Sealed and Delivered') or is expressed to have been sealed.

Another avenue for process simplification is to reform the practices of government regulators and private sector institutions that still require a common seal in the execution of documents.



TWGGE Public Sector Co-Chair:

YBrs. Tuan Rosli Ahmad, Deputy Chief Executive Officer (Corporate Services), Companies Commission of Malaysia (SSM)

TWGGE Private Sector Co-Chair:

YBhg. Dato' Pardip Kumar Kukreja, PEMUDAH Member/Executive Chairman, Grand Paradise Holdings Sdn. Bhd.

PROTECTING MINORITY INVESTORS

Shareholders' Rights, Governance Safeguards and Corporate Transparency

Investor protection is correlated to the ability of public-listed companies to raise capital to grow, innovate, diversify and compete. Without adequate investor protection, equity markets will not develop and financial markets will be the only source of external financing. Investors will hesitate to invest if laws and regulations do not afford them protection unless they become controlling shareholders.

The Technical Working Group on Protecting Minority Investors (TWGPMI) seeks to strengthen the protection of the interests of minority investors through the securities market rules and requirements, financial regulatory oversight, legislative provisions and corporate governance so as to uphold inclusivity for the investing Public.

TWGPMI organised and hosted a PEMUDAH webinar entitled Protecting Minority Investors in Malaysia in 2021 as part of its educational outreach to minority investors.



Bursa Malaysia's Relief Measures

Bursa Malaysia introduced relief measures in 2020 that were targeted to a broader group of participants within the capital market to help lessen financial burdens and provide greater flexibility in navigating through the challenging period posed by the COVID-19 virus pandemic:

- **Rebate of 50% of the annual listing fees for 2020 for Listed Issuers** with a market capitalisation below RM500 million as at 31 December 2019 and reported financial losses as measured by group losses after tax in their quarterly reports for a quarter ended on any date between 1 April 2020 and 30 June 2020 notwithstanding the date of submission of the same.
- **Extension of time to submit a regularisation plan for PN17/GN3 and 8.03A Listed Issuers for listed issuers that are in financial distress** according to Practice Note 17/Guidance Note 3 (“PN17/GN3 Listed Issuers”) or do not have an adequate level of operations as set out in paragraph/Rule 8.03A of the Listing Requirements (“8.03A Listed Issuers”). The Exchange will extend the submission time-frame from 12 to 24 months from the date Listed Issuers first announced they are PN17/GN3 Listed Issuers or 8.03A Listed Issuers. This is applicable to listed issuers that trigger the criteria in 2019 and
- **Automatic 1-month extension to submit financial statements.** Listed issuers are granted an automatic one-month extension for issuance of quarterly and annual reports for the Main and ACE Markets as well as semi-annual and annual audited financial statements for the LEAP Market that are due on 31 March 2020 and 30 April 2020. Notwithstanding the 1-month extension, listed issuers are reminded to comply with their continuing disclosure obligations under the Listing Requirements including the obligation to make immediate announcements of any material information to ensure shareholders and investors continue to receive information in a timely manner.



- **Greater flexibility for brokers to manage margin accounts.** The Exchange gave more flexibility and discretion to brokers by removing the requirement to automatically liquidate clients' margin accounts if the equity in the margin account falls below 130% of the outstanding balance. Brokers will not be required to make additional margin calls or impose haircuts on any collateral and securities purchased and carried in margin accounts due to an unusually volatile market.
- **Expanding the list of collaterals for purposes of margin financing.** The Exchange allowed brokers to accept other forms of collaterals such as bonds, collective investment schemes, unit trusts, gold and immovable properties for purposes of maintaining clients' margin accounts if such collaterals are valued as per the broker's credit policy.
- **Shortened counter service hours for market participants following the Movement Control Order (MCO).** To safeguard the well-being of investors and employees of market participants, Bursa Malaysia strongly encouraged all market participants which provided customer counter services to limit operational hours from 10.00 a.m. to 3.00 p.m. during the MCO periods.
- **Extension of time for submission of CDS transaction forms to Bursa Malaysia.** All Authorised Depository Agents (ADAs) were given an extension of time to submit specified physical CDS transaction forms to Bursa Malaysia Depository Sdn. Bhd. Transactions performed between 2 March 2020 and 31 March 2020 were granted an extension of time for submission by 30 April 2020 and transactions performed between 1 April 2020 and 30 April 2020 were granted an extension of time for submission by 29 May 2020.



PAYING TAXES

Simplifying Tax and Contribution Filing and Payment

Customs Duty Drawback Procedure

Customs Facilities include the feature of Duty Drawback which allows importers to claim drawback of the duty paid during importation when the imported goods are re-exported within 12 months after the import duty has been paid. Manufacturers can apply duty drawback on their raw materials used directly in the production of finished products under Section 99 of the Customs Act 1967. Importers/traders can apply for drawback under Section 93 for goods imported for re-export.

Concerns have been raised by industries on delays of more than 6 months in receiving payments of duty drawback claims and over the various related documentation required by Customs officers at different stations.

Initiative

Technical Working Group on Paying Taxes (TWGPT) set out to streamline the drawback process under Sections 93 and 99 and the related documentation in order to expedite drawback claim payments.

Improvements

Engagements were held amongst the industry players, the Royal Malaysian Customs Department (JKDM), Federation of Malaysian Manufacturers (FMM), Chartered Tax Institute of Malaysia (CTIM) and TWGPT and the issue was resolved. The submission of Customs Form No. 1 (K1)/Customs Form No. 2 (K2) /Customs Form No. 9 (K9) for claims is no longer required unless the documents are requested by the JKDM officer for further review. To expedite the drawback process under Section 99, a company is eligible for document verification through the sampling method if the company has three clean records and the claim involves more than 30 export forms. Section 93 and 99 Guidelines had since been issued and made available in the JKDM website.



Definition of Factory for Reinvestment Purposes

Reinvestment Allowances (RA) is a tax incentive introduced by the Inland Revenue Board of Malaysia (LHDN) to encourage companies to re-invest and expand their businesses. Expansion, automation, modernisation, and diversification projects are the types of projects eligible to claim the incentive. Incentive-qualifying expenditures include factories and plant and machinery.

RA became less investment- and business-friendly upon LHDN's strict interpretation of the term "factory" under Schedule 7A of the Income Tax Act 1967 as reflected in the Public Ruling dated 6 November 2020. The strict interpretation is viewed as impractical by the industry as it only allows factory space to be used for plant and machinery and the storage of raw materials and finished goods and does not allow other use purposes such as meeting or training rooms in order to qualify for RA.

Intervention and Improvement

Engagements were held between the Ministry of Finance (MOF), LHDN, CTIM, FMM and the industry to address the issue and it was subsequently presented by PEMUDAH to the Minister of Finance and the definition prior to November 2020 was agreed to be reverted to. The issue is considered resolved.



Requirement of Natural Person Shareholder for Allowances of Increased Exports (On-going Initiative)

Effective from 7 June 2019, a Malaysian company with corporate shareholders is no longer entitled to enjoy the Allowance of Increased Export (AIE) in line with the gazetting of Income Tax (Exemption) (No.5) Order 2019 [P.U.(A) 161/2019] and Income Tax (Exemption) (No.6) Order 2019 [P.U.(A) 162/2019]. Industry feedback highlighted that this restriction might adversely affect the exports of Malaysian-owned companies due to less incentive to export.

Current Status

MITI had proposed the restriction and will provide further feedback to MOF on it.

TWGPT Public Sector Co-Chair:

YBrs. Puan Zakiah Jaafar, Deputy Secretary General, Treasury (Policy), Ministry of Finance (MOF)

TWGPT Private Sector Co-Chair:

YBhg. Dato' Chua Tia Guan, PEMUDAH Member/Head of Tax and Financial Consulting, Asia Business Centre

E-PAYMENTS

Security, Efficiency and Convenience through e-Payments

Secured, efficient and user-friendly e-Payment channels in the public sector service delivery system are the key enabler within the Government's agenda towards realising a cashless society which enhances the general business environment.

The Public Sector E-Payment Strategic Plan (PSPSA) 2016 - 2020 sets out three main key performance indicators (KPIs) namely to expand e-Payments to those agencies who have not yet implemented it, increase the utilisation of e-Payments and enhance the satisfaction levels of e-Payments users.

Shareholders' Rights, Governance Safeguards and Corporate Transparency

- The provision for, and the widening of, the use of e-Payments in the public sector had been upscale to 62.9 per cent amongst all the agencies;
- An E-Payment services utilisation level of 60 per cent had been achieved versus the conventional payment modes of cash, cheques, bank drafts, postal orders; etc. in overall transactions; and
- The E-Payment users' satisfaction level had been increased to 92 per cent.

e-Payment in Malaysia

- **myGovXchange (myBayar):** The gateway for online payments (myBayar) and online forms (myForms) in transacting with the Government.



- **Payment Gateways through Mobile Devices (myPay):** Electronic payment services on mobile apps create convenience for the Public by eliminating the need to visit a physical payment counter.



The Government’s E-Payment Achievements as at the Fourth Quarter of 2020

- **Bill Payments through JomPAY:** Launched by Bank Negara Malaysia, the Central Bank of Malaysia, JomPAY is a one-stop online payment portal enabling users to pay bills electronically at any time and from anywhere without a transactional fee. Its open platform handles all bill payments online via the member banks.



Source: myGovernment Online Services Portal (MOSP)

TWGEP Public Sector Co-Chair:

YBhg. Datin Rashidah binti Mohd Sies, Deputy Secretary-General of Treasury (Management), Ministry of Finance (MOF)

TWGEP Private Sector Co-Chair:

YBhg. Datuk Wira Jalilah Baba, PEMUDAH Member/Chairman, PKT Logistics Group Sdn. Bhd.

TRADING ACROSS BORDERS

Exports and Imports

Trade facilitation is broad in its scope. Cross-border trading involves a wide range of regulatory authorities and is regulated by a multitude of processes and procedures. Forty-four cross-border regulatory agencies (CBRAs) and Other Government Agencies (OGAs) are involved in trade facilitation in Malaysia.

The Technical Working Group on Trading Across Borders (TWGTAB), co-chaired by the Ministry of International Trade and Industry (MITI) and the Federation of Malaysian Manufacturers (FMM), hold its meetings once every two months to discuss border formalities and trade-related issues such as:

- Simplification of procedures related to imports and exports;
- Interpretation or implementation of regulations;
- Ambiguous or inconsistent SOPs set by the authorities; Charges imposed on border trade; and
- Unregulated areas or activities beyond the purview of any authority.

TWGTAB collaborates with relevant ministries and agencies such as the Ministry of Finance (MOF), Ministry of Transport (MOT), the Royal Malaysian Customs Department (RMCD) as well as Port Authorities to address trade-related issues.

TWGTAB is a useful platform for the private sector stakeholders such as the FMM, Shipping Association of Malaysia (SAM), logistics service providers and the port operators to examine issues encountered “on-the-ground” to obtain solutions. TWGTAB facilitates and mediates the deliberation of issues between the industries and the authorities. Issues not resolved within a reasonable period of time may be escalated to PEMUDAH or another higher authority level.



Issues Being Addressed by TWGTAB and Pending Resolution

- SOPs on container inspection, detention, seizure and release and appeal for the release of containers by RMCD including the issue of containers abandoned in the ports that mainly hold plastic wastes;
- Permit requirements and inspection charges imposed by permit issuance agencies such as Malaysian Quarantine and Inspection Services Department (MAQIS);
- Removal of import permit requirement for transshipment activities at federal ports;
- Enhancement of the Electronic Preferential Certificate of Origin (ePCO) System to allow real-time approval for Preferential Certificate of Origin by MITI; and
- Southern Thailand cargoes crossing over the border to Penang Port: Issues and opportunities as highlighted by Malaysia Productivity Corporation (MPC).

Key On-Going Initiative

TWGTAB, in collaboration with RMCD and MPC, has embarked on regulatory experimentation to facilitate the movements of goods in Licensed Manufacturing Warehouse (LMW) so as to improve supply chain efficiency and productivity. This regulatory innovation will increase domestic value addition through global value chain participation with particular benefit to the electrical and electronic industry and Licensed Manufacturing Warehouses.

TWGTAB Public Sector Co-Chair:

Encik Faizal Mohd Yusof, Senior Director, Investment Policy and Trade Facilitation, Ministry of International Trade and Industry (MITI)

TWGTAB Private Sector Co-Chair:

YBhg. Dato' Andy Seo Kian Haw, PEMUDAH Co-Chair/Council Member, Federation of Malaysian Manufacturers (FMM)



ENFORCING CONTRACTS

Strengthening Business Confidence

A Survey on Solicitor's Fees in Enforcing Contracts

TWGEC set out to measure the average fees charged by solicitors in a fixed debt recovery scenario by way of civil action within the Malaysian judicial system. The scope of the fees survey included a comparison made of solicitor fees in terms of different geographical locations and included an identification of the underlying factors leading to the survey results obtained.



Survey Findings

- Solicitors' fees have remained unchanged at the rate of 30% over the past 10 years (2010 - 2020); and
- Court filing fees imposed are fixed and not calculated based on a percentage of the claim values.

Webinar Entitled Contracts in Pandemic: The Conundrum

TWGEC organised and hosted a webinar entitled Contracts in Pandemic: The Conundrum that discussed the state of frustrated contracts and the general impact on businesses from the default of contractual agreements due to the COVID-19 pandemic and focused on the COVID-19 (Temporary Measures) Act and the impact on commercial tenancy agreements.

A number of Acts were considered in 2021 for amendment, out of which two were of particular significance to the doing of business in Malaysia:

- During the Movement Control Order (MCO) periods, the Courts made it possible for certain cases to be heard through remote Court hearings through a minor amendment of the Courts of Judicature Act of 1964. Section 3 of the Courts of Judicature (Amendment) Bill 2020 allows for "a live video link, a live television or any other electronic means of communication".
- The Employment (Amendment Bill) 2021 was tabled for its first reading on 25 October 2021.

TWGEC Public Sector Co-Chair:

YBhg. Datuk Ahmad Terriruddin bin Mohd Salleh, Chief Registrar of The Federal Courts of Malaysia

TWGEC Private Sector Co-Chair:

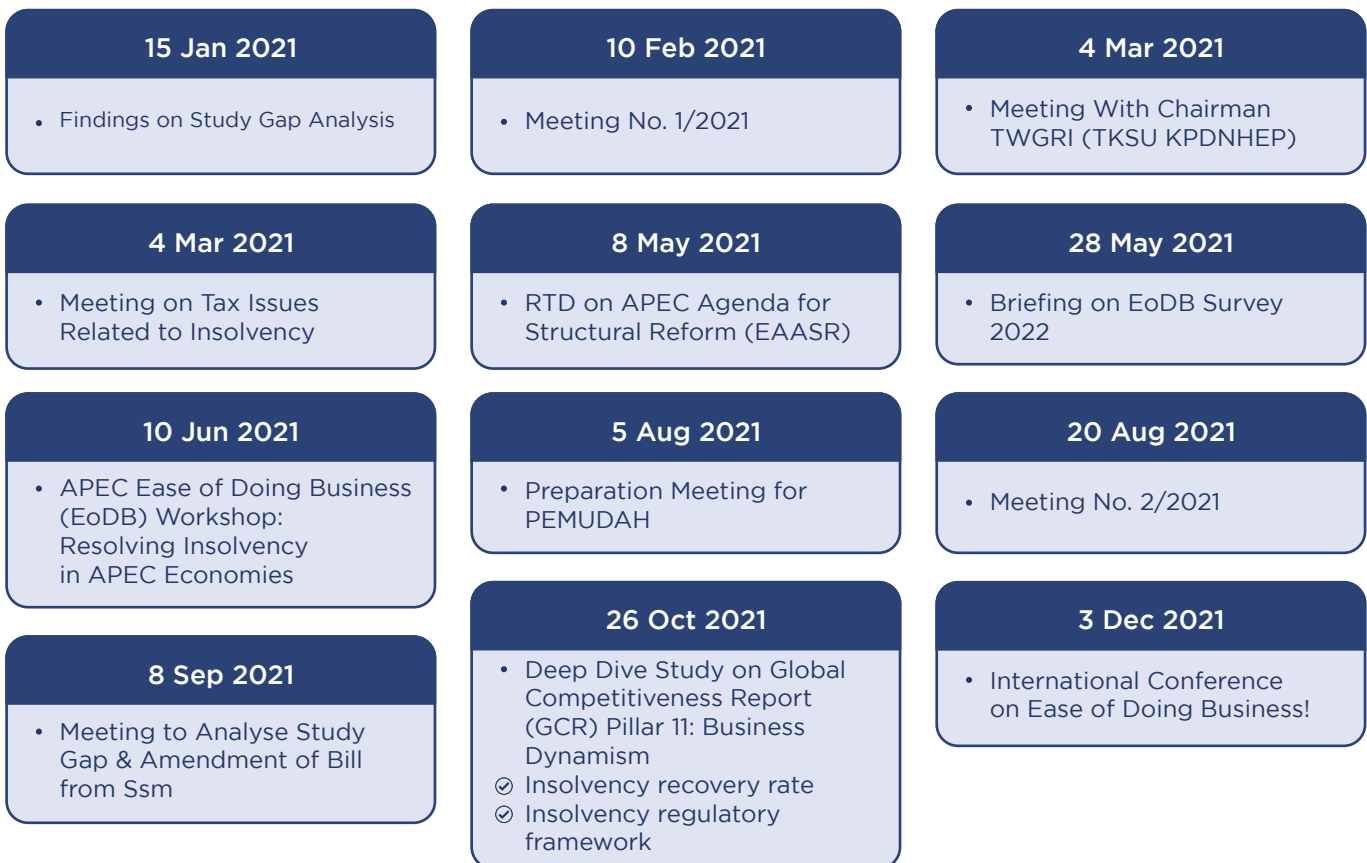
YBrs. Mr. David Anthony Jones, PEMUDAH Member/Asia Pacific Accreditation Cooperation (APAC)

RESOLVING INSOLVENCY

Corporate Rehabilitation, Expedient Liquidation and Maximised Recovery

In 2021, the Technical Working Group on Resolving Insolvency (TWGRI) had undertaken a comprehensive study of a gap analysis and the possible adoption of Chapter 11 of the United States of America Bankruptcy Code in relation to the Corporate Rescue Mechanism and Legal Framework in Malaysia. The Companies Commission of Malaysia (SSM) had evaluated the study findings for feasibility of inclusion into the proposed amendments to the Companies Act 2016.

Insolvency tax issues were addressed between the Inland Revenue Board of Malaysia (IRBM) and insolvency practitioners at TWGRI meetings and other engagements.



Legal Reforms for Rescue Mechanisms Efficiency under the Companies Act 2016

An effective and robust insolvency framework must provide for an alternative to liquidation in the form of procedures that enable the rehabilitation of companies in financial distress. The insolvency framework must also recognise and address the underlying socio-economic conditions that influence the use of insolvency proceedings.

Reforms proposed in the Consultative Document on the Proposed Companies (Amendment) Bill 2020 (Draft Bill 2020) are intended to liberalise the Corporate Voluntary Arrangement (CVA) and Judicial Management (JM) by:

- Amending Section 395 of the Companies Act 2016 to expand the coverage of the types of companies that may apply for CVA to include public companies and public-listed companies; and
- Deleting Section 403(b) of the Companies Act 2016 to allow the JM procedure to be utilised in relation to private companies, public companies and public-listed companies.

The expected outcome of the initiative will be an improvement in Malaysia's performance on the Strength of the Insolvency Framework Index of the World Bank Group Doing Business Report 2020 from 7.5 per cent to 10 per cent.

Clarity of Guidelines and Incentives for Companies Initiating Insolvency Proceedings

The World Bank Group Doing Business Report 2020 looked towards the trading solvency test or the liquidity test in considering whether a debtor was unable to pay its maturing debts and in assessing the strength of an insolvency framework. These tests could indicate that companies were insolvent and no longer able to service or repay their debts. Lesser value was given to the use of the balance sheet test.

Corporate reorganisation proceedings should be initiated early before a company's financial position becomes untenable or even unsalvageable. Legislative reforms should include the drafting of guidelines as to when a corporate debtor should commence insolvency proceedings. Such guidelines can be part of an early warning mechanism.



An Initiative to Pursue

- The proposed amendment to be made to Section 395 of the Companies Act 2016 is to widen CVA to public companies and public-listed companies for adoption. The proposed amendment to be made to the JM framework by deleting Section 403(b) of the Companies Act 2016 should also be adopted;
- Guidelines should be drafted for companies and insolvency practitioners to identify trigger points for the commencement of rescue or restructuring discussions with insolvency practitioners. An early warning mechanism can include self-tests and training activities; and
- Reforms should consider how best financially-distressed SMEs and MSMEs can be supported to enter into restructuring proceedings.



TWGR Public Sector Co-Chair:

YBhg. Datuk Seri Hj. Hasnol Zam Zam Bin Hj. Ahmad, Secretary-General, Ministry of Domestic Trade and Consumer Affairs (KPDNHEP)

TWGR Private Sector Co-Chair:

YBrs. Mr. Ganesh Kumar Bangah, PEMUDAH Member/Executive Chairman, Commerce Asia







CHAPTER 3: PEMUDAH MECHANISM

Boosting Productivity through Quality Regulations

Malaysia's regulatory reform journey progressed on further with the implementation of the National Policy on Good Regulatory Practice (NPGRP) on 22 June 2021 via General Circular No. 1/2021 which supersedes the National Policy on the Development and Implementation of Regulations (NPDIR) to promote Good Regulatory Practice.

In retrospect, on 15 July 2013, the Chief Secretary to the Government had issued General Circular No. 1/2013 relating to the NPDIR that introduced Regulatory Process Management featuring GRP principles, regulatory impact analysis (RIA), regulatory impact statement (RIS) and public consultations that would enhance the transparency and credibility of the rule-making process.

The NPGRP further strengthens the reforming and upgrading of the regulatory framework of the Government towards higher efficiency and productivity to boost economic growth and development for a more prosperous Nation.

The "Whole-of-Government-Approach" emphasizes on close and integrated cooperation among ministries, agencies and departments as the basis for GRP implementation while the involvement of the private sector is also essential. The secretaries general of all ministries and the directors general of all agencies and departments are to ensure of the comprehensive implementation of GRP in the public sector.

The formulating and review of policies and regulations have to be in line with the principles, elements and processes of the GRP methodology. The elements include RIA, cost-benefit analysis and regulatory notification assessment.

Quality policies and regulations drafted, implemented and reviewed through the application of GRP and Behavioural Insights (BI) which integrates psychology and cognitive and social sciences can enhance the acceptance readiness of the private sector and the general public towards them.

Accountability, transparency and evidence-based informed decision-making in the rule-making process take into consideration stakeholders' concerns and suggestions obtained through public consultations. Quality policies and regulations minimise regulatory burden on stakeholders and reduce operational costs and resources usage in realising public policy objectives.

The Twelfth Malaysia Plan (2021-2025) intensifies the drive to build a more agile and effective public sector service delivery through innovation, technology and mind-set transformation as well as through the implementation of GRP comprehensively throughout the public sector.

STATUS OF REGULATORY PROPOSALS RECEIVED	2019	2020	2021	Total
REGULATORY NOTIFICATION (RN)	98	82	288	725
EXEMPTION [REGULATORY IMPACT ANALYSIS (RIA) NOT REQUIRED]	31	40	179	374
PROPOSAL UNDERGOING RIA	67	42	50	NA
REGULATORY IMPACT STATEMENT (RIS) SUBMISSION	20	31	28	153
REGULATORS SUBMITTED RN	30	38	31	NA
REGULATORS SUBMITTED RIS	14	22	10	NA

Successful Collaboration

Public-private sector collaboration to continuously improve service delivery and remove unnecessary regulatory burden to facilitate efficiency and productivity has been the hallmark of PEMUDAH ever since its establishment.

The replication of the public-private sector collaboration which originated at Putrajaya has already begun in earnest at the State-level.

This collaboration now also assists in boosting growth and development at the State-level such as helping to realise the Twelfth Malaysia Plan's Game Changer VII: Multiplying Growth in Less Developed States especially Sabah and Sarawak to Reduce Development Gap through growth nodes, economic activity hubs, industrialisation and economic diversification.



Support from PEMUDAH Sarawak (SAMUDAH) and PEMUDAH Pahang can help smoothen the establishment and operation of private sector industries, trades and services in their two States in line with the Twelfth Malaysia Plan initiatives to bridge the development gap among the States for balanced development regionally.



YB Datuk Jaul Samion, the State Secretary of Sarawak, and YB Datuk Abang Haji Abdul Karim bin Tun Datuk Abang Haji Openg, the President of the Sarawak Business Federation, are the Co-Chairs of SAMUDAH. The Economic Planning Unit of the Chief Minister's Department, Sarawak is the Secretariat of SAMUDAH.

YB Dato' Sri Dr. Sallehuddin bin Ishak, Pahang, and YBhg. Dato' Abdul Latif Haji Abu Seman, Director General, Malaysia Productivity Corporation (MPC) officiating at PEMUDAH Pahang.

YB Dato' Sri Dr. Sallehuddin bin Ishak, the State Secretary of Pahang, and YBhg. Dato' Andy Seo Kian Haw, PEMUDAH Co-Chair/Council Member, Federation of Malaysian Manufacturers (FMM), are the Co-Chairs of PEMUDAH Pahang. Pahang State Economic Planning Division of the Pahang State Secretariat and Malaysia Productivity Corporation (MPC) East Coast Regional Office are jointly the Secretariat of PEMUDAH Pahang.



A scheduled meeting are in session. Organized at PEMUDAH Pahang.

Reaching Out Digitally in the New Normal

In response to the Government’s strategy of implementing social distancing measures to control the spread of COVID-19, PEMUDAH thought out-of-the-box and held a series of online webinars to continue reaching out to and connecting with stakeholders, and encouraging stakeholders’ discourses, on regulatory impact issues so as to seek the way forward for improvements.

PEMUDAH webinars are still being held in the national economic recovery phase as they had proven to be an effective platform for policymakers, regulators and regulated stakeholders to engage with each other for better understanding of the objectives and processes of regulations and the obtaining of stakeholders’ feedback for the review of regulations to reduce unnecessary compliance burden thereby facilitating the ease of doing business to boost economic recovery.



Specific sectoral regulatory impact issues as well as common issues cutting across different economic sectors are selected as the webinar topics in terms of their extents and severities.

The role, goals and functions of PEMUDAH are also made more visible and known to the general business community through the webinars.

Transparency, accountability and accessibility and, most importantly, the resolving of regulatory impact issues are enhanced through participation and interaction in the webinars and follow-through stakeholders’ engagements.

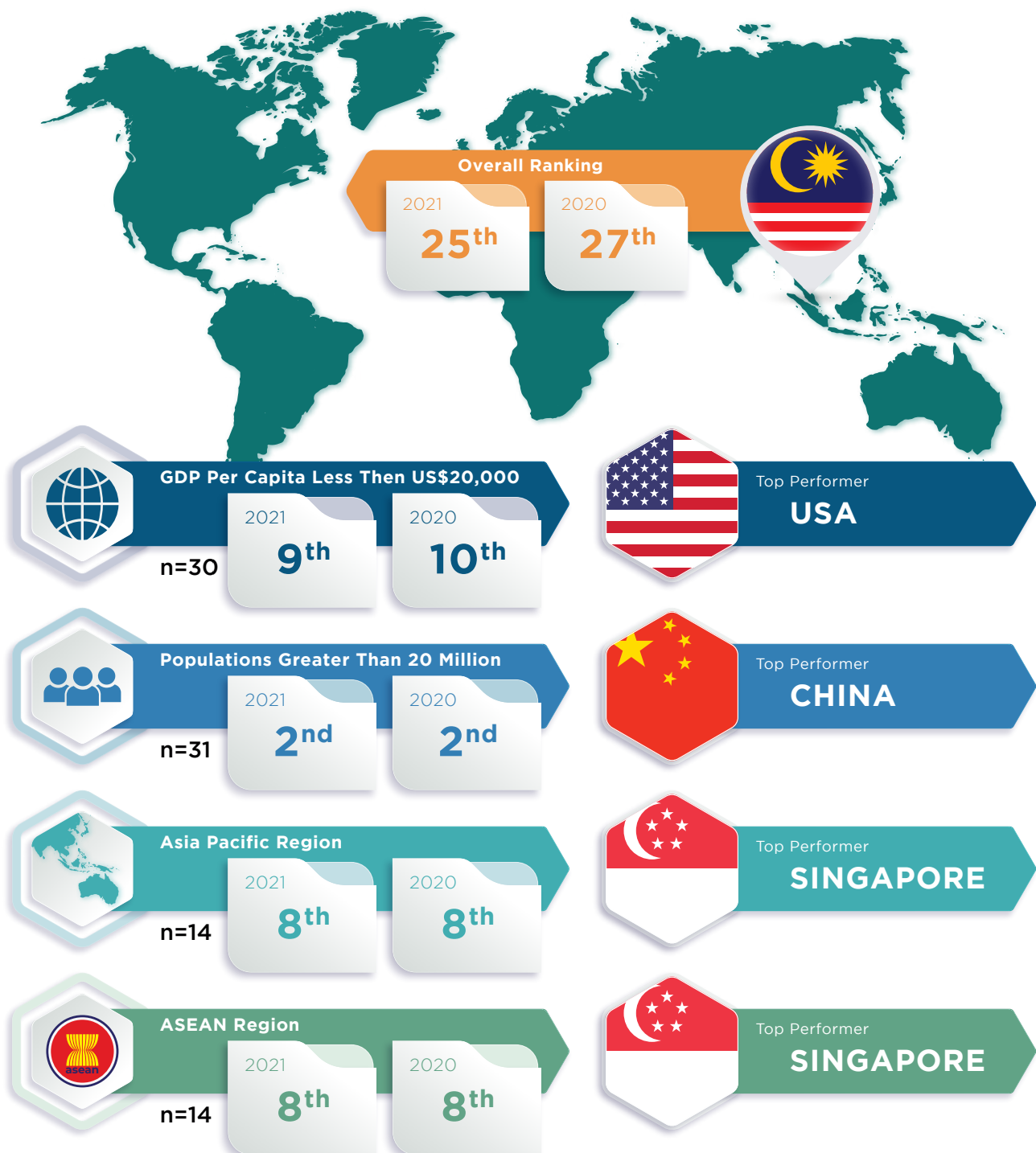


Malaysia's Performance in World Competitiveness Yearbook (WCY) 2021

The World Competitiveness Yearbook 2021 (WCY 2021) of the International Institute for Management Development measured and compared the competitiveness performances of 64 economies. WCY 2021 assessed competitiveness in terms of Economic Performance, Government Efficiency, Business Efficiency and Infrastructure.

In 2021, Malaysia ranked 25th which is an improvement from 27th in 2020. While, Malaysia is ranked 2nd in ASEAN and 8th in the Asia-Pacific.

The top-10 most competitive economies are Switzerland, Sweden, Denmark, the Netherlands, Singapore, Norway, Hong Kong, Taiwan, UAE and USA.

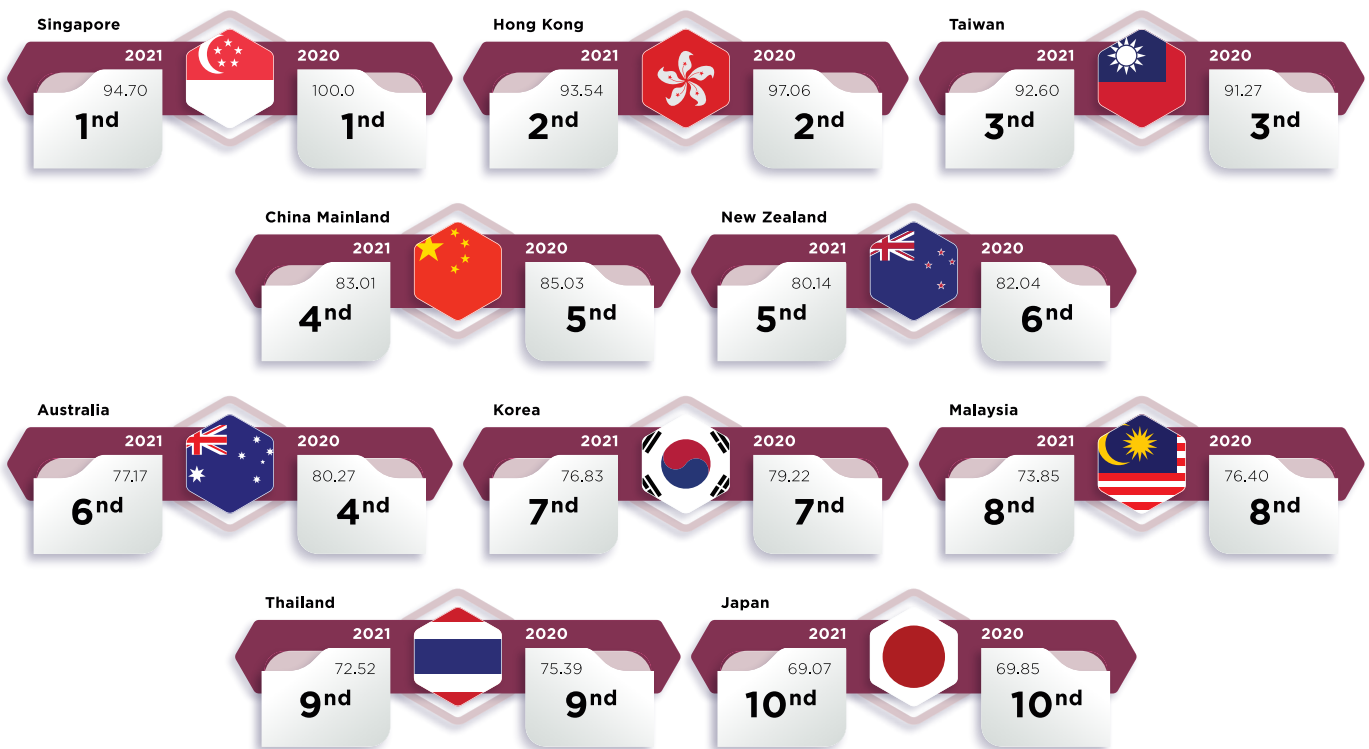
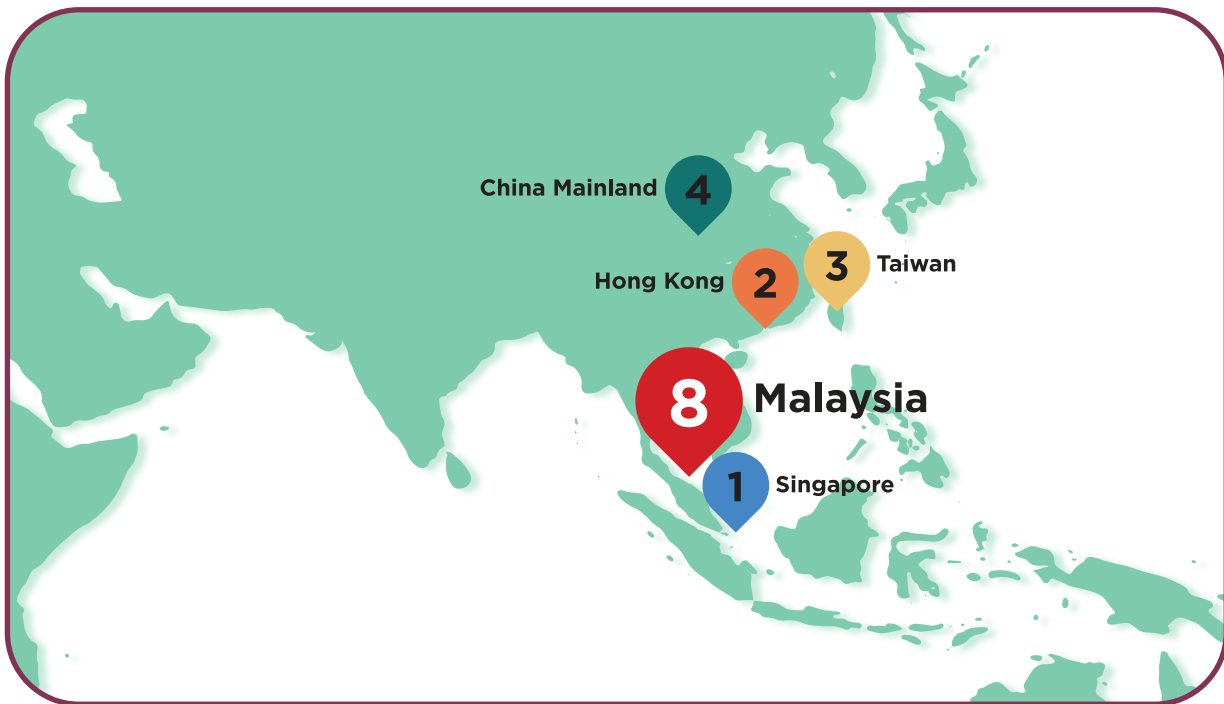


Malaysia's Competitiveness Performance 2020 & 2021



Source: World Competitiveness Yearbook 2020 & 2021

Malaysia's Competitive Performance Among Asia-Pacific in 2020 & 2021



The Way Forward : Realising the Aspiration

Our decade and a half milestone reached shows up the progress made and alludes to the destination of a Prosperous, Inclusive and Sustainable Malaysia. National economic recovery is part of the current impetus to perpetuate international competitiveness for equitable prosperity and societal well-being.

A sound regulatory environment is where regulations are not more than necessary and are not unnecessarily challenging to the transacting of business.

PEMUDAH continues to pursue regulatory reform and enhancement structured initiatives in multiple industrial and services sectors of the national economy to spur strong and sustainable growth and development.

Formulating, driving and implementing regulatory reform and enhancement structured initiatives proactively, reactively and co-creatively to build and augment a prime business climate and environment.

Enhancing integrity, transparency, accountability and mind-set transformation as well as efficiency, effectiveness, productivity and sustainability through digitalisation and the adoption of technology and innovations within the Public and Private Sectors for excellence in service delivery.

Monitoring the outcomes of implemented initiatives and reviewing and improving the compatibility of legislations and reformed and enhanced policies, processes and procedures with stakeholders' compliances.

Complementing the imbedding and practice of Good Regulatory Practices (GRPs) at all federal ministries and agencies as well as at the States and Federal Territories.

Collaborating with regulators and other stakeholders to implement Reducing Unnecessary Regulatory Burden (RURB) initiatives to optimise the number of business-related licences.

Benchmarking with Best Practices.

Upholding agile responsiveness to mitigate and resolve the impact of newly-emerged challenges to the doing of business.





CHAPTER 4: THE COLLABORATION CASCADE

PEMUDAH MEMBER (PUBLIC SECTOR)



NO.	NAME	DESIGNATION
1	YBHG. TAN SRI MOHD ZUKI ALI	CHIEF SECRETARY TO THE GOVERNMENT OF MALAYSIA
2	YBHG. DATO' SRI MUSTAPA MOHAMED	MINISTER IN PRIME MINISTER'S DEPARTMENT OF MALAYSIA (ECONOMY)
3	YBHG. TAN SRI MOHD KHAIRUL ADIB ABD RAHMAN	DIRECTOR GENERAL OF PUBLIC SERVICE MALAYSIA
4	YBHG. DATO' ASRI BIN HAMIDON	SECRETARY GENERAL OF TREASURY OFFICE MINISTRY OF FINANCE (MOF)
5	YBHG. DATO' SRI HAJI MOHAMMAD BIN MENTEK	SECRETARY GENERAL MINISTRY OF COMMUNICATIONS AND MULTIMEDIA (MCMC)
6	YBHG. DATUK LOKMAN HAKIM ALI	SECRETARY GENERAL MINISTRY OF INTERNATIONAL TRADE AND INDUSTRY (MITI)
7	YBHG. DATO' SURIANI BINTI DATO' AHMAD	SECRETARY GENERAL MINISTRY OF ENTREPRENEUR DEVELOPMENT AND COOPERATIVES (MEDAC)
8	YBHG. DATUK SAIFUL ANUAR LEBAI HUSSEN	DIRECTOR GENERAL ECONOMIC PLANNING UNIT (EPU)
9	YBHG. DATUK WIRA DR. NOOR ZARI BIN HAMAT	SECRETARY GENERAL MINISTRY OF TOURISM, ARTS AND CULTURE (MOTAC)
10	YBHG. DATUK SERI DR. YUSOF ISMAIL	DIRECTOR GENERAL MALAYSIAN ADMINISTRATIVE MODERNISATION AND MANAGEMENT PLANNING UNIT (MAMPU)
11	YBHG. DATUK WAN AHMAD DAHLAN BIN HJ. AB. AZIZ	SECRETARY GENERAL MINISTRY OF HOME AFFAIRS (MOHA)
12	YBHG. DATUK M NOOR AZMAN BIN TAIB	SECRETARY GENERAL MINISTRY OF HOUSING AND LOCAL GOVERNMENT (KPKT)

NO.	NAME	DESIGNATION
13	YBHG. DATUK HAJI RUJI BIN HAJI UBI	DIRECTOR GENERAL IMPLEMENTATION COORDINATION UNIT (ICU)
14	YBHG. DATO' HASLINA BINTI ABDUL HAMID	SECRETARY GENERAL MINISTRY OF AGRICULTURE AND FOOD INDUSTRIES (MAFI)
15	VACANT	SECRETARY GENERAL MINISTRY OF HUMAN RESOURCE (MOHR)
16	YBHG. TAN SRI NOR SHAMSIAH BINTI MOHD YUNUS	GABENOR CENTRAL BANK OF MALAYSIA
17	YBHG. DATO' ABDUL LATIF HJ ABU SEMAN	DIRECTOR GENERAL MALAYSIA PRODUCTIVITY CORPORATION (MPC)
18	YBHG. DATO' ARHAM ABDUL RAHMAN	CHIEF EXECUTIVE OFFICER MALAYSIAN INVESTMENT DEVELOPMENT AUTHORITY (MIDA)
19	YBHG. DATO' ABDUL LATIF HJ ABU SEMAN	DIRECTOR GENERAL MALAYSIA PRODUCTIVITY CORPORATION (MPC)
20	YBHG. DATUK MUHAMMAD AZMI BIN MOHD ZAIN	DIRECTOR GENERAL DEPARTMENT OF DIRECTOR GENERAL OF LANDS & MINES FEDERAL (JKPTG)



PEMUDAH MEMBER (PRIVATE SECTOR)

NO.	NAME	DESIGNATION
1	YBHG. DATO' DR. IR ANDY SEO KIAN HAW	COUNCIL MEMBERS, FEDERATION OF MALAYSIAN MANUFACTURERS
2	YBHG. TAN SRI ABDUL RAHMAN MAMAT	CHAIRMAN, ASIA LOGISTICS COUNCIL
3	YBHG. DATO' PARDIP KUMAR KUKREJA	FOUNDER AND CHAIRMAN, PARADISE GROUP
4	YBHG. DATO' CHUA TIA GUAN	EXECUTIVE DIRECTOR, ASIA BUSINESS CENTRE
5	YBHG. DATO' SERI WONG SIEW HAI	PRESIDENT MSIA MALAYSIA SEMICONDUCTOR INDUSTRY ASSOCIATION (MSIA)
6	YBHG. TAN SRI DATO' IR TEO CHIANG KOK	VICE PRESIDENT CUM CHAIRMAN, CONSTRUCTION AND PROPERTY COMMITTEE, KLSCCCI THE CHINESE CHAMBER OF COMMERCE AND INDUSTRY OF KUALA LUMPUR AND SELANGOR
7	YBHG. TAN SRI DATO' SOH THIAN LAI	PRESIDENT, FEDERATION OF MALAYSIAN MANUFACTURERS
8	YBHG. DATUK DR SYED HUSSAIN SYED HUSMAN, J.P.	PRESIDENT MALAYSIAN EMPLOYERS' FEDERATION (MEF)
9	YBHG. TAN SRI SUFRI HJ MHD ZIN	PRESIDENT MASTER BUILDERS ASSOCIATION MALAYSIA (MBAM)
10	YBRS. MR. NAGUIB MOHD NOR,	PRESIDENT MALAYSIA AEROSPACE INDUSTRY ASSOCIATION
11	YBRS. MR. CHRIS DANIEL WONG	PRESIDENT MALAYSIA DIGITAL CHAMBER OF COMMERCE (MDCC)
12	YBRS. MR. DING HONG SING,	PRESIDENT SME ASSOCIATION OF MALAYSIA
12	YBHG. PROFESSOR EMERITA TAN SRI DATO' SERI DR. SHARIFAH HAPSAH SYED HASAN SHAHABUDIN	PRESIDENT NATIONAL COUNCIL OF WOMEN'S ORGANISATIONS MALAYSIA (NCWO)

SECRETARIAT PEMUDAH (EPU)

NO.	NAME	DESIGNATION
1	YBHG. DATO' V. VALLUVAN A/L VELOO	DIRECTOR MANUFACTURING INDUSTRY, SCIENCE AND TECHNOLOGY DEPARTMENT
2	YBHG. DATUK DR. HANISAH BINTI HUSSIN	DEPUTY DIRECTOR MANUFACTURING INDUSTRY, SCIENCE AND TECHNOLOGY DEPARTMENT
3	MR. SALLEHUDDIN BIN ZAINAL ABIDIN	CHIEF ASSISTANT DIRECTOR MANUFACTURING INDUSTRY, SCIENCE AND TECHNOLOGY DEPARTMENT
4	MRS. NURUL ATIQA BINTI MUHAMMAD YUSOFF	ASSISTANT DIRECTOR MANUFACTURING INDUSTRY, SCIENCE AND TECHNOLOGY DEPARTMENT

SEKRETARIAT PEMUDAH (MPC)

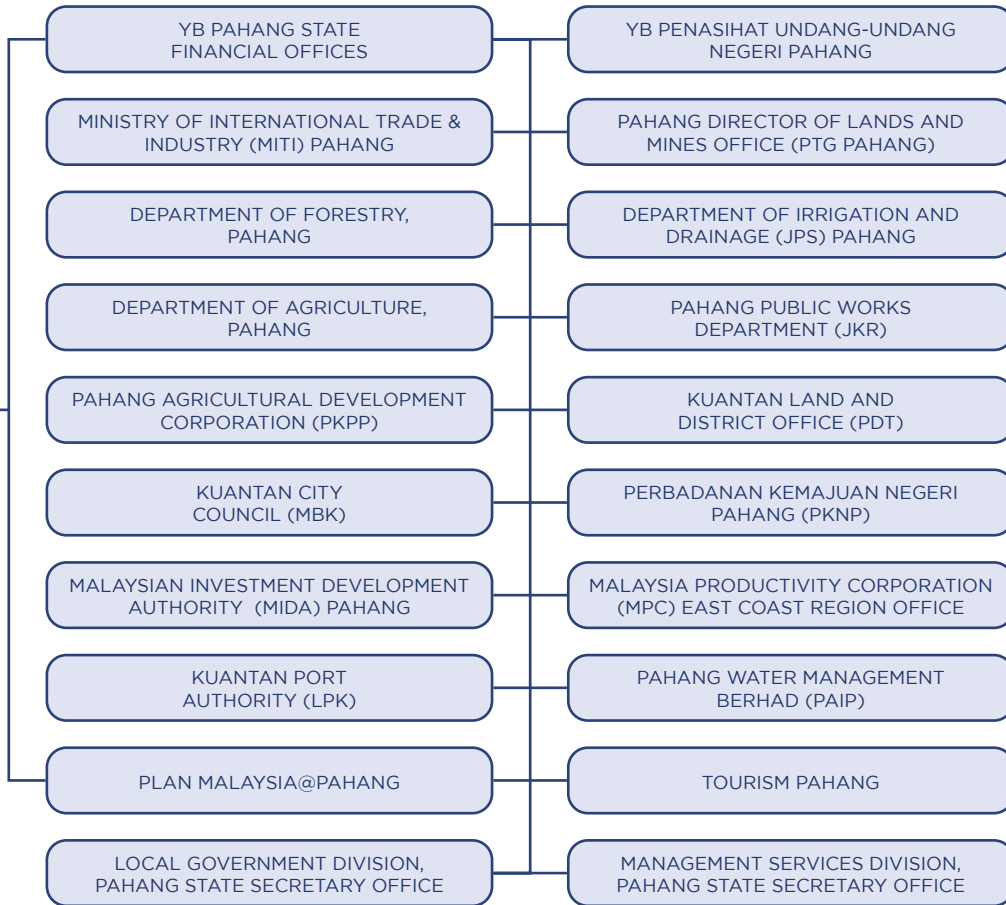
NO.	NAME	DESIGNATION
1	YBHG. DATO' ABDUL LATIF BIN SEMAN	DIRECTOR GENERAL
2	MR. ZAHID ISMAIL	DEPUTY DIRECTOR GENERAL
3	MRS. WAN FAZLIN NADIA WAN OSMAN	DIRECTOR
4	MR. MOHAMMED ALAMIN REHAN	DIRECTOR
5	MR. MAHADI HASBULLAH	DEPUTY DIRECTOR
6	MRS. SHAHRIZA BAHARI	DEPUTY DIRECTOR
7	MS. NORHASIMAH IBRAHIM	DEPUTY DIRECTOR

PAHANG PEMUDAH MEMBERS (PUBLIC SECTOR)

CO-CHAIR

YB. DATO' SRI DR. SALLEHUDDIN BIN ISHAK
SECRETARY OF THE PAHANG STATE GOVERNMENT

MEMBERS

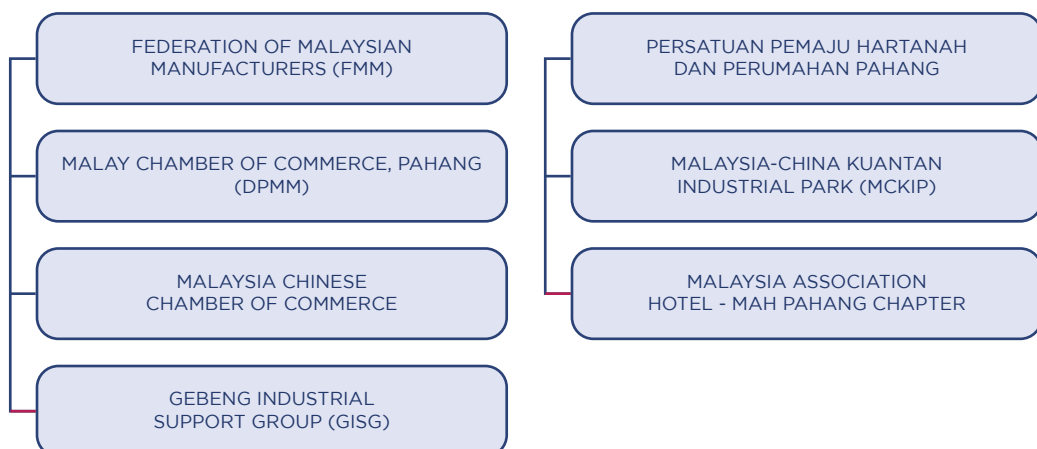


PAHANG PEMUDAH MEMBERS (PRIVATE SECTOR)

CO-CHAIR

YBHG. DATO' DR. IR ANDY K H SEO

MEMBERS



PAHANG PEMUDAH SECRETARIAT

PAHANG STATE ECONOMIC PLANNING DEVISION (BPEN)

MALAYSIA PRODUCTIVITY CORPORATION (MPC) EAST COAST REGION OFFICE

SARAWAK PEMUDAH MEMBERS (PUBLIC SECTOR)

CHAIRMAN
SARAWAK STATE SECRETARY

CO-CHAIRMAN
PRESIDENT, SARAWAK BUSINESS FEDERATION

1. SARAWAK FEDERAL SECRETARY
2. STATE ATTORNEY GENERAL
3. STATE FINANCIAL SECRETARY
4. DEPUTY STATE SECRETARY (SOCIO-ECONOMIC TRANSFORMATION)
5. DEPUTY STATE SECRETARY (PERFORMANCE AND SERVICE DELIVERY TRANSFORMATION)
6. PERMANENT SECRETARY, MINISTRY OF INTERNATIONAL TRADE AND INDUSTRY, INDUSTRIAL TERMINAL AND ENTREPRENEUR DEVELOPMENT
7. PERMANENT SECRETARY, MINISTRY OF INFRASTRUCTURE AND PORT DEVELOPMENT
8. PERMANENT SECRETARY, MINISTRY OF LOCAL GOVERNMENT AND HOUSING
9. PERMANENT SECRETARY, MINISTRY OF UTILITIES
10. PERMANENT SECRETARY, MINISTRY OF URBAN DEVELOPMENT AND NATURAL RESOURCES
11. PERMANENT SECRETARY, MINISTRY OF TRANSPORT SARAWAK
12. DIRECTOR, ECONOMIC PLANNING UNIT SARAWAK
13. DIRECTOR, LAND AND SURVEY DEPARTMENT
14. DIRECTOR, IMMIGRATION DEPARTMENT
15. DIRECTOR, LABOUR DEPARTMENT
16. DIRECTOR, MINISTRY OF INTERNATIONAL TRADE & INDUSTRY, SARAWAK BRANCH
17. DIRECTOR, MALAYSIAN INVESTMENT DEVELOPMENT AUTHORITY, SARAWAK BRANCH
18. DIRECTOR, MALAYSIA PRODUCTIVITY CORPORATION (MPC), SARAWAK BRANCH

SARAWAK PEMUDAH MEMBERS (PRIVATE SECTOR)

1. PRESIDENT, SARAWAK CHAMBER OF COMMERCE AND INDUSTRY
2. PRESIDENT, DEWAN USAHAWAN BUMIPUTERA SARAWAK
3. PRESIDENT, ASSOCIATED CHINESE CHAMBERS OF COMMERCE AND INDUSTRY SARAWAK
4. PRESIDENT, SARAWAK MANUFACTURERS' ASSOCIATION
5. PRESIDENT, DAYAK CHAMBER OF COMMERCE AND INDUSTRY
6. PRESIDENT, SARAWAK HOUSING AND REAL ESTATE DEVELOPERS' ASSOCIATION
7. CHAIRMAN, FEDERATION OF MALAYSIAN MANUFACTURERS, SARAWAK

SARAWAK PEMUDAH SECRETARIAT

INDUSTRY AND TOURISM
SECTOR

SARAWAK STATE ECONOMIC
PLANNING UNIT (BPEN)



APPENDICES

MyMudah Programme and Role of PEMUDAH

The recovery of businesses from the impact of COVID-19 is being assisted and expedited by the Government through both financial and non-financial programmes and measures.

Reducing unnecessary regulatory burden lowers regulatory compliance costs, encourages investments and creation of jobs and accelerates economic recovery, growth and development.

The Malaysia Mudah initiative (#MyMudah) was launched by the Government on 20 July 2020 to enable businesses to register regulatory issues via the online Unified Public Consultation (UPC) Portal administered by Malaysia Productivity Corporation (MPC) for analysis by a Business Facilitation Action Team. Stakeholders-regulators engagements are held. Issues and their recommended solutions based on evidence-based methodology are escalated to the Economic Action Council (EAC) Meeting for assessment and decision-making. The Honourable Prime Minister is the chairman of the EAC Meeting.

#MyMudah is expected to help businesses save about RM10 billion in terms of regulatory compliance costs thereby strengthening businesses' financial positions to recover from the challenges of COVID-19 and resume growth.

Ministries, agencies and State Governments implement the decisions made which may involve temporarily or permanently abolishing, waiving, exempting or modifying regulations as well as simplifying processes and procedures and shortening processing time to facilitate greater business efficiency and productivity for faster business and economic recovery and growth.

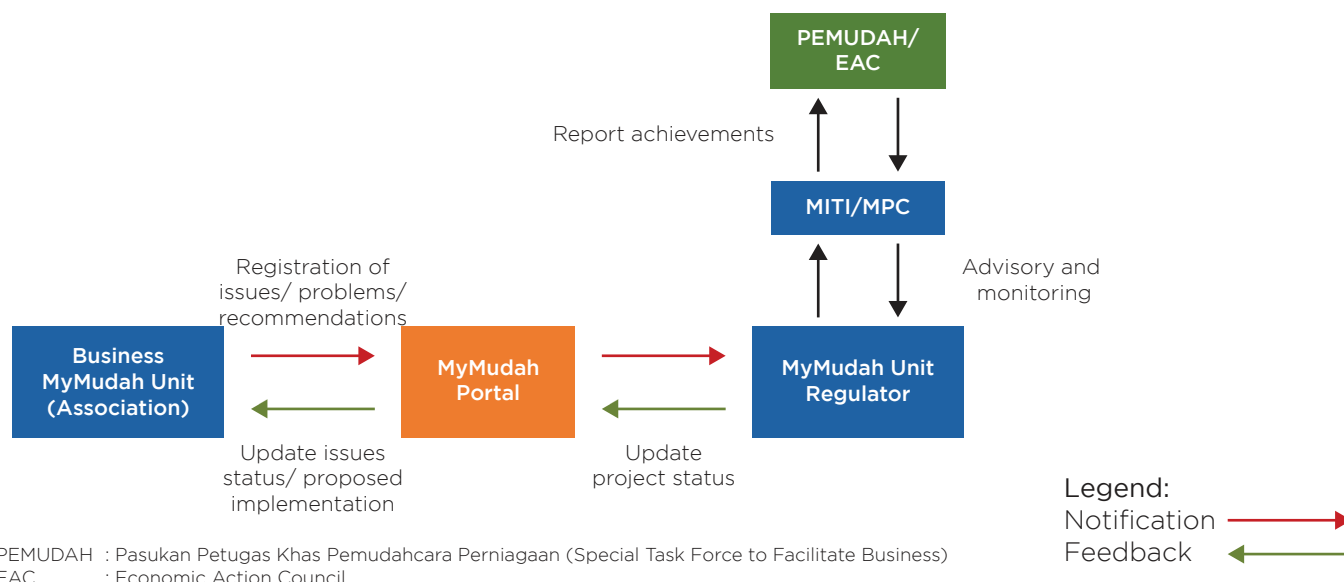
PEMUDAH measures the deliverable outcomes from the improvement decisions by monitoring the performances of the ministries and State Governments and reports to the EAC. Certain regulatory issues may be assessed not to require intervention from the EAC and are directed either to the relevant ministries/agencies or PEMUDAH to be resolved.

The encouraging response of the business community to #MyMudah had seen the EAC in November 2021 expanding the initiative to all federal ministries and agencies, States and local authorities as well as trade and industry associations where #MyMudah units are being set up to identify, address and resolve regulatory issues.

As at 13 August 2021, a total of 468 regulatory issues were tracked by #MyMudah out of which 173 issues were receiving attention and 40% of the cases had been completed.

#MyMudah

MyMUDAH UNIT MECHANISM (STRUCTURE AND PROCESS)



THE TWELFTH MALAYSIA PLAN & ROLE OF PEMUDAH

A Prosperous, Inclusive, Sustainable Malaysia

The Twelfth Malaysia Plan 2021-2025 (Twelfth Plan) is in line with the Shared Prosperity Vision 2030 (Wawasan Kemakmuran Bersama 2030) and the Sustainable Development Agenda 2030 within a policy framework of three themes, four policy enablers and fourteen game changers and is also part of the National Recovery Plan to rejuvenate and accelerate Malaysia's socio economic growth and development to generate sustainable prosperity for the wellbeing of the people of Malaysia.

The Twelfth Plan targets the main drivers of economic growth, the services and manufacturing sectors, to grow by 5.2% and 5.7% per annum respectively. The agriculture sector is being reinvigorated to strengthen national food security and broaden downstream activities. Productivity is being enhanced. Higher value-added, advanced technology-based and knowledge-intensive economic activities are being promoted.

PEMUDAH's initiatives support the realisation of the national development agenda. The PEMUDAH technical working groups pro-actively engage with the public and private sectors to resolve issues and challenges affecting the doing of business and introduce changes and improvements to policies, regulations, processes and procedures to optimise efficiency, productivity, costs and turnaround times.

The positive outcomes of the PEMUDAH initiatives are significant to the Twelfth Plan's key policies and strategies, focus areas and targets such as increasing public service delivery efficiency, implementing structural reforms for economic growth, restructuring the public sector's role, enhancing the private sector's role as a key economic driver and development partner, revitalising economic growth, strengthening growth enablers, boosting the E&E industry's Gross Domestic Product (GDP) contribution and achieving GDP growth of between 4.5% and 5.5% per cent per annum.



WAY FORWARD: TWELFTH MALAYSIA PLAN, 2021-2025

Restoring Growth Momentum



Priority Area A
Boosting Productivity Growth

Strategy A1

Strengthening the Planning, Evaluation and Monitoring Mechanism

Strategy A2

Moving up the Value Chain

Strategy A3

Strengthening Financial Capability

Strategy A4

Scaling Up Successful Productivity Nexus

Strategy A5

Scaling Up Green Practices



Priority Area D
Strengthening the Role of Industrial Estates and Food Production Areas

Strategy D1

Enhancing the Role of Industrial Estates and Food Production Areas as Growth Catalyst

Strategy D2

Achieving Balanced Industrial Estates Development



Priority Area B
Expanding Export Markets

Strategy B1

Improving Market Efficiency

Strategy B2

Empowering Industry to Compete in the Domestic and Global Markets

Strategy B3

Strengthening Trade Facilitation



Priority Area E
Improving Governance and Policy

Strategy E1

Strengthening Coordination and Collaboration

Strategy E2

Enhancing Institutional Roles and Functions

Strategy E3

Strengthening Policies and Legislation



Priority Area C
Strengthening the Effectiveness of Financial Intermediation Ecosystem

Strategy C1

Transforming the Financial Ecosystem to Meet Future Economic Needs

Strategy C2

Enhancing the Resilience and Governance of the Financial System

Strategy C3

Promoting a Sustainable and Inclusive Financial System



WAY FORWARD: TWELFTH MALAYSIA PLAN, 2021-2025

Strengthening Public Sector Service Delivery



Priority Area A
Developing High-Performing Civil Service

- Strategy A1**
Transforming the Public Service
- Strategy A2**
Developing Future Leaders



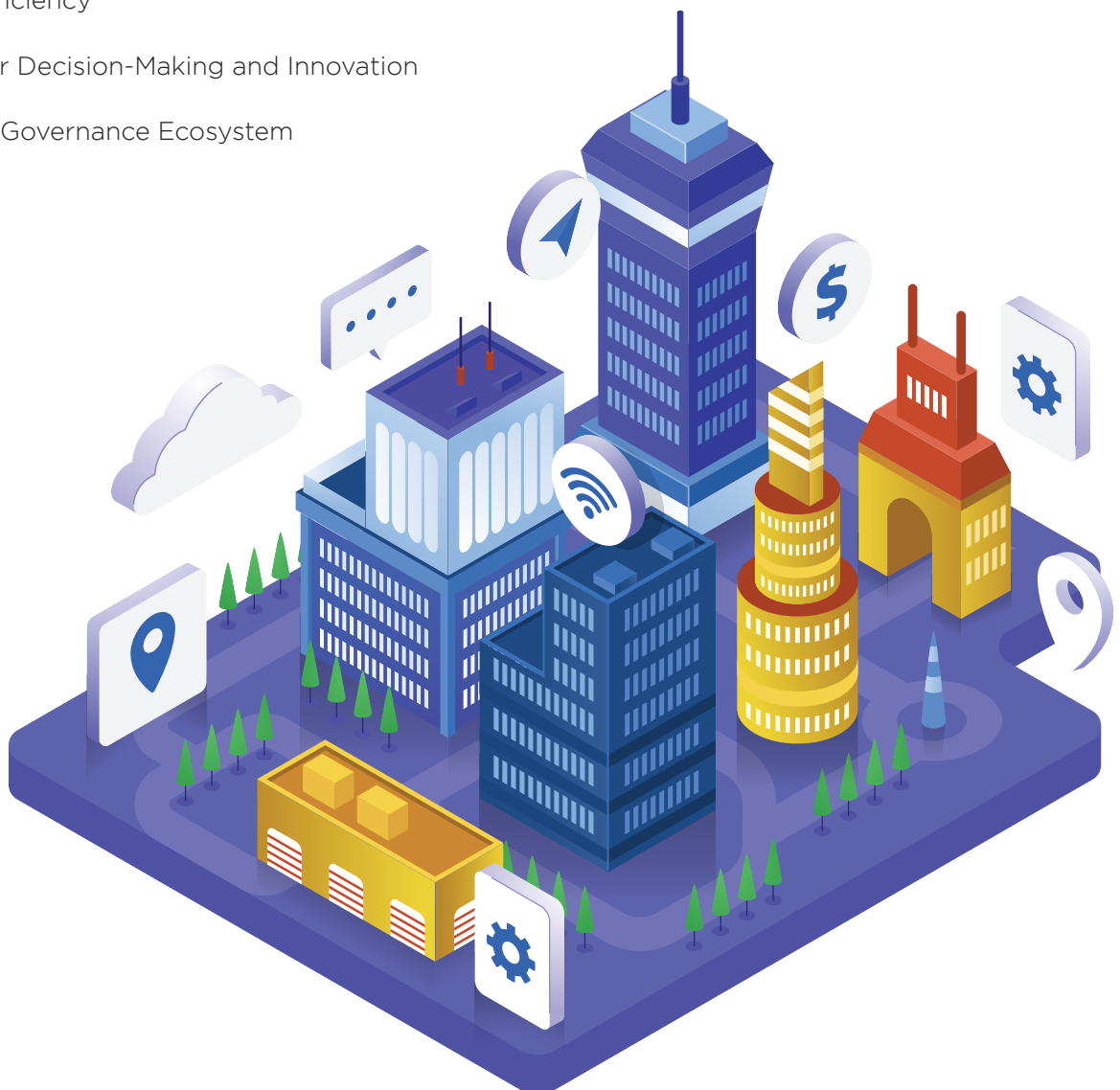
Priority Area C
Enhancing Budgeting and Project Management

- Strategy C1**
Reviewing Budgeting Framework and Process
- Strategy C2**
Improving Effectiveness of Project Implementation



Priority Area B
Advancing Whole-of-Government Approach

- Strategy B1**
Improving Government Administration and Operational Efficiency
- Strategy B2**
Enabling Better Decision-Making and Innovation
- Strategy B3**
Strengthening Governance Ecosystem



NOTES