



# LAWS OF MALAYSIA

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TEXT OF REPRINT

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**Act 829**

## **TEMPORARY MEASURES FOR REDUCING THE IMPACT OF CORONAVIRUS DISEASE 2019 (COVID-19) ACT 2020**

*As at 15 January 2022*

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**TEMPORARY MEASURES FOR REDUCING THE IMPACT  
OF CORONAVIRUS DISEASE 2019 (COVID-19) ACT 2020**

Date of Royal Assent	... ..	16 October 2020
Date of publication in the <i>Gazette</i>	... ..	23 October 2020
Latest amendment made by Act A1641 which came into operation on	... ..	14 January 2022

**LAWS OF MALAYSIA****Act 829****TEMPORARY MEASURES FOR REDUCING  
THE IMPACT OF CORONAVIRUS DISEASE 2019  
(COVID-19) ACT 2020**

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**LAWS OF MALAYSIA****Act 829****TEMPORARY MEASURES FOR REDUCING  
THE IMPACT OF CORONAVIRUS DISEASE 2019  
(COVID-19) ACT 2020**

An Act to provide for temporary measures to reduce the impact of Coronavirus Disease 2019 (COVID-19) including to modify the relevant provisions in the Limitation Act 1953, the Sabah Limitation Ordinance, the Sarawak Limitation Ordinance, the Public Authorities Protection Act 1948, the Insolvency Act 1967, the Hire-Purchase Act 1967, the Consumer Protection Act 1999, the Distress Act 1951, the Housing Development (Control and Licensing) Act 1966, the Industrial Relations Act 1967, the Private Employment Agencies Act 1981, the Sabah Labour Ordinance, the Sarawak Labour Ordinance, the Land Public Transport Act 2010, the Commercial Vehicles Licensing Board Act 1987, the Courts of Judicature Act 1964, the Subordinate Courts Act 1948 and the Subordinate Courts Rules Act 1955.

[ 23 October 2020 ]

**ENACTED** by the Parliament of Malaysia as follows:

**PART I****PRELIMINARY****Short title and commencement**

1. (1) This Act may be cited as the Temporary Measures for Reducing the Impact of Coronavirus Disease 2019 (COVID-19) Act 2020.

(2) Except where the date of commencement and period of operation have been provided in respect of the respective Parts in this Act, this Act shall come into operation on the date of publication of this Act and shall continue to remain in operation for a period of two years from such date of publication.

(3) Notwithstanding subsection (2), the Prime Minister may, by order published in the *Gazette*, extend the operation of this Act and the order for extension may be made more than once.

(4) An order made under subsection (3) shall be laid before the Dewan Rakyat as soon as practicable after its publication in the *Gazette*.

### **Modification to Acts and Ordinances**

2. The Limitation Act 1953 [*Act 254*], the Sabah Limitation Ordinance [*Cap. 72 (1952)*], the Sarawak Limitation Ordinance [*Cap. 49 (1958 Ed.)*], the Public Authorities Protection Act 1948 [*Act 198*], the Insolvency Act 1967 [*Act 360*], the Hire-Purchase Act 1967 [*Act 212*], the Consumer Protection Act 1999 [*Act 599*], the Distress Act 1951 [*Act 255*], the Housing Development (Control and Licensing) Act 1966 [*Act 118*], the Industrial Relations Act 1967 [*Act 177*], the Private Employment Agencies Act 1981 [*Act 246*], the Sabah Labour Ordinance [*Cap. 67*], the Sarawak Labour Ordinance [*Cap. 76*], the Land Public Transport Act 2010 [*Act 715*], the Commercial Vehicles Licensing Board Act 1987 [*Act 334*], the Courts of Judicature Act 1964 [*Act 91*], the Subordinate Courts Act 1948 [*Act 92*] and the Subordinate Courts Rules Act 1955 [*Act 55*] are modified in the manner specified in Parts III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII and XVIII respectively.

### **Prevailing law**

3. In the event of any conflict or inconsistency between the provisions of this Act and any other written law, the provisions of this Act shall prevail and the conflicting or inconsistent provisions of such other written law shall be deemed to be superseded to the extent of the conflict or inconsistency.

**Reference to COVID-19**

4. In this Act, any reference to “COVID-19” is a reference to “Coronavirus Disease 2019 (COVID-19)”.

**PART II****INABILITY TO PERFORM CONTRACTUAL OBLIGATION****Commencement of this Part**

5. (1) This Part is deemed to have come into operation on 18 March 2020 and shall continue to remain in operation until 31 December 2020.

(2) The Minister may, by order published in the *Gazette*, extend the operation of this Part, the extension of which shall not exceed the period of operation of this Act provided in subsection 1(2) or any extended period under subsection 1(3), as the case may be.

(3) An order under subsection (2)—

(a) shall not be made after the expiry period of the operation or the extended operation of this Part, as the case may be; and

(b) may be made more than once.

(4) An order made under subsection (2) shall be laid before the Dewan Rakyat as soon as practicable after its publication in the *Gazette*.

**Interpretation**

6. In this Part, “Minister” means the Minister charged with the responsibility for law.

**Inability to perform contractual obligation**

7. The inability of any party or parties to perform any contractual obligation arising from any of the categories of contracts specified in

the Schedule to this Part due to the measures prescribed, made or taken under the Prevention and Control of Infectious Diseases Act 1988 [Act 342] to control or prevent the spread of COVID-19 shall not give rise to the other party or parties exercising his or their rights under the contract.

### **Power to amend Schedule**

**8.** The Minister may, by order published in the *Gazette*, amend the Schedule to this Part.

### **Mediation**

**9.** (1) Any dispute in respect of any inability of any party or parties to perform any contractual obligation arising from any contract due to the measures prescribed, made or taken under the Prevention and Control of Infectious Diseases Act 1988 to control or prevent the spread of COVID-19 may be settled by way of mediation.

(2) The Minister may determine the mediation process which includes the appointment of a mediator, role of a mediator, conduct of mediation and conclusion of mediation.

(3) Upon the conclusion of a mediation and the reaching of an agreement by the parties regarding a dispute, the parties shall enter into a settlement agreement which shall be in writing and signed by the parties.

(4) The mediator shall authenticate the settlement agreement and furnish a copy of the agreement to the parties.

(5) The settlement agreement shall be binding on the parties.

### **Saving**

**10.** Notwithstanding section 7, any contract terminated, any deposit or performance bond forfeited, any damages received, any legal proceedings, arbitration or mediation commenced, any judgment or

award granted and any execution carried out for the period from 18 March 2020 until the date of publication of this Act shall be deemed to have been validly terminated, forfeited, received, commenced, granted or carried out.

## SCHEDULE

[Section 7]

### LIST OF CATEGORIES OF CONTRACTS

1. Construction work contract or construction consultancy contract and any other contract related to the supply of construction material, equipment or workers in connection with a construction contract
2. Performance bond or equivalent that is granted pursuant to a construction contract or supply contract
3. Professional services contract
4. Lease or tenancy of non-residential immovable property
5. Event contract for the provision of any venue, accommodation, amenity, transport, entertainment, catering or other goods or services including, for any business meeting, incentive travel, conference, exhibition, sales event, concert, show, wedding, party or other social gathering or sporting event, for the participants, attendees, guests, patrons or spectators of such gathering or event
6. Contract by a tourism enterprise as defined under the Tourism Industry Act 1992 [*Act 482*] and a contract for the promotion of tourism in Malaysia
7. Religious pilgrimage-related contract

## PART III

### MODIFICATIONS TO THE LIMITATION ACT 1953

#### **Commencement of modifications to the Limitation Act 1953**

**11.** This Part is deemed to have come into operation on 18 March 2020 and shall continue to remain in operation until 31 December 2020.

**Limitation period in section 6 extended**

**12.** Any limitation period specified in section 6 of the Limitation Act 1953 which expires during the period from 18 March 2020 to 31 August 2020 shall be extended to 31 December 2020.

PART IV

MODIFICATIONS TO THE SABAH LIMITATION ORDINANCE

**Commencement of modifications to the Sabah Limitation Ordinance**

**13.** This Part is deemed to have come into operation on 18 March 2020 and shall continue to remain in operation until 31 December 2020.

**Limitation period extended**

**14.** Any limitation period specified in paragraphs 1 to 4, subparagraph 5(a), paragraph 8, paragraphs 10 to 33, paragraphs 35 to 79, paragraphs 83 to 88, paragraphs 90 to 95 and paragraphs 98, 100, 106, 107, 111 and 113 in the Schedule to the Sabah Limitation Ordinance which expires during the period from 18 March 2020 to 31 August 2020 shall be extended to 31 December 2020.

PART V

MODIFICATIONS TO THE SARAWAK LIMITATION ORDINANCE

**Commencement of modifications to the Sarawak Limitation Ordinance**

**15.** This Part is deemed to have come into operation on 18 March 2020 and shall continue to remain in operation until 31 December 2020.

**Limitation period extended**

**16.** Any limitation period specified in paragraphs 1 to 4, subparagraph 5(a), paragraphs 8 to 29, paragraphs 31 and 32, paragraphs 34 to 78, paragraphs 82 to 94 and paragraphs 96, 98, 100, 106, 107, 111 and 113 in the Schedule to the Sarawak Limitation Ordinance which expires during the period from 18 March 2020 to 31 August 2020 shall be extended to 31 December 2020.

## PART VI

## MODIFICATIONS TO THE PUBLIC AUTHORITIES PROTECTION ACT 1948

**Commencement of modifications to the Public Authorities Protection Act 1948**

**17.** This Part is deemed to have come into operation on 18 March 2020 and shall continue to remain in operation until 31 December 2020.

**Limitation period in section 2 extended**

**18.** The limitation period specified in paragraph 2(a) of the Public Authorities Protection Act 1948 which expires during the period from 18 March 2020 to 31 August 2020 shall be extended to 31 December 2020.

## PART VII

## MODIFICATIONS TO THE INSOLVENCY ACT 1967

**Commencement of modifications to the Insolvency Act 1967**

**19.** (1) This Part comes into operation on the date of publication of this Act and shall continue to remain in operation until 31 August 2021.

(2) The Minister may, by order published in the *Gazette*, extend the operation of this Part, the extension of which shall not exceed the period of operation of this Act provided in subsection 1(2) or any extended period under subsection 1(3), as the case may be.

(3) An order under subsection (2)—

- (a) shall not be made after the expiry period of the operation or the extended operation of this Part, as the case may be; and
- (b) may be made more than once.

(4) An order made under subsection (2) shall be laid before the Dewan Rakyat as soon as practicable after its publication in the *Gazette*.

### **Modification to the amount of indebtedness**

**20.** During the period of operation of this Part, a creditor or creditors shall not be entitled to present a bankruptcy petition against a debtor under section 20 or 5 of the Insolvency Act 1967, unless the debt owing by the debtor to the petitioning creditor, or if two or more creditors join in the petition the aggregate amount of debts owing to the several petitioning creditors, amounts to one hundred thousand ringgit.

### **Saving**

**21.** Any proceedings, actions or other matters required to be done under the Insolvency Act 1967 which are still pending immediately before the date of publication of this Act shall be dealt with under the Insolvency Act 1967 as if the Insolvency Act 1967 had not been modified by this Act.

## **PART VIII**

### **MODIFICATIONS TO THE HIRE-PURCHASE ACT 1967**

#### **Commencement of modifications to the Hire-Purchase Act 1967**

**22.** (1) This Part is deemed to have come into operation on 1 April 2020 and shall continue to remain in operation until 31 December 2020.

(2) The Minister may, by order published in the *Gazette*, extend the operation of this Part, the extension of which shall not exceed the period of operation of this Act provided in subsection 1(2) or any extended period under subsection 1(3), as the case may be.

(3) An order under subsection (2)—

- (a) shall not be made after the expiry period of the operation or the extended operation of this Part, as the case may be; and
- (b) may be made more than once.

(4) An order made under subsection (2) shall be laid before the Dewan Rakyat as soon as practicable after its publication in the *Gazette*.

### **Taking possession of goods comprised in a hire-purchase agreement under section 16**

**23.** No owner shall exercise any power of taking possession of goods comprised in a hire-purchase agreement under section 16 of the Hire-Purchase Act 1967 for any default of payment of instalment during the period from 1 April 2020 to 30 September 2020.

### **Saving**

**24.** Notwithstanding section 23, any owner who has exercised his power of taking possession of goods comprised in a hire-purchase agreement under section 16 of the Hire-Purchase Act 1967 before the date of publication of this Act, shall be deemed to have validly exercised such power of taking possession of such goods as if the Hire-Purchase Act 1967 had not been modified by this Act.

## **PART IX**

### **MODIFICATIONS TO THE CONSUMER PROTECTION ACT 1999**

### **Commencement of modifications to the Consumer Protection Act 1999**

**25.** This Part is deemed to have come into operation on 18 March 2020 and shall continue to remain in operation until 31 December 2020.

**Modification to section 24v**

**26.** (1) The Consumer Protection Act 1999 is modified by substituting for section 24v the following section:

**“Default in payment of instalments by purchaser**

**24v.** (1) In the event of default in payment of two consecutive instalments by a purchaser under a credit sale agreement, the credit facility provider shall issue a notice to the purchaser on the settlement of the overdue instalments under the agreement.

(2) Upon receipt of the notice under subsection (1), the purchaser may within twenty-one days elect to—

- (a) pay the overdue instalments to the credit facility provider;
- (b) make an early settlement of the credit sale agreement by paying the total amount payable under the agreement to the credit facility provider; or
- (c) terminate the credit sale agreement and surrender the purchased goods to the credit facility provider in accordance with section 24w.

(3) If the purchaser elects to make an early settlement under paragraph (2)(b), the credit facility provider shall grant the statutory rebate to the purchaser.

(4) Notwithstanding the failure of the purchaser to make the election under subsection (2), the credit facility provider shall not commence any legal proceedings to recover the total outstanding amount payable by the purchaser under the credit sale agreement.”.

(2) Section 24v as modified in subsection (1) shall only apply—

- (a) if the credit sale agreement was entered into before 18 March 2020; and
- (b) if the purchaser has no overdue instalments before 18 March 2020.

**Saving**

**27.** The modification relating to subsection 24v(4) of the Consumer Protection Act 1999 in subsection 26(1) shall not affect any legal proceedings commenced to recover, or any judgment or award obtained for, the outstanding amount payable by the purchaser under the credit sale agreement during the period from 18 March 2020 until the date of publication of this Act.

**Modification to section 99**

**28.** The period of limitation specified in subsection 99(2) of the Consumer Protection Act 1999 which expires during the period from 18 March 2020 to 15 June 2020 shall be extended until 31 December 2020.

**PART X****MODIFICATION TO THE DISTRESS ACT 1951****Commencement of modification to the Distress Act 1951**

**29.** This Part is deemed to have come into operation on 18 March 2020 and shall continue to remain in operation until 31 December 2020.

**Modification to section 5**

**30.** For the purposes of the recovery of rent due or payable to the landlord by a tenant of any premises, a warrant of distress issued under subsection 5(1) of the Distress Act 1951, shall not include the distress for the arrears of rent for the period from 18 March 2020 to 31 August 2020.

## **Saving**

**31.** Any execution of the warrant of distress for the recovery of rent due or payable to the landlord by a tenant of any premises that has been issued before the date of publication of this Act shall be dealt with under the Distress Act 1951 as if the Distress Act 1951 had not been modified by this Act.

## PART XI

### MODIFICATIONS TO THE HOUSING DEVELOPMENT (CONTROL AND LICENSING) ACT 1966

## **Commencement of modifications to the Housing Development (Control and Licensing) Act 1966**

**32.** This Part is deemed to have come into operation on 18 March 2020.

## **Interpretation**

**33.** In this Part, “agreement” means agreement for the contract of sale for the sale and purchase of housing accommodation in the forms prescribed in Schedules G, H, I and J of the Housing Development (Control and Licensing) Regulations 1989 [*P.U. (A) 58/1989*] entered into before 18 March 2020.

## **Late payment charges**

**34.** (1) Notwithstanding any agreement entered into between the purchaser and the developer, where due to the measures prescribed, made or taken under the Prevention and Control of Infectious Diseases Act 1988 to control or prevent the spread of COVID-19 the purchaser fails to pay any instalment for the period from 18 March 2020 to 31 August 2020, the developer shall not impose any late payment charges in respect of such unpaid instalment on the purchaser.

(2) The purchaser may apply to the Minister for an extension of the period referred to in subsection (1).

(3) Upon considering the application under subsection (2), the Minister may, if the Minister is satisfied that additional time is required by the purchaser, by written direction to the developer, extend the period in which the developer shall not impose any late payment charges on the purchaser in respect of such unpaid instalment up to 31 December 2020.

### **Delivery of vacant possession and liquidated damages**

**35.** (1) Notwithstanding any agreement entered into between the purchaser and the developer, the period from 18 March 2020 to 31 August 2020 shall be excluded from the calculation of—

- (a) the time for delivery of vacant possession of a housing accommodation; and
- (b) the liquidated damages for the failure of the developer to deliver vacant possession of a housing accommodation.

(2) The developer may apply to the Minister for an extension of the period referred to in subsection (1).

(3) Upon considering the application under subsection (2), the Minister may, if the Minister is satisfied that additional time is required by the developer to deliver vacant possession, by written direction grant to the developer an extension period of up to 31 December 2020 to deliver vacant possession and such extension shall have the same effect as the period excluded in subsection (1).

(4) Notwithstanding any agreement entered into between the purchaser and the developer, if the purchaser is unable to enter into possession of occupation of a housing accommodation from the date of service of a notice to take vacant possession from the developer during the period from 18 March 2020 to 31 August 2020 or any extension period granted under subsection (3), the purchaser shall not be deemed to have taken such vacant possession.

### **Defect liability period**

**36.** (1) Notwithstanding any agreement entered into between the purchaser and the developer, the period from 18 March 2020 to 31 August 2020 shall be excluded from the calculation of—

- (a) the defect liability period after the date the purchaser takes vacant possession of a housing accommodation; and
- (b) the time for the developer to carry out works to repair and make good the defect, shrinkages and other faults in a housing accommodation.

(2) The purchaser may apply to the Minister for an extension of the period referred to in subsection (1).

(3) Upon considering the application under subsection (2), the Minister may, if the Minister is satisfied that additional time is required by the purchaser, by written direction, exclude the period up to 31 December 2020 from the calculation of—

- (a) the defect liability period after the date the purchaser takes vacant possession of a housing accommodation; and
- (b) the time for the developer to carry out works to repair and make good the defect, shrinkages and other faults in a housing accommodation.

### **Saving**

**37.** (1) The modifications in sections 34, 35 and 36 shall not affect any legal proceedings commenced, or any judgment or award obtained, to recover late payment charges payable by the purchaser or liquidated damages payable by the developer or any other sum during the period from 18 March 2020 until the date of publication of this Act.

(2) Notwithstanding sections 34 and 35, any late payment charges that has been paid by the purchaser or liquidated damages that has been paid by the developer before the date of publication of this

Act shall be deemed to have been validly paid under the Housing Development (Control and Licensing) Act 1966 and its regulations, and such payment shall not be refunded to the payer.

### **Modification to section 16N**

**38.** Notwithstanding subsection 16N(2) of the Housing Development (Control and Licensing) Act 1966, if the limitation period for the homebuyer to file a claim has expired during the period from 18 March 2020 to 9 June 2020, the homebuyer is entitled to file the claim from 4 May 2020 to 31 December 2020 and the Tribunal for Homebuyer Claims shall have jurisdiction to hear such claim.

## **PART XIA**

### **ADDITIONAL MODIFICATIONS TO THE HOUSING DEVELOPMENT (CONTROL AND LICENSING) ACT 1966**

### **Interpretation**

**38A.** In this Part—

- (a) “agreement” means an agreement for a contract of sale for the sale and purchase of housing accommodation in the forms prescribed in Schedules G, H, I and J of the Housing Development (Control and Licensing) Regulations 1989; and
- (b) “first agreement” means the first agreement entered into between a purchaser and developer for a housing accommodation in relation to a housing development under one housing developer’s licence and one advertisement and sale permit.

### **Late payment charges**

**38B.** (1) In relation to a housing development, notwithstanding any agreement entered into between a developer and a purchaser, where due to measures prescribed, made or taken under the Prevention and Control of Infectious Diseases Act 1988 to control or prevent the

spread of COVID-19, the purchaser fails to pay any instalment for the period from 1 January 2021 to 31 December 2021, the developer shall not impose any late payment charges in respect of such unpaid instalment on the purchaser.

(2) Subsection (1) applies only to a purchaser and a developer of a housing development for which its first agreement was entered into before 31 May 2021.

### **Delivery of vacant possession and completion of common facilities**

**38c.** (1) In relation to a housing development, notwithstanding any agreement entered into between a developer and a purchaser, the developer may apply to the Minister for any period from 1 January 2021 to 31 December 2021 to be excluded from the calculation of the time for delivery of vacant possession of a housing accommodation or completion of common facilities, as the case may be, in the housing development.

(2) Upon considering the application under subsection (1), the Minister may exclude any period from 1 January 2021 to 31 December 2021 from the calculation of time for delivery of vacant possession of a housing accommodation or completion of common facilities if the Minister is satisfied that due to measures prescribed, made or taken under the Prevention and Control of Infectious Diseases Act 1988 to control or prevent the spread of COVID-19, the developer was unable to deliver vacant possession of a housing accommodation or complete the common facilities in accordance with the agreement.

(3) The Minister shall not consider an application under subsection (1) if the application is made after the expiry of the time for delivery of vacant possession or the completion of common facilities specified under the agreement.

(4) Subsection (1) applies only to a developer of a housing development for which its first agreement was entered into before 31 May 2021.

(5) For the purposes of assessing the liquidated damages due to the failure of the developer to deliver vacant possession of a housing

accommodation or complete the common facilities, the period excluded by the Minister under subsection (2) shall not be taken into account.

### **Taking of vacant possession**

**38D.** Notwithstanding any agreement entered into between a developer and a purchaser, where due to measures prescribed, made or taken under the Prevention and Control of Infectious Diseases Act 1988 to control or prevent the spread of COVID-19, the purchaser is unable to take possession of a housing accommodation from the date of service of a notice to take vacant possession from the developer during the period from 1 June 2021 to 31 October 2021 or any excluded period granted under subsection 38C(2), the purchaser shall not be deemed to have taken such vacant possession.

### **Defect liability period**

**38E.** Notwithstanding any agreement entered into between a developer and a purchaser, in relation to any housing development, the period from 1 June 2021 to 31 October 2021 shall be excluded from the calculation of—

- (a) the defect liability period after the date the purchaser takes vacant possession of a housing accommodation;
- (b) the defect liability period after the date of completion of common facilities; and
- (c) the time for the developer to carry out works to repair and make good any defect, shrinkage and other faults in a housing accommodation and common facilities.

### **Saving**

**38F.** (1) Any exclusion or extension which has been granted under sections 38B, 38C, 38D and 38E shall not affect any exclusion or extension which has been granted under sections 34, 35 and 36.

(2) The modifications in sections 38B, 38C, 38D and 38E shall not affect any legal proceedings commenced, or any judgment or award obtained, to recover late payment charges payable by the purchaser or liquidated damages payable by the developer or any other sum during the period from 24 October 2020 until the date immediately before the coming into operation of this Part.

(3) Notwithstanding sections 38B and 38C, any late payment charges that has been paid by the purchaser or liquidated damages that has been paid by the developer immediately before the coming into operation of this Part shall be deemed to have been validly paid under the Housing Development Act (Control and Licensing) 1966 and its regulations, and such payment shall not be refunded to the payer.

## PART XII

### MODIFICATIONS TO THE INDUSTRIAL RELATIONS ACT 1967

#### **Commencement of modifications to the Industrial Relations Act 1967**

**39.** (1) This Part, except sections 40A and 40B, is deemed to have come into operation on 18 March 2020.

(2) Section 40A is deemed to have come into operation on 1 June 2021.

(3) Section 40B is deemed to have come into operation on 10 June 2020.

#### **Period for according recognition, making a report and filing of representation**

**40.** The period from 18 March 2020 to 9 June 2020 shall be excluded from the calculation of the period under the Industrial Relations Act 1967 for according recognition or notifying the trade union of workmen concerned in writing the grounds for not according recognition under subsection 9(3), the making of a report in writing to the Director General for Industrial Relations under subsection 9(4) and the filing of representation under subsection 20(1A).

**Period for according recognition, making a report and filing of representation from 1 June 2021 to 31 December 2021**

**40A.** The period from 1 June 2021 to 31 December 2021 shall be excluded from the calculation of the period under the Industrial Relations Act 1967 for according recognition or notifying the trade union of workmen concerned in writing the grounds for not according recognition under subsection 9(3), the making of a report in writing to the Director General for Industrial Relations under subsection 9(4) and the filing of representation under subsection 20(1A).

**Period for according recognition, making a report and filing of representation for employers, trade unions of employers, etc., who or which are in a place that is subject to enhanced movement control order**

**40B.** (1) The period which any employer, trade union of employers, trade union of workmen or workman is in a place that is subject to an enhanced movement control order shall be excluded from the calculation of the period under the Industrial Relations Act 1967 for according recognition or notifying the trade union of workmen concerned in writing the grounds for not according recognition under subsection 9(3), the making of a report in writing to the Director General for Industrial Relations under subsection 9(4) and the filing of representation under subsection 20(1A).

(2) For the purposes of subsection (1), “enhanced movement control order” refers to directions given by an authorized officer under subsection 11(3) of the Prevention and Control of Infectious Diseases Act 1988.

**PART XIII****MODIFICATION TO THE PRIVATE EMPLOYMENT AGENCIES ACT 1981****Commencement of modification to the Private Employment Agencies Act 1981**

**41.** This Part is deemed to have come into operation on 18 March 2020.

**Period for renewal of licence, payment of licence fee and deposit of money guarantee under section 11**

**42.** The period from 18 March 2020 until the expiry period of the operation or any extended operation date of this Act, but shall not exceed 31 December 2022, shall be excluded from the calculation of the period—

- (a) for submitting an application for the renewal of licence under subsection 11(1) of the Private Employment Agencies Act 1981; and
- (b) for making payment of the licence fee and depositing the money guarantee under subsection 11(3) of the Private Employment Agencies Act 1981.

PART XIII A

MODIFICATIONS TO THE SABAH LABOUR ORDINANCE

**Commencement of modifications to the Sabah Labour Ordinance**

**42A.** This Part is deemed to have come into operation on 1 June 2021.

**Period for making a complaint under subsection 7A(3)**

**42B.** The period from 1 June 2021 until the expiry period of the operation or any extended operation date of this Act, but shall not exceed 31 December 2022, shall be excluded from the calculation of the period for making a complaint to the Director of Labour under subsection 7A(3) of the Sabah Labour Ordinance.

**Period for making a complaint under subsection 7A(3) for employees who are in a place that is subject to enhanced movement control order**

**42c.** (1) The period which any employee is in a place that is subject to an enhanced movement control order shall be excluded from the

calculation of the period for making a complaint to the Director of Labour under subsection 7A(3) of the Sabah Labour Ordinance.

(2) For the purposes of subsection (1), “enhanced movement control order” refers to directions given by an authorized officer under subsection 11(3) of the Prevention and Control of Infectious Diseases Act 1988.

## PART XIII B

### MODIFICATIONS TO THE SARAWAK LABOUR ORDINANCE

#### **Commencement of modifications to the Sarawak Labour Ordinance**

**42D.** This Part is deemed to have come into operation on 29 May 2021.

#### **Period for making a complaint under subsection 8A(3)**

**42E.** The period from 29 May 2021 to 31 October 2021 shall be excluded from the calculation of the period for making a complaint to the Director of Labour under subsection 8A(3) of the Sarawak Labour Ordinance.

#### **Period for making a complaint under subsection 8A(3) for employees who are in a place that is subject to enhanced movement control order**

**42F.** (1) The period which any employee is in a place that is subject to an enhanced movement control order shall be excluded from the calculation of the period for making a complaint to the Director of Labour under subsection 8A(3) of the Sarawak Labour Ordinance.

(2) For the purposes of subsection (1), “enhanced movement control order” refers to directions given by an authorized officer under subsection 11(3) of the Prevention and Control of Infectious Diseases Act 1988.

PART XIV

MODIFICATIONS TO THE LAND PUBLIC TRANSPORT ACT 2010

**Commencement of modifications to the Land Public Transport Act 2010**

**43.** (1) This Part is deemed to have come into operation on 1 August 2020 and shall continue to remain in operation until 31 December 2021.

(2) The Minister may, by order published in the *Gazette*, extend the operation of this Part, the extension of which shall not exceed the period of operation of this Act provided in subsection 1(2) or any extended period under subsection 1(3), as the case may be.

(3) An order under subsection (2)—

(a) shall not be made after the expiry period of the operation or the extended operation of this Part, as the case may be; and

(b) may be made more than once.

(4) An order made under subsection (2) shall be laid before the Dewan Rakyat as soon as practicable after its publication in the *Gazette*.

**Modification to section 21**

**44.** The Land Public Transport Act 2010 is modified by substituting for section 21 the following section:

**“Temporary change of use of public service vehicle or tourism vehicle**

**21.** (1) Subject to subsection (2), the Director General of Land Public Transport may, on an application by a licensed operator of a public service vehicle or tourism vehicle, authorize for a period not exceeding twelve months for the licensed operator to use the vehicle

for the purpose of a public service vehicle, tourism vehicle or goods vehicle of any other class.

(2) The application made under subsection (1) shall be accompanied with the following:

- (a) information on any changes in technical specification of the vehicle, information on temporary use of the vehicle and any other information as determined by the Director General of Land Public Transport; and
- (b) additional insurance coverage for the vehicle.

(3) The Director General of Land Public Transport may impose any condition on the authorization granted under subsection (1).”.

### **Modification to section 56**

**45.** The Land Public Transport Act 2010 is modified by substituting for section 56 the following section:

#### **“Temporary change of use of goods vehicle**

**56.** (1) Subject to subsections (2) and (4), the Director General of Land Public Transport may, on an application by a licensed operator of goods vehicle, authorize for a period not exceeding twelve months the licensed operator of a particular class of goods vehicle to use the vehicle for the purpose of a public service vehicle, tourism vehicle or goods vehicle of any other class.

(2) The application made under subsection (1) shall be accompanied with the following:

- (a) information on any changes in technical specification of the vehicle, information on temporary use of the vehicle and any other

information as determined by the Director General of Land Public Transport; and

(b) additional insurance coverage for the vehicle.

(3) The Director General of Land Public Transport may impose any condition on the authorization granted under subsection (1).

(4) Any goods vehicle authorized to be used for the purpose of tourism vehicle shall be operated by a tour operator licensed under the Tourism Industry Act 1992 [Act 482].”.

## PART XV

### MODIFICATIONS TO THE COMMERCIAL VEHICLES LICENSING BOARD ACT 1987

#### **Commencement of modifications to the Commercial Vehicles Licensing Board Act 1987**

**46.** (1) This Part is deemed to have come into operation on 1 August 2020 and shall continue to remain in operation until 31 December 2021.

(2) The Minister may, by order published in the *Gazette*, extend the operation of this Part, the extension of which shall not exceed the period of operation of this Act provided in subsection 1(2) or any extended period under subsection 1(3), as the case may be.

(3) An order under subsection (2)—

(a) shall not be made after the expiry period of the operation or the extended operation of this Part, as the case may be; and

(b) may be made more than once.

(4) An order made under subsection (2) shall be laid before the Dewan Rakyat as soon as practicable after its publication in the *Gazette*.

### **Modification to section 23**

47. The Commercial Vehicles Licensing Board Act 1987 is modified by substituting for section 23 the following section:

#### **“Temporary change of use of public service vehicle**

**23.** (1) Subject to subsection (2), the Board may, on an application by any holder of a public service vehicle licence of a particular class, authorize for a period not exceeding twelve months the holder of a public service vehicle licence of a particular class to use the vehicle for the purpose of a public service vehicle or goods vehicle of any other class.

(2) The application made under subsection (1) shall be accompanied with the following:

- (a) information on any changes in technical specification of the vehicle, information on temporary use of the vehicle and any other information as determined by the Board; and
- (b) additional insurance coverage for the vehicle.

(3) The Board may impose any conditions on the authorization granted under subsection (1).”.

### **Modification to section 24**

48. The Commercial Vehicles Licensing Board Act 1987 is modified by substituting for section 24 the following section:

**“Temporary change of use of ‘C’ vehicle or ‘A’ vehicle**

**24.** (1) Subject to subsection (2), the Board may, on an application by any holder of a carrier’s licence ‘C’ vehicle or ‘A’ vehicle, authorize for a period not exceeding twelve months the holder of a carrier’s licence ‘C’ vehicle or ‘A’ vehicle to use the vehicle for the purpose of a public service vehicle or goods vehicle of any other class.

(2) The application made under subsection (1) shall be accompanied with the following:

- (a) information on any changes in technical specification of the vehicle, information on temporary use of the vehicle and any other information as determined by the Board; and
- (b) additional insurance coverage for the vehicle.

(3) The Board may impose any conditions on the authorization granted under subsection (1).”.

PART XVI

MODIFICATIONS TO THE COURTS OF JUDICATURE ACT 1964

**Commencement of modifications to the Courts of Judicature Act 1964**

**49.** This Part is deemed to have come into operation on 18 March 2020 and shall continue to be in operation until the date of publication of this Act and shall continue to remain in operation for a period of two years from such date of publication.

**New section 16A**

**50.** The Courts of Judicature Act 1964 is modified by inserting after section 16 the following section:

**“General power of the Chief Justice to issue direction**

**16A.** The Chief Justice may, if the Chief Justice is of the opinion that the circumstances warrant and it is necessary in the interest of the dispensation of justice, public safety, public security, public health or propriety or for other sufficient reason to do so, issue any direction relating to the business of the Court as may be necessary.”.

**Modification to section 17**

**51.** The Courts of Judicature Act 1964 is modified in section 17—

- (a) by renumbering the existing subsection (3A) as subsection (3B);
- (b) by inserting after subsection (3) the following subsection:

“(3A) The Chief Justice may, if the Chief Justice is of the opinion that any meeting is not possible to be convened, held or conducted, provide for alternative arrangements for such meeting.”; and

- (c) by inserting after subsection (7) the following subsection:

“(8) The Chief Justice may, if the Chief Justice is of the opinion that the circumstances warrant and it is necessary in the interest of the dispensation of justice, public safety, public security, public health or propriety or for other sufficient reason to do so, modify any provision of the rules of court or suspend the application of such rules of court as is necessary for doing complete justice in any cause or matter pending before the Courts and to ensure that the administration of justice is carried out.”.

**Modification to section 17A**

**52.** Subsection 17A(1) of the Courts of Judicature Act 1964 is modified by deleting the words “but so that there shall be at least one meeting in each year”.

PART XVII

MODIFICATION TO THE SUBORDINATE COURTS ACT 1948

**Commencement of modification to the Subordinate Courts Act 1948**

**53.** This Part is deemed to have come into operation on 18 March 2020 and shall continue to be in operation until the date of publication of this Act and shall continue to remain in operation for a period of two years from such date of publication.

**New section 3A**

**54.** The Subordinate Courts Act 1948 is modified by inserting after section 3 the following section:

**“General power of the Chief Justice to issue direction**

**3A.** The Chief Justice may, if the Chief Justice is of the opinion that the circumstances warrant and it is necessary in the interest of the dispensation of justice, public safety, public security, public health or propriety or for other sufficient reason to do so, issue any direction relating to the business of the Court as may be necessary.”.

**PART XVIII****MODIFICATION TO THE SUBORDINATE COURTS RULES ACT 1955****Commencement of modification to the Subordinate Courts Rules Act 1955**

**55.** This Part is deemed to have come into operation on 18 March 2020 and shall continue to be in operation until the date of publication of this Act and shall continue to remain in operation for a period of two years from such date of publication.

**Modification to section 3**

**56.** The Subordinate Courts Rules Act 1955 is modified by inserting after subsection 3(6) the following subsection:

“(7) The Chief Justice may, if the Chief Justice is of the opinion that the circumstances warrant and it is necessary in the interest of the dispensation of justice, public safety, public security, public health or propriety or for other sufficient reason to do so, modify any provision of the rules of court or suspend the application of such rules of court as is necessary for doing complete justice in any cause or matter pending before the Courts and to ensure that the administration of justice is carried out.”.

**PART XIX****MISCELLANEOUS****Commencement of this Part**

**57.** This Part is deemed to have come into operation on 18 March 2020.

**Extension of time to perform statutory duty or obligation**

**58.** (1) The Minister charged with the responsibility for any Act may, if the Minister is of the opinion that any statutory duty or

obligation is not possible to be performed within the time stipulated in such Act by any authority during the period from 18 March 2020 to 9 June 2020 due to the measures prescribed, made or taken under the Prevention and Control of Infectious Diseases Act 1988 to control or prevent the spread of COVID-19, by order published in the *Gazette*, extend the time for the authority to perform its statutory duties or obligations.

(2) Any order made under subsection (1) may be made to operate retrospectively to any date which is not earlier than 18 March 2020.

(3) No authority shall be liable to any damages in respect of any failure to perform any statutory duty or obligation within the time stipulated in such Act.

### **Alternative arrangement for statutory meeting**

**59.** (1) The Minister charged with the responsibility for any Act may, if the Minister is of the opinion that any statutory meeting is not possible to be convened, held or conducted in the manner provided in such Act during the period from 18 March 2020 to 31 December 2021 due to the measures prescribed, made or taken under the Prevention and Control of Infectious Diseases Act 1988 to control or prevent the spread of COVID-19, by order published in the *Gazette*, provide for alternative arrangements for such meeting.

(2) Any statutory meeting convened, held or conducted not in the manner provided for in any Act regulating such statutory meeting on and after 18 March 2020 and before the making of the order under subsection (1) shall be deemed to have been validly convened, held or conducted.

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**LAWS OF MALAYSIA****Act 829****TEMPORARY MEASURES FOR REDUCING  
THE IMPACT OF CORONAVIRUS DISEASE 2019  
(COVID-19) ACT 2020**

## LIST OF AMENDMENTS

Amending law	Short title	In force from
Act A1641	Temporary Measures for Reducing the Impact of Coronavirus Disease 2019 (COVID-19)) (Amendment) Act 2022	14-01-2022

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**LAWS OF MALAYSIA****Act 829****TEMPORARY MEASURES FOR REDUCING  
THE IMPACT OF CORONAVIRUS DISEASE 2019  
(COVID-19) ACT 2020**

## LIST OF SECTIONS AMENDED

Section	Amending authority	In force from
2	Act A1641	14-01-2022
9	Act A1641	14-01-2022
38A	Act A1641	14-01-2022
38B	Act A1641	14-01-2022
38C	Act A1641	14-01-2022
38D	Act A1641	14-01-2022
38E	Act A1641	14-01-2022
38F	Act A1641	14-01-2022
39	Act A1641	14-01-2022
40A	Act A1641	14-01-2022
40B	Act A1641	14-01-2022
42	Act A1641	14-01-2022
42A	Act A1641	14-01-2022
42B	Act A1641	14-01-2022
42C	Act A1641	14-01-2022

Section	Amending authority	In force from
42D	Act A1641	14-01-2022
42E	Act A1641	14-01-2022
42F	Act A1641	14-01-2022
59	Act A1641	14-01-2022

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