

Act 342 Amendment Bill Needs Substantial Revision — Malaysian Medical Association

By CodeBlue | 16 July 2024

MMA calls for revisions to the Prevention and Control of Infectious Diseases amendment bill, expressing concern over disproportionate punitive measures, potential for misuse of authority, and potential infringement of privacy and individual rights.



Malaysian Medical Association (MMA) president Dr Azizan Abdul Aziz. Photo courtesy of MMA.

The Malaysian Medical Association (MMA) expresses significant concerns regarding the proposed amendments to the Prevention and Control of Infectious Diseases Act 1988 (Act 342).

While we acknowledge the need for updated legislation to address public health emergencies, we believe the current proposal requires substantial revision to ensure it serves the best interests of both public health and individual rights.

Our key concerns include:

- **Disproportionate Punitive Measures:** The proposed increase in fines to RM5,000 for individuals is excessive and could disproportionately affect lower-income groups. We urge for a more balanced approach that considers socioeconomic factors.
- **Potential for Misuse of Authority:** The amendments granting expanded powers to authorised officers, including the use of force, raise serious concerns about potential abuse and lack of accountability. Clear guidelines and oversight mechanisms must be established.
- **Privacy and Individual Rights:** The use of tracking devices for infected individuals, while potentially useful for disease control, must be balanced with robust privacy protections and clear limitations on data use.

MMA recommends the following:

- **Collaborative Approach:** We urge the government to engage in broader consultations with healthcare professionals, public health experts, and community representatives before finalizing these amendments.
- **Focus on Health Education:** Instead of punitive measures, we recommend increased emphasis on public health education and improving health literacy, which are crucial for effective disease prevention and control.
- **Balanced Enforcement:** Any new regulations must be applied fairly and consistently across all segments of society to avoid the perception or reality of double standards.
- **Support for Vulnerable Groups:** We propose the inclusion of provisions for financial and social support for those affected by quarantine or isolation measures, particularly for lower-income individuals.
- **Strengthening Health Care Infrastructure:** The focus should be on improving our public health system's capacity to respond to infectious diseases, rather than relying primarily on punitive measures.

The MMA stands ready to work with the government to develop a more balanced and effective approach to managing infectious diseases.

We believe that public health measures should be based on scientific evidence, respect for individual rights, and consideration of socioeconomic factors.

We call on the government to reconsider the current amendments and work towards a version that prioritises public health while safeguarding the rights and wellbeing of all Malaysians.

Dr Azizan Abdul Aziz is president of the Malaysian Medical Association.