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Fake vaccine cert syndicate may have breached several laws, says lawyer

By **Reshna Reem Ganesan** - January 12, 2022 7:00 AM551
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The doctor in the fake vaccination certificate probe has been remanded until Thursday. (Bernama pic)

PETALING JAYA: Several laws may be used to act against the doctor who allegedly issued fake vaccine certificates as well as those who sought such documents, a lawyer said.

Sivahnathan Ragava said action could be also taken, under the same laws, against the doctor's accomplices, if any.

Commenting on the alleged sale of 1,900 false vaccination certificates by the suspect at a private clinic in Terengganu, he said those involved may be charged under Section 197 of the Penal Code, with knowingly issuing or signing a false certificate relating to any fact of which such certificate is by law admissible in evidence.

"They may also be charged under Section 270, with malignantly doing any act known to be likely to spread infection of any disease dangerous to life.

"People who are using the fake certificate may be charged under Section 471, with knowingly using a forged document," he said.

Sivahnathan said although actions that deliberately endanger the lives of others threatened national security, the Security Offences (Special Measures) Act (Sosma) did not cover the above sections.

"If these offences are included in the First Schedule of the Sosma Act, only then can the syndicate be charged under the Act," he said.

Asked about measures that could be taken to curb the sales of illegal vaccination certificates, Sivahnathan said every single dose must bear a unique registered number in the system, and every unique number may only be issued to a single person.

“A certificate should only be issued if there are two unique numbers in the system. If any person tries to issue a fake certificate, they will not be able to do so as the system will reject unregistered unique numbers,” he said.

Reports said the syndicate was busted by the Terengganu commercial crimes department after receiving a tip-off on the sale of the fake vaccine certificates to anti-vaxxers.

The 51-year-old doctor was believed to have been operating the syndicate online since September, with each “jab” costing between RM400 and RM600.

Yesterday, his remand order was extended to Thursday to enable the police to conduct further investigations.

The president of the Federation of Private Medical Practitioners’ Association Malaysia (FPMPAM), Dr Steven Chow, said if found guilty, the doctor was in breach of the Medical Act and the Code of Professional Conduct of the Malaysian Medical Council.

“There is also a breach of the Control of Infectious Diseases Act which applies to all parties involved,” he said.

Chow said there was an urgent need to address the issue of trust deficit pertaining to the national vaccination programme, especially among anti-vaxxers.

“Get general practitioners to be the vaccine ambassadors. They are the right people for the job, and it would be reassuring for the public to see their family doctor leading the charge,” he said.

President of the Malaysian Medical Association (MMA) Dr Koh Kar Chai urged the authorities to conduct a full investigation into the issuance of fake vaccination certifications.

“MMA does not condone such activities that destroy the integrity of the medical profession, more so when it causes harm to the health of all,” he said in a statement.

He also encouraged the public to report to the authorities if they came across any corrupt activities in the healthcare sector.

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