



MASTER BUILDERS ASSOCIATION MALAYSIA PERSATUAN KONTRAKTOR BINAAN MALAYSIA

(PPM-002-14-26051954)

*The Prime Mover and The Recognised Voice
of the Malaysian Construction Industry*



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Website

mbam.org.my

To : MBAM Members
Date : 29 May 2020
Ref : MBAM/25/01/2020/05/29/088

Dear Sir/Madam

INVITATION TO PROVIDE FEEDBACK AND SUGGESTIONS ON THE PROPOSED BILL AS A TEMPORARY MEASURE TO REDUCE THE IMPACT OF COVID-19

Master Builders Association Malaysia (MBAM) is assisting the Ministry of International Trade and Industry (MITI) to collate feedback from MBAM Members and Affiliate Members on the above subject matter.

The Government of Malaysia is proposing to draft a new law as a temporary measure to reduce the impact of COVID-19. The proposed law is expected to assist business and companies to cushion the negative impact and avoid legal disputes.

The aim of this quick survey is to identify and list the issues faced by companies post Movement Control Order (MCO) and other potential legal action for failure to comply with the contractual obligations. The feedback and proposals by will be reviewed for inclusion in the proposed Bill.

As such, please do fill in the survey via link given by **30 May 2020, Saturday before 12.00 noon**.
Survey link: <https://bit.ly/3d6r1FE>

We apologise for the short notice and look forward to your valuable input.

For enquiries, please email Ir. MBAM General Manager, Mr Lenny Lim at mbam01@mbam.org.my.

Note:

- i. The drafting of the Temporary Bill to mitigate the effects of COVID-19 is a temporary relief that will prevail over any provision that is not in accordance with the relevant Act within the prescribed period. Therefore, the items proposed for inclusion in the COVID-19 Bill should arise from the effects of the spread of the COVID-19 outbreak and have an impact on businesses, firms including SMEs and the general public.
- ii. If it is proposed to be retrospective, please state the effective date and its justification.
- iii. Matters not included in the COVID-19 Bill as follows:
 - a) Issues under State jurisdiction;

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Regular Member: International Federation of Asian & Western Pacific Contractors' Associations (IFAWPCA)
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- b) Issues raised that can be resolved by using the existing powers of the Minister in their respective Ministries including through amendments to existing subsidiary legislation;
- c) Issues that can be resolved administratively by their respective Ministries / Agencies / Departments; and
- d) Issues of contractual freedom in accordance with the terms of the contract and may be resolved by the contracting parties.

Yours faithfully,
MASTER BUILDERS ASSOCIATION MALAYSIA

LOH MEI LING
Executive Director