

Part II of Act 829 (Covid-19) extended until Oct 22 next year, says Wan Junaidi

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facebook@dswanjunaidi

PUTRAJAYA (Dec 30): Part II (Inability to Perform Contractual Obligations) of the Temporary Measures for Reducing the Impact of Coronavirus Disease 2019 Act (Covid-19) (Act 829), which will end on Friday (Dec 31), has been extended until Oct 22 next year.

Minister in the Prime Minister's Department (Parliament and Law) Datuk Seri Dr Wan Junaidi Tuanku Jaafar said this is pursuant to Subsection 5 (2) of Act 829, where a minister may by order published in the gazette extend the effective period of Part II, but the extension shall not exceed the effective period of Act 829.

Wan Junaidi in a statement on Thursday said the extension was approved by the Cabinet on Dec 22.

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"This [extension] is to ensure effective and progressive coordination of implementation of Act 829 pursuant to the amendments made recently," he said.

The amendments to Act 829 were tabled by Deputy Minister in the Prime Minister's Department (Parliament and Law) Datuk Mas Ermeyati Samsudin and passed by the House of Representatives on Dec 16 and in the Senate on Dec 22 unanimously.

Wan Junaidi said the amendments to Act 829 were the government's commitment to mitigating the legal impact due to implementation of the movement control order (MCO) enforced to curb the spread of Covid-19.

"The Act provides temporary relief to parties from performing their contractual obligations for a specified period," he said.

He added that the amendment to Subsection 9(1) of Part II (Inability to Perform Contractual Obligations) will assist mediation service initiatives under Pusat Mediasi Covid-19 (PMC-19), a government agency set up in November 2020.

Through the amendment, all types of commercial contracts affected by implementation of the MCO can be referred to PMC-19 as compared to the previous nine categories of the contract stipulated in the schedule in Section 7.

PMC-19 is in partnership with the Malaysian Bar, Advocates Association of Sarawak and Sabah Law Society to conduct mediation services for individuals and businesses whose contracts are affected by implementation of the MCO.

The Malaysian Bar and government launched the Mediate First Campaign on Nov 18, 2021, where lawyers pledged to assist clients who are looking for swift solutions to contractual disputes following implementation of the MCO.

About 50 law firms have stepped up to provide the Mediate First Pledge. The list can be found on the PMC-19 website.

Act 829 was gazetted on Oct 23, 2020 and is effective for a period of two years from the date of publication in the government gazette.