

Malaysia

Overall score:

62

I. Industry participation in policy development:

Overall, Malaysia has maintained a 'no direct participation of the tobacco industry' in policy-development. There were many pro-tobacco groups opposing tax increase. With the withdrawal of the Goods and Services Tax, and reintroduction of the sales and service tax, tobacco prices saw a slight price increase, however there was no excise tax increase. The new Border Security Agency, AKSEM which has the Kenaf Board in the committee (Japan Tobacco is on the Kenaf Board) carried out raids on smuggling of tobacco.

II. Tobacco industry-related CSR activities: PMI continued to sponsor Yayasan Salam Malaysia's activity on 'Back-to-School' programme which was officiated by the political secretary of the Prime Minister and endorsed by the government and the Chief Minister of Kedah.

III. Benefits given to the tobacco industry: In 2018, PMI started to sell its IQOS heated tobacco product (HTP) without pictorial health warnings (PHW) and there has been no enforcement to apply the PHW on these products, even if HTPs fall under the definition of tobacco products according to the Control of Tobacco Products Regulation. Malaysia continues to allow international travellers an allowance of 200 sticks of cigarettes to bring into Malaysia. On the plus side, in ATIGA (ASEAN Trade in Goods Agreement), Malaysia has maintained to keep tobacco in the sensitive list and has not reduced import duties to zero just yet.

IV. Unnecessary interaction with the tobacco industry:


The Johor Director of Royal Customs, Dato' Mohammad Hamiddan bin Maryani, officiated at the opening ceremony of BAT's new factory in Johor. The Managing Director of BAT was also present.

V. Procedure for transparency measures: There is no official record keeping of when the tobacco industry meets with government officials. There are no rules for the disclosure or registration of tobacco industry entities, affiliated organizations, and individuals acting on their behalf including lobbyists does not exist.

VI. Avoiding conflicts of interest: There were no new appointments among recent senior government retirees. The former Secretary General of the Ministry of Home Affairs remains the Chairman of BAT Malaysia. The employee provident fund (EPF) continues to hold shares in tobacco business - BAT.

VII. Preventive measures: There has been no progress in preventive measures. While the Ministry of Health started to develop a code of conduct for Ministry of Health officials several years ago, there was no progress on it in 2018. There is still no procedure in place for disclosing records of interactions with the tobacco industry and its representatives.



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Recommendations

1. To ensure transparency there must be a procedure for government officials to record all interactions, where strictly necessary, with the tobacco industry.
2. All tobacco-related CSR activities should be banned.
3. The tobacco industry should not be given any benefit to run its business. Tobacco control legislation must be implemented.
4. The code of conduct for government officials must be finalized to provide guidance on dealing with the tobacco industry. The Code will stop government officials from endorsing tobacco related activities and the tobacco industry.