



## **UNOFFICIAL ENGLISH TRANSLATION**

### **FAQ RELATED TO THE CONDITIONAL MOVEMENT CONTROL ORDER (CMCO) MINISTRY OF INTERNATIONAL TRADE AND INDUSTRY (MITI)**

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#### **A. GENERAL QUESTIONS ABOUT THE APPLICATION OF THE COMPANY**

##### **1. Is the permission to operate announced by the Prime Minister applicable to companies whose applications were previously rejected or are pending appeal decisions?**

Yes, all companies that have applied no matter the status of the decision can start operations on May 4, 2020, unless they are listed under the prohibited activities issued by the National Security Council (NSC).

#### **B. GENERAL QUESTIONS ON COMPANY OPERATIONS**

##### **2. Can I operate without a MITI approval letter?**

Yes, as announced by the Prime Minister on May 1, 2020, all companies except for those in the prohibited list issued by the National Security Council (NSC), can operate commencing May 4, 2020. Companies will no longer need to apply to MITI.

##### **3. Is it mandatory for my company to declare and pledge SOP compliance to MITI?**

This declaration is not a new form of application and can be made on a voluntary basis. It is intended to record company information and the company's commitment to comply with the SOP. Following the process of filling out the information and agreeing to the pledge, the company can download a confirmation letter that can be displayed on their premises as a sign that your company is fully committed to comply with the designated SOP. Companies that have completed the information and agreed to the SOP compliance pledge will also be listed online.

Although it is not mandatory, the letter shown may provide confidence to customers who wish to conduct business with your company.

Filling out the information and consent for this SOP compliance agreement is possible at [notification.miti.gov.my](https://notification.miti.gov.my) from May 4 to May 12, 2020.

##### **4. What actions should I take before opening business / my business premises?**

Companies need to read and understand the Standard Operating Procedure (SOP) assigned to each sector. The employer must adhere to the designated SOPs before commencing operations.

Workers' safety procedures such as social distancing must be obeyed. Generally, the company / premises may follow the procedure as below:

- i. The use of face masks by every worker in the general area is compulsory.
- ii. Ensure social best practices / social distancing is maintained through 1-meter floor markings, including desk and chairs specifically in:
  - areas such as the production floor,
  - the canteen / cafeteria
  - meeting rooms,
  - the surau,
  - the multipurpose hall,
  - and other related areas
- iii. Cafeteria workers, cleaning staff, gardeners and security guards as well as others must follow the procedures set by the company.
- iv. In-house prayer facilities and places of worship need to be controlled with the practice of only allowing two people at any given time.
- v. Canteen / cafeteria operations are allowed and the preparation of food & drinks must be through packaging.
- vi. Dining breaks should be staggered appropriately by the company.
- vii. For employee transport vehicles provided by the company, it is necessary to undergo the process of disinfection and disinfect each time before use.
- viii. Social distancing (alternating seating arrangements) while in the vehicle.
- ix. Private vehicles are encouraged to be disinfected by employees according to appropriate procedures.
- x. Social distancing should also be carried out in sleeping areas, toilets, bathrooms, places of worship, dining rooms and others.
- xi. The process of disinfection should be carried out daily according to timing set by the employer.

## **5. What do I need to do before allowing my employees to work?**

Companies need to read and understand the Standard Operating Procedures (SOPs) set for each sector before implementing the measures in the said SOP. Employers also need to take appropriate action to ensure that employees are informed early of the work instructions and



preparations needed. For any Human Resources issue, the company can contact the Ministry of Human Resources via [projkkp@mohr.gov.my](mailto:projkkp@mohr.gov.my) or [majahar@mohr.gov.my](mailto:majahar@mohr.gov.my).

## **6. How many workers are allowed to work?**

Companies can operate on a regular capacity basis. However, the company / premises should be able to practice social distancing and apply workers' health and safety procedures. The company is obligated to comply with all SOP requirements during operations.

## **7. Can I create a rotation system for my worker's schedule?**

Yes, it is up to the management of each company. However, as advised by the Prime Minister, companies are encouraged to practice work-from-home based policies as appropriate.

## **8. What are the operating hours allowed for the company?**

Companies can operate according to the operating hours as stated in their respective SOPs.

## **9. Are companies in the red zone allowed to operate?**

Companies are allowed to operate in all areas **except** in areas declared as an area under the Enhanced Movement Control Order (PKPD) by the National Security Council (NSC).

## **10. How can a company report on its compliance with the set applicable conditions to operate?**

The Company may report on its compliance status to the Department of Occupational Safety and Health (JKKP) via <http://survey.dosh.gov.my/reportingcovid19>.

## **11. Are employee vehicles and company vehicles allowed to cross authorized borders / zones?**

Allowed for work purposes only.

## **12. Can a company with a company vehicle pass the state border?**

Yes.

## **13. What is the process for sanitising and disinfecting premises?**

The sanitation and cleaning process should be carried out three (3) times a day especially in common spaces such as the:

- lobby,
- elevators,
- the cafeteria,
- meeting rooms,

- the surau,
- worker bus / transportation,
- indoor recreational centers,
- toilets and
- designated waste collection areas / rubbish bins.

The company must carry out the sanitation and disinfection process at the factory / premises each time before a shift or operations commence. The company must also provide hand sanitizer / disinfecting kits at the entrance, all common areas and other places within the factory / premises.

**14. Do companies have to bear the cost of disinfection of the company's premises and vehicles?**

Yes, for company premises and vehicles (factor bus / van).

**15. How should an employee's health and safety precautions (such as social distancing) be performed at the workplace before starting operations and while operating?**

Companies need to read and understand the Standard Operating Procedure (SOP) set for each sector. The practice and procedures in the SOP must be carried out by the employer before commencing operations. See question 4 for a more detailed procedure.

**C. HUMAN RESOURCES**

**16. What should my company do if there is a case of COVID-19 infection among employees?**

Once the company commences operations, the company will need to establish an Emergency Response Protocol Committee for the preparation and implementation of procedures for managing suspected cases or cases confirmed with COVID-19. If an employee screened before starting work has a fever or has COVID-19 symptoms, they are not allowed to enter the work premises and must be referred to the Panel Clinic (or to a Government Health Clinic if the company does not have a panel clinic). Any employee, after being examined by a doctor and suspected of having a COVID-19 infection should be referred to a nearby government hospital. Any instructions and requirement for detention at the ward will be notified by the examining hospital, while any quarantine directives or any other need for contact tracing among other workers will only be notified by the District Health Office nearest to the employer.

Employers are also responsible for reporting any incidents of employee absenteeism of more than 5% of the total workforce, at any given time to the nearest District Health Office.



**17. Can the company begin their operations immediately or is it mandatory for all company employees to undergo Covid-19 health screening first?**

Companies can start operations on May 4, 2020 without a MITI approval letter and employee screening is not mandatory. Employers can take advantage of the SOCSO Screening Program and more information about the Program is available at <https://prihatin.perkeso.gov.my>. The health screening program for COVID-19 is provided free of charge to employers registered with SOCSO. If you have further questions, please contact SOCSO at 03-42645555 / 03-80915100 / 1-300-22-8000.

However, foreign workers (non-citizens) in the construction industry are required to undergo the COVID-19 test through the SOCSO Screening Program, as described in the Construction Industry SOP. Whereas for foreign workers (non-citizens) in other industry sectors, employers need to follow government directives and announcements issued from time to time.

**18. Do the medical costs of Covid-19 infected workers need to be covered by the employer?**

If the employee, whether local or a registered foreign worker is infected with COVID-19, treatment must be performed at a Government Hospital and the cost of treatment will be borne by the Government. For individuals who are found to be in contact with the patient, those individuals are required to undergo quarantine in accordance with a quarantine order subject to the Ministry of Health's directions. If workers (who are in close contact due to work) need to be quarantined elsewhere other than a Government hospital and their own home, the cost of setting up a quarantine center has to be borne by the employer.

**19. If my non-citizen worker has Covid-19 symptoms, may they be referred to a Government Hospital for screening or treatment.**

If workers, whether local or registered foreign workers are infected with COVID-19, treatment must be performed at a Government Hospital and medical costs will be borne by the Government, including foreigners (if the COVID-19 test is positive). For individuals who are found to be in contact with the patient, the individuals are required to undergo quarantine in accordance with a quarantine order subject to the Ministry of Health's directions. If workers (who are in close contact due to work) need to be quarantined elsewhere other than a Government Hospital and their own home, the cost of setting up a quarantine center must be borne by the employer. Any other costs related to logistics other than the facilities of a Government Hospital or Government Clinic, shall also be borne by the employer.

**20. Can an employee reject a work order from the company and what action can the employer take?**

Companies should refer to the Department of Labor (JTK) and can contact JTK by email at [projkkp@mohr.gov.my](mailto:projkkp@mohr.gov.my) or [majahar@mohr.gov.my](mailto:majahar@mohr.gov.my).



## **21. My employer does not comply with the prescribed SOP. What should I do?**

Non-compliance with the SOP is a legal offence. Complaints about non-compliance with the SOP can be directed directly to the relevant authorities as follows:

- i. Complaints about business premises / retail should be forwarded to the Ministry of Domestic Trade and Consumer Affairs (KPDNHEP) and Local Authority (PBT).
- ii. Complaints about factories or operators of the manufacturing sector can be forwarded to MITI at [covid19sec@miti.gov.my](mailto:covid19sec@miti.gov.my).
- iii. Complaints about food premises (restaurants, food courts, hawker centers etc.) can be lodged with the local authority.
- iv. Complaints about hostel accommodation / CLQ can be forwarded to the Department of Labor at [itksm@mohr.gov.my](mailto:itksm@mohr.gov.my), [itknsabah@mohr.gov.my](mailto:itknsabah@mohr.gov.my), [itknsarawak@mohr.gov.my](mailto:itknsarawak@mohr.gov.my).
- v. Complaints about a construction site / premises can be forwarded to the Ministry of Works at [www.kkr.gov.my](http://www.kkr.gov.my).
- vi. Complaints about private security companies can be lodged with the Ministry of Home Affairs (KDN).

For other sectors, please refer to / contact the relevant Ministry / agency.

## **D. PREFERENTIAL CERTIFICATE OF ORIGIN VERIFICATION PROCEDURE**

### **22. What type of Preferential Certificate of Origin (PCO) form is allowed for this procedure?**

- ASEAN-China (Form E)
- ASEAN-Japan (Form AJ)
- ASEAN-India (Form AI)
- Malaysia-Pakistan (MPCEPA Form)
- Malaysia-New Zealand (Form MNZFTA)
- Malaysia-Chile (MCFTA Form)
- Malaysia-India (Form MICECA)
- Malaysia-Australia (MAFTA Form)
- Malaysia-Turkey (Form MTFTA)
- Generalized System of Preferences (GSP) (Form A)

### **23. What about the electronic confirmation of PCO that MITI has recently implemented?**

Only applies to the following schemes:

- ASEAN-Korea (Form AK)
- The ASEAN-Australia-New Zealand (Form AANZ)
- ASEAN-Hong Kong (Form AHKFTA)
- Malaysia-Japan (Form MJEPA)

For the ATIGA scheme (Form D), paper-based form validation is deferred until the new ATIGA Operational Certification Procedure (OCP) is effective (expected on September 1, 2020). Please refer to item 6 for up-to-date confirmation.

**24. When is the duration of this procedure effective?**

Starting May 4, 2020.

**25. Have the Menara MITI / Regional MITI Office counters been opened as normal for this procedure?**

No. PCO verification is still carried out in the back-office throughout this period.

**26. Is PCO Form D ATIGA allowed for manual or electronic verification?**

No. Companies must use the e-Form D platform.

**27. So, how is the company going to validate Form D ATIGA?**

Refer to the diagram below.



**ENFORCEMENT OF ATIGA EFORM D USAGE DURING MOVEMENT CONTROL ORDER (MCO)**  
 Endorsement of Certificate of Origin for ATIGA Manual Form D will not be available at Menara MITI and its state offices during the MCO.

**1** Exporter (Manufacturer/Trader) apply ATIGA Form D via ePCO system

**2** Tick ASW box in the ePCO system before submitting ATIGA Form D

**ASEAN SINGLE WINDOW (ASW) CONSENT FOR ATIGA**

I hereby agree for the data relating to my application as reflected in the ATIGA Form D, to be uploaded onto the ASEAN Single Window and thereafter be exchanged electronically with ready ASEAN Member States. And I hereby confirm that the information given in this application is true, complete and accurate.  
 Note: Application is given with the option whether to accept/ do not accept the consent

**3** Once approved, data will be electronically transmitted via ASEAN Single Window (ASW) platform to the Importing Customs National Single Window (NSW) system.

**4** Company will need to provide the e-Form D reference number to the importer for their import declaration during customs clearance.

**EXAMPLE**

1. Goods consigned from (Exporter's business name, address, country)	Reference No. KL 202003-CEP-7142040
2. Goods consigned to (Importer's name, address, country)	ASEAN TRADE IN GOODS AGREEMENT: ASEAN INDUSTRIAL COOPERATION SCHEME CERTIFICATE OF ORIGIN (Swissland Declaration and Certificate)
	FORM D MALAYSIA Issued in _____ (Country) (See Checklist Notes)

**5** Company is not required to endorse the e-Form D at MITI counter

MIDA, MAFEP, MITI, MARI, MITI Malaysia, MITI Malaysia ProActive, STANDARDS MALAYSIA

**28. The port of the importing country does not accept the verification of e-Form D ATIGA under the ASW platform, what should the company do?**

Refer to the port list in Appendix A. 11 and A. 12.

**29. Customs of the importing country did not receive the e-Form D ATIGA transaction data from MITI, what should the company do?**

Email to [apbpm@miti.gov.my](mailto:apbpm@miti.gov.my) and [careline@dagangnet.com](mailto:careline@dagangnet.com) and copy to [allatiga@miti.gov.my](mailto:allatiga@miti.gov.my). The company can also contact the Careline TradingNet at 1-300-133-133.

**30. Should the company wait at Menara MITI / MITI Regional Office to retrieve the certified PCO?**

There is no need to do so.

**31. Can a company send a PCO other than at the day and time stipulated?**

Not allowed.

**32. Can the company retrieve the PCO on the same day?**

No. Please refer to the diagram for a schedule of procedures involved:

<b>UPDATED PROCEDURE FOR CERTIFICATION OF ORIGIN FOR COMPANIES OPERATING DURING THE CMCO PERIOD</b>		
<b>CLASSIFICATION</b>	<b>OPERATIONAL HOURS</b>	<b>PROCESS CLARIFICATION</b>
<b>PCO Delivery:</b> <ul style="list-style-type: none"> <li>• Form A</li> <li>• Form E</li> <li>• Form AI</li> <li>• Form AJ</li> <li>• Form MPCEPA</li> <li>• Form MNZFTA</li> <li>• Form MCFTA</li> <li>• Form MICECA</li> <li>• Form MAFTA</li> <li>• Form MTFTA</li> </ul>	<b>MITI HQ in Melaka, Perak, Pahang, Pulau Pinang, Sabah and Sarawak:</b>  <b>Monday, Wednesday and Friday:</b> 9:00am – 1:00pm  <b>MITI Johor and Kelantan</b> <b>Every Sunday, Tuesday and Thursday</b> 9:00am – 1:00pm	<ol style="list-style-type: none"> <li>1. The company is required to place the PCO that needs certification in an envelope.</li> <li>2. The name, company address and total number of the PCO must be written on the front of the envelope.</li> <li>3. The envelope containing the PCO must be placed in the available cabinet on Level 2, Menara MITI Counter/MITI Regional Office according to the alphabetical order of the company's name; and</li> </ol>



		4. Only completed PCOs will be processed.
<b>Endorsement of PCO through the back-office.</b>	<b>All Working Days</b> 8:30 am – 5:30 pm	Officers and staff carrying out the endorsement process and signatory through the back-office is according to a set scheduled time.
<b>Collection of PCO:</b> <ul style="list-style-type: none"> <li>• Form A</li> <li>• Form E</li> <li>• Form AI</li> <li>• Form AJ</li> <li>• Form MPCEPA</li> <li>• Form MNZFTA</li> <li>• Form MCFTA</li> <li>• Form MICECA</li> <li>• Form MAFTA</li> <li>• Form MTFTA</li> </ul>	<b>MITI HQ, Melaka, Perak, Pahang, Pulau Pinang, Sabah, Sarawak:</b> 9:00am – 1:00pm  <b>Wednesday:</b> for PCO sent on the <b>previous Monday</b>  <b>Friday:</b> for PCO sent on the <b>previous Wednesday</b>  <b>Monday:</b> for PCO sent on the <b>previous Friday</b>  <b>MITI Johor and Kelantan:</b>  9:00am – 1:00pm <b>Tuesday:</b> for PCO sent on the <b>previous Sunday</b>  <b>Thursday:</b> for PCO sent on the <b>previous Tuesday</b>  <b>Sunday:</b> for PCO sent on the <b>previous Sunday</b>	Companies may collect certified PCOs from the cabinet available on Level 2 Menara MITI Counter/ MITI Wilayah according to the alphabetic order of the company name.
<b>Enforcement of ATIGA e-form D through the ASEAN Single Window platform</b>	N/A	(refer to image in Q27)
<b>Implementation of the process of certification for PCO electronically (signature and official stamp) through ePCO system for 4 FTA schemes, that is:</b> <ul style="list-style-type: none"> <li>• Form MJEPA</li> <li>• Form AANZ</li> </ul>	N/A	PCOs are approved electronically and the exporter <b>does not need to be present at the MITI Counter</b> to apply for certification.  The exporter only needs to print the PCO that has been signed

<ul style="list-style-type: none"> <li>• Form AHK</li> <li>• Form AK</li> </ul>		<p>and certified electronically by MITI <b>at your respective office.</b></p> <p>Exporters are responsible to present a duplicated copy of PCO to the Service Counter at Menara MITI or the MITI Regional Office <b>every month.</b></p>
<p><b>Advisory service related to CA, PCO or NPCO via DagangNet careline and emails to MITI officers</b></p>	<p><b>Careline DagangNet:</b> Everyday, 24 hours</p> <p><b>CA, PCO and NPCO:</b> All Working Days 8:30am – 5:30pm</p>	<ol style="list-style-type: none"> <li>1. Advisory services related to registrations via the ePCO system, how-to and technical issues can be submitted via Email to: <a href="mailto:careline@dagangnet.com">careline@dagangnet.com</a> Careline: 1-300-133-133</li> <li>2. Advisory service related to CA, PCO email: <a href="mailto:pco@miti.gov.my">pco@miti.gov.my</a></li> <li>3. Advisory service related to NPCO, email: <a href="mailto:npc@miti.gov.my">npc@miti.gov.my</a></li> <li>4. ATIGA e-Form D technical difficulties: Email: <a href="mailto:careline@dagangnet.com">careline@dagangnet.com</a> and <a href="mailto:apbpm@miti.gov.my">apbpm@miti.gov.my</a></li> </ol> <p>Careline: 1-300-133-133</p>
<p>For more information, Malaysian companies may email <a href="mailto:pco@miti.gov.my">pco@miti.gov.my</a></p>		

**33. Are companies allowed to send PCOs via courier to MITI / MITI Regional Office?**

Allowed except for the Melaka MITI Office. The company will need to attach a full A4-sized prepaid envelope stamped with its own address for the purpose of returning the PCO.

**34. What about via courier to the Melaka MITI Office?**

Not allowed. Only applications for PCO verification by hand are allowed.



**35. I have sent the PCO as per the set schedule but why is it not confirmed?**

The company may refer to the accompanying note to the PCO for justification of the denial of verification.

**36. The justification given is unclear. Can the company make an appointment with an officer for more information?**

No. Companies can ask questions by email at [pco@miti.gov.my](mailto:pco@miti.gov.my)

**37. I also have a question regarding a Non-Preferential Certificate of Origin (NPCO), how do I contact a MITI officer?**

Companies can ask questions by emailing [npco@miti.gov.my](mailto:npco@miti.gov.my)

**38. I am unable to upload documents to the ePCO system during a PCO / Cost Analysis (CA) application.**

For any technical assistance with the ePCO system, the company can contact Careline DagangNet operating 24 hours at 1-300-133-133 or by emailing [careline@dagangnet.com](mailto:careline@dagangnet.com)

**39. Will this procedure continue if the CMCO or MCO is extended by the Government?**

Companies are requested to keep up-to-date with MITI announcements on their website and social media platforms made from time to time.

**Notes:**

- 1. It is the responsibility of all parties to understand and comply with all current directives of the National Security Council (NSC) and the COVID-19 Prevention SOPs issued by the Ministry of Health Malaysia (MOH) to jointly reduce the risk and prevent the spread of the COVID- 19 pandemic.*
- 2. Any current changes in accordance with the latest directives of the NSC and MOH will be notified from time to time.*

**MINISTRY OF INTERNATIONAL TRADE AND INDUSTRY  
MAY 8, 2020**