

COVID-19

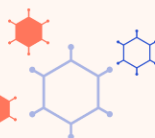
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DEFINITION —


REFERRING TO THE PREVENTION AND CONTROL OF INFECTIOUS DISEASES ACT 1988, THIS ACT IS A LAW AND LEGISLATION THAT COVERS THE PREVENTION & CONTROL OF VECTOR-BORNE DISEASES. VECTOR-BORNE DISEASES ARE HUMAN ILLNESSES CAUSED BY PARASITES, VIRUSES AND BACTERIA THAT ARE TRANSMITTED BY VECTORS. VECTORS ARE LIVING ORGANISMS THAT CAN TRANSMIT INFECTIOUS PATHOGENS BETWEEN HUMANS OR FROM ANIMALS TO HUMANS SUCH AS MOSQUITOES, TICKS AND FLEAS. COVID-19 CAN BE DEFINED UNDER 'ANY OTHER LIFE THREATENING MICROBIAL INFECTION' SPECIFIED UNDER THE FIRST SCHEDULE OF THE ACT.

SECTION 10 DISCOVERY & NOTIFY

Any person who is aware being in contact with a person who is suffering from or who has died of an infectious disease, with the least practicable delay notify the officer in charge of the nearest district health office or government health facility or police station or notify the nearest village head of the existence of such disease.



SECTION 10(2)

 Every medical practitioner who treats or aware of the existence of any infectious disease in any premises should with the least practicable delay, give notice of the existence of the infectious disease to the nearest Medical Officer of Health as prescribed by regulations under this Act.



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RECEIVING INFORMATION

When any police officer or village head receives notification under this section should with the least practicable delay, notify the officer in charge of the nearest district health office or government health facility

PRESUMPTION

Any person who commits and charged under this section, he shall be presumed to have knowledge of the existence of the disease unless he shows to the satisfaction of the Court before which he is charged that he did not know and could not with reasonable diligence have obtained knowledge of the infectious disease or that he did not have reason to believe that an infectious disease existed

SECTION 12

Any person who has the knowledge that he is suffering from an infectious disease should not be in public places or make contact to other persons to avoid the spread of the disease unless it is necessary to obtain a medical treatment. This includes human immunodeficiency virus (HIV) infection (all forms) as specified in Part II of the First Schedule and any person who contravenes this section commits an offence.

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QUARANTINE

According to the World Health Organization and US Centers for Disease Control and Prevention, 14 days represents the outer limits of the virus' possible incubation period.

Q&A: CAN THE GOVERNMENT FORCE A PERSON TO BE ISOLATED OR QUARANTINED UNDER THE LAW?

Yes. According to Prevention and Control of Infectious Diseases Act 1988, the Federal Government derives its authority for isolation and quarantine from the Act. The examination is within the reasonable time (Section 7 & Section 8).

Q&A: WHAT ABOUT ARTICLE 5(1) FEDERAL CONSTITUTION?

The right to personal liberty is not absolute and is subject to qualifications. This is because it is trite that such constitutional provisions should be interpreted generously and liberally.

SOURCES

- World Health Organization (Website)
- Free Malaysia Today (Website/Online News)
- Act 342

PART V OF THIS ACT

It consists of Section 22, Section 23, Section 24 and Section 25 that highlight the offences and penalties under this Act. Any person is said to commit an offence if acting as below:

- Obstructs or impedes, or assists in obstructing or impeding, any authorized officer in the execution of his duty;
- Disobeys any lawful order issued by any authorized officer;
- Refuses to furnish any information required for the purposes of this Act or any regulations made under this Act; or
- Upon being required to furnish any information under this Act or any regulations made under this Act, gives false information.

PROSECUTION

Further, any authorized officer may prosecute any person who appears to be committed the offence against this Act or regulations made under this Act. Any person who is found guilty committing and offence under this Act for which no specific penalty is provided shall be liable on conviction as follows:

- In respect of a first offence, to imprisonment for a term not exceeding two years or to fine or both;
- In respect of a second or subsequent offence, to imprisonment not exceeding five years or to fine or both;
- In respect of a continuing offence, to a further fine not exceeding two hundred ringgit for every day during which such offence continues.

COMPOUND

The Director General or any public officer authorized for this purpose by him in writing may compound any offence under this Act or any regulations made under this Act which has been prescribed by regulations as compoundable by collecting from the offender a sum of money not exceeding RM1000.00

EXTRA NOTE:

According to Section 5, police, customs, and immigration officers and officers from other government departments and agencies shall render such assistance as any authorized officer may request for the purpose of enabling him to exercise the powers vested in him by this Act or its regulations.

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