











Malaysia

WBL 2.0 legal frameworks score	WBL 2.0 supportive frameworks score	WBL 2.0 expert opinions score
47.5	40.8	81.3

Women, Business and the Law 2024 (WBL 2024) identifies barriers for women’s economic empowerment in three areas: women’s legal rights, policy instruments designed to support the implementation of these rights, and how these rights are realized in practice. For that purpose, three new *Women, Business and the Law 2.0* indexes are presented for ten indicators: (1) legal frameworks, (2) supportive frameworks, and (3) expert opinions. For the WBL 2.0 legal frameworks index, 40 questions are scored across the ten indicators for 190 economies. For the WBL 2.0 supportive frameworks index, 30 questions are scored across the ten indicators for 190 economies. Overall economy level legal and supportive frameworks scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. The WBL 2.0 expert opinions index is created for a total of 164 economies. Expert opinion scores are not available for 26 economies due to an insufficient number of responses received from those economies during data collection. Individual responses at the economy level for 15 expert opinions questions across the ten indicators are scored by taking the median value of all responses per question. The economy level expert opinions index is equal to the simple unweighted average of the ten indicator scores.

For Malaysia, data refer to the legal frameworks, supportive frameworks, and expert opinions that are applicable to the main business city (Kuala Lumpur). The scores for Malaysia are shown in the table below.

Women, Business and the Law 2024 2.0 indicator scores

										
WBL 2.0	Safety	Mobility	Workplace	Pay	Marriage	Parenthood	Childcare	Entrepreneurship	Assets	Pension
Legal frameworks score	0.0	25.0	50.0	75.0	25.0	75.0	75.0	25.0	50.0	75.0
Supportive frameworks score	75.0	66.7	0.0	50.0	33.3	0.0	50.0	100.0	33.3	0.0
Expert opinions score	25.0	100.0	75.0	75.0	87.5	100.0	50.0	100.0	100.0	100.0

In summary, the **WBL 2.0 legal frameworks score** for Malaysia (47.5 out of 100.0) is lower than the global average (64.2) and lower than the East Asia & Pacific regional average (57.8). Malaysia does not attain a perfect score on any of the WBL 2.0 legal frameworks indicators. There is room for improvement across all ten indicators. As an example, one of the lowest scores for Malaysia is on the indicator measuring laws affecting women's safety. To improve on the Safety indicator, Malaysia may wish to consider putting in place legislation on domestic violence, introducing legislation on femicide, adopting comprehensive legislation on sexual harassment and introducing legislation on child marriage.

The **WBL 2.0 supportive frameworks score** for Malaysia (40.8 out of 100.0) is higher than the global average (39.5) and higher than the East Asia & Pacific regional average (33.9). When it comes to supportive frameworks related to women starting and running a business, Malaysia obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Malaysia is on the indicator measuring supportive frameworks affecting women's decisions to work. To improve on the Workplace indicator, Malaysia may wish to consider publishing guidelines on non-discrimination based on gender in

recruitment, publishing guidelines on flexible work arrangements and establishing a specialized body that receives complaints about gender discrimination in employment.

The **WBL 2.0 expert opinions score** for Malaysia (81.3 out of 100.0) is higher than the global average (65.7) and higher than the East Asia & Pacific regional average (64.8). When it comes to expert opinions on freedom of movement, expert opinions on women's work after having children, expert opinions on women starting and running a business, expert opinions on women's property and inheritance and expert opinions on women's pensions, Malaysia obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Malaysia is on the indicator measuring expert opinions on women's safety.

WBL 2.0 legal frameworks data

QUESTION	ANSWER	LEGAL BASIS
Safety		
Is there legislation on domestic violence?	No	No applicable provisions could be located
Is there legislation on femicide?	No	No applicable provisions could be located
Is there comprehensive legislation on sexual harassment?	No	No applicable provisions could be located
Is there legislation on child marriage?	No	No applicable provisions could be located
Mobility		
Can a woman travel internationally in the same way as a man?	Yes	Passport Act, Art. 1; Islamic Family Law Act (Federal Territories Act), Art. 59(2)(b)
Can a woman choose where to live in the same way as a man?	No	Islamic Family Law Act (Federal Territories Act), Art. 59(2)(c)
Can a woman travel outside her home in the same way as a man?	No	Islamic Family Law Act (Federal Territories Act), Art. 59(2)(b)
Do women and men have equal rights to confer citizenship to their spouses and their children?	No	Federal Constitution, Arts. 14(1)(b), 15(1) and 15(2)
Workplace		
Can a woman get a job in the same way as a man?	Yes	No restrictions could be located
Does the law prohibit discrimination in employment based on gender?	No	No applicable provisions could be located
Does the law prohibit discrimination in recruitment based on marital status, parental status, and age?	No	No applicable provisions could be located
Does the law allow employees to request flexible work?	Yes	Employment Act 1955, Part XIIC; Employment (Amendment) Act 2022, Sec. 27
Pay		
Does the law mandate equal remuneration for work of equal value?	No	No applicable provisions could be located
Can a woman work at night in the same way as a man?	Yes	No restrictions could be located
Can a woman work in an industrial job in the same way as a man?	Yes	No restrictions could be located
Can a woman work in a job deemed dangerous in the same way as a man?	Yes	No restrictions could be located
Marriage		
Can a woman be "head of household" or "head of family" in the same way as a man?	Yes	No restrictions could be located
Is the law free of legal provisions that require a married woman to obey her husband?	No	Islamic Family Law Act (Federal Territories Act), Art. 129
Can a woman obtain a judgment of divorce in the same way as a man?	No	Islamic Family Law Act (Federal Territories Act), Arts. 47-52
Does a woman have the same rights to remarry as a man?	No	Islamic Family Law (Federal Territories Act), Arts. 47(16) and 47(17)
Parenthood		
Is paid leave of at least 14 weeks available to mothers?	Yes	Employment Act 1955, Sec. 37(1)(a); Employment (Amendment) Act 2022, Sec. 12

Are leave benefits for mothers paid solely by the government?	No	Employment Act 1955, Sec. 37(2)
Is there paid leave available to fathers?	Yes	Employment Act of 1955, Sec. 60FA; Employment (Amendment) Act 2022, Sec. 23
Is dismissal of pregnant workers prohibited?	Yes	Employment Act 1955, Sec. 41A; Employment (Amendment) Act 2022, Sec. 13
Childcare		
Does the law establish provision of childcare services in center-based settings?	Yes	Child Care Center Act of 1984, Secs. 3, 4 and 5; Official Website of Community Development Department
Does the law establish any form of support to families for childcare services?	Yes	Official Website of the Social Welfare Department; Income Tax Act No. 47 of 1967, Sec. 46(r)
Does the law establish any form of support to non-state childcare providers?	Yes	Income Tax Act No. 47 of 1967, Secs. 5(1), 34(6)(i), 42A(2), 138A and Schedule 3; Public Ruling No. 10/2016, Sec. 4.6; Public Ruling No. 4/2016, Secs. 5.1.1, 5.1.2 and 5.2.7; Public Ruling No. 5/2016, Secs. 5, 6.1 and 7
Does the law establish quality standards for the provision of childcare services in center-based settings?	No	No applicable provisions could be located
Entrepreneurship		
Can a woman undertake entrepreneurial activities in the same way as a man?	Yes	No restrictions could be located
Does the law prohibit discrimination in access to credit based on gender?	No	No applicable provisions could be located
Does the law prescribe a gender quota on corporate boards?	No	No applicable provisions could be located
Does the law include gender-sensitive procurement provisions for public procurement processes?	No	No applicable provisions could be located
Assets		
Do men and women have equal administrative power and ownership rights to immovable property, including land?	Yes	Islamic Family Law (Federal Territories Act), Art. 52 h(iv); National Land Code, Sec. 340
Do sons and daughters have equal rights to inherit assets from their parents?	No	Federal Constitution of Malaysia, Art. 3; Distribution Act, Art. 2
Do male and female surviving spouses have equal rights to inherit assets?	No	Federal Constitution of Malaysia, Art. 3; Distribution Act, Art. 2
Does the law provide for the valuation of nonmonetary contributions?	Yes	Islamic Family Law (Federal Territories Act), Art. 58(4)(a)
Pension		
Are the ages at which men and women can retire with full pension benefits equal?	Yes	Minimum Retirement Age Act 2012, Art. 4(1)
Are the ages at which men and women can retire with partial pension benefits equal?	Yes	Employees Provident Fund Act 1991, Art. 54(6)(a)
Is the mandatory retirement age for men and women equal?	Yes	No applicable provisions could be located
Are periods of absence due to childcare accounted for in pension benefits?	No	No applicable provisions could be located

WBL 2.0 supportive frameworks data

QUESTION	ANSWER	SOURCE
Safety		
Has the government developed comprehensive mechanisms to address violence against women?	Yes	National Strategy Plan in Handling the Causes of Child Marriage (2020-2025); Code of Practice on the Prevention and Eradication of Sexual Harassment in the Workplace; Guidelines for the Implementation of the Anti-Sexual Harassment Advocacy Program (AAGS); Helpline (Talian Kasih 15999)
Are there special procedures for cases of sexual harassment?	No	Insufficient evidence located

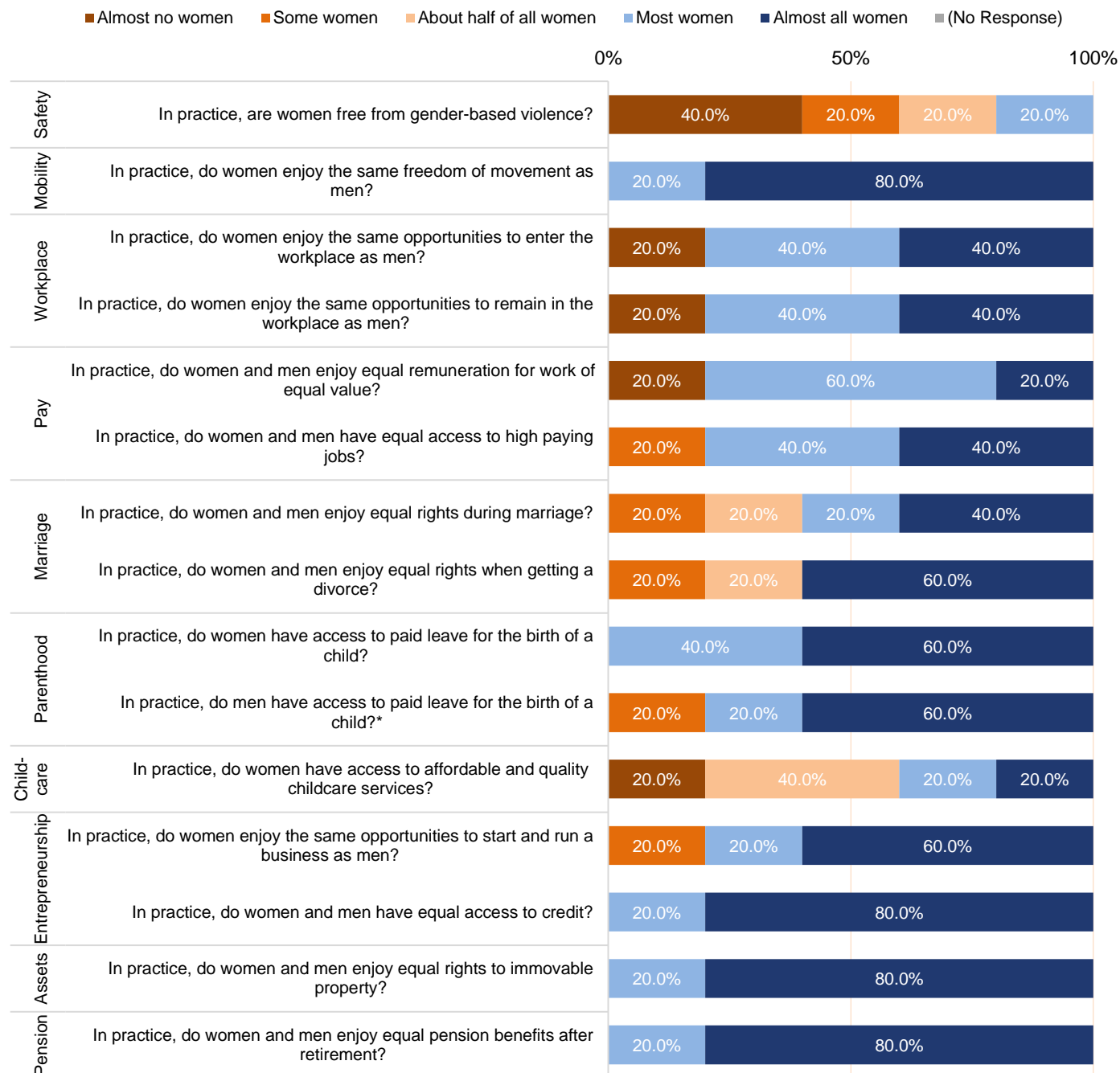
Is there a government entity responsible for the monitoring and implementation of national services, plans and programmes addressing violence against women?	Yes	The Ministry of Women, Family and Community Development
Is there an annual budgetary allocation towards violence against women risk mitigation, prevention and response programs?	Yes	Budget 2023
Mobility		
Are passport application processes the same for women and men?	Yes	Passport application procedures
Are the application processes for official identity documents the same for women and men?	Yes	ID application procedures
Is there a current policy or plan that explicitly considers the specific mobility needs of women in public transportation?	No	Insufficient evidence located
Workplace		
Has the government published guidelines on non-discrimination based on gender in recruitment?	No	Insufficient evidence located
Has the government published guidelines on flexible work arrangements?	No	Insufficient evidence located
Is there a specialized body that receives complaints about gender discrimination in employment?	No	Insufficient evidence located
Pay		
Are there pay transparency measures or enforcement mechanisms to address the gender pay gap?	No	Insufficient evidence located
Is sex-disaggregated data on employment in different industries or sectors published at least on an annual basis?	Yes	Department of Statistics Malaysia: Labour Force Survey Report 2022
Marriage		
Is there a fast-track process or procedure for family law disputes?	No	Insufficient evidence located
Are there specialized family courts?	No	Insufficient evidence located
Is legal aid available for family law disputes?	Yes	National Legal Aid Foundation
Parenthood		
Is it possible to apply for maternity benefits through a single government application process?	No	Insufficient evidence located
Are incentives in place to encourage fathers to take paternity leave on the birth of a child?	No	Insufficient evidence located
Has sex-disaggregated data on unpaid care work been published?	No	Insufficient evidence located
Childcare		
Is there a publicly available registry or database of childcare providers?	Yes	Official Website of Department of Social Welfare
Is there a clearly outlined application procedure to request financial support from the government for childcare services by parents?	Yes	Official Website of Department of Social Welfare, Caregiving Fee Subsidy Application
Is there a clearly outlined application procedure to request financial support from the government for childcare services by non-state childcare providers?	No	Insufficient evidence located
Has the government published any reports on quality of childcare services within the last 3 years?	No	Insufficient evidence located
Entrepreneurship		
Is sex-disaggregated data on business activities, entrepreneurship, or women-owned businesses published on a regular basis?	Yes	Department of Statistics Malaysia
Are there government-led programs that provide support to female entrepreneurs such as access to finance or regarding agency and empowerment?	Yes	Budget Allocation; Women Exporters Development Program (WEDP)
Is there a current national government plan or strategy with a focus on women's access to financial services?	Yes	Financial Inclusion Framework (2023 - 2026)
Assets		



Are there mechanisms or incentives to encourage women to register immovable property?	Yes	Law Reform (Marriage and Divorce) Act, Art. 76; National Land Code, Sec. 214A and 340
Are there awareness measures in place to improve women's access to information about marital and inheritance rights?	No	Insufficient evidence located
Is anonymized sex-disaggregated data on property ownership published on a regular basis?	No	Insufficient evidence located
Pension		
Are there incentives in place to increase women's retirement benefits?	No	Insufficient evidence located
Is there a procedure in place for pension beneficiaries to challenge the decisions of the competent authority regarding their benefits?	No	Insufficient evidence located



WBL 2.0 distribution of expert opinion responses



*Note: The response options for the second Parenthood question above are formatted as almost no men, some men, about half of all men, most men, almost all men.