



COVID-19 and Its Effect

ARE THERE ANY RIGHTS THAT THE FEDERAL CONSTITUTION DEEM TO BE PROTECTED AT ALL TIMES REGARDLESS OF ANY CIRCUMSTANCES INCLUDING THIS PANDEMIC?

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- All rights are protected at all times under the current legal regime of the pandemic in Malaysia.
- The laws that being used are ordinary laws.
- The law and regulations/orders are subject to the Constitution.
- Any provision of the law and its enforcement which are in conflict with the Constitution will be deemed illegal and unconstitutional.
- Article 4(1) applies.
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Article 4. Supreme Law of the Federation.

(1) This Constitution is the supreme law of the Federation and any law passed after Merdeka Day which is inconsistent with this Constitution shall, to the extent of the inconsistency, be void.

The laws used are NOT SPECIAL LAW.

Special laws are made pursuant to:

- Article 149 and
- Article 150.

PART XI - SPECIAL POWERS AGAINST SUBVERSION, ORGANISED VIOLENCE, AND ACTS AND CRIMES PREJUDICIAL TO THE PUBLIC AND EMERGENCY POWERS

- **Article 149. Legislation against subversion, action prejudicial to public order, etc.**
- **Article 150. Proclamation of emergency.**

- Law made under Article 149 is valid notwithstanding that it is inconsistent with any of the provisions of Article 5, 9, 10 or 13.

- **Article 149(2)**


- Law required by reason of the emergency shall not be invalid on the ground of inconsistency with any provision of this Constitution.

- **Article 150 (6)**

- Emergency law shall not deal with any matter of Islamic law or the custom of the Malays, or with respect to any matter of native law or customs in the State of Sabah or Sarawak

- Emergency law shall not be inconsistent with the provisions of this Constitution relating to religion, citizenship, or language.

- **Article 150 (6A)**

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- The laws in Malaysia to deal with COVID19 Pandemic are not above the Constitution.
 - The laws cannot be inconsistent with any part of the Constitution.

PREVENTION AND CONTROL OF INFECTIOUS DISEASES ACT 1988
Prevention and Control of Infectious Diseases Regulations 2020