

**SPEECH BY  
YB DATUK LIEW VUI KEONG,  
MINISTER IN THE PRIME MINISTER'S DEPARTMENT (LAW)  
LAUNCHING OF THE WORKSHOP: TOWARDS BETTER WHISTLE  
BLOWER PROTECTION IN MALAYSIA  
1 AUGUST 2019 (THURSDAY), DEWAN 1, PUSAT KONVENSYEN  
ANTARABANGSA PUTRAJAYA**

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Yang Bhg. Datuk Dr. Rose Lena binti Lazemi  
Director General of the Legal Affairs Division  
Prime Minister's Department

YBhg. Tan Sri Abu Kassim bin Mohamed  
Director General of the Governance, Integrity & Anti-Corruption Center

YBhg. Datuk Seri Azam bin Baki  
Deputy Chief Commissioner (Operations)  
Malaysian Anti-Corruption Commission

Ms. Constanze Von Sohlen  
United Nations of Drug and Crime (UNODC)

Ms. Shreyl Stackler,  
US Office of Special Counsel  
Senior Government Officials,

Representatives from Government Linked Companies (GLC's) and  
Ladies and Gentlemen

A very good morning to all present here today

1. First and foremost, I would like to thank everyone for attending today's "***Towards better Whistleblower Protection in Malaysia***" workshop jointly organized by the Legal Affairs Division of the Prime Minister's Department with the Malaysian Anti-Corruption Commission (MACC), with the support from the United Nations Office on Drugs and Crime (UNODC). This workshop aims to review and reform the Whistle Blower Protection Act 2010 [Act 711].

Ladies and Gentlemen,

2. The Pakatan Harapan government is committed towards the fight against corruption as stated in **Promise 14** of the *Buku Harapan*. We need a better living environment for our future generation, along with a regulatory environment that is conducive to business operation towards **shared prosperity**
3. As such, we need effective policies and laws to eradicate corruption. Enhancing cooperation between different law enforcement agencies and the private sector both locally and globally are vital in order in **strengthening economic, policy reform and institutional reform.**

4. All parties including the civil society organisations can assist the government by lodging complaints when they encounter improper conduct. Similarly, the media play a huge role in disseminating useful information about government policies pertaining to Whistle blower Protection in Malaysia, as there is still insufficient awareness on Whistle blower Protection amongst the masses.

Ladies and Gentlemen,

5. The Whistle blower Protection Act 2010 was introduced in Malaysia following the signing of the **United Nations Convention Against Corruption (UNCAC)** in 2008. This act is actually very close to my heart, as I was the one who tabled the draft bill in Parliament in 2010 prior to it being passed, when I was the Deputy Minister in the Prime Minister's Department.
6. The purpose for having this law is in line with two articles of the UNCAC namely article 33 that specifies "***protection of reporting persons***" and article 37 which refers to "***cooperation with law enforcement authorities***".
7. The Whistle blower Protection Act 2010 can be used in both the public and private sector. In this respect, article 33 of the UNCAC is upheld as the act stresses the importance of protecting a Whistle blower which ultimately **provides for a conducive environment that encourages reporting of improper conduct**. The protection given to a Whistle blower under this act includes protection on

- (i) confidentiality of information,
- (ii) immunity towards civil and criminal action and
- (iii) protection against detrimental actions.

Ladies and Gentlemen

8. This act also stresses the importance of the role of the enforcement agencies in receiving complaints and investigating them promptly. These complaints may include complaints about officers in other agencies or their own agency. As such, this act provides protection to complainants who may have information about an improper conduct but fear retaliation or detrimental action when a complaint is made.
9. However, as of April 2019, the statistics of the number of Whistle Blower received amongst the seven (7) enforcement agencies namely the **Royal Malaysian Police Force, Malaysian Anti-Corruption Commission, the Royal Malaysian Customs, Immigration Department of Malaysia, Road Transport Department of Malaysia, Companies Commission of Malaysia** and the **Securities Commission of Malaysia** since 2015 is only **124 cases** .
10. As such, it is time for us to assess the suitability of this act which could be the reason behind this small number. In our endeavour towards law reform, we welcome review of laws that are not “fit for purpose” or that needs further enhancement.

11. I take this opportunity to extend my gratitude to the experts from UNODC and the US Office of Special Council for being here with us to share their experiences and “best practices”. Our sincere appreciation to the Japanese government for their support of this programme. I hope this two (2) day Workshop will achieve the objectives of :

- (i) reviewing the implementation issues of Whistle blower protection in Malaysia
- (ii) learning best practice of Whistle blower Protection and Legal Framework in other countries, and
- (iii) experts engagement, and provide us with recommendations of the use of the Whistle blower Protection Act in Malaysia.

12. With that, I would like to officiate “**Towards a better Whistle blower Protection in Malaysia**” workshop and may you have a productive and enjoyable Workshop.

Thank you

YB Datuk Liew Vui Keong,  
Minister In The Prime Minister’s Department (Law)