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RECTOR'S MESSAGE



Congratulations Faculty of Business and Management of Universiti Teknologi MARA Cawangan Kedah, Kampus Sungai Petani on the publication of the 6th Volume of FBM Insights!

I am very pleased to know that there are more than 40 authors and more emerging issues are being presented in this latest volume of FBM Insights. This portrays that UiTM Kedah Branch is actively involved in disseminating business related information and knowledge to the public.

I hope this bulletin can provide an opportunity for the Faculty of Business and Management staff to produce more academic materials and develop their skills in academic and creative writing. Furthermore, more initiatives should be launched to support this life-long process.

Again, well done to the Faculty of Business and Management and those who were involved directly and indirectly with the publishing of FBM Insights Vol.6. I wish FBM Insights all the best and continue to grow and move rapidly forward in the future.

Prof. Dr. Roshima Haji Said Rector Universiti Teknologi MARA (UiTM) Cawangan Kedah



السلام عليكم ورحمة الله وبركاته Assalamualaikum warahmatullahi wabarakatuh

Welcome to the 6th Edition of FBM Insights 2022. This edition boasts 40 articles by the academics of Faculty of Business and Management UiTM Kedah Campus. The topics involved a broad range of business and management knowledge. Congratulations to all authors for your endless support and valuable contribution to the newsletter.

FBM Insights was mooted in 2020 and it came about with the intention to encourage and improve research writing activities among the lecturers of UiTM Kedah's Business and Management Faculty. As the editions progressed, the support from the academics has not faltered. I hope the support continues in editions to come.

I would like to congratulate the editors and the committee for the hard work and perseverance in managing the newsletter. All the best to everyone and thank you again.

Dr. Yanti Aspha Ameira Mustapha FBM Insights Advisor

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BANKRUPTCY OH BANKRUPTCY: THE MALAYSIANS' SCENARIO

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Bankruptcy. A dreaded term for everyone, especially those in the financial world. Bankruptcy is a word that is used to indicate the financial status of an individual and is a legal recognition given to someone who fails to pay their debts on time. In Malaysia, bankruptcy affairs are handled solely by the Malaysian Department of Insolvency (MDI). The individual's ability to enter into any contract will be revoked once he or she is declared bankrupt. As a result, a bankrupt would be unable to get employment, open a bank account, or even sign any document for oneself amongst others. They are also forbidden from leaving the country. It is the harshest penalty indeed for a person who does not follow through on a repayment commitment.

However, there is slight leniency for the affected person. The bankrupt may engage in certain activities that are typically banned on them with the approval of the Director-General of MDI. For the legislative framework on bankruptcy, the first bankruptcy law was enacted in 1967 and further revised in 1988. The act was renamed the Insolvency Act 1967 in October 2017, with changes in several essential features. Changes to the law are made in accordance with the changes in the banking system, products or services offered by the financial institutions, and the lifestyle of the Malaysian. This paper attempts to discuss the scenario of Malaysians' bankruptcy cases based on data obtained from 2016 to 2021. The number of bankruptcy cases by cause is illustrated below.

Table 1.0
The number of bankruptcy cases by cause from 2016 to 2021

The hamber of bankraptoy cases by cade from 2010 to 2021										
Bankruptcy Category	2016	2017	2018	2019	2020	2021	Total			
Personal Loan	6,133	5,496	4,636	5,706	4,457	3,267	29,695			
Hire Purchase	4,500	4,102	3,392	1,543	1,006	690	15,233			
Business Loan	1,989	1,679	1,424	1,846	1,223	1,202	9,363			
Housing Loan	2,359	2,675	1,982	1,138	583	459	9,196			
Credit Card	2,247	1,773	1,811	880	600	438	7,749			
Other Borrowings	414	383	1,770	425	91	126	3,209			
Corporate Guarantor	628	806	626	221	114	118	2,513			
Social Guarantor	1,033	1,002	540	15	2	0	2,592			
Income tax debt	281	303	275	261	158	147	1,425			
EPF Contributions	0	0	0	0	105	92	197			
Study Loans	4	8	26	16	12	15	81			
Total	19,588	18,227	16,482	12,051	8,351	6,554	81,253			

Source: Malaysia Department of Insolvency (2021)

According to the above statistics, personal loans led the top five credit facilities that caused bankruptcy cases with a total of 29,695 cases, followed by hire purchases with 15,233 cases,

business loans in third place with 9,363 cases, housing loans in fourth place with 9,196 cases, and credit cards in fifth place with 7,749 cases. If we observe the number of cases year by year, the numbers are greatly reduced from 2016 to 2021. This would significantly indicate that there were substantial measures to prevent bankruptcy from spiralling over.

Years ago, bankruptcy caused by credit cards among Malaysian youths was a hotly debated matter in the country. To control this from going worse, Bank Negara Malaysia (BNM) has taken a proactive measure to curb the rise of the cases. One of the measures is by creating a more stringent standard for banks to adhere to when granting credit cards to financial customers. The requirement for minimum yearly income has raised from RM18,000 to RM24,000, and individuals earning RM36,000 or less can only hold credit cards from two issuers (Bank Negara Malaysia, 2019). Years have passed, and if we analyze the Malaysian bankruptcy trend during the last six years, we can see that nearly a total of 30,000 Malaysians have been declared bankrupt as a result of personal loans. Although the number of cases year by year has gone down tremendously, this total figure is highly startling and unsettling. Personal loans are mostly granted solely based on a clean or unsecured basis for the purpose of private consumption and by far are considered the most attractive credit facilities for financial consumers. There is no requirement for additional collateral, such as property, and there are no restrictions on how the fund can be used. Individual earnings are used to determine the eligibility and approval of the facility, which takes into consideration current and prospective financial responsibilities.

Over the years, banks have developed new products and introduced new loan packages to meet the needs and demands of financial consumers as their lifestyles have changed. Whether the loan is secured; such as a hire purchase or a housing loan, or unsecured; such as a personal loan, the processing officer rigorously adheres to all eligibility requirements, evaluation procedures, and credit verification of existing liabilities repayment status. A clean or unsecured loan is deemed as high risk by the banks since it is not backed by any collateral that the bank can use to reclaim the loan amount if the borrower has difficulty repaying the loan. Looking at this, the personal loan is viewed to have a stringent approval process. Despite this, thousands of cases of bankruptcy are still reported each year. Therefore, it is worthwhile to investigate whether there is an issue with the bank's loan packaging, processing, or perhaps the evaluation process. However, obtaining that information can be challenging as it goes back to the bank's internal processing and evaluation procedures, which are private and confidential.

For more than 50 years, the minimum amount required to file for bankruptcy has progressively increased. It started at RM1,000 in 1967, then it grew to RM2,000 in 1976, then to RM10,000 in 1992, and finally to RM30,000 in 2003. Years after the increment, the threshold was increased to RM50,000, and in 2020, given the state of insolvency in the country, the amount was doubled to RM100,000 (Malaysian Department of Insolvency, 2021). The changes in the minimum threshold have led to a positive result. It has reduced the number of recorded bankruptcy cases from nearly 20,000 in 2016 to only 8,351 in 2020. Cases fell even more in 2021, with only 6,554 cases reported. The reduction in the number strongly implies a favourable financial position for financial consumers. While raising the minimum threshold has provided some positive solutions to several insolvency issues to a certain extent, there is also a troubling issue to consider. Debts owed by households are escalating. Hence, would it be possible to genuinely reverse the trend of bankruptcy by raising the bankruptcy filing threshold? Or is this just a short-lived fad?

The years 2020 and 2021 came with unprecedented challenges for both the banking industry and the borrowers due to COVID-19. Many people were suffering from loss of income due to lockdown measures implemented to curb the spread of the deathly virus. It was foreseen that majority of people might face a difficult time repaying their debts on time due to unemployment and loss of income. Therefore, the government introduced a moratorium exercise to manage the risk of non-repayment of the credit facilities by the borrowers. The first phase of the compulsory six-month moratorium makes its debut in April 2020 and the subsequent second phase of the voluntary moratorium started in July 2021. Although the authorities have not yet reported any evidence on this, we cannot deny that the implementation of the 2-year moratoriums is possibly

one of the factors contributing to the lower number of bankruptcy cases filed in 2020 and 2021. The efficacy of the moratorium's execution thus far has resulted in a favourable scenario in Malaysia's borrowing landscape. Many borrowing accounts have survived from being classified as doubtful or non-performing due to the deferment of borrowing repayment to them under the COVID-19 moratorium. The moratorium is a temporary measure that is meant to avoid unfavourable financial conditions from leading to an increase in non-performing loans, which would result in an increase in bankruptcy filings. Now all economic sectors have resumed as usual. Movement restrictions and halts to economic activity are no longer present in the nation. Thus, it is unlikely for us to see another round of moratorium in the near term. Will there be a resurgence of bankruptcies in the absence of the moratorium? Will the moratorium be reintroduced at a certain point of time in the future? Some questions for us to ponder upon.

Bankruptcy is a very serious matter. An increase in the number of cases would indicate a severe credit concern. It also reflects a rise in household debt. The consumers' ability to make their monthly payments may be significantly impacted if there is any change in their income. Now that COVID-19 is less of a critical threat to citizens, the country is currently dealing with another severe problem: a rise in the cost of consumer goods, especially food. The dramatic increase in food prices would have a significant impact on a person's overall monthly expenses and progressively reduce that person's capacity to pay obligations. Given the situation, it is no surprise that bankruptcy cases increase in the upcoming years. We do, however, positively anticipate a continuation of the downward trend in bankruptcy filings looking at the current trend. Nonetheless, future statistics will most certainly lead us to a new path or provide us with a new perspective. Or who knows, perhaps it would provide us with a definite answer?

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