

A REVIEW ON THE LAWS IN MALAYSIA FOR MALAYSIAN FOREIGN SPOUSES

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ABSTRACT

This paper provides a comprehensive assessment and examination of the laws protecting the rights of foreign spouses in Malaysia. This paper attempts to compare the current laws and policies implemented in Australia and reviews the lacunae or loopholes in the laws and assess the impacts of such inadequacy on the plight and grievances suffered by foreign spouses in Malaysia. Under international law, there is a legal framework in ensuring that the rights of foreign spouses to be recognised and protected. There are several international Conventions that have been ratified by several countries in the world. As there is a lack of guidelines coupled with the lack of sensitiveness of the Malaysian authorities has caused many problems towards foreign spouses with regards to their application and status in the eyes of the law. Therefore we made the comparisons to the Australian policies and rules because it provides more comprehensive and clear guidelines with regards to the application of visas, permanent residency and also citizenship. Several bureaucracy and documentation difficulty had been a stumbling block for foreign spouse who married to a Malaysian citizen from enjoying their rights and privileges conferred by the law. Recent transformation drive by the current leadership of the country had made it clear that, the laws regulating the rights and status of foreign spouses should be revamp and review.

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