

**AN ANALYSIS ON THE MISUSE OF INTERNATIONAL STUDENT PASS
WHICH VIOLATES THE MALAYSIAN IMMIGRATION ACT 1959/63**

By:

SITI ATIFAH BINTI MOHD ZIN (2012270498)

IZZATUL IZREEN BINTI MANSOR (2012284686)

NORHAZURIN FAZAIETI BINTI ASRUL EFANDI (2012274832)

Submitted in partial fulfilment in requirements for Bachelor Legal Studies (Hons)

Universiti Teknologi Mara

Faculty of Law

Disember 2014

The students/authors confirm that the work submitted is their own and that appropriate credit has been given where references has been made to the work of others.

ACKNOWLEDGEMENT

First of all, we would like to express our utmost gratitude to Almighty God for giving us strength and help in the process of completing this research. Without His guidance, we obviously would not be able to complete this research on time and with ease.

The team for this research is consisted of three law students namely Siti Atifah, Izzatul Izreen and Norhazurin Fazaieti and supervised by Mr John Chuah who is a law lecturer in the Faculty of Law, University Technology Mara. We would like to express our biggest appreciation and deepest thanks for his guidance, assistance and patience for helping us in this research. He had been a great help by guiding and correcting various documents from our project with utmost attention and care. We owe him so much for his time, effort, support and knowledge throughout this research. Thanks to him, we manage to overcome the challenges and pressures we had to deal with in order to ensure this research can be completed on time.

Last but not least, we would like to give the credit to our family and friends who had given us non-stop support in accomplishing this research especially to our loving parents for their prayers, hope and financial support in order to make sure that this research paper is a success. Not forgotten to all the people who had lent their help and contribution directly or indirectly in assisting us in this research paper. Thank You.

ABSTRACT

This research aims to identify the problems that arise in Malaysia pertaining to the abuses of student passes. The research method entails a comparative study between Malaysia, United Kingdom, Singapore and Brunei immigration statutes. It also analyses the procedures in granting student passes in four stated countries. The research methodology is doctrinal in nature, focusing on library based materials. The findings reveal that the Malaysian Immigration Act 1959/63 and the procedures in granting student passes are not as stringent or effective compared to those of Singapore and United Kingdom. It is recommended that Malaysia should implement biometric documentations, application of visas online and computerized databases for international students. It should also introduce more stringent corporal punishment and implement a system similar to the Student and Exchange Visitor Information System (SEVIS) of the United States in granting student passes.

TABLE OF CONTENTS

Acknowledgment	ii
Abstract	iii
Table of Contents	iv-vi
List of Statutes	vii

CHAPTER ONE: INTRODUCTION

1.0 Background of Research	1-3
1.1 Problem Statement	4
1.2 Objectives of Research	4
1.3 Significance of Study	5
1.4 Scope of Study	5
1.5 Research Methodology	6-7
1.6 Limitations of Research	7

CHAPTER TWO: LITERATURE REVIEW

2.0 Introduction	8
2.1 The Current Comparative Approach to Research	8
2.2 The Current International Dilemma of Abuse of Student Visas	9-11

2.3 The Role Played By the Education Malaysia Global Services (EMGS) In Malaysia	11-13
2.4 Conclusion	14

CHAPTER THREE: RESEARCH FINDINGS

3.0 Introduction	15
3.1 Comparing of the Procedures in Obtaining Student Visas in Malaysia, United Kingdom, Singapore and Brunei	15-26
3.2 Comparison on the Statutory Provisions of Malaysia, United Kingdom, Singapore and Brunei	26-40
3.3 Responsible Authority in Curbing the Misuse of Student Pass	40
3.4 Conclusion	40

CHAPTER FOUR: CONCLUSION AND RECOMMENDATIONS

4.0 Introduction	41
4.1 Conclusion on the Objectives of Research	41
4.2 Recommendations to Curb the Student Abuse from the Perspectives of Procedures in Granting Student Passes	41-43
4.3 Recommendation on How to Improve the Immigration Act in Curbing Misuse of Student Visa	43-46