

UNIVERSITI TEKNOLOGI MARA

**THE ADEQUACY OF REGULATORY
MEASURES AGAINST ONLINE
HEALTH MISINFORMATION IN
MALAYSIA**

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LL.M

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AUTHOR'S DECLARATION

I declare that the work in this thesis was carried out in accordance with the regulations of Universiti Teknologi MARA. It is original and is the results of my own work, unless otherwise indicated or acknowledged as referenced work. This thesis has not been submitted to any other academic institution or non-academic institution for any degree or qualification.

I, hereby, acknowledge that I have been supplied with the Academic Rules and Regulations for Post Graduate, Universiti Teknologi MARA, regulating the conduct of my study and research.


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ABSTRACT

The internet is one of the primary health information sources for the public. More people are turning and relying on websites and social media platforms to seek answers about health. Nevertheless, online health information is not always reliable or validated. Unproven and false health claims on the internet could jeopardise the public's health; therefore, online health misinformation has become a serious concern among medical practitioners, governments, and the public. This study explores online health misinformation and the regulatory measures in dealing with this issue in Malaysia by examining the adequacy of regulatory measures adopted in the country to control this issue with the proposals for reform. This study adopts socio-legal research, an exploratory and policy transfer approach in assessing the meaning of online health misinformation and countermeasures, besides examining lessons from international jurisdictions such as Singapore and the United States to give ideas on improving the laws in Malaysia about controlling online misinformation. The research outcome is based on the data derived from relevant legislation, case law, legal literature, and in-depth interviews with relevant experts in Malaysia. This study concludes that Malaysia's current regulatory measures in dealing with this issue are inadequate and some loopholes were found in the existing Malaysian laws that govern social media influencers and advertisements. This study further argues that the government relying on general provisions stated under the Penal Code and CMA 1998 to arrest people who spread online misinformation is unacceptable because this could lead to the abuse of power by the authority. This study also argues that there is a lack of enforcement and law implementation concerning advertisements in Malaysia; hence, this study proposes some recommendations to improve the regulatory measures in dealing with this problem. One of Malaysia's long-term strategies for tackling this issue is by including digital literacy in the Malaysian education system. Malaysia should also consider strengthening the enforcement of laws against advertisers.

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