

COMMERCIAL FRAUD IN MALAYSIA

WHAT TO DO?

Cases of commercial fraud are unfortunately frequent in Malaysia.

This document outlines possible precautionary measures and attempts to suggest possible options for further action once the incident has occurred.

1. TIPS AND PRECAUTIONARY MEASURES

Dodgy Payment Requests via e.g. Western Union

Request for prepayments for goods or services without prior face-to-face contact must be handled with care. Incidents of fraud often occur in a scenario of prepayment via Western Union or other similar services. Further, fraudulent companies often rely on non company-specific email in their correspondence, using services of Gmail, Yahoo, Hotmail or similar.

Registration with the Malaysian Company Register

A legitimate company doing business in Malaysia must be registered with the Companies Commission Malaysia (Company Register) <http://www.ssm.com.my/en/index.php>.

It is strongly recommended to verify if this is the case for a specific company directly via their e-service <https://www.ssm-info.my> (<http://www.ssm.com.my/en/index.php>).

The basic online account, limited to information on company name and number is free of charge. Additional information will be available for a small fee. It is crucial to determine whether the company name, address and the company number in the register are consistent with the information provided by the company. Company registration number should be always identified on the invoice.

Telephone Numbers/Address provided

Companies that *only* provide a cell phone number are often related to cases of fraud. In Malaysia, cell phone numbers begin with: 010, 011, 012, 013, 014, 015, 016, 017, 018 and 019. With regards to location, a simple internet search may help verify whether the address provided is likely to be true, although a positive result is no guarantee of trustworthiness. Caution should be used if the address shares location with a hotel, shopping centre or other public buildings, and also if the company only has a PO Box address.

Membership of Industry Associations

Last, a credible trading partner is likely to hold a membership at a relevant industry association in Malaysia. Some key industry associations are listed here below:

Federation of Malaysian Manufacturers (FMM) <http://www.fmm.org.my/>

Electrical and Electronics Association of Malaysia (TEEAM) <http://www.teeam.com/>

The Malaysian Palm Oil Association (MPOA) <http://www.mpoa.org.my/>

Malaysian Rubber Products Manufacturers' Association (MRPMA) Phone: +603-5631 6150

Further information on industry associations can be obtained via Malaysia External Trade Development Corporation (MATRADE) website <http://www.matrade.gov.my/en/foriegn-buyers-section/69-industry-write-up--products>

Malaysia External Trade Development Corporation

info@matrade.gov.my

www.matrade.gov.my

Phone (00)603 - 6207 7077 - (Toll free) 1 800 88 7280

2. REPORTING OF INCIDENTS AND ASSISTANCE

Malaysian Authorities

The Commercial Crime Investigation Department, under the Royal Malaysian Police is the relevant authority for handling cases of commercial fraud in Malaysia.

Contacts:

Dato' Wira Syed Ismail Syed Azizan,
Director, Commercial Crime Investigation Department Bukit Aman
Blok G, Kompleks Pejabat Kerajaan, Bukit Perdana, Jalan Dato' Onn,
50502 Kuala Lumpur.
PA: Ms Khatijah, Tel: 03-2616 3701, email: dir.ccrime@rmp.gov.my

General contact details for the Royal Malaysian Police:

Bukit Aman Police Station
Phone: +60 30 2616 3822 (redirected to the Secretariat JSJK)
rmp@rmp.gov.my
<http://www.rmp.gov.my/>

A general electronic complaints form by the Royal Malaysian Police is available at
http://www.rmp.gov.my/defaultbase.cfm?path=complaint/complaint_menu.cfm

Furthermore, the *Cyber Security Malaysia*, department under the Ministry of Science, Technology and Innovation runs the Malaysia Computer Emergency Response Team, dedicated to providing help for cases of cyber security incidents. Web reporting can be done at
http://www.mycert.org.my/report_incidents/online_form.html

European Chambers of Commerce and Industry

Similarly, the Embassies of the EU Member States and/or the various Chambers of Commerce present in Malaysia or in the ASEAN region can be contacted for further assistance.

The following Chambers of Commerce/Business Associations/Business Councils are present in Malaysia (in alphabetical order):

British Malaysian Chamber of Commerce (BMCC) <http://www.bmcc.org.my/>
EU-Malaysia Chamber of Commerce and Industry (EUMCCI) www.eumcci.com
Italian Malaysian Business Association <http://www.imba.org.my/>
Malaysia Belgium Luxembourg Business Council (MBLBC)
Malaysian Danish Business Council (MDBC) <http://www.mdbc.org.my/>
Malaysian Dutch Business Council (MDBC) <http://www.mdbc.com.my/>
Malaysian-German Chamber of Commerce and Industry (MGCC) <http://malaysia.ahk.de>
Malaysian-Finnish Business Council (MFBC) <http://www.mfbc.org.my/>
Malaysian French Chamber of Commerce & Industry (MFCCI) <http://www.mfcci.com/>
Malaysia-Poland Business Association (MPBA) doraisinna@mfqasia.com
Malaysian Spanish Chamber of Commerce & Industry <http://www.lacamara.org.my/>
Malaysian Swedish Business Association (MASBA) <http://www.masba.org/>

Legal Advice

Last, if need be, specialised Malaysian law firms can be of assistance.

The Malaysian Bar Council, body of legal practitioners, can be found at
<http://www.malaysianbar.org.my/>