



FAMILY FRONTIERS

Persatuan Kebajikan Sokongan Keluarga Selangor & KL (PPM-011-10-24072020)

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Press Statement

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Family Frontiers Applauds Permanent Residence Reforms for Non-Citizen Spouses, Calls for Continued Transparency and Inclusivity

Family Frontiers welcomes the Home Ministry's commitment to improving pathways for non-citizen spouses of Malaysians to obtain Permanent Residence (PR). We commend the ministry for taking swift action to address the longstanding challenges faced by binational families, a community that forms an integral part of Malaysia, with approximately 180,000 Malaysian binational families. These reforms mark a significant step toward fostering family unity, security, and stability.

The abolition of the Point-Based System is a positive move, ensuring that non-citizen spouses are no longer evaluated based on criteria that disproportionately affected those from lower-income backgrounds. However, it is crucial that this system is replaced with a transparent, standardized, and publicly accessible framework. Clear Standard Operating Procedures (SOPs) must be established to provide consistent guidelines on eligibility, documentation, application processes, and status tracking, ensuring that all applicants are assessed under a fair and predictable system.

The new PR criteria requiring non-citizen spouses to have been married for at least three years and to have held a Social Visit Pass for a minimum of one year before applying brings welcome relief to binational families, in addition to the six-month processing timeline for new applications, offering greater certainty and expediting the process for applicants as it prioritizes spouses in genuine, long-term relationships.

Additionally, recognizing the presence of Malaysian children helps preserve family cohesion and prevents unnecessary disruptions in their lives. However, PR eligibility should not be solely dependent on the number of children, as this would disadvantage childless binational couples who also contribute meaningfully to their families and society. Many non-citizen spouses serve as primary caregivers to their Malaysian spouses, and their ability to remain in the country should not be contingent on factors beyond their control, such as infertility or personal family planning choices.

While the expedited six-month processing time for PR applications is a crucial step forward, it does not address the situation of non-citizen spouses who have faced years—sometimes decades—of uncertainty due to prolonged processing times. Many of these spouses remain in limbo, unable to work or plan for their futures. Additionally, ensuring that rejections come with clear reasons will allow spouses to understand the grounds for refusal and improve their chances in future applications. Furthermore a transparent appeal process must be established, outlining areas for improvement and the additional documents required for

reconsideration. Clear follow-up channels should also be provided to ensure that the applicants are not left in uncertainty, forced to reapply without a clear understanding of their shortcomings.

The current restrictions on non-citizen spouses disproportionately impact women, limiting their employment opportunities and placing undue financial strain on Malaysian families. Until PR is granted, foreign spouses face barriers in obtaining employment in banking, insurance, law, medicine, and even acquiring a Malaysian driving license. These restrictions also disadvantage Malaysian women, whose non-citizen husbands are often unable to contribute financially to the household. Streamlining the PR process will grant non-citizen spouses greater autonomy, reduce years of uncertainty, and enable them to integrate more fully into Malaysian society.

Furthermore, existing policies that automatically cancel PR applications upon the death of a Malaysian spouse or divorce leave widowed and divorced non-citizen spouses in precarious positions. Current widow and divorcee visas do not grant the right to work, affecting their ability to support their Malaysian children. Similarly, non-citizen spouses who face domestic abuse and subsequently divorce risk losing their residency status, potentially separating them from their children.

To ensure that the new PR framework truly supports binational families, Family Frontiers urges the government to:

1. **Establish and publish clear, transparent SOPs** to ensure uniform application procedures and eliminate inconsistencies across government branches and online platforms.
2. **Introduce an appeals process for PR rejections** so that applicants receive clear explanations and opportunities for reconsideration, rather than being left in indefinite uncertainty.
3. **Provide alternative PR pathways for widowed, divorced, and abused non-citizen spouses** to prevent their forced separation from their Malaysian children and ensure they can remain in the country with dignity.
4. **Implement Article 15(1) of the Federal Constitution**, which allows non-citizen wives of Malaysian men to apply for citizenship after two years of residence, removing PR as a prerequisite.

Family Frontiers and the Foreign Spouses Support Group stand ready to work alongside the government in shaping a transparent, inclusive, and effective PR process that upholds the rights and dignity of all binational families in Malaysia. We look forward to continued engagement with the Ministry of Home Affairs to ensure these reforms bring meaningful and lasting change.

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