



FAMILY FRONTIERS

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

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Press Statement

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Home Ministry's Plan for Faster PR Processing Times is Welcomed, But Structural Reforms are Essential

The Foreign Spouses Support Group (FSSG) expresses heartfelt gratitude and strongly welcomes the [Home Minister's commitment to improving the processing time for entry permit \(Permanent Residence\) applications for non-citizen spouses of Malaysians](#), with a target of completion within six months. This long-overdue reform acknowledges the challenges faced by this often-overlooked community.

Annually, there are approximately 200,000 LTSVP issued to non-citizen spouses living in Malaysia, yet their efforts to build stable lives and contribute meaningfully to Malaysia's economy and society have been hindered by an inconsistent and prolonged Permanent Residence (PR) application process. According to a research conducted by FSSG, these delays are severe—69% of applicants have been waiting for more than four years, 20% for six to eight years, and 8% for over a decade. Addressing these challenges is essential to creating an environment where non-citizen spouses can fully contribute to Malaysia's growth and development, in line with the nation's commitment to inclusivity and progress.

In fact, certain sectors, including pharmacy, medicine, insurance, banking, finance, law, and other licensed professions, remain inaccessible to non-citizen spouses until they secure PR. This restriction disproportionately impacts women in binational marriages, particularly non-citizen wives, who face greater economic constraints and heightened vulnerability due to limited employment opportunities. It also places an undue burden on Malaysian women whose non-citizen husbands are unable to contribute to these sectors, ultimately affecting the financial stability and well-being of their families, including their Malaysian children.

While the government's pledge to expedite PR applications is a step in the right direction, a more holistic reform is needed to address the fundamental challenges that non-citizen spouses face.

Concerns Over the Point-Based System Criteria

In early 2024, FSSG reported a surge in complaints regarding the introduction of a point-based system for PR applications. Applicants are now required to complete an assessment form to determine their eligibility, with only those scoring around 40 points being allowed to submit their applications. Achieving the required score does not guarantee approval, as the final decision remains at the discretion of the Ministry of Home Affairs.

A major concern is the lack of information surrounding the point-based system. To date, there is no official information available on the Immigration Department's portal. Reports indicate inconsistencies across various State Immigration departments, with different criteria being applied. **While the Home Minister has announced the introduction of a new Standard**

Operating Procedure (SOP) to provide clearer guidance, it is crucial that these guidelines are made publicly accessible. The SOP should be published online and include comprehensive details on eligibility criteria, required documents, application procedures, and status tracking mechanisms to ensure uniformity and clarity across all branches.

Non-citizen spouses have reported that when they visit Immigration offices to apply for Permanent Residence (PR), some are given the application forms while others are denied, often based on subjective evaluations by officers. This lack of clear and standardised criteria raises concerns about arbitrariness and inconsistency in the application process.

The online portal provided by the Immigration Department of Malaysia is commendable, offering applicants a convenient way to track the status of their applications. However, it remains the only accessible method for status updates, even for those who have been waiting for decades. Many applicants have undergone interviews with both the Immigration Department and the Police Department, yet their applications remain in process. This is despite applicants feeling confident about their interviews and receiving verbal assurances from the officers who conducted them.

Additionally, certain criteria within the point-based system appear to disproportionately disadvantage lower-income families. Factors such as **education level, income, and employment status**, while relevant to national interests, risk penalizing families from lower socioeconomic backgrounds—particularly those within the B40 income group. It is crucial that the revised SOP incorporates family-friendly and empathetic criteria, prioritizing stability of a family unit over socioeconomic background alone.

Language proficiency, which is also one of the criteria, presents another significant hurdle. Current policies allow non-citizen spouses to apply for PR after five years of marriage, yet expecting fluency within this period—especially for those from non-Malay speaking backgrounds—is unrealistic. Countries with language proficiency requirements, such as Italy, Greece, and Australia, provide free or subsidized language and integration courses.

Proposing Alternative Solutions

An **automatic PR issuance** after five years of marriage should be considered. A five-year marital duration serves as a reasonable indicator of genuine relationships, reducing concerns about sham marriages. National security concerns can be addressed through robust monitoring mechanisms, including periodic reviews and background checks, with provisions for revocation and deportation in cases of fraud, serious legal violations, or criminal offenses as per the law.

Additionally, for applicants who face rejection, a **transparent appeal process** must be established. Those who are unsuccessful should receive an explanation outlining areas for improvement and the additional documents required for reconsideration. Clear follow-up channels should also be provided to ensure that appealers are not left in uncertainty, forced to reapply without a clear understanding of their shortcomings.

Addressing Vulnerable Groups: Widowed, Abused, and Divorced Spouses

Non-citizen spouses of Malaysians face a critical challenge when their Permanent Residence (PR) applications—already delayed for years—are automatically revoked upon the death of their spouse or divorce. The existing widow or divorcee visas do not grant the right to work, leaving these individuals unable to support their Malaysian children. While the government's efforts to

expedite future PR applications are a step forward, they do not address those who have already lost eligibility and now face an uncertain future despite their deep-rooted ties to Malaysia. Similarly, non-citizen spouses who experience abuse and subsequent divorce risk losing their residence status, leading to separation from their Malaysian children.

Immediate policy interventions are needed to address this gap. The government should introduce measures to reinstate or provide alternative PR pathways to those in genuine need. Moreover, the disproportionate impact on women could be mitigated by **realising Article 15(1) of the Federal Constitution**, which allows non-citizen wives of Malaysian men to apply for citizenship after two years of residence and eliminating the need for PR as a prerequisite. This would significantly reduce the risks faced by women who are left without status due to unforeseen circumstances.

Conclusion

While the commitment to expediting PR processing is commendable, meaningful reform must go beyond reducing processing times. Addressing the fundamental challenges within the PR application system—ensuring transparency, standardising procedures, and prioritising family unity—will allow non-citizen spouses to build stable lives and contribute meaningfully to Malaysia's economy and society.

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