

17 November 2020

Press Statement

UPDATED STANDARD OPERATING PROCEDURES (SOP) FOR RETAIL INDUSTRY DATED 12 NOVEMBER 2020

The Shopping Mall together with the Retail Industry deeply appreciate the updated SOP dated 12 November 2020. Whilst there are improvements and clarity in some of the earlier SOP uncertainties, several other more practical and measurable SOPs proposed have not been adopted. These SOPs were to alleviate the subjective interpretations of enforcement officers, give confidence and certainties to both the operators as well as the public. The increasing news reports of many incidents of each person being fined RM1,000 each in arguable situations of differing interpretation of the SOP have caused unnecessary worries and panic, resulting in the public avoiding and patronising shopping centres and retail and F&B outlets. This has led to very low footfall and extremely poor business, further aggravating the dire consequences of more business closures and bankruptcies and further layoffs of employees.

We list below the SOPs that require further clarity and refinement to give certainty and remove all subjective interpretations, thus avoiding abuse and unfair harassment of the public by enforcement officers:

- 1 Under "**Kompleks membeli Belah, pasaraya/pasaraya besar, department store, farmasi /penjagaan diri, butik/kedai pakaian, kedai serbanika/mini market**" section of the SOP (page 1), it is stated that :
 - *"Pemilik premis diwajibkan mendaftar dan memuat turun aplikasi MySejahtera....."* - Does this mean SELangkah and other QR Codes cannot now be used? If these can be used as directed by local state authorities, is it possible to state this here accordingly ?
 - *"Penambilan suhu badan hanya sekali sahaja di pintu masuk kompleks dan bukan di setiap premis ..."* but under the "*Kedai pakaian dan aksesori fesyen*" section of the SOP, there is still need to "*Mengambil suhu badan*". Perhaps this condition is applicable for stand-alone shops which are NOT located in a shopping mall? If so, there is a need for an exclusion clause in this particular SOP to avoid contentious differing interpretations and unnecessary harassments and fear for both the operator and the public.

- 2 Under "**Kedai pakaian dan aksesori fesyen**" section of the SOP (page 3), it is stated that:
 - *"Memastikan penjarakan fizikal 1meter semasa berada di premis"*. With a 1m distancing to the front, rear, left and right sides of a person, this is equivalent to an allowable space of 4sqm per person. We propose that the SOP adopt this 4sqm per person as allowable loading so that enforcement cannot depend on visual judgement to determine the premises is 'over crowded'. The number of persons is derived by dividing the area of the premise by 4sqm whereby the

number of persons so allowed is to be displayed outside the premise and has to be controlled by the premise operator.

- *Mengambil suhu badan* : As stated earlier, this should only apply to stand-alone shops and not in a shopping mall since the SOP for malls only need temperature to be taken only once at the main entrance. To make this very clear, please add this qualifying requirement on the SOP.

3 Under “**Restoran**” section of the SOP (page 4), it is stated that:

- “*memastikan penjarakan fizikal 1 meter*”: We propose that the 1meter social distancing be the only criterion to determine the number of persons allowed on a table instead of a “one size fits all” maximum of 4 persons irrespective of the size of the table. We also propose a single family unit residing at the same address be allowed to sit at one table and not be required to meet the 1m physical distancing criterion on the basis that they are already and always in close contact living in the same house.
- We propose that the SOP adopt this 4sqm per person as allowable loading so that enforcement cannot depend on visual judgement to determine the premises is ‘over crowded’? The number of persons is derived by dividing the area of the premise by 4sqm whereby the number of persons so allowed is to be displayed outside the premise and has to be controlled by the premise operator.
- Currently there is only subjective judgement of over-crowding and more severe, is that ALL patrons in the "deemed over crowded " premise are each and everyone being fined RM1,000 each. This is most unfair. What if a patron had entered the premise early when there was no crowd, but over time the crowd builds up? Is the patron expected to make the subjective judgement call and leave the premise having not yet finished his meal? and also being not willing to pay the bill for the unfinished meal? It is more logical to use the mathematical formula to determine the loading density (area of premise divided by 4 sqm), display the density at the entrance and the operator's staff at the door who is taking temperature and ensuring registration of QR Code be responsible for the count? The onus is on the operator to prevent over-crowding and in the event this happens, then ONLY the operator of the outlet should be fined and NOT all the innocent patrons.

4 All over the world the covid-19 pandemic restrictions have taken into account the family unit as one common unit that have the same risk as they are staying and in contact with each other in the same house. Taking that into consideration, the authorities have developed special accommodation for family units such as family group ticketing for cinemas, theme park visits, family dining in restaurants etc. Our current SOP have several conflicts of intent which is causing much angst and disenfranchising and disintegrating family units . One SOP condition stipulates that at any one time only 2 members of the family /household may go to buy essentials. How do we cater to situations where more than 2 family members have to go to work, attend school (when open), go to dine-in at restaurants? The stress of the pandemic is already putting tremendous pressure and sanity on the family, and activities involving the entire family unit should be encouraged (taking cognizance of the same risk of the family unit having

already been staying in close contact in the same house). The enthusiastic enforcement of the illogical rule of allowing only 2 members to go out to shop seems contrary to the universal thinking about introducing family package specials for family who are deemed to be one same risk group. There is also a conflict in SOP conditions where on one hand 2 members may leave together, but allowing 3 in a car, and allowing 4 to dine on the same table. We believe these conflicting conditions need to be urgently rationalised and we propose the 1m social distancing rules to be the fundamental condition and that family units living in the same house should be deemed as a single unit in the SOP conditions.

There is URGENCY in reviewing the latest SOPs to cover all the voids and uncertainties in the interpretation and enforcement of the SOP. It is necessary to have clarity and unambiguity in the SOPs and re-build confidence and certainty in the public to continue to go about their daily lives with peace of mind, without undue fear and panic leading to the possibility of businesses re-starting, reviving and surviving and most importantly, not to cause business closures, bankruptcies and unemployment.

LIFE AND LIVELIHOODS MATTER.

This press statement is issued on behalf of the following associations:

- Persatuan Pengurusan Kompleks Malaysia (PPK) – Malaysia Shopping Malls Association
- Malaysia Retailers Association (MRA)
- Malaysia Retail Chain Association (MRCA)
- Bumiputra Retailers Organisation (BRO)
- Batu Road Retailers Association (BARRA)
- Masjid India Business Association (MIBA)

Thank you.