

Malaysia

Background Checks

Compliance & Verification Guide

2026 Edition

Executive Summary

Malaysia offers one of the more structured employment screening environments in Southeast Asia with relatively mature public institutions, established universities, accessible corporate information, and comprehensive data protection legislation.



Legal Framework

Established under PDPA 2010 (as amended)



Universities & Employers

Generally responsive to verification requests



Criminal Records

Limited employer access to official records



Alternative Sources

Public court and corporate record searches available



Institutional Consistency

Stronger than many ASEAN jurisdictions



Market Position

Between Singapore and Indonesia in verification maturity

Legal Framework Governing Background Checks

Personal Data Protection Act (PDPA) 2010

Key PDPA Requirements

- 1 Lawful & Fair Collection**
Data collected lawfully and fairly
- 2 Purpose Limitation**
Relevant to employment purpose
- 3 Data Minimisation**
Limited to what is necessary
- 4 Security**
Securely stored with access control
- 5 Retention**
Retained only for appropriate periods

Candidate Notice Requirements

- Scope of screening
- Purpose of each verification
- Information that may be collected
- Who may receive the information
- Whether overseas processing will occur
- How long information will be retained

Key Characteristics of Background Checks

vs Indonesia & Vietnam

- ✓ Better institutional records
- ✓ More responsive universities
- ✓ More accessible corporate information
- ✓ More standardised verification processes

vs Singapore

- Fewer government databases available
- More restricted criminal record access
- Greater reliance on candidate cooperation
- More document-based verification



Recommendation

Employers should adopt a layered verification methodology rather than relying on any single source. Combine official documents, direct verification, and public record searches for comprehensive screening.

Criminal Record & Court Record Checks

Certificate of Good Conduct

Obtained by	Individual through the Malaysian Government
Employer access	Cannot directly access criminal databases
Processing time	May require several weeks
Scope	Point-in-time status, not continuous monitoring

Best Practice: Request candidate-provided Certificate of Good Conduct together with identity verification.

Alternative Court Record Search

Public Sources

- Court cause lists
- Published judgments
- Electronic court information systems
- Public legal notices

Key Limitations

- × Does not access police databases
- × Not a nationwide criminal database search
- × May not identify every criminal proceeding
- × Not confirmation of absence of criminal history

Employment & Education Verification

Employment Verification

Commonly Verified

- ✓ Employment dates
- ✓ Job titles
- ✓ Employment status

Often Restricted

- Performance details
- Disciplinary matters
- Reasons for leaving
- Salary information

Best practice: Combine direct employer verification with employment and payroll documentation.

Education Verification

Malaysia maintains a relatively mature higher education sector with public universities, private universities, university colleges and vocational institutions.

What to Verify

- ✓ Qualification awarded
- ✓ Graduation status
- ✓ Field of study
- ✓ Attendance period

Higher-Risk Institutions

- ⚠ Smaller private colleges
- ⚠ Overseas branch campuses
- ⚠ Discontinued institutions

Identity, Bankruptcy, Civil & Corporate Checks

Identity & Right-to-Work Verification

Foundation of all subsequent screening — complete before other checks commence.

MyKad

Malaysian citizens

Passport

Foreign nationals

Work Eligibility

Where applicable

B

Bankruptcy Checks

Conducted through financial information database records where legally available. Commonly requested for financial, executive, and fiduciary positions.

C

Civil Litigation

Public court information may assist in identifying civil proceedings. Coverage varies by court and case type. Best-effort, not comprehensive nationwide.

D

Directorship Searches

Corporate registry searches identify director involvement. Identity-based searches preferred to minimise false matches.

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Credit Checks

Appropriate only where justified by the position (e.g. financial institutions, senior finance, fiduciary roles). Must remain proportionate and PDPA-compliant.

Data Privacy & Cross-Border Transfers

1

Data Collection

Collect only relevant information

2

Access Control

Restrict access to authorised personnel

3

Security

Maintain appropriate security controls

4

Retention

Document retention practices

5

Overseas Transfer

Establish appropriate safeguards

6

Regional Vendors

Ensure comparable data protection standards

Comparison with Asian Jurisdictions

Singapore

More centralised government verification systems

Indonesia

Malaysia offers more structured institutional verification

Vietnam

Better university responsiveness and stronger corporate records

Thailand

Similar consent-based approach; generally more consistent responses

Philippines

Similar reliance on candidate participation; stronger corporate records in MY

Best Practices for Employers

1

Candidate Consent

Obtain informed candidate consent before commencing screening

2

Role-Based Screening

Apply role-based screening rather than a one-size-fits-all approach

3

Identity First

Verify identity before conducting other checks

4

Official Certificates

Use official certificates where available (e.g. Certificate of Good Conduct)

5

Court Searches

Supplement official documents with best-effort public court record searches

6

Employment Verification

Combine employer verification with supporting documentation

7

Education Verification

Verify education directly with awarding institutions

8

Financial Integrity

Apply bankruptcy, directorship and credit checks only where relevant

9

PDPA Compliance

Maintain full compliance with Malaysia's PDPA requirements

Conclusion & Final Strategic Takeaway

Malaysia provides one of Southeast Asia's more mature employment screening environments, but no single source provides complete assurance.

The Strongest Programmes Combine:

- PDPA-compliant processes for lawful and transparent processing
- Identity verification to establish candidate identity
- Employment verification to validate work history
- Education verification to confirm qualifications
- Official certificates where available
- Alternative public court searches for supplementary risk information
- Role-based financial integrity checks for relevant positions