

# The Need for Legal Framework for Muslim friendly Hospitality Services in Malaysia: An Analysis

*Noriah Binti Ramli\**

\* Associate Professor, Ahmad Ibrahim Kulliyah of Laws (AIKOL), International Islamic University, Malaysia

---

## KEYWORDS

*Muslim Friendly  
Hospitality Services  
Tourism Industry  
MS 2610  
Tourism Act 1972*

## ABSTRACT

Malaysia is one of the first countries in the world to introduce the halal standards MS1500: 2004 in its vision to become the global halal hub. With the inception of halal standards in 2004, the practical guidelines for the food industry on the production, preparation, handling and storage of halal food are now available in a more structured and convenient form. Nonetheless, the advancement of lifestyle in today's world, particularly the visionary generations, the increase in household economy, the advancement in technology, especially the use of artificial intelligent (AI) have somewhat influence the growth in global halal industry. Hence, the focus of halal industry and standards is no longer confined to food industry, pharmaceutical, cosmetics and personal care, logistic, and finance. The room of halal economy have expanded wide enough to cover lifestyle, tourism and hospitality. The increase of awareness in the importance of halal lifestyle among the Muslim populations have positively impacted the growth in the Muslim friendly hospitality services not just in Malaysia but also globally. This scenario had forced the service providers such as the tour package, hoteliers, food and beverage industry, health and wellness services, tourism excursion and logistic to provide services suitable to the need of Muslim tourist. In doing so, a comprehensive guidelines and legal framework is deemed necessary. This is important in order to ensure the Muslim friendly products and services offered are genuine and ultimately the welfare and interest of customers are well protected. Moreover, the guidelines and legal framework is necessary in order to avoid fraud, and misrepresentation amongst the service providers. In other words, only genuine Muslim friendly hospitality services are allowed to be promoted and advertised as such. A "self-claimed" Muslim friendly products and services should be prohibited. To date, Malaysia had published the Muslim friendly Standard MS 2610 which provides mainly a general guideline for halal tourism and Muslim friendly hospitality services in Malaysia. Nonetheless, the Malaysia Standard (MS) 2610 is not adequate to overcome legal challenges that pose impediments to further promoting Muslim friendly hospitality Services in Malaysia. It is strongly perceived that appropriate legal provisions are needed to back up the existing Malaysian Standard (MS) 2610. This study which is doctrinal in nature, analyses the existing legal framework of the Tourism Industry Act 1972 in Malaysia. Despite the promising demand for Muslim friendly hospitality services, there are challenges in promoting this special segment of the industry to everyone. Uncertainty regarding the correct term to portray Muslim friendly Hospitality Services, various self-declared versions of Muslim Friendly hospitality services, lack of standardisation of Shariah principles in tourism hospitality services, the inadequacy of legal regulatory framework, and the non-existence of Muslim friendly certification body will subsequently hamper the growth of Muslim friendly hospitality services in Malaysia. The study attempts to discuss these aspects and provides some suggestions to strengthen the position of Malaysia as the world best Muslim friendly destination as well as to provide protection to the end user.

---

**INTRODUCTION**

The Malay has been Muslim friendly hospitality services have become increasingly important sector in the tourism industry. With the increasing number of Muslim travelers over the years, Malaysia has been listed as the world top Muslim friendly destination with 5.9 million Muslim tourists visited Malaysia in 2014. Despite this remarkable development, there have been many consumer complaints related to hospitality services in Malaysia. In fact, consumer claims against the travel agents were the top in the list of services cases filed in the Tribunal for Consumer Claims (TCC) for the past many years. In 2014, the TCC received 977 complaints against travel agencies especially related to umrah package. The question arises as to whether the rights of Muslim travellers are well protected under the relevant laws in Malaysia. Adopting the method of content analysis, this paper aims to discuss consumer protection issues in relation to travel and tour agencies services in Malaysia. The paper examines the adequacy of existing law in providing protection to Muslim travellers. The study discovers the lacunae in the existing legal protection which renders the protection to be inadequate. As such the study proposes improvement to the existing laws and practices so that it will be in line with shariah principles and to be able to provide adequate protection to the consumers in Muslim friendly tourism industry. (Ayob, Hamidah and Amin, Naemah and Ramli, Noriah (2016)

The global Muslim market presents a vast opportunity, with a population exceeding 1.9 billion individuals. Pre-pandemic figures reported by Mastercard and CrescentRating showcased significant growth in the Muslim travel market, with the

number of travellers rising from 108 million in 2013 to 160 million in 2019. With borders reopening worldwide, the latest GMTI report forecasts a revitalised market, with an estimated 230 million Muslim travellers expected by 2028. (Islamic Tourism Centre, 2024).

**THE IMPORTANCE OF TOURISM INDUSTRY**

Tourism is an important economic sector in Malaysia, contributing around 102 billion Malaysian ringgit to its GDP before the pandemic hit. This sector also provided employment to about 3.6 million Malaysian residents and earned Malaysia around 71 billion Malaysian ringgit in tourism receipts in 2023 (Statista Research Department, 2024). Following the global Covid-19 pandemic in 2020-2021 The value of tourism receipts in the country decreased significantly. Nonetheless, in 2023, the total value from tourism receipts in Malaysia was approximately 71 billion Malaysian ringgit, a sharp increase from around 28 billion Malaysian ringgit in the previous year. (Statista Research Department, Apr 25, 2024). Likewise, Muslim-friendly hospitality and tourism services is a high-yield segment that has the potential to develop and contribute toward Malaysia's economy. Besides, Malaysia has retained its top position for the ninth time in the Mastercard-CrescentRating Global Muslim Travel Index (GMTI) 2024 report. In addition, this achievement coincides with Malaysia being awarded the "Top Muslim-Friendly Destination of the Year (OIC)" at the Halal in

Travel Awards 2024 (Islamic Tourism Centre, 2024).

## **WHAT IS MUSLIM FRIENDLY TOURISM**

With the growth of the Halal travel market, varying terminology and definitions have been used to refer to either the total Halal travel market or its sub-segments. Terms such as Halal Tourism, Muslim Friendly Travel, and Halal travel, Islamic tourism, Shariah compliant hospitality services, halal friendly has been widely used in the media as well as written materials (Crescent rating, 2016). In another definition, Muslim-friendly tourism is defined as a type of tourism that adheres to the values of Islam. In Muslim-friendly hospitality, it is suggested that all product development and marketing efforts are designed for and directed at Muslims. Muslim-friendly hospitality services such as airlines, hotels and food services are the new fast developing tourism products in the Muslim-friendly tourist industry (Halal weekly, 2021).

In general, there is no significant difference between Muslim friendly tourism from halal tourism, Islamic tourism or Sharia compliant tourism. The term Muslim friendly when used to refer to a service, a facility, or destination, it means that it has taken into account some faith-based needs of Muslim travelers but not all their needs. Nonetheless, in some countries, such as Malaysia, the term “Muslim-friendly” is preferred the most instead of the rest. The Malaysian Standard (MS) 2610, the term Muslim-friendly tourism is defined as a type of tourism that adheres to the values of Islam. In Muslim-

friendly hospitality, it is suggested that all product development and marketing efforts are designed for and directed at Muslims. Muslim-friendly hospitality services such as airlines, hotels and food services are the new fast developing tourism products in the Muslim-friendly tourist industry.

## **THE OVERVIEW OF THE LEGAL FRAMEWORK AND ADMINISTRATIVE MECHANISM OF MUSLIM FRIENDLY TOURISM IN MALAYSIA**

In developing Muslim-friendly tourism, among the compulsory requirements to fulfil is developing the national framework. This is because that in reality, there have been many consumer complaints related to hospitality services. These includes misleading advertisements, fraud holiday packages, unfair contract terms, non-disclosure of information, low quality and inefficient services etc. (Jakarta POST, 2021). In Malaysia, apart from the Malaysia Standard (MS) 2610 the Islamic Tourism Centre (ITC) has developed the MFAR programme, allowing Muslim travellers to easily identify Muslim-friendly facilities in Malaysia. MFAR covers 10 areas in MFTH, namely; tourist accommodation premises, spa and wellness, travel management operating businesses, medical facilities, transportation hubs, tourism products, shopping centres, theme and amusement parks, rest and service areas, and trade and convention centres. (ITC, 2024). In addition, Muslim friendly Tour Guide (MFTG) program is another initiative aimed at improving the marketability of licensed

tourist guides to attract the Muslim tourist market. To date, the Islamic Tourism centre has trained 211 Muslim-Friendly Tourist Guides (MFTGs), equipping them with the knowledge and expertise needed to cater to the specific needs of Muslim travellers. (ITC, 2024)

Although it is almost impossible to have a fool-proof system, a set of laws, regulations and administrative mechanisms need to be developed to ensure its growth and sustainability. For example, a proper definition and terminology that surrounds the industry is very much needed to avoid misconceptions and misunderstandings among consumers. (Jakarta Post, 2021)

To date, Malaysia had published the Muslim friendly Standard MS 2610 which provides mainly a general guideline for halal tourism and Muslim friendly hospitality services in Malaysia. Nonetheless, the Malaysia Standard (MS) 2610 is not adequate to overcome legal challenges that pose impediments to further promoting Muslim friendly hospitality Services in Malaysia.

The Malaysian Standard (MS) 2610 was published in 2015 by the Department of Standard Malaysia (DSM) with an objective to provide a guidance to an establishment that would like to embark on Shariah Compliant hospitality services in Malaysia. The MS 2016 is merely a general guideline which needs to be supported and elaborated by an internal SOP developed by the relevant organization. Moreover, compliance to the MS2610 is on voluntary basis. This situation has resulted into the current scenario in Malaysia where many service providers developed their own “Muslim friendly Standards” or “Shariah Guided principles”

without any reference to the basic requirements mentioned in the MS2610. In the end, the public or the consumers are left in a loop where they have no idea which is the genuine Muslim friendly hospitality services or Shariah Compliant Hospitality Services. Moreover, the term Muslim friendly or shariah compliant is used or being used without valid verification and accreditation by any relevant government agencies.

For instance, some company claimed that their services are Shariah compliant merely because a religious person (popularly known as Ustaz in Malaysia) is been appointed as their advisor. In another scenario, a product or services is claimed as “Islamic” merely because the activities (for example Islamic Cruise) inclusive of *tazkirah* (religious talk), *Yassin* and Quranic recitation, *jamaah* prayer (congregational prayer) which is led by popular figure. In another scenario, the term “Muslimah Spa” is very widely use in the Malaysian context to portray an Islamic or Shariah compliant image. This has been done not only by Malay Muslim owners but also the Non-Muslim owners. The main idea that come to their mind is that their services is for ladies only, and to make situation worse, the non-Muslim shops such as hair dresser will put up a partition between the male and female area in order to show that their services is Shariah compliant, hence, suitable for the Muslim ladies.

In Malaysia, the enthusiasm in using Islamic terminologies has gone far enough in as far as business and profit is concerned. Without appropriate advise and study done, the term “Sunnah Food”, “Sunnah Family”, “Sunnah Camp”, “Sunnah Home” has been

widely used especially in an attempt to attract the Muslims to purchase and to join their programs. These ideas are nothing more than just an attempt to increase their sale.

With the current scenarios, issues and challenges in the implementation of Muslim friendly hospitality services, it is strongly perceived that there is an urgency to revise the existing Tourism Industry Act 1972 (Malaysia). An immediate attention is very much needed especially in regulating the use of certain terminologies in Muslim friendly hospitality services in Malaysia. These for example “Muslim friendly accommodation”, “Muslim friendly hospitality Services”, “Muslim friendly transportation”, “Muslim friendly tour Guide” and etc. In addition, the Act 1972 should also expand its scope to include licensing of Muslim friendly Tour guide. Although an initiative is undertaken by Islamic Tourism Center (ITC) to conduct a training for Muslim friendly Tour Guide (MFTG), a substantial legal provision is required to ensure its sustainability.

## **CONCLUSION**

The foregoing discussion suggested that there has been huge misunderstanding of the terms amongst the service providers both Muslims and non-Muslims. The usage of those terminologies such as “Muslim friendly”, “Muslimah Spa”, “Islamic Cruise”, “Shariah Compliant Spa”, “Sunnah village, “Sunnah camp”, “Sunnah food”, “Sunnah Family” are merely for the sake of doing business without knowing the underlying principles of the Shariah compliant. It is timely that an

appropriate initiative should be taken in order to align the Muslim friendly and Shariah Compliant hospitality services in Malaysia. It is also important control the use and misuse of certain terminologies that may stain the image of Islam in particular and Malaysia as the pioneer in Muslim friendly hospitality services. There is a pressing need to look into the existing Tourism Industry Act 1972 (Malaysia) and to make a new inclusion of certain terminologies relating to Muslim Friendly Hospitality Services. To conclude, besides the availability of halal food and beverage, the availability of prayer facilities at almost every shopping mall, convention centres, public places including the R & R (‘Rest & Recuperate facilities), tax-free shopping zones and a Muslim-friendly atmosphere, in the long run it has to be a highly regulated industry that is able to set a global standard.

**Title: The Need for Legal Framework for Muslim friendly Hospitality Services in Malaysia: An Analysis.....**

Author: Noriah Binti Ramli

### References:

Ayob, H., Amin, N., & Ramli, N. (2016). Consumer protection in Muslim friendly travel agencies services. International Language and Tourism Conference 2016 (ILTC 2016), 21st-22nd Jan. 2016, Kuala Lumpur. Retrieved from <http://irep.iium.edu.my/id/eprint/49327>

Crescentrating. (2016). Defining what is Halal Tourism or Halal Travel: An introduction. Retrieved from <https://www.crescentrating.com/magazine/muslim-travel/3852/defining-what-is-halal-travel-or-muslim-friendly-tourism.html>

Halal Weekly. (2021, May 10). Understanding Muslim-friendly tourism. The Jakarta Post. Retrieved from <https://www.halalweekly.com/2021/05/10/understanding-muslim-friendly-tourism/>

Islamic Tourism Centre (ITC). (2024). Malaysia retains top spot as leading destination for Muslim travellers in GMTI 2024 report. Retrieved from <https://itc.gov.my/malaysia-retains-top-spot-as-leading-destination-for-muslim-travellers-in-gmti-2024-report-2/>

Islamic Tourism Centre (ITC). (2024). Malaysia retains top spot as leading destination for Muslim travellers in GMTI 2024 report. Retrieved June 5, 2024, from <https://itc.gov.my/malaysia-retains-top-spot-as-leading-destination-for-muslim-travellers-in-gmti-2024-report-2/>

Jakarta Post. (2021, May 10). Understanding Muslim-friendly tourism. Retrieved June 5, 2024, from <https://www.halalweekly.com/2021/05/10/understanding-muslim-friendly-tourism/>

Malaysian Standard (MS) 2610. (2015). Muslim friendly hospitality services: Requirements. Department of Standard Malaysia (DSM).

Statista Research Department. (2024, April 25). Tourist arrivals in Malaysia. Retrieved from <https://www.statista.com/statistics/1004711/tourist-arrivals-malaysia/>

Tourism Industry Act 1972 (Malaysia).