

Halal Tourism: Legal Factor Attracting Tourists To Malaysia

Pelancongan Halal: Faktor Undang - Undang yang Menarik Pelancong Muslim ke Malaysia

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ABSTRACT

The demand for halal tourism has increased greatly in the past few years, and it is currently acknowledged as one of the latest and rapidly expanding sectors in the worldwide tourism industry. Muslim tourist may face difficulties when visiting non-Muslim countries as they have limited access to halal services, which can make their trips less convenient. Malaysia is one of the countries where halal tourism is particularly significant. The main objective of this research is to examine the impact of legal factors on tourists' motivations to visit Malaysia as a halal destination. By utilizing a qualitative method, this paper uses doctrinal research to offer a legal analysis of topics related to halal tourism, such as halal certification, halal food, and accommodations. Results from the research show that legal aspects, such as obtaining halal certification for both food and accommodation, have a notable impact on the satisfaction of tourists when deciding on a destination. The main importance of this research showed that many Muslim tourist can enjoy halal amenities when seeking halal tourism options in popular Muslim locations they can easily visit. The findings of this study gave us a better understanding of why Muslim tourist choose Malaysia as their tourism destination.

Keywords: Halal Tourism; Legal Factors; Muslim; Tourist; Malaysia

ABSTRAK

Permintaan untuk pelancongan halal telah meningkat dengan ketara dalam beberapa tahun kebelakangan ini, dan ia kini diakui sebagai salah satu sektor yang terbaru dan berkembang pesat dalam industri pelancongan global. Pelancong Muslim mungkin menghadapi kesukaran apabila melawat negara bukan Islam kerana mereka mempunyai akses terhad kepada perkhidmatan halal, yang boleh menjadikan perjalanan mereka kurang selesa. Malaysia adalah salah satu negara di mana pelancongan halal sangat penting. Objektif utama penyelidikan ini adalah untuk mengkaji kesan faktor undang-undang terhadap motivasi pelancong untuk melawat Malaysia sebagai destinasi halal. Dengan menggunakan kaedah kualitatif, kajian ini menggunakan penyelidikan doktrinal untuk menawarkan analisis undang-undang mengenai topik yang berkaitan dengan pelancongan halal, seperti pensijilan halal, makanan halal, dan penginapan. Hasil daripada penyelidikan menunjukkan bahawa aspek undang-undang, seperti mendapatkan pensijilan halal untuk kedua-dua makanan dan penginapan, mempunyai kesan yang ketara terhadap kepuasan pelancong apabila memutuskan destinasi. Kepentingan utama penyelidikan ini menunjukkan bahawa ramai pelancong Muslim boleh menikmati kemudahan halal apabila mencari pilihan pelancongan halal di lokasi popular Muslim yang mereka boleh lawati dengan mudah. Penemuan kajian ini memberikan kita pemahaman yang lebih baik tentang mengapa pelancong Muslim memilih Malaysia sebagai destinasi pelancongan mereka.

Kata Kunci: Pelancongan Halal; Faktor Undang-undang; Muslim; Pelancong; Malaysia

INTRODUCTION

The tourism industry is witnessing a significant evolution with the increasing emphasis on Halal tourism, catering to the specific needs of Muslim travellers. This industry has grown rapidly due to the rising awareness and demand for travel experiences that align with Islamic principles (Khairudin & Abbas, 2022). This has led to a rise in Muslim travellers visiting both Muslim and non-Muslim countries (Hasanah & Harun, 2020). The Global Muslim Travel Index (2017) reported around 121 million Muslim international tourists in 2016, with projections of this number reaching 156 million by 2020. Additionally, the global Muslim population, estimated at 1.6 billion in 2010, is expected to grow to 2.2 billion by 2030, making up 26.4 percent of the world's population. Malaysia, a moderate Muslim country with diverse faiths and ethnicities, recognizes Islam as its official religion (Islamic Tourism Centre, 2016).

In December 2004, Malaysia was recognized by the World Tourism Organization (WTO) as one of the world's top emerging tourism destinations. The country holds significant potential to advance Islamic tourism, contributing to both economic sustainability and religious fulfillment (Islamic Tourism Centre, 2016). Even before the surge in Muslim tourists from OIC nations, Malaysia's Ministry of Tourism had already been developing Muslim-friendly hospitality and services to cater to these visitors.

Owing to the surge, Malaysia's Ministry of Tourism has promoted Muslim-friendly hospitality and services due to the high number of Muslim travellers from OIC nations. The Islamic Tourist Centre (ITC), established on March 16, 2009, aims to develop and promote Islamic tourism activities (Idris, 2023). The ITC offers training, capacity-building, and recommendations for Islamic tourism. In 2012, ITC published the "*Strategic Plan for Islamic Tourism Development*," guiding the future of Islamic tourism in Malaysia (Strategic Roadmap for Development of Islamic Tourism in OIC Member Countries, 2018). This plan followed several years of growth in Malaysia's tourism industry, particularly after the country was recognized as one of the leading destinations for Muslim travelers in the early 2000s. Other than that, one of the tourisms of Malaysia's efforts to promote Muslim-friendly tourism include the creation of *The Halal Master Plan* and hosting the first OIC Global Islamic Tourism Conference and Exhibition in 2008, demonstrating Malaysia's significant initiatives in this field.

METHODOLOGY

The legal study conducted was indeed qualitative in nature. Being so, research methodologies of library research and critical analysis were used in analysing relevant materials, data and information. This legal study has collected relevant materials, data and information on Halal Tourism especially those involving legal factors that attract Muslim tourists to Malaysia. Figures from relevant governmental bodies such as Ministry of Tourism and Culture Malaysia and the Department of Islamic Development Malaysia (JAKIM) were critically assessed and analyzed. The approach to be applied involves a content analysis of existing laws, regulations and guidelines on the legal factors that attract Muslim tourists to Malaysia. This includes an examination of relevant provisions of the Tourism Industry Act 1992, Trade Description Act 2011 and Personal Data Protection Act 2010.

RESULT AND DISCUSSION

OVERVIEW OF HALAL TOURISM

Based on Figure 1, it showcases the tourism highlights for Malaysia from January to December 2023. It highlights a significant increase in tourist arrivals, which totalled 20,141,846 in 2023. This represents a 100% increase compared to 2022, which saw 10,070,964 tourist arrivals, but a 22.8% decrease compared to the 2019 pre-pandemic figures of 26,100,784.



FIGURE 1. Malaysia Tourism Statistics
 Source: Tourism Malaysia (2023).\\

The bar graph presents monthly tourist arrival figures for 2023, showing a steady increase with peaks during the months of June and December. The line graph above compares these figures with those of 2019, indicating recovery trends post-pandemic. This data reflects Malaysia's strong recovery in the tourism sector, highlighting the country's appeal as a tourist destination and the effectiveness of its tourism strategies in attracting international visitors.

Furthermore, it is undoubtedly true that the increasing recognition of Islamic tourism's potential for growth is becoming evident worldwide especially in Malaysia. This is proven when Malaysia achieved a commendable feat by attracting 2.12 million Muslim tourists to the country in 2023, with a total expenditure of RM5.37 billion by Muslim tourists (Idris, 2023). This development demonstrates the desire and ability of Muslim travellers to further enrich the international tourism sector of the country. Furthermore, the Islamic sector in Malaysia has grown in rapid, with Islamic enterprises spanning various sectors such as Islamic finance (Rosfazila et al. 2021), pharmaceuticals, entertainment, and tourism. This industry signifies the most extensive and financially rewarding yet undiscovered segment within the global tourism industry which are the Muslim travellers.

The legal framework in Malaysia has been instrumental in fostering a conducive environment for Halal tourism. The Malaysian government, through various legislative measures and regulatory bodies, has established comprehensive guidelines and standards to ensure that services and products meet Islamic principles. For instance, the Malaysian Islamic Development Department (JAKIM) is responsible for Halal certification, ensuring that food and other products

comply with Islamic dietary laws (Islam in Malaysia, 2021). This certification is crucial for businesses aiming to attract Muslim travellers, as it guarantees that the products and services offered are Halal-compliant.

As the Halal tourism sector continues to expand, it focuses on catering to the specific needs and preferences of Muslim travellers by offering a wide range of services and experiences that adhere to Islamic principles and values. This includes providing Halal food options, prayer facilities, and accommodations that respect Islamic traditions. The holistic approach of Halal tourism ensures a better travel experience for millions of Muslim tourists worldwide. Malaysia's recognition as the world's top destination for Muslim travellers for three consecutive years, as highlighted by surveys conducted by Singapore's CrescentRating and the United States' DinarStandard, exemplifies the success and appeal of this burgeoning industry (Islamic Tourism, 2024).

The rise of Islamic tourism has necessitated industry players, including restaurants, airlines, hotels, and tour operators, to adjust their products and services to cater to this growing market segment. The Halal Industry Master Plan (HIMP) 2030, launched by the Malaysian government, outlines strategic initiatives to enhance the Halal ecosystem, including tourism. This plan emphasizes the need for comprehensive Halal standards, capacity building, and international collaboration to position Malaysia as a global leader in the Halal economy. For example, Malaysia Airlines offers Halal-certified meals on all its flights, ensuring that Muslim travellers can adhere to their dietary requirements while flying. Additionally, many hotels in Malaysia provide prayer facilities and separate swimming pools for men and women, catering to the modesty requirements of Muslim guests. The Malaysian Association of Tour and Travel Agents (MATTA) has also been proactive in promoting Halal tourism by organizing Halal travel fairs and collaborating with international travel agencies to attract Muslim tourists (Itc and Matta's Collaboration to Encourage More Islamic Tourism Development Activities in Malaysia, 2022).

Statistically, Malaysia has established itself as a top destination for Muslim tourists globally. Ranked first on the Global Muslim Travel Index (GMTI) in 2015 and among the top ten worldwide for total tourist arrivals in 2013 (CrescentRating, 2015), Malaysia's success is largely attributed to its early recognition of the Muslim market's potential. Since 2009, the Ministry of Tourism, Arts and Culture Malaysia has prioritized this demographic, leading to the creation of the Islamic Tourism Centre (ITC). This government-led initiative has engaged the entire industry, ensuring that facilities and services are tailored to Muslim travellers.

Consequently, Malaysia has emerged as a premier destination for Muslim tourists, with approximately 22% of all visitors being Muslim. According to a survey conducted by DinarStandard and CrescentRating, the global Muslim tourist sector generated roughly USD 126.1 billion in outbound expenditure in 2011, accounting for 12.3% of global outbound tourism expenditure, excluding Hajj and Umrah. From 2012 to 2020, Muslim tourist expenditure was estimated to expand at an average yearly rate of 4.79%, with Muslim travel growth projected to reach 4.8% by 2020, exceeding the world average of 3.8%. Notably, of the top 20 nations with the highest growth in tourist expenditure between 2005 and 2010, 25% were Muslim-majority OIC members (Islamic Tourism, 2024).

The Malaysian legal system supports this growth by ensuring that tourism policies are inclusive and accommodating to the needs of Muslim travellers. The Tourism Industry Act 1992, which regulates the tourism sector, includes provisions that support the development of Halal tourism. Moreover, the National Tourism Policy 2020-2030 emphasizes the importance of

sustainable and inclusive tourism, highlighting the need to cater to diverse market segments, including Muslim travellers (Tourism Malaysia, n.d.).

Furthermore, Malaysia's bilateral agreements and collaborations with other Muslim-majority countries facilitate the exchange of best practices in Halal tourism. These partnerships enhance Malaysia's capability to attract Muslim tourists by leveraging shared cultural and religious values. For instance, Malaysia's collaboration with Indonesia and Turkey in promoting Halal tourism has led to joint marketing campaigns and the sharing of Halal certification standards (Marina et al. 2024).

In conclusion, Malaysia is an ideal country for Muslim travellers, offering comprehensive services that cater to their faith-based needs. The country's strategic initiatives, from government policies to industry adaptations, have successfully positioned Malaysia as a leading destination for Muslim tourists. This sustained growth in Halal tourism not only enhances Malaysia's international tourism profile but also underscores its commitment to inclusivity and cultural sensitivity in catering to the diverse needs of Muslim travellers. The robust legal framework and supportive regulatory environment ensure that Malaysia remains at the forefront of Halal tourism, providing a model for other countries to follow.

FACTORS THAT INFLUENCE TOURIST

HALAL FOOD

Muslims worldwide practice the religion of Islam. Islam's dietary restrictions are based on its teachings and Islamic dietary guidelines describe Halal foods as lawful or permissible. Halal food is any food that is considered lawful under Islamic law, as outlined in the Quran (CrescentRating, 2016). This can be shown based on Surah Al-Baqarah 2:168 which states *“O humanity! Eat from what is lawful and good on the earth and do not follow Satan’s footsteps. He is truly your sworn enemy.”* This shows that based on the Shariah Law, Muslims are ought to eat food that are deemed “good” or in other words Halal.

According to Islamic dietary regulations, all foods and beverages are Halal unless specifically disallowed. For instance food or drinks that causes you to hallucinate is not allowed to be consumed and is considered non-Halal. This can be referred to Surah Al-Ma'idah which states *“O you who have believed, indeed, intoxicants, gambling, [sacrificing on] stone alters [to other than Allah], and divining arrows are but defilement from the work of Satan, so avoid it that you may be successful.”* These regulations help Muslims all across the world find Halal foods, allowing them to meet their dietary needs in conformity with Islamic teachings. Although some restaurants may use terms such as Muslim-friendly or Halal-friendly meals to suggest that their products are appropriate for Muslims. However, these phrases fail to give the amount of certainty that Muslims seek. Food must be either Halal or non-Halal and it cannot be only "Muslim-friendly" or "permissible-friendly."

The significance of Halal food extends beyond just dietary preferences; it is a critical aspect of religious observance and personal identity for many Muslims. The assurance of Halal certification gives Muslim travellers confidence that they can maintain their dietary practices while away from home. This aspect of travel is increasingly recognized as essential by the global tourism industry, particularly in countries with a significant Muslim population or those aiming to attract Muslim tourists (Halal Malaysian Portal, n.d.). Additionally, halal food standards are particularly stringent regarding food handling practices. Proper handling is crucial to prevent contamination

and the spread of diseases, ensuring the food is safe and healthy for consumption. (Mohamad Ridzuan Mohamad Salleh, Azahan Awang, Azlan Abas, & Sytty Mazian Mazlan, 2020).

Globally, the legal framework governing Halal food varies, reflecting the diverse interpretations and implementations of Islamic dietary laws. However, there are common elements across different jurisdictions that aim to ensure the integrity of Halal food products. In Malaysia, Halal certification is governed by several legal frameworks and regulatory bodies, most notably the Department of Islamic Development Malaysia (JAKIM). JAKIM is the primary authority responsible for Halal certification, ensuring that food products and services meet stringent Islamic dietary laws. This authority is derived from the Malaysian Halal Certification Procedure Manual, which outlines detailed procedures and standards for obtaining Halal certification (Halal Malaysian Portal, n.d.). The Trade Descriptions Act 2011 is also a pivotal piece of legislation governing Halal certification in Malaysia. This Act mandates that only JAKIM and State Islamic Religious Councils have the authority to issue Halal certificates and logos. It ensures that Halal certification is standardized across the country, providing consumers with assurance and businesses with a clear, unified set of guidelines to follow. The Act also imposes penalties for the misuse of the Halal logo, thereby protecting the integrity of Halal certification.

HALAL CERTIFICATION

Halal certification is a formal confirmation by a trustworthy organization that a food product, its components, and the methods involved in its production comply with Islamic dietary requirements. This certification is critical for Muslims in identifying permissible items, especially in non-Muslim countries. Halal certification enables businesses to tap into the vast and growing Muslim consumer base by instilling confidence in their products and opening up new market opportunities (Abdul Razif Zaini & Yoyo, 2021).

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Halal certification is provided by a variety of organisations across the world, who undertake audits to certify conformity with Halal requirements from raw material procurement to final preparation and packaging (AdminBarakah, 2022). The procedure of gaining Halal

certification consists of multiple parts as seen in Figure 2. It starts with submitting information about the product and production process to a reputable Halal certification agency. This is followed by a comprehensive audit and inspection to ensure conformity with Halal regulations. When conformity is established, the certifying organisation produces a Halal certificate and authorises the use of the Halal certification mark on the product. Regular inspections and renewals assure continuous compliance.

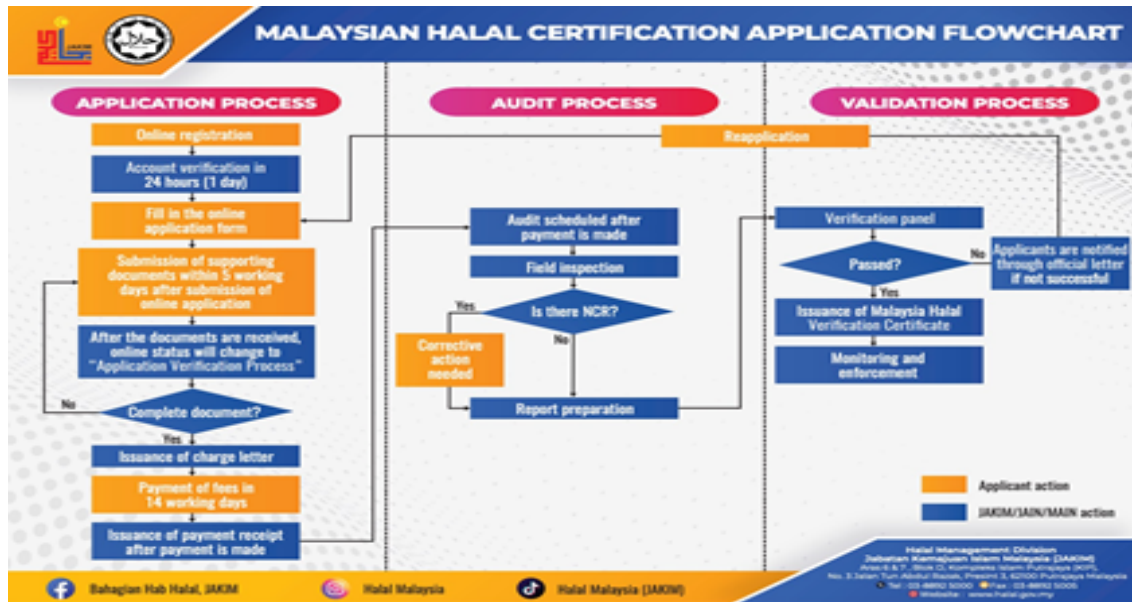


FIGURE 2. Flowchart Guide for Halal Certification Procedures

Halal-certified items bear a label or emblem that denotes certification by a recognised body which can be seen in Figure 3. When shopping for Halal foods, customers should search for this sign. It is crucial to remember that Halal certification criteria might vary between nations owing to differing interpretations of Islamic dietary regulations. However, international initiatives are underway to harmonise Halal criteria for more uniformity.



FIGURE 3. Halal Label

In Malaysia, the Malaysian Halal certificate is a government attempt to safeguard Muslim customers from consuming non-compliant items in a Muslim-majority country. Before 2000, there were no standardised criteria or legislation governing Halal certification, therefore anybody could issue a Halal certificate (Barakah, 2022). Various bodies, including JAKIM's Halal Hub Division, Halal State Religious Departments, and private firms, issued Halal certificates using their own criteria, resulting in a lack of consistency in standards, evaluations, monitoring, and

documentation. During the 1990s, several firms made a lot of money by selling Halal certificates without adequately validating their Halal status, which deceived not only company owners but also customers who believed these certifications.

To solve these difficulties, the Malaysian Halal certification manual was created in 2004, and the Trade Descriptions Act 2011 was adopted, requiring only JAKIM to give Halal certificates in Malaysia (Islamic Tourism - Tourism Malaysia Corporate Site, n.d.). This created a single, recognised Halal emblem for Malaysian products and ended the practice of private firms offering Halal certificates. However, some people continue to attempt to claim Halal status without going through the necessary certification procedure with JAKIM.

With that, Halal certification is not just about compliance with religious dietary laws, it is also a strategic business decision. By obtaining Halal certification, businesses can access a lucrative and rapidly growing market. The global Halal food market is projected to reach USD 2.4 trillion by 2024, driven by the increasing Muslim population and rising demand for Halal products. Companies like Nestlé, Unilever, and KFC have recognized this potential and have obtained Halal certification for many of their products and outlets, catering to Muslim consumers worldwide.

HALAL HOSPITALITIES

In Malaysia, the tourism industry places significant emphasis on catering to the needs of Muslim travellers. One of the key elements in this regard is the concept of Halal hospitalities. Businesses related to tourism often seek the Muslim-Friendly Tourism and Hospitality Assurance and Recognition (MFAR), a distinction given by the Islamic Tourism Centre (ITC) to tourist sector operators who comply with specific Muslim-Friendly Tourism and Hospitality requirements. This recognition is essential as it reflects the commitment of tourism organizations to address the concerns and requirements of Muslim travellers, thus fostering a sense of comfort and trust. Recognition by the ITC is crucial as it serves as a strategic tool for branding and promoting businesses to the Muslim tourism market.

Halal hospitalities refer to the provision of services and facilities that are compliant with Islamic principles, ensuring that Muslim travellers can enjoy their stay in accordance with their religious beliefs. This includes Halal food, prayer facilities, and environments that respect Islamic values. Halal hospitality extends beyond just food; it encompasses a comprehensive approach to ensuring all aspects of a Muslim traveller's stay are conducive to their faith and lifestyle (Halal Certification & the Hospitality Industry | ISA, 2020).

The MFAR is an important certification granted by the Islamic Tourism Centre (ITC) to tourism operators who meet specific criteria tailored to Muslim travellers' needs. This certification signals that a business has taken steps to provide Halal-compliant services and facilities, including halal food and beverage options, certified by JAKIM (Department of Islamic Development Malaysia), prayer facilities such as suraus (prayer rooms) and musollas (small mosques) with proper ablution areas, availability of religious items such as prayer mats, Qiblat direction indicators, and copies of the Al-Quran in guest rooms, amenities and services that ensure privacy and comfort, such as segregated gym and swimming pool hours for men and women.

For Muslim travellers, choosing hospitality services recognized by the ITC is crucial. With the MFAR, tourists can be assured that the operators' kitchens and dining facilities have been rigorously certified by JAKIM, which is the official institution responsible for issuing Halal certifications. This assurance is vital for Muslim tourists who prefer hotels with Halal dining facilities, enabling them to enjoy their stay without the need to search for external Halal

restaurants (Halal Certification & the Hospitality Industry | ISA, 2020). This convenience enhances their travel experience significantly, making their journey more comfortable and enjoyable.

The ITC categorizes hotel accommodations based on three tiers: Silver, Gold, and Platinum which can be seen in Figure 4 which was retrieved from the Islamic Tourism Centre. Each tier provides different facilities that cater to various needs aligned with Sharia Law. This tiered approach ensures that businesses receiving the MFAR designation not only meet but exceed the expectations of discerning Muslim visitors while embracing the Muslim-friendly ethos.



FIGURE 4. Categories of Hotel Accommodation

The first tier is the Silver MFAR Hotels. This category of hotels offers a range of amenities tailored for Muslim guests to ensure their stay is comfortable and in line with Islamic practices. These hotels provide detailed information on the locations of nearby mosques, Muslim-friendly tourist attractions, and Halal restaurants. Each room prominently displays the Qiblat direction to facilitate prayer, and is equipped with a bidet, a prayer mat, and a copy of the Al-Quran. Additionally, Silver MFAR Hotels feature a surau (prayer room) or musolla (small mosque) on the premises, complete with ablution facilities, allowing guests to perform their prayers conveniently. The hotel's kitchen is certified Halal by JAKIM, ensuring that all food and beverages served in at least one of their restaurants meet Halal standards (Muslim-Friendly Tourism and Hospitality Assurance and Recognition, 2024).

The second tier, the Gold MFAR Hotels elevate the level of Muslim-friendly services by offering the same amenities as Silver MFAR Hotels, but with additional features. Guests at these hotels receive comprehensive information on nearby mosques, Muslim-friendly attractions, and Halal dining options. The rooms include the Qiblat direction, bidet, prayer mat, and Al-Quran. The premises have a surau or musolla with proper ablution facilities. The hotel kitchen is JAKIM-certified Halal, and at least one restaurant offers Halal food and beverages. A unique feature of

Gold MFAR Hotels is the allocation of specific hours during which Muslim females can exclusively use selected facilities, such as the gym or swimming pool, ensuring privacy and comfort (Muslim-Friendly Tourism and Hospitality Assurance and Recognition, 2024).

The highest-ranking tier which is the Platinum MFAR Hotels, they provide the highest standard of Muslim-friendly services, encompassing all the features offered by Silver and Gold MFAR Hotels, with additional enhancements. These hotels supply detailed information about nearby mosques, Muslim-friendly tourist spots, and Halal restaurants. Each room includes the Qiblat direction, a bidet, a prayer mat, and the Al-Quran. A surau or musolla with ablution facilities is available on the premises for guests. The kitchen is Halal-certified by JAKIM, and at least one restaurant offers Halal food and beverages. In addition to the amenities provided by Gold MFAR Hotels, Platinum MFAR Hotels allocate certain hours for Muslim females to use selected facilities privately. Furthermore, these hotels employ a Shariah Officer who is responsible for monitoring and ensuring the hotel's compliance with Shariah law, providing an extra layer of assurance for Muslim guests (Muslim-Friendly Tourism and Hospitality Assurance and Recognition, 2024).

In Malaysia, the tourism industry is a critical economic sector, recognized by the Malaysian government as part of the Economic Transformation Program (ETP). The industry has seen substantial growth, with tourist receipts increasing from 69.1 billion in 2015 to 86.1 billion in 2019 (Tourism contributes RM86.14 billion to Malaysia economy with 26.1 million tourists in 2019 - Tourism Malaysia Corporate Site, 2020). This growth is attributed to the country's efforts to modernize and enhance facilities and services for Muslim tourists, ensuring they conform to religious beliefs and practices. Malaysia, being a leader in the Halal industry, has long recognized the potential of Muslim tourism and has actively worked towards enhancing its offerings.

However, despite the growth, there is no concrete evidence that the Malaysian Government has implemented or planned a specific policy for Muslim-Friendly Hospitality (MFH) or Islamic Tourism. The sector needs robust government policies to create a conducive environment for growth. The closest policy is a blueprint by the Islamic Tourism Centre (ITC), under the Ministry of Tourism and Culture Malaysia (MOTAC), which outlines Islamic Tourism practices and strategic planning from 2009 onwards. This internal document guides ITC's strategies to position Malaysia as a premier Islamic Tourism destination. It highlights the need for a specific MFH policy and legal framework to maintain integrity and prevent misuse of the term "Muslim-Friendly" (Islamic Tourism Centre Malaysia, 2013). The blueprint suggests establishing a National Shariah Council on Islamic Tourism and introducing a quality assurance and accreditation system for MFH practices. Effective implementation of these policies, using a bottom-up approach, is crucial for sustaining Malaysia as a leading tourism destination (Khairil Wahidin Awang & Yuhanis Abd Aziz, 2011). Not to mention, although the standards for MFH have been established and are voluntarily adopted by industry players, but there is no certification associated with these standards.

According to a study conducted by ITC, nearly 80% of Muslim travellers consider Halal-friendly services as a crucial factor when choosing a travel destination (CrescentRating, 2016). This underscores the importance of Halal-friendly hospitality services in the decision-making process of Muslim tourists. Additionally, the Global Muslim Travel Index (GMTI) reports that the demand for Halal-friendly tourism is on the rise, with an expected growth rate of 6.6% annually (CrescentRating, 2016). With that, this growing demand presents a significant opportunity for the Malaysian tourism industry to tap into a lucrative market segment since

Muslim travellers are known to spend more on travel, with their average daily expenditure being 30% higher than that of non-Muslim travellers.

In conclusion, the emphasis on Halal-friendly hospitality services in Malaysia not only caters to the needs of Muslim travellers but also serves as a strategic advantage for the country's tourism industry. By adhering to stringent Halal standards and continuously improving their offerings, Malaysian hospitality providers can ensure a memorable and comfortable experience for Muslim tourists, thereby enhancing their satisfaction and increasing the likelihood of repeat visits. This approach not only benefits the tourism industry but also contributes to the broader goal of positioning Malaysia as a leading destination for Halal tourism on the global stage.

LAWS THAT SAFEGUARD TOURISTS IN MALAYSIA

Malaysia has implemented several laws and regulations to ensure the safety and well-being of tourists, making it a welcoming and secure destination for visitors from around the world. First, we shall refer to Article 8 of the Federal Constitution. Based on the article, it is a fundamental legal provision that underscores equality before the law and equal protection of the law for all individuals. This article explicitly states, "*All persons are equal before the law and entitled to the equal protection of the law.*" This broad and inclusive principle ensures that everyone, including tourists, is protected against discrimination based on race, religion, or any other status. The anti-discrimination stance of Article 8 reassures tourists that they can expect fair and equal treatment under Malaysian law, contributing to their sense of security and well-being while traveling in the country.

For instance, if a tourist from a different racial background faces any form of discrimination or harassment, they can report the incident to the authorities, who are mandated to investigate and take appropriate action. By promoting equality and protecting against discrimination, Article 8 helps foster a safe and welcoming environment for tourists, which is crucial for the tourism industry's success. This strong legal framework attracts investors in the tourism sector, as it indicates a stable and inclusive environment conducive to business growth.

In Malaysia, there are clear guidelines to ensure the safety and well-being of tourists. The Tourism Industry Act 1992 is a comprehensive legislative framework that regulates tourism-related activities and services in Malaysia. For example, Section 18 of the Tourism Industry Act 1992 requires licensed tourism enterprises to include specific information in any advertisement related to their business. This information includes the license number, business name, address, and any other particulars deemed necessary by the Commissioner. By mandating these requirements, the Act ensures that tourists receive accurate and verifiable information about the services they are considering. This reduces the risk of fraud and misrepresentation, as tourists can trust that the advertised services are legitimate and meet the standards set by the licensing authorities. Moving on, Section 19 stipulates that only licensed tourist guides can be employed by tourism enterprises. This requirement ensures that tourist guides have undergone the necessary training and qualifications, providing a consistent standard of service and safety for tourists. By enforcing this regulation, the Act protects tourists from unqualified or fraudulent guides who might provide misleading information or unsafe guidance. Section 31A mandates that all accommodation premises must be registered with the Commissioner. This registration process ensures that the accommodations meet specific standards of safety, hygiene, and service quality. By requiring registration, the Act helps ensure that tourists stay in legally compliant and inspected

accommodations. This regulation safeguards the health and well-being of tourists during their stay in Malaysia, providing them with a safe and reliable lodging experience.

Furthermore, the Islamic Tourism Standards also has laid out and encompassed a range of guidelines and practices aimed at ensuring tourism activities are compatible with Islamic principles and values. The halal standards in Malaysia ensure that food is safe and clean, providing a reliable dining experience for both Muslims and non-Muslims. These standards guarantee that food products meet strict safety and cleanliness requirements, which helps maintain trust and satisfaction among consumers. The standards also prevent irresponsible and profit-motivated operators from misusing the term “halal” or “Muslim-friendly.” This safeguards the industry from unethical practices and ensures that only genuine and compliant products and services are marketed as halal.

Tourists, like residents, are integral participants in the consumer market of any country they visit. As consumers, they engage in a variety of transactions, from purchasing goods and services to dining at local restaurants and staying in accommodations. This interaction with the local market subjects them to the same economic and legal frameworks that protect the rights and safety of residents. Owing to that, The Consumer Protection Act 1999 is designed to safeguard the rights and interests of consumers, including tourists, by addressing unfair trade practices and ensuring fair treatment in commercial transactions. For instance, Section 19, emphasizes the need for goods and services to adhere to specific safety standards. This provision ensures that all products available to consumers, including tourists, meet established safety criteria. By mandating compliance with these standards, the law protects tourists from potentially dangerous or substandard products, enhancing their safety during their stay in Malaysia.

The Trade Descriptions Act 2011 in Malaysia contains several sections that are particularly relevant to the regulation and assurance of halal food standards. These sections focus on preventing false trade descriptions, ensuring accurate labeling, and establishing certification requirements to maintain the integrity of halal products in the market. For instance, Section 29 is crucial because it empowers the Minister to impose requirements for the certification, marking, and provision of information related to goods, including halal food. This section ensures that halal products are certified by a competent authority, marked appropriately, and accompanied by necessary information that verifies their compliance with Islamic dietary laws. By regulating how goods should be certified and labeled, this section helps prevent misleading claims and ensures that consumers can trust the halal status of the products they purchase. It also sets out penalties for non-compliance, thus enforcing adherence to the established standards. Section 6 defines what constitutes a trade description, covering aspects such as composition, fitness for purpose, and approval by an authority.

This section is relevant to halal food because it mandates that any description applied to a product must accurately reflect its nature and quality. For halal products, this means that the descriptions must truthfully represent their compliance with halal standards. This section helps ensure that consumers are not misled by false or vague descriptions and that the products labeled as halal genuinely meet the required religious criteria. Section 5 outlines the prohibition against applying false trade descriptions to goods, including supplying or possessing goods with false descriptions. This section is critical for the halal food industry as it provides legal measures to prevent and penalize the misrepresentation of halal status. It ensures that businesses cannot falsely claim their products are halal, thereby protecting consumers from deceit and upholding the credibility of halal certification. The penalties prescribed in this section act as a deterrent against fraudulent practices, promoting honesty and transparency in the market.

The Personal Data Protection Act 2010 (PDPA) regulates the processing of personal data in commercial transactions, ensuring that tourists' personal information is handled securely and responsibly. The PDPA requires businesses, including those in the tourism sector, to obtain consent from individuals before collecting, using, or disclosing their personal data, and to implement measures to protect this data from unauthorized access or misuse. The General Principle under Section 6 ensures that personal data is processed fairly and lawfully. For tourists, this means their personal information, such as passport details and payment information, must be handled with utmost care and confidentiality. This protection is vital to prevent identity theft and fraud, which are significant risks for individuals traveling abroad. The Security Principle outlined in Section 9 requires data users to take appropriate measures to protect personal data from loss, misuse, modification, unauthorized access, or disclosure. For tourists, this means that all entities handling their data, such as hotels and tour operators, must implement robust security protocols. This protection is essential in safeguarding tourists' personal data, reducing the risk of data breaches, and ensuring a secure travel experience. This act helps in ensuring tourists that their personal information, such as passport details and payment information, is protected by law, reducing the risk of identity theft and data breaches.

RECOMMENDATIONS

The Malaysia halal tourism industry faces stiff competition from other countries such as Turkey, Indonesia, and the UAE. These destinations not only have a rich Islamic heritage but also offer diverse and well-established halal tourism experiences. This competition poses a significant challenge to Malaysia's prominence in the global halal tourism market. Countries like Turkey and Indonesia have long-standing historical and cultural ties to Islamic civilization, attracting millions of Muslim tourists each year. For example, Turkey's rich Islamic history, epitomized by landmarks such as the Hagia Sophia and Blue Mosque, draws visitors seeking a deep connection to their faith. Similarly, Indonesia, with the world's largest Muslim population, has leveraged its cultural diversity and Islamic heritage to develop a robust halal tourism sector, including the annual World Halal Tourism Awards (Team, 2024). The UAE, with its luxury offerings and high standards in halal services, further intensifies the competition.

In response, Malaysia's tourism authorities must focus on unique selling points and leverage legislative frameworks such as the Malaysia Islamic Tourism Centre (ITC) Act, which supports the development of Islamic tourism. For instance, Malaysia can capitalize on its status as a multicultural society that offers a blend of traditional and modern Islamic experiences, including events like the Malaysia International Halal Showcase (MIHAS), which promotes the country's halal products and services to a global audience. Moving on, Infrastructure development is crucial to meet the specific needs of Muslim travellers. While Malaysia has made significant strides in halal certification for hotels, restaurants, and prayer facilities, ensuring widespread availability and accessibility of these amenities remains a challenge. This includes expanding halal-certified accommodations, enhancing prayer facilities at tourist sites, and improving transportation options for Muslim travellers. Not to mention, despite progress, gaps remain in the availability of halal-certified accommodations, particularly in rural and less developed tourist areas. Enhancing prayer facilities, such as clean and accessible mosques or prayer rooms at tourist sites, is essential to meet the religious obligations of Muslim travellers. Additionally,

transportation services that cater to halal needs, such as offering halal food options on flights and ensuring modesty in travel arrangements, are areas that require attention.

The Malaysian government can address these issues through strategic policies and investments because as the tourism develops, we must ensure that it has a positive impact on the local community in terms of the human environment (economic, social, and cultural) (Norlida Hanim Mohd Salleh, Md Shafiin Shukor, & Siti Hajar Mohd Idris, 2017). The implementation of the Malaysia National Tourism Policy 2020-2030 emphasizes the importance of inclusive tourism development, including halal tourism. For example, the government's efforts to upgrade Langkawi as a premier halal-friendly destination include plans for more halal-certified hotels and improved transportation infrastructure. Collaboration with private sectors, such as airlines offering halal meals and prayer facilities, can also enhance the overall halal tourism experience. Furthermore, Halal travel packages focusing on inbound tourism are less prevalent compared to those for outbound travel, such as Hajj and Umrah. This disparity limits the potential growth of Malaysia's domestic halal tourism sector and reduces the appeal to international Muslim tourists seeking comprehensive travel packages within the country.

While Malaysia is a major hub for outbound Islamic travel, particularly for pilgrimages to Mecca, there is a significant opportunity to develop inbound travel packages that highlight Malaysia's rich Islamic heritage and halal-certified attractions. This includes creating curated travel experiences that integrate religious, cultural, and recreational activities, appealing to a broad spectrum of Muslim travellers. The Malaysian Tourism Transformation Plan 2020-2050 can play a big role in this aspect by providing incentives for tour operators to develop and market inbound halal travel packages. For instance, initiatives like the Visit Malaysia Year 2020 campaign included efforts to promote Islamic heritage sites, such as the National Mosque and Islamic Arts Museum Malaysia, as part of comprehensive halal travel packages. Leveraging digital platforms and collaborations with international travel agencies can further boost inbound halal tourism.

With that investing in targeted marketing campaigns that highlight Malaysia's unique halal tourism offerings is essential. These campaigns should focus on differentiating Malaysia from its competitors by emphasizing its diverse cultural experiences, modern amenities, and adherence to Islamic principles. Utilizing social media, influencer partnerships, and international travel fairs can enhance Malaysia's visibility and attract more Muslim tourists. Fostering innovation in product development involves creating new and unique halal tourism products and services. This could include themed halal resorts, Islamic wellness retreats, and culinary tours featuring halal-certified local cuisine. Collaborating with tech startups to develop apps and digital platforms that provide real-time information on halal services and facilities can also enhance the tourist experience.

Addressing these challenges requires collaboration between the government, tourism authorities, industry stakeholders, and the private sector. Public-private partnerships can drive investments in infrastructure, marketing, and product development. For instance, the Malaysia Digital Economy Corporation (MDEC) can support tech-driven initiatives to enhance halal tourism services, while the Malaysia Convention and Exhibition Bureau (MyCEB) can attract international conferences and events focused on halal tourism. By tackling these challenges and implementing these suggestions, Malaysia can strengthen its position as a leading halal tourism destination, offering Muslim travellers a rich, authentic, and fulfilling experience.

CONCLUSION

In conclusion, the study of halal tourism in Malaysia reveals the critical role that legal factors play in shaping the motivations and experiences of Muslim tourists. Malaysia's strategic initiatives, comprehensive legal framework, and robust certification processes have positioned it as a leading destination for halal tourism. The Malaysian government, through entities like JAKIM, has established stringent standards for halal certification, ensuring that food, accommodation, and services align with Islamic principles. This rigorous approach not only boosts the confidence of Muslim travellers but also enhances Malaysia's appeal as a tourist destination. Not to mention, this study also indicates that halal certification for food and accommodation significantly impacts tourist satisfaction. The availability of halal food is a fundamental aspect of halal tourism, reflecting its importance in religious observance and personal identity for many Muslims. The assurance provided by halal certification enables Muslim tourists to maintain their dietary practices, which is increasingly recognized as essential by the global tourism industry.

Additionally, Malaysia's emphasis on halal-friendly hospitality services and infrastructure development caters to the specific needs of Muslim travellers. This includes providing prayer facilities, halal-certified food, and accommodations that respect Islamic traditions. The Malaysian Islamic Tourism Centre (ITC) plays a pivotal role in promoting and certifying these services, further enhancing the country's attractiveness to Muslim tourists. The challenges faced by Malaysia in maintaining its competitive edge in halal tourism, such as competition from other Muslim-majority countries and the need for continuous infrastructure development, are acknowledged. However, the strategic policies and investments outlined in the Malaysia National Tourism Policy 2020-2030 and the Halal Industry Master Plan (HIMP) 2030 demonstrate the country's commitment to sustaining and growing its halal tourism sector.

In summary, Malaysia's success in halal tourism is attributed to its comprehensive legal framework, effective certification processes, and dedication to meeting the faith-based needs of Muslim travellers. This approach not only enhances tourist satisfaction but also positions Malaysia as a model for other countries seeking to develop their halal tourism industry. The sustained growth and appeal of halal tourism in Malaysia underscore the importance of inclusivity and cultural sensitivity in global tourism.

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