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TISSUES AND CHALLENGES TO REGULATE CRYPTOCURRENCY IN MALAYSIA

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ABSTRACT

The proliferation of cryptocurrencies across the globe and its adoption by large nations such as the United States of America (USA), Japan, Australia, China, and many others including Malaysia indicates the growing importance and relevance of cryptocurrencies either as a commodity, legal tender, digital assets, intangible assets, or even regular money. The adoption certainly comes with many risks, both actual and potential, necessitating a robust regulatory framework to mitigate the situation. However, establishing an effective regulatory framework entails many challenges, especially for a developing country like Malaysia. By focusing on Malaysia and its relevant regulatory body called Securities Commission Malaysia (SC), this paper aims to discuss the issues and challenges to regulate cryptocurrency that arise from the complex technical aspects of cryptocurrency transactions, concerns about its security, privacy, and traceability as well as the ambiguity surrounding the classification of cryptocurrencies, which significantly affects their regulatory treatment. This discussion will integrate insights from many parties namely governmental bodies, financial institutions, technologists, and legal scholars to obtain a comprehensive view on the difficulties to establish a strong and balanced regulatory framework not only on cryptocurrency in general, but also by looking at Malaysia in particular.

Keywords: Cryptocurrency, regulatory framework, issues and challenges, Malaysia













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