

10 Ways Your Employees' Social Media Posts Could Cost Your Company Millions

ONLINE SAFETY ACT 2024 | PENAL CODE (AMENDMENT) 2025 | CMA 1998 | PDPA (AMENDMENT) 2024

NEW: Biometric data (incl. voice) & sensitive personal data (incl. medical conditions) now protected under amended PDPA

Malaysia has enacted sweeping new laws that create real legal exposure for companies whose employees post harmful content online. The Online Safety Act 2024 (which came into force on January 1st, 2026) imposes fines up to RM10 million. The Penal Code (Amendment) Act 2025 (effective 11 July 2025) criminalises bullying, cyberbullying, harassment, and doxing under Sections 507B-507G with penalties up to 10 years' jail. The CMA 1998 (s.233) carries fines up to RM500,000 and 2 years' jail. The PDPA (Amendment) 2024 now classifies biometric data (including voice recognition) as sensitive personal data and raises penalties to RM1 million and/or 3 years' jail. Directors and officers can be held PERSONALLY LIABLE.

1 The Angry Employee Rant

Aisyah, a frustrated sales exec, posts on X (Twitter): "My boss at [Company] is a useless idiot who should be fired. Hope he gets what's coming to him." The post goes viral.

LAW: Penal Code s.507B — Threatening, abusive or insulting words causing harassment, distress, fear or alarm.

PENALTY: Up to 3 YEARS' JAIL + fine for the employee. Company faces negligence claims for failing to have anti-bullying policies.



2 Sharing a Colleague's Private Photos

Rizal screenshots a colleague's private WhatsApp photos and shares them on his public Instagram with mocking captions during office hours using company Wi-Fi.

LAW: Penal Code s.507E — Publishing identity information causing harassment. CMA s.233 — Obscene/offensive content.

PENALTY: Up to 3 YEARS' JAIL (s.507E) + RM500,000 fine (CMA s.233). Company liable for enabling and not moderating.



3 Doxing a Difficult Client

PDPA

Mei Ling, a customer service officer, posts a client's full name, IC number, phone number and home address on Facebook after a heated call, captioned "Everyone should know this scammer."

LAW: Penal Code s.507E & s.507F — Publishing identity information to cause distress. PDPA 2010 — Data breach.

PENALTY: Up to 3 YEARS' JAIL + fine. Company faces PDPA penalties up to RM1 MILLION + negligence suit from client.



4 Threatening Messages in a WhatsApp Group

Ahmad, a warehouse supervisor, sends threatening voice notes in a company WhatsApp group: "If you report me to HR, I'll make sure you regret it. Watch your back."

LAW: Penal Code s.507D — Conduct causing a person to believe they will suffer harm.

PENALTY: Up to 1 YEAR JAIL + fine (s.507D(1)). If victim attempts self-harm: UP TO 10 YEARS' JAIL (s.507D(2)).



5 Cyberbullying a Junior Staff Member

Kevin, a team leader, creates a fake TikTok account to repeatedly mock and humiliate a junior colleague's appearance and work performance. The videos are shared widely in the industry.

LAW: Penal Code s.507B — Causing harassment. s.507C — Likely to cause alarm even if not directed at a specific person.

PENALTY: Up to 3 YEARS' JAIL (s.507B). If victim attempts suicide: UP TO 10 YEARS' JAIL (s.507D(2)).



- 6 Leaking a Colleague's Voice Recording (Biometric Data)** PDPA

Haziq, a project manager, secretly records his colleague's emotional outburst during a Teams call and posts the audio clip to a gossip Telegram group. The voice recording is biometric data under the amended PDPA.

LAW: PDPA (Amendment) 2024 — Biometric data (voice recognition data) is now classified as sensitive personal data requiring explicit consent. Penal Code s.507B — Causing harassment. CMA s.233 — Offensive content.

PENALTY: PDPA: Up to RM1 MILLION fine + 3 YEARS' JAIL. Directors personally liable for corporate body offences. Additional Penal Code penalties up to 3 years' jail. Mandatory data breach notification to Commissioner.



- 7 Exposing a Colleague's Medical Condition Online** PDPA

Sarah, an HR assistant with access to employee records, posts on her Instagram Story: "FYI our team lead Amir is on antidepressants for major depression — explains a lot LOL." Mental health is sensitive personal data.

LAW: PDPA 2010 s.40 — Processing sensitive personal data (physical/mental health) without explicit consent is prohibited. Penal Code s.507E — Publishing identity info causing distress. CMA s.233.

PENALTY: PDPA: Up to RM1 MILLION fine + 3 YEARS' JAIL. Company liable as data controller for failing Security Principle. Directors/officers PERSONALLY LIABLE. Must notify Commissioner of data breach.



- 8 Posting Racially Inflammatory Comments**

Siva, an accounts executive, shares inflammatory racial and religious posts on his Facebook profile — which identifies him as an employee of the company — inciting hatred between communities.

LAW: Penal Code s.505 — Inciting enmity between groups. CMA s.233 — Offensive/menacing content. Sedition Act 1948 — Seditious tendency.

PENALTY: Up to RM500,000 fine + 5 YEARS' JAIL (CMA, if victim under 18). Sedition Act: up to 3 years. Company faces severe reputational damage and regulatory sanctions.



PDPA (AMENDMENT) 2024

What Directors, HR and CO's Must Know:

Biometric data — including fingerprints, facial recognition, and VOICE RECORDINGS — is now classified as sensitive personal data requiring explicit consent before processing. (Effective 1 April 2025)

 Sensitive personal data already includes a person's physical or MENTAL HEALTH condition (e.g. depression, anxiety, medication use), political opinions, and religious beliefs. Sharing this data without consent is an offence.

Penalties: Up to RM1 MILLION fine + 3 YEARS' JAIL. Where a body corporate commits an offence, directors and officers in the management of a company can be held PERSONALLY or JOINTLY LIABLE.

KEY INSIGHT FOR DIRECTORS & COMPLIANCE OFFICERS:

Under the CMA 1998 (s.53), non-compliance with MCMC directions can result in up to RM1 MILLION fine or 10 YEARS' JAIL or both, plus RM100,000 per day for continuing offences.

 The Online Safety Act empowers MCMC to impose financial penalties of up to RM10 MILLION on non-compliant organisations. The PDPA holds directors PERSONALLY LIABLE for corporate offences.

- 9 Promoting Illegal Substances on Social Media**

Faizal, a delivery driver, uses his Instagram Stories (where he is tagged as working for the company) to promote vaping products and illegal substances, directing followers to a "DM to order" scheme.

LAW: Online Safety Act — Harmful content (content promoting dangerous drugs/psychoactive substances). CMA s.233 — Offensive content. Dangerous Drugs Act 1952.

PENALTY: Dangerous Drugs Act: UP TO LIFE IMPRISONMENT. CMA fine up to RM500,000. Company faces regulatory action and RM10 MILLION fine under Online Safety Act.



- 10 Sharing or Creating Online Scam Content**

Nurul, an admin staff, uses her company email address to register for social media accounts where she promotes "get rich quick" investment schemes (a scam). Victims trace the scheme back to the company.

LAW: Online Safety Act — Priority harmful content (online financial fraud). Penal Code s.420 — Cheating. CMA s.233 — False content.

PENALTY: Penal Code s.420: UP TO 10 YEARS' JAIL + whipping + fine. Company faces RM10 MILLION fine under Online Safety Act + reputational devastation + potential class action from scam victims.



THE SOLUTION: onlinesafety.my

 Don't wait for a crisis. Train your staff immediately on their roles, rights and obligations. Protect your organisation, your directors, and your people with Malaysia's purpose-built online safety training platform. Our app helps companies comply with the Online Safety Act 2024, the Penal Code (Section 507B-507G), the CMA 1998, and the PDPA (Amendment) 2024.

<ul style="list-style-type: none"> Interactive scenario-based training modules Customised compliance policies & templates Real-time legal updates on Malaysian cyber law 	<ul style="list-style-type: none"> Employee certification & acknowledgement tracking Director & CO liability risk assessments PDPA biometric & sensitive data compliance tools
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QUICK PENALTY REFERENCE GUIDE			
ONLINE SAFETY ACT	PENAL CODE 2025	CMA 1998 (s.233)	PDPA (AMEND.) 2024
Non-compliance:	s.507B: 3 yrs jail	Fine: RM500,000	Fine: RM1 million
RM10 million	s.507D(2): 10 yrs jail	Jail: 2 years or both	Jail: 3 years or both
Takedown failure:	s.507E: 3 yrs (doxing)	If victim <18: 5 yrs	Directors personally
RM1M + RM100K/day	CMA s.53: 10 yrs jail		liable for offences

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