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A Legal Anatomy of Legislations to Promote Healthy Lifestyle

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Abstract Summary : The 2016 survey conducted by AIA showed that the 751 Malaysian adults who participated in their survey scored lower (68 points) than the regional average of 73 points when asked if they were satisfied with their health status. AIA Healthy Living Index measures consumers' satisfaction with their health and various behaviours. It surveyed a total of 10,316 adults across 15 markets in Asia Pacific, including Malaysia. To safeguard our health, there are current laws and potential laws to be implemented to promote healthy lifestyle. In Malaysia, the government have introduced 'soft policies' approach such as healthy life style programmes and campaigns as means to promote healthy lifestyle yet its impact is questionable. 'Hard policies', such as regulations (e.g. banning of public smoking, imposing a sugar tax, removal of subsidies, reduction of operational hours of eateries, menu-labelling, curbing of marketing of unhealthy food, implementation of pedestrian and bicycle paths, Metabo laws) may be used as legitimate interventions to promote healthy lifestyle in Malaysia. The aims of this paper is to (i) analyse the legal justifications for implementation of healthy lifestyle regulations, (ii) to compare and contrast the pros and cons of current and potential healthy lifestyle regulations to promote healthy lifestyle. The law could be used to facilitate promotion of public health. In light of new scientific advances, gaps in the current regulatory framework, and the increasingly unhealthy environment, this paper proposes potential legal approaches to promote healthy lifestyle in Malaysia. It is important for legal scholars to devise innovative strategies to promote healthy lifestyle from alternative perspectives. The potential role for the law to rectify the status quo has yet to be fully explored. With increase in health and well-being, the fiscal burden of the nation on medical bills could be reduced and productivity could be increased.