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PARLIAMENT-CONSTITUTION (LAND)

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KUALA LUMPUR, MARCH 17 (BERNAMA) -- SEVERAL PROVISIONS PERTAINING TO LAND IN THE FEDERAL CONSTITUTION ARE BEING AMENDED TO ENSURE THE SMOOTH IMPLEMENTATION OF THE GOVERNMENT'S PRIVATISATION PROGRAMME, PRIME MINISTER DATUK SERI DR MAHATHIR MOHAMAD SAID TODAY.

TABLING THE CONSTITUTION (AMENDMENT) BILL FOR SECOND READING IN THE DEWAN RAKYAT, HE SAID ARTICLE 84 OF THE CONSTITUTION STIPULATED THAT LAND ALIENATED TO THE FEDERATION OR PUBLIC AUTHORITY BUT WAS NO LONGER NEEDED FOR FEDERAL PURPOSES SHOULD BE RETURNED TO THE STATE.

HE SAID ARTICLE 84 WOULD MAKE IT DIFFICULT OR RESTRICT THE IMPLEMENTATION OF THE FEDERAL GOVERNMENT'S PRIVATISATION POLICY.

THE AMENDMENT SOUGHT TO ABOLISH THIS PROVISION SO THAT THE FEDERAL GOVERNMENT OR THE RELEVANT PUBLIC AUTHORITY COULD HOLD ON TO THE LAND EVEN THOUGH IT WAS NO LONGER NEEDED FOR FEDERAL PURPOSES, HE SAID. -- MORE

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THE PRIME MINISTER ALSO SAID ARTICLE 83 WAS BEING AMENDED SO STATE GOVERNMENTS COULD PROVIDE LAND TO THE FEDERAL GOVERNMENT ON CONDITIONS JOINTLY AGREED UPON WITHOUT THE FEDERAL GOVERNMENT HAVING TO MAKE A FORMAL APPLICATION.

HE SAID IT WOULD ALSO BE BENEFICIAL TO BOTH THE STATE AND FEDERAL GOVERNMENTS IF LAND WAS GIVEN BY THE STATE GOVERNMENT WITHOUT A FORMAL APPLICATION BEING MADE BY THE FEDERAL GOVERNMENT.

DATUK SERI DR MAHATHIR SAID ARTICLE 85 WAS BEING REPLACED WITH A NEW PROVISION WHEREBY THE FEDERAL GOVERNMENT COULD ASK STATE GOVERNMENTS TO TURN OVER RIGHTS TO RESERVE LAND TO THE FEDERAL GOVERNMENT ON CONDITION THE LATTER PAID THE MARKET PRICE FOR THE LAND.

HE SAID ARTICLE 86 WAS BEING AMENDED TO ENABLE THE FEDERAL GOVERNMENT TO EFFECTIVELY IMPLEMENT ITS ECONOMIC AND DEVELOPMENT PROGRAMMES AS WELL AS ITS PRIVATISATION POLICY. -- MORE

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ON AMENDMENTS PERTAINING TO THE SYARIAH COURT, DATUK SERI DR MAHATHIR SAID TO ENSURE THE INTEGRITY OF SUCH COURTS, IT WAS ONLY PROPER THAT THEY BE GIVEN FULL POWERS TO DECIDE ON MATTERS UNDER THEIR JURISDICTION, WHAT MORE IF THE MATTERS CONCERNED SYARIAH LAW.

AS SUCH, THE PROPOSED AMENDMENT PROVIDED FOR AN ADDITIONAL CLAUSE (CLAUSE (1A) UNDER ARTICLE 121 OF THE FEDERAL CONSTITUTION STIPULATING THAT COURTS MENTIONED IN THE ARTICLE WOULD HAVE NO JURISDICTION OVER ANY MATTERS LAID UNDER THE SYARIAH COURTS, HE SAID.

THERE HAD BEEN AN INSTANCE WHEN A PERSON WHO WAS NOT SATISFIED WITH THE DECISION OF THE SYARIAH COURT REGARDING THE GUARDIANSHIP OF HIS CHILDREN HAD BROUGHT IT UP TO THE HIGH COURT AND SUCCEEDED IN GETTING A DIFFERENT JUDGMENT, HE ADDED.

HE SAID ARTICLE 5 WAS BEING AMENDED AS EXPERIENCE HAD SHOWN IT WAS DIFFICULT TO PRODUCE FOREIGNERS ENTERING THE COUNTRY ILLEGALLY BEFORE A MAGISTRATE WITHIN 24 HOURS.

THE AMENDMENT PROVIDES FOR SUCH PERSONS TO BE PRODUCED WITHIN 14 DAYS AND NOT 24 HOURS AS AT PRESENT. -- BERNAMA

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