

# PM refutes claim that draft of Bill was done in haste

NSI 20 JAN 1993

REFUTING allegations from certain quarters that the draft of the Constitution (Amendments) Bill 1993 was done in haste, Prime Minister Datuk Seri Dr Mahathir Mohamad related the events that led them to be submitted to the Dewan Rakyat.

He said details of the proposed amendments were made known to the public in December last year and were forwarded to the Rulers earlier than to Members of Parliament.

The Attorney-General Tan Sri Abu Talib Othman meanwhile, had clarified the proposed amendments to the Rulers and to the Yang di-Pertuan Agong Sultan Azlan Shah.

Although the Rulers had scheduled a Rulers' Conference on Jan 16, Dr Mahathir and Deputy Prime Minister Ghafar Baba and Finance Minister Datuk Seri Anwar Ibrahim met the Rulers' on Jan 9 at an informal meeting at Istana Negara.

At this encounter, details of the proposed amendments were explained.

Then, on Jan 16, Dr Mahathir, together with Ghafar and Anwar, were called to the palace where they spent two hours meeting five Rulers to further discuss the proposed amendments.

"At that meeting, we were informed of the Rulers' agreement to the proposed lifting of the Rulers' immunity, sedition and the question of Rulers' pardon."

It was at this meeting that

the Rulers raised the question as to how a Ruler who committed an offence could be charged.

Answering their own question, the Rulers suggested that in such a situation, the Ruler concerned be removed from his position and face charges in a normal court.

Dr Mahathir said the Government had disagreed with the Rulers' proposal because if the Ruler was found not guilty than it would be difficult for him to regain his position as a Ruler.

Instead, the Government proposed that a Special Court comprising the Lord President and High Court Judges be appointed to try such cases.

Abu Talib, he said, was then instructed to work out this provision to be included in an amendment to the Bill.

Dr Mahathir also said the Rulers had wanted four of the five judges to be appointed by the Rulers' Conference. On Jan 17, Dr Mahathir said together with Ghafar, Anwar and Abu Talib, he met four Rulers and

two Regents at the Istana Negara at 4pm where further discussions were held on the composition of the special court.

"Those who attended the meeting did not indicate their objections towards the proposed amendments," he said. But on Jan 18, he was called to the palace where he was informed that the Rulers had rejected the proposed amendments.

Dr Mahathir was interrupted on several occasions by Dr Tan Seng Giaw (DAP-Kepong) who wanted to know whether the Rulers had at any time conveyed that they agreed to the proposed amendments.

The Prime Minister replied that although there was nothing in black and white, the Rulers continued to discuss the proposed amendments and the mechanics of how the Special Court could be established.

"If they (the Rulers) were against the proposed amendments, they should have told us and we would not have proceeded further," he added.