

# PM: No need for Mustapha to vacate seat

By LEE KAR YEAN

KUALALUMPUR: Newly appointed Minister of Sabah Affairs Tun Datu Mustapha Datu Harun does not have to step down as a state assemblyman to become a cabinet minister, Prime Minister Datuk Seri Dr. Mahathir Mohamad said yesterday.

"It is not a must," he said when asked by reporters if the Usukan state assemblyman should vacate his seat.

Asked where the new ministry would be located, he said this could be decided easily because the "chairs can be bought from anywhere."

He said there was no necessity to appoint a deputy minister for the ministry at the moment but the question of staff like the secretary-general could be arranged later.

Asked if the ministry would be permanent, Dr

Mahathir, who is Umno president, said it would depend on the situation and the need.

Commenting on the statement by Sabah Agriculture and Fisheries Minister and Mustapha's son Datu Amir Kahar that the appointment was a window dressing for the federal cabinet, Dr Mahathir said Amir Kahar was the real "window dressing."

"He is the window dressing who has been paid. His salary is increased and later he is offered the post of minister," he said.

On the decision made by Health Minister and MP for Hulu Langat Datuk Lee Kim Sai not to contest in the next general elections, Dr Mahathir said it was Lee's own prerogative to contest or not.

In the Barisan Nasional, he said, it was more important to put the inter-

ests of the nation and the people above personal interest.

In Kota Kinabalu, Bernama quoted secretary of the Sabah State Legislative Assembly Datuk Francis Yap as saying that Mustapha must vacate his Usukan seat.

He said that under Article 43 (8) of the Federal Constitution Mustapha must vacate his seat to allow for a by-election.

The article reads: "If a member of the Legislative Assembly of a State is appointed a minister he shall resign from the Assembly before exercising the functions of his office."

When told that Dr Mahathir had said Mustapha need not vacate his seat in the state assembly, Yap said he would wait and see.

"It is a normal practice that a state assemblyman resigns his seat when ap-

pointed a federal minister," he said, quoting the case of Land and Co-operative Development Minister Tan Sri Sakaran Dandai, who vacated his Sulabayan seat, as an example.

Law Minister Datuk Syed Hamid Albar also said that Mustapha need not vacate his seat as there was no law which said that he had to do so.

Yap said according to normal practice, Mustapha needs to give notice to the state assembly before it could inform the Election Commission so that a by-election could be held within 60 days.

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