

Amendment to keep seat considered

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PETALING JAYA: The Federal Constitution may be amended to allow Tun Datu Mustapha Datu Harun to remain a state assemblyman even as he holds a federal minister's post.

This measure, among the few under consideration, was announced by Prime Minister Datuk Seri Dr Mahathir Mohamad on his return from Seoul yesterday.

"I have discussed the matter with (Deputy Prime Minister) Encik Abdul Ghafar (Baba) and we will take the appropriate action," he told reporters at the Kuala Lumpur International Airport.

Tun Mustapha's appointment as Sabah Af-

fairs Minister announced on May 19, came under fire from the PBS Government who called for his resignation from the state legislative assembly in line with the Federal Constitution. Mustapha is Usukan assemblyman.

Sabah Attorney-General Datuk Stephen Foo said Article 43 (8) clearly states that a member of the legislative assembly of a state would have to resign before he could exercise his function as a minister.

"If there is a need to amend the law we will do it and if the Constitution needs to be amended, we will do it," he said.

Dr Mahathir added that Mustapha's swearing-in,

tentatively scheduled for today, would be postponed pending the review.

To another question, Dr Mahathir said Mustapha would vacate the seat if so required and similarly the Barisan Nasional was ready for a by-election if it became necessary.

But for now, he said, there was no need for Mustapha to vacate his state seat yet as he had not assumed the federal minister's post.

Dr Mahathir added that there was truth to allegations made by Angkatan Keadilan Rakyat (Akar) president Datuk Mark Koding that PBS tried to take Sabah out of Malaysia in 1985.



Dr Mahathir ... 'if the Constitution needs to be amended, we will do it'

"We (the Government) know about this and that is why (Chief Minister Datuk Joseph Pairin Kitingan's brother) Jeffrey Kitingan was detained."

He said the Government's investigations had determined that there were moves by the PBS Government to take the state out of Malaysia.

"Their intention is still there as the PBS Government is still not co-operating with the Federal Government," he said.

Koding was quoted as saying on Sunday that the state government had planned to turn Pulau Balamangan, north of Kudat, as its military training base to take the state out of Malaysia.