

13/09/2000

## Challenge to Pas

Rosli Zakaria

KUALA TERENGGANU, Tues. - A Barisan Nasional State Assemblyman today challenged the Terengganu Government to take the oil royalty issue to court.

Datuk Abu Bakar Ali (BN-Kemasik) made the challenge when debating an emergency motion tabled by Dr Suhaimi Abdullah (Pas-Ladang).

The proposed motion criticised the Federal Government for abusing democratic principles and the concept of Federalism by denying the people of Terengganu their rights to oil royalty. The motion drew a lot of attention from the State Assemblymen who debated it at length.

Abu Bakar asked if the State Government had received the details regarding the "special payments", to which the Pas State Assemblymen did not respond.

"I say you have not received them. Moreover, the Menteri Besar (Abdul Hadi Awang) had been reported as saying the statement (from the Finance Ministry) could be a poison-pen letter.

"You have said that there is nothing in black and white," he added.

Mustafa Ali (Pas-Pengkalan Berangan) interrupted at this point, saying the statement by the Prime Minister (Datuk Seri Dr Mahathir Mohamad) responding to the subject, could be taken as an official statement.

Abu Bakar stressed that there was no meeting between the State and Federal Governments on the matter.

Therefore, the motion should not be passed until all parties were clear about the "special payments" and the relevant mechanism.

He said the allocation of the special payments by the Federal Government meant that the State Government would continue to receive allocations and as such, the Federal Government should not be labelled a tyrant.

"The purpose is to ensure that the money reaches the people. The State Government had received RM432 million in February but until today, no one knows what it has been used for."

Harun Taib (Pas-Manir) said it was abnormal for audits of the State Government's account to be done every month.

To this, Abu Bakar said he was sad that 1,462 people were denied welfare aid when Pas took over the State Government.

"This is tyranny," he said, adding that the special payments were probably introduced because of the arrogance of the Syura Rakyat Committee.

Tengku Putera Tengku Awang (BN-Telepong) said the Federal Government did not stop its financial assistance to the State Government but only used a different method.

He also asked what the State Government had done to strengthen ties with the Federal Government.

"We suspect that some of the revenue have been misused to assist the party's struggle in other States.

"Today, there is even talk in coffeeshops that several timber concessions have been awarded to Pas supporters.

"When we ask about it in the State Assembly, the question was unanswered. The people are watching and they will also judge," he said, adding that the Hisbah Committee set up by the Pas Government should also investigate the misuse of State funds by the present administration.

Tengku Putera said after more than eight months in power, the actions of the State Government had gone beyond the normal practice of an

administration.

Datuk Abdul Rashid Ngah (BN-Seberang Takir) said he was sad that the State Government had taken a confrontational stance against the Federal Government and the motion could mean that the door for discussions could be closed.

"Those who question the Federal Government's decision are the leaders who employ a provocative stance on the issue.

"When you cannot accept the mechanism proposed by the Federal Government, you accuse the Government of usurping the powers and rights of the Terengganu people."

Tun Salleh Abas (Pas-Jertih) later explained the legal aspects of the agreement between Petronas and the State Government, and said it was binding.

He said there were four Ordinances - the Continental Shelf Act 1966, Petroleum Mining Act 1966, Petroleum Development Act 1974 and the Emergency Ordinance 1969 (Emergency Essential Powers Ordinance) - which clearly explained the rights of Terengganu to the royalty.

"The Federal Government is only a trustee. Onshore and offshore land spelt out in the Continental Shelf Act clearly shows that land matters are the State's right.

"As such, royalty should be paid to the landowner by those who use or mine the land, in this case, Petronas, and it is a legal obligation and the rights of the parties in contract.

"The special payment is not mandatory. It can be paid through discretion and it is optional. It can be paid if and when they like. It is not a responsibility," he added.

Abdul Hadi, in summing up the debate, said the Federal Government tak reti bahasa (doesn't understand language) because the word ihsan was not similar to the meaning of "royalty".

"The action is against the spirit of democracy and Federalism. It can also be interpreted as interfering in the State Government's affairs.

"I don't see any legal basis for the State Government to deserve such treatment by the Federal Government. We only want to realise our struggles in accordance with Islam.

"If we are required to submit a report on a monthly basis on how the money is spent, we are prepared to do it, but this is not required by the National Audit which only wants a yearly report," he said.

The motion was passed by the State Assembly.

(END)