

Appointment of new AG improper and irregular: DAP

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PETALING JAYA, 24 NOV 2001 — DAP chairman Lim Kit Siang said the appointment of Senior Deputy Public Prosecutor Datuk Abdul Gani Patail as attorney-general is “most improper and irregular”.

“The Parliament and the nation are entitled to a full explanation as to whether the incumbent Datuk Seri Ainum Mohd Saaid had been pressured to resign, using ‘health as the convenient reason,’” he said.

Ainum had tendered her letter of resignation on Monday, citing health reasons. On the same day, Minister in the Prime Minister’s Department Datuk Dr Rais Yatim announced that Gani would take over as AG on Jan 1.

Lim said that according to Rajs, Prime Minister Datuk Seri Dr Mahathir Mohamad had agreed to the appointment.

“But he seems to have forgotten that under our system of constitutional monarchy, the Yang di-Pertuan Agong must also agree to the arrangement as provided by Article 145 (1) of the Federal Constitution,” he said in a statement.

Article 145 (1) provides that the King shall, on the advice of the prime minister, appoint a person who is qualified to be a judge of the Federal Court to be the AG for the Federation.

Lim said: “It is clear that article 145 (1) could not have been complied ‘with on the very same Monday that Ainum tendered her resignation, or has the whole constitutional process for the appointment of the AG been completely short-circuited without the need for any constitutional amendment by Parliament?”