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Koh: Letter should not have been sent to me

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PENANG, Thurs. - Chief Minister Tan Sri Dr Koh Tsu Koon said the MCA disciplinary board was wrong to have sent a letter seeking clarification on the case of two MCA Assemblymen who had abstained in a vote on an opposition motion, to him.

"Procedurally, it should have sent any communication seeking clarifications to the Barisan Nasional (BN) secretary general, who can then refer it to State BN," Koh said today.

Commenting on the disciplinary case against Tan Cheng Liang (Jawi) and Lim Boo Chang (Datuk Keramat), Koh said State BN secretary Datuk Khalid Ahmad had today written to board chairman Datuk Kam Woon Wah to advise him of the procedure.

Lim and Tan had chosen to abstain from voting on the motion by DAP's Law Heng Kiang on Nov 20, calling for the Penang Outer Ring Road (PORR) project to be deferred.

"Alternatively, they should have written to the BN secretary-general and sent a copy to the State BN.

"In fact that was what I did when I sent my letter and the report of State BN whip Datuk Dr Hilmi Yahaya to national BN chairman, Prime Minister Datuk Seri Dr Mahathir Mohamad and a copy to MCA President (Datuk Seri Dr Ling Liong Sik) out of courtesy, because we are all in BN."

Koh said this after launching MS Elevators Sdn Bhd's new Research and Development (R&D) facility in the Prai Free Industrial Zone today.

To a question raised in the board's letter as to whether the whip was "on", Koh said the whip was "always on" for BN members in the chamber when a meeting was in session.

He said as Bayan Lepas State Assemblyman Lim Chien Aun from MCA had correctly pointed out in a Press interview yesterday, all BN Assemblymen must oppose any motion proposed by the Opposition.

Koh said he had not only specifically directed all BN Assemblymen during the pre-Council meeting to oppose the motion, but had also assigned two backbenchers, Lye Siew Weng (Air Itam) of the MCA and Teng Chang Yeow (Padang Kota) from Gerakan, to speak against the motion.

He said neither State Assembly Speaker Datuk Yahaya Abdul Hamid nor Dr Hilmi had asked for the bell to be rung.

"Because the motion was not a constitutional one, we did not need a two-thirds majority as a simple majority would suffice. As BN has overwhelming numbers to defeat the motion, they did not ask for the bell to be rung.

"However, all BN Assemblymen must vote with the whip, or else the ruling party will be in trouble, because the whip is part of parliamentary democracy.

"If they do not understand the principles of parliamentary democracy, I would advise the MCA disciplinary board and the MCA presidential council to read two authoritative articles on the issue.

"One is by former Supreme Court judge Tan Sri Harun Hashim in the New Straits Times on Nov 28 this year, and the other by V.K.Chin in the The Star on June 29, 1996," said Koh.

As for the eight Assemblymen who were absent, Koh said he felt sure they would have voted against the Opposition motion had they been in the chamber.

"Perhaps the MCA disciplinary board should question its 11 Assemblymen why, when four of them who were in the chamber voted against the motion,

these two did not."

"Ignorance is not an excuse for breach of discipline," he said, adding the duo were both second term Assemblymen and seasoned politicians.

Meanwhile, all eyes will focus on the MCA disciplinary board's recommendations on the two errant Assemblymen tomorrow, amid straining ties between the party and its Barisan Nasional colleagues.

The board, scheduled to meet for the second time to discuss the case at 10.30am in the party headquarters here, is expected to complete its investigations and submit its recommendations to the presidential council.

Board chairman Datuk Kam Woon Wah is not expected to announce the findings of the case and its recommendations which will be handed over to the party presidential council.

The five-member board has been entrusted to hold an inquiry into the two Assemblymen.

Besides Tan and Lim, Penang MCA chairman Wong Kam Hoong and adviser Datuk Dr Sak Cheng Lum would also be asked to testify before the four-month-old board comprising party veterans.

Once the presidential council decides on the action against Tan and Lim, they have 14 days to appeal against the decision to the central committee.

Action against the duo include suspension or sacking.