

Socialist party takes case to Federal Court
Malaysiakini.com
April 13, 2007
Bede Hong

Parti Sosialis Malaysia (PSM), in limbo over its registration for the past decade, will be facing its biggest and possibly final hurdle at the Federal Court in two weeks.

After failing to win in the High Court and Court of Appeal, PSM will be taking their case to the Federal Court in Putrajaya where a leave application is scheduled on April 23.

"The Federal Court is the highest you can go. We don't give up that easily. No matter what happens, we must move on," said PSM pro tem chairperson Dr Nasir Hashim (left) when contacted today.

PSM, whose members consist mostly of estate and industrial workers, is the first party to take the Home Affairs Ministry to court, after failing for nine years to register as a political party.

PSM had first applied to be registered as a political party in 1999.

In 2003, the High Court had dismissed PSM's appeal against the Registrar of Societies' (ROS) decision to reject the party's application.

Last August, PSM failed to overturn the Home Affairs Ministry's rejection of its appeal against Registrar of Societies' rejection in the Appellate Court.

Only a state-level party?

In its decision, Justice Gopal Sri Ram said the ROS had required the party to have representatives from at least seven states to be registered as a national party.

He had said, however, that the party was granted registration as a Selangor party.

A dispute arose later when party members claim that the party was in fact not registered after a check with ROS Selangor.

The clarification on the state-level party registration, as well as fulfilment of requirement of the seven state representatives would be among key issues raised in the Federal Court if the leave application is granted, said Nasir.

Nasir said the party had initially submitted thirteen representatives from nine states: "The problem is that ROS has never clarified whether the representatives were required to be born there, or having worked there for several years."

"We see this as our final battle. As such, if we get leave, the fight will continue," he said.

Next Wednesday, the party will submit a memorandum on its 'right to associate' to Suhakam at its headquarters in Kuala Lumpur..

PSM was initially deemed a national security threat by the Home Affairs Ministry. The Court

of Appeal however shot down the description on the grounds that the ministry has 'insufficient supporting material' to support their argument.

Copyright © 1999-2007 Mkini Dotcom Sdn. Bhd.

Source : <http://www.malaysiakini.com/news/65907>