

Tribunal sought on 'Umno links' of EC head, deputy

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By Aidila Razak

PKR is to write to the prime minister, telling him to advise the Agong to set up a tribunal to investigate if the Election Commission (EC) chairperson and his deputy are indeed Umno members.

Party central executive committee member and lawyer R Sivarasa said this is because Article 114(4)(a) of the federal constitution states that the EC chairperson is disqualified if he holds any post in any organisation or body after three months of his appointment.

"If the PM does not advise that a tribunal be set up, we will have to go to the Agong," he told a press conference today.

PKR secretary-general Saifuddin Nasution had previously revealed that EC chief Abdul Aziz Yusof is a member of Ampang Umno, while his deputy Wan Ahmad Wan Omar is a member of Pasir Mas Umno.

Abdul Aziz has since said that he needs to check if this is true, while Wan Ahmad has claimed that he has not been an Umno member since he joined the EC in 1998.

Sivarasa said the letter to PM Najib Abdul Razak will be sent to the Prime Minister's office on May 10.

He said that PKR is seeking a tribunal as EC members have the same security of tenure as federal judges, in accordance with Article 125 of the federal constitution.

"(The article) states that a judge who commits any misconduct can only be disqualified from the post through a tribunal set up by the Agong upon the advice of the PM.

"When the PM advises the forming of a tribunal, the Agong must set it up, and if misconduct is found the tribunal has the power to sack (a judge). The same is true for an EC member," he said.

He added that while Article 114(4)(a) only refers to the EC chairperson, 114(7) states that the chairperson's deputy must take his place if he is unable to discharge his duty so the deputy, too, must not be disqualified.

He also said that Article 114(2) states that the Agong "shall have regard to the importance of securing an Election Commission which enjoys public confidence".

'No checks conducted'

PKR director of strategy Rafizi Ramli, who was also at the press conference, said that Wan Ahmad's case still needs to be brought to a tribunal despite his denial.

This is because he has made three statements which appear “conflicting”.

He added that the fact that Abdul Aziz and Wan Ahmad claim to be hazy about their membership status also show that there were no checks done when they were appointed, in accordance with the constitution.

Malay daily *Sinar Harian* had on April 27 quoted Wan Ahmad as saying that he may have been registered in Umno in the 1970s or 1980s.

He was later reported by *Bernama* on April 28 as saying that he has not been an Umno member since 1998.

He later denied that he is a Umno Pasir Mas member, claiming it is a case of mistaken identity involving another Wan Ahmad Wan Omar.

The ‘real’ Pasir Mas Wan Ahmad Wan Omar later told *Sinar Harian* he felt sorry for the Terengganu-born deputy EC chief.

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