

Penang appeals to EC to conduct local polls

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By Susan Loone

The Penang government has appealed to the Election Commission (EC) to conduct local government elections in the state now that the legislative assembly has passed the relevant law.

The Penang Island and Province Wellesley 2012 Enactment was gazetted with effect from July 5, and the state government received a printer's copy on Aug 16.

Executive councillor Chow Kon Yeow said a letter signed by Chief Minister Lim Guan Eng was sent on Aug 30, outlining the EC's responsibility in this matter.

EC chief Abdul Aziz Mohd Yusof had replied on Sept 14 to acknowledge receipt of the letter, and telling Lim that he would be notified of any decision made.

Chow, who heads the local government portfolio, urged the EC to expedite its decision.

"We need (time) to prepare an order, which will decide how many councillors or constituencies would be contesting. This order needs to be tabled in the (next) state legislative assembly (from Nov 2)." Chow told a press conference today.

"The EC can help us to delineate the necessary boundaries which would determine how many will be contested."

He said that, if the EC is too busy, it could always send an officer or representative to deal with the Penang government.

Application to court

Should the EC reject the call, the state will proceed - as it has already announced - to seek a court decision as to whether the local authorities can conduct the polls instead.

Asked how much time the EC will have to respond, Chow said

"They always answer within 14 or 30 days. They have done it in the past, so we will wait for the reply.

"If the answer is 'No', that they will not conduct the local polls, we will proceed with the next step, to go to court to seek a decision," he said.

"By right, we should not have to go to court as there is provision for local elections in the constitution."

Pakatan Rakyat had pledged during the March 2008 general election campaign to revive local polls, which were suspended in 1969.

The federal government has rejected the Penang enactment, with Local Government Minister Chor Chee Heung claiming that it is "null and void".

Section 15 of the Local Government Act 1976, he added, supersedes the Local Government Act 1960 and all laws or enactments on local council elections.

"According to Article 75 of the federal constitution, any state law that conflicts with federal law is automatically annulled,"he had said in Parliament earlier this year.

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