

Gerakan slams Pandikar for mulling hudud bill

MalaysiaKini.com

May 29, 2015

Gerakan Youth has hit out at the parliamentary speaker for considering PAS' Private Member's Bill on the implementation of hudud in Kelantan, saying it goes against the standing orders.

"Historically, I don't think there ever was a Private Member's Bill from any opposition MP that was accepted or debated in the Dewan Rakyat before.

"If they allow it this time (as it was indeed included in the order paper in the last round), something is not right," Gerakan deputy Youth chief Andy Yong told Malaysiakini today.

Yong argued that Section 49(2) of the Parliament Standing Orders expressly states that if it appears any bill is not in accordance with federal laws, the secretary of Parliament should reject it.

"This provision was used by the speaker previously to reject other bills by reason of being unconstitutional, for instance, the Social Inclusion Act.

"If that is the position, the more so the speaker should disallow Hadi's bill as it is an attempt to circumvent the constitutional process by amending Act 355 in order to allow hudud to be implemented.

"In addition, the amendment to Act 355 as in the proposed Bill is clearly inconsistent with the Penal Code, so I do not see any difficulty in disallowing it," said the lawyer who is leading Gerakan's legal suit against PAS over the implementation of hudud.

Critics have called the PAS move to implement the Islamic penal code unconstitutional as it sets up a parallel system of criminal justice alongside civil law, which the Federal Constitution holds as supreme.

'Reject bill, Pandikar'

Yong cited Minister in the Prime Minister's Department Jamil Khir Baharom as saying yesterday that hudud can only be implemented if it is consistent with the Federal Constitution.

However, Yong added, Pandikar has been reported as having met with PAS over the bill and is awaiting the government's approval to have it added to the order paper for this parliamentary session.

Yong (photo) said allowing the bill to be tabled and passed would allow PAS to "rewrite the basic structure of the constitution, in a cunning manner".

"Hence the speaker must not allow it to be tabled in the current sitting," he said.

While Gerakan is suing PAS over the contentious move, it is ironical that Jamil Khir was the BN minister who led talks with PAS in the formation of a joint technical committee for the implementation of hudud.

Umno Kelantan members also unanimously voted for the hudud enactment during the March state sitting.

Copyright © 1999-2012 Mkini Dotcom Sdn. Bhd
Source : <http://www.malaysiakini.com/news/300038>