

EC: Alms or not, giving money is bribery
Malaysiakini.com
November 03, 2010

The Election Commission (EC) has said that, regardless of PAS' explanation for the money given to several Orang Asli on Monday, this is still considered as bribery under the law.

NONE"Alms or not, that is their explanation or reason.

"But in the eyes of the law, any money given by anyone to voters that can sway their vote is considered a bribe under Article 10 of the Election Offences Act 1954," said EC deputy chairperson Wan Ahmad Wan Omar (left in photo).

He said that, while the commission does not have powers to prosecute or investigate, he is stating the commission's opinion based on legal provisions.

"We have informed the Malaysian Anti-Corruption Commission. They have seen the video, and they may take the initiative to investigate the case.

"However it is also up to the opposing candidate, to the people of Galas or the parties taking part in the election to report the case so that the anti-graft body can take action."

He noted that, if the people of Galas feel that they are all right with the matter, then they can let it pass.

NONEWan Ahmad also explained that for a bribery case to be deemed as having influenced an election, it would require at least 1,000 people or a number higher than the majority to nullify the election result.

He was commenting on allegations that Kelantan Menteri Besar Nik Abdul Aziz Nik Mat's distribution of RM300 for zakat (alms) to three new Orang Asli converts.

Malay rights pressure group Perkasa has lodged a police report over the matter accusing Nik Abdul Aziz of inducing the trio to vote for PAS in the Galas by-election tomorrow.

Weighing in on the matter, Deputy Prime Minister Muhyiddin Yassin also said it was a wrong thing for Nik Aziz to have given the 'zakat' alms whatever the PAS spiritual leader might claim otherwise.

According to Bernama, Muhyiddin added that it was up to the authorities to act against Nik Aziz if there had been any wrongdoing.

PAS must account for new 'fatwa'

Speaking at a press conference in Gua Musang later today, Muhyiddin also said PAS has to account for the new 'fatwa' issued by one of its leaders that it is 'haram' for those who have received aid from the PAS-led Kelantan government to also accept assistance from the BN government.

Muhyiddin, who is also Umno deputy president, said that if the fatwa was correct, the Kelantan government should not be accepting billions in allocations from the federal government each year.

He said the action to issue the fatwa showed PAS was "clutching at straws" ahead of tomorrow's by-election in the Galas state constituency in Gua Musang.

"This is not the first time they have resorted to this (issuing fatwas). It has become a regular affair during elections.

"Obviously this is wrong in Islam and I think it is about time the people wise up to PAS,"

EC defends airlifting of ballot boxes

On another matter, Wan Ahmad said he is puzzled with PAS' objections to the EC's plans to airlift four ballot boxes from the Orang Asli areas of Bihai, Balar, Hau and Belatim without any scrutineers from the party on board.

"This is standard practice for certain areas ever since merdeka. In 10th, 11th and 12th election, it has always been like that. Even for Galas last time.

"All political parties in Malaysia know of this practice. I wonder why PAS is bringing the matter up now?" he asked.

He added that such practices as using a central counting facility is provided for in the Conduct of Elections Regulations 1981.

Even if the matter were not standard accepted practice, he said that the Elections Act 1968 also provides powers to the commission to decide how to best conduct elections under certain conditions.

PAS has protested the move because the ballot boxes are open to tampering if they are airlifted without scrutineers to the central counting facility in the civic hall instead of counting on-site as in other voting districts.

On PAS' claims of phantom voters, he dismissed it as mere political statements to gain political mileage.

"There is no phantom voters, our current electoral roll is the cleanest thus far," he stressed.

Zero ceramah permits for BN

Meanwhile, Wan Ahmad expect a very high turn out for tomorrow since all questionable, dead or transferred voters had already been removed.

"This is also a by-election, so the focus will be here, unlike in a general election. So everyone will come out to vote. The political parties will also help to ferry voters and outstation voters can return here to vote."

Wan Ahmad also urged both sides in the by-election to cease campaigning by midnight tonight to avoid any action taken against them by the commission's enforcement teams.

Though he praised the people of Galas and political parties involved in the campaigning for what he described as the most peaceful campaign period in any by-election.

"Even for ceramah permits, we issued only 20 to PAS, none to BN because they do not have

ceramahs that require permits." he said, describing it as unprecedented.

Copyright © 1999-2007 Mkini Dotcom Sdn. Bhd.

Source : <http://www.malaysiakini.com/news/147253>