

Hand Over Of Memorandum To PM Sufficient
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KUALA LUMPUR -- The Yang di-Pertuan Agong as a symbol of the country should not be involved in the submission of memorandums, especially those that are politically inclined, said Dewan Rakyat Deputy Speaker Wan Junaidi Tuanku Jaafar.

He said it was appropriate only if the memorandum required His Majesty's specific role as provided for in the Constitution on issues such as the rights of the Bumiputera and Islam.

"However, even such submission is not necessary as handing it over to the executive authority is sufficient," he said in an interview with Bernama here when asked to comment on whether it was appropriate for any quarters to present memorandums on general issues to the Yang di-Pertuan Agong.

On July 9, a group plans to hold illegal street demonstrations here to hand over a memorandum on electoral reforms to His Majesty.

Various quarters opposed the illegal street demonstration saying it would jeopardise safety and pose problems to the public due to traffic jams. Hundreds of reports have been lodged to the police for action to be taken on the organisers.

Wan Junaidi said although the memorandum was related to the Election Commission (EC) of which members were appointed by the Yang di-Pertuan Agong, based on the Constitution, His Majesty acted on the advice of the Prime Minister.

"In addition, this issue involves politics so presenting the memorandum to the Prime Minister is sufficient," he said.

Wan Junaidi, who is a law graduate, said according to the Constitutional Monarchy system practised by the country, the Constitution determined the role of the Sultan, Yang di-Pertuan Agong, the legislative and executive authorities.

Wan Junaidi, who had once been a chief prosecuting officer with the Royal Malaysia Police, said the Yang di-Pertuan Agong himself was an institution and did not enforce laws which were upheld by the executive.

He said each function of the executive also contained authority of the Yang di-Pertuan Agong, and should there be questions involving the Constitution it will be referred to the Federal laws to determine if the matter had exceeded boundaries, involved treason or was seditious.

"We practise a Parliamentary Democracy under a Constitutional Monarchy, whereby freedom of speech is assured in the Constitution.

"The extent to which a person can speak, the extent where it becomes seditious, contempt or present a threat to internal security or contempt to the Sultan and Raja can be seen in Article 10," he said.

The Yang di-Pertuan Agong also has a role in the tabling of bills to be passed as new laws in Parliament and the Senate, which will then be presented to His Majesty.

According to the the title "Sistem Monarki Malaysia" (The Malaysian Monarchy System) in the National Library's website, the Yang di-Pertuan Agong acts with the recommendation of the Cabinet, but may act in his discretion in the performance of the three functions.

These are the appointment of a Prime Minister; consent or the withholding of consent to a request for the dissolution of Parliament; and the requisition of a meeting of the Conference of Rulers concerned solely with the privileges, position, honour and dignity of Their Royal Highnesses, and any actions at such a meeting.

In Article 150 of the Federal Constitution, should the Yang di-Pertuan Agong be satisfied that a grave emergency exists and threatens the security, economic life or public order of the country, he can issue a Proclamation of Emergency.

(Bernama)

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