

LET OTHER AGENCIES INVESTIGATE

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Controversy erupted in Parliament last week when the Barisan Nasional Backbenchers Club chairman tried to get members to act across the party line. Datuk Seri Mohamed Nazri Abdul Aziz, Minister in the Prime Minister's Department, tells V. VASUDEVAN that as a rule the BN does not support any Opposition motion or resolution.

Q: You seem determined not to allow backbenchers to support any Opposition motion in the House.

A: Yes, as a rule the Barisan Nasional does not support any Opposition motion or resolution. They too don't support us.

Take for example when the Government referred Karpal Singh (DAP-Bukit Gelugor) to the Rights and Privileges Committee, the Opposition did not support it.

They voted along party lines, they refused to accept that Karpal could have committed what he was accused of.

So along the same lines, I, as deputy Whip, cannot allow any BN member (going by the Opposition motion) to be referred to the Rights and Privileges Committee.

Q: But Opposition leader Lim Kit Siang did not name any member. He only wanted to refer the *New Straits Times* report to the Rights and Privileges Committee.

A: True. But the report was outside the House. If anything, the party involved (Customs and Excise Department) should have lodged a police report or reported it to the Anti-Corruption Agency.

Those are the agencies which should be investigating the claim. Not the Rights and Privileges Committee.

We (MPs) are objecting to the police investigating their own people, what do you think people will say when we investigate our own? Why should we? I don't agree with Lim Kit Siang's argument.

Moreover, the Rights and Privileges Committee is made up of five BN MPs and one Opposition MP. People will still say we exonerated the BN member as the committee is made up of BN members.

Even if we investigate, what kind of punishment can we mete out. We are not empowered to sentence the member to jail or fine him. Let other agencies do

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it. MPs are not above the law.

Q: What would you have done if the Barisan Nasional Backbenchers Club chairman Datuk Shahrir Samad had brought the motion to refer the *NST* and its report to the Rights and Privileges Committee?

A: I would still object. Because the person is not named. To me if the MP is not named and it happened outside the Dewan, it should not be construed as a wrongdoing of the House.

It is up to agencies like the Anti-Corruption Agency or police to investigate. The agency involved should take it up with the police or ACA. They are the ones who should be investigating it. Then at least it will be seen to be fair.

Q: But the Jasin MP has said he is the one in the report.

A: I believe the Jasin MP is not wrong in what he did. We are called upon everyday for help by our constituents. I also do that as an MP (to help constituents).

For example, someone gets

arrested by the police in my constituency, he comes to my office for help. I go and mitigate on his behalf with the OCPD. Is that obstructing the authorities from doing their job?

If the Jasin MP is guilty, then all MPs are guilty of this... trying to help constituents.

Either way, whatever it may be, it is up to the authorities concerned. They make the decision, we can only mitigate on behalf of our constituents.

Q: Will there be a day when BN backbenchers will be able to vote according to their conscience and not according to the party line?

A: I don't think so. We are in Parliament because of our party. People in Padang Rengas voted for the Barisan Nasional, not for Nazri.

If you are not affiliated to any party, then you can vote according to your conscience. That should not be a problem.

Right now in Parliament, the only person who can do this is Sandakan MP Chong Hon Min who is an Independent.

Q: Have you spoken to Datuk Shahrir Samad?

A: I have said he did it in the heat of the moment. I will let him cool off. I will see him on Monday (tomorrow). I will persuade him. He should not take it personally.

The vote was against the motion, not against him. He did a lot against me, I did not take it personally.

Shahrir made backbenchers stand up against me (Shahrir asked MPs to stand up to show that they wanted the Parliament Services Act restored).

Such things make Parliament colourful. He should not take this as a slap on his face.

Q: What happens if Datuk Shahrir sticks to his decision?

A: The BBC is a loose association, there is no Constitution. We normally call for a meeting after each general election. By the time the meeting is called, members will know who is in the administration.

They pick the chairman and his deputy from those not in Government. Datuk Raja Ahmad Zainuddin (BN-Larut) is the deputy and he will probably act.

We will consult Pak Lah (Prime Minister Datuk Seri Abdullah Ahmad Badawi) for his views. We want to listen to what he has to say. Though normally Pak Lah does not interfere, we still want to know what he says.

Q: What is the role of the Barisan Nasional Backbenchers Club?

A: It brings together backbenchers, organises them to participate in House debates. It organises briefings on Bills and briefings at ministries when members request for it. The club is not a registered body.

Cabinet to discuss guidelines on code of ethics for MPs

KUCHING: The Federal Cabinet will discuss the formation of a parliamentary-select committee to draw up guidelines for a code of ethics for Barisan Nasional Members of Parliament.

Deputy Prime Minister Datuk Seri Najib Razak said the suggestion was made by Johor Baru Member of Parliament Datuk Shahrir Samad during a meeting in Kuala Lumpur on Friday.

“He (Shahrir) suggested the formation of the committee, where he said MPs should be given guidelines on what they could and could not do, not from the legal point of view, but from the point of ethics and integrity,” Najib told reporters after officiating at the ground-breaking ceremony for the construction of the RM230 million First Division Infantry complex.

With the guidelines, he said, the conduct of MPs would not give rise to any suspicion.

“For example, on the issue of whether it is all right for an MP to appeal when a person who hails from his constituency is found guilty, and whether such an action is deemed to be interfering with the duties of the au-

thority.”

Najib, who is also the BN chief whip in Parliament, said there was a need to have a clear interpretation on the matter.

He said the BN had accepted the resignation of Shahrir as the chairman of the BN Backbenchers Club (BBC).

“I have met Shahrir and he admitted that, based on the principle as a member of BN, he should not have supported an Opposition motion in Parliament.”

“This is a party policy, and since he acted that way, he stepped down immediately as the BBC chairman.”

“I told Shahrir that we have no choice, and whether we like it or not, we have to accept his resignation.”

Meanwhile, on the issue of Datuk Mohd Said Yusof, the MP for Jasin, Najib said the BN leadership would look into the matter and determine whether there was any wrongdoing.

“I want to see the facts of the case before we take the next course of action because what we know is from the newspapers,” he said.

Kit Siang plans second motion

IPOH: Opposition leader Lim Kit Siang is planning to move a second motion in Parliament on Monday, specifically proposing that Jasin MP Datuk Mohd Said Yusof be referred to the Rights and Privileges Committee.

“I am going ahead (with this) if the Barisan Nasional, whether the Barisan Nasional Backbenchers Club (BBC) or the front bench, is not prepared to take the initiative to do so,” he said.

Lim said last Friday he had invited BBC deputy chairman Datuk Raja Ahmad Zainuddin Raja Omar to move a similar motion in Parliament on Monday.

“I pledged the support of Opposition MPs for such a motion, saying we will not indulge in any irresponsible tit-for-tat mentality that BN MPs cannot support motions moved by Opposition MPs and vice-versa.”

He said he was saddened by the possibility that former BBC chairman Datuk Shahrir Samad might face disciplinary action for supporting his motion in Parliament, seeking to refer the *New Straits Times* to the Rights and Privileges Committee over an article alleging that an MP had asked the Customs and Excise Department to “close one eye” with regards to a case involving the import of sawn timber.

“The issue at stake here is whether Mohd Said should be referred to the committee since he had publicly admitted that he was the MP referred to in reports carried by the *New Straits Times* and *Berita Harian*.”

Helping their constituents. Is it right?

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Parents come to see me to help their children get into university or Maktab Rendah Sains Mara, or when their children get into trouble. If an MP cannot do that (help their constituents), what is the point? At the end of the day, it's not us who decide, it's still up to the government agency concerned. In the past, many of our appeals have been rejected. So, the talk about MPs using their power to pressure civil servants is imaginary and a matter of perception. But MPs should never use their position to benefit themselves.”



Suhakam chairman and former Attorney-General Tan Sri Abu Talib Othman

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There's nothing wrong in requesting that a case be examined in a humane manner, so long as asking does not amount to urging the authorities not to take action. MPs cannot ask authorities not to act if something is criminally wrong, or if it constitutes an offence. No one is above the law. What MPs might say is 'Please look into this and consider the request'. This would be different from saying 'Don't take action against this person'.”

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Helping a person in your constituency resolve a problem in a legitimate way is not wrong. The key word is legitimate, and what is legitimate depends on the case at hand. We cannot generalise and say that as long as an MP is helping or appealing on behalf of a constituent, then it's okay. It also depends on how it's done and what is said by the MP. MPs should know the basic principles of what is right and wrong, and what is undue pressure.”



Bar Council chairman Yeo Yang Poh

Minister in the Prime Minister's Department
Datuk Seri Mohamed Nazri Abdul Aziz