

Newspaper	UTUSAN MALAYSIA
Date	14 APRIL 2016

'PM to set date of NSC implementation'

NST-14/6/2016

NEW LAW: Act was passed according to constitutional procedures, says Nancy

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THE National Security Council (NSC) Act has been gazetted, but will be operational only at a date set by the prime minister.

Minister in the Prime Minister's Department Nancy Shukri yesterday said this was in accordance with subsection 1(2) of the act.

The date of the law becoming operational would be published in the gazette.

She said as of now, Prime Minister Datuk Seri Najib Razak had yet to set a date.

Nancy said the NSC Bill went through the usual processes in both houses of Parliament, before being presented to the Yang diPertuan Agong Tuanku Abdul Halim Mu'adzam Shah for his assent.

As 30 days since the bill was presented to the king had lapsed without royal assent, she said, it automatically became law, as per Clause (4A) of Article 66 of the Federal Constitution, and

published in the gazette last Tuesday.

Nancy's colleague in the Prime Minister's Department, Datuk Seri Azalina Othman Said, said the approval of the NSC Act was not exceptional, as similar situations had occurred in 1983 and 1992, when amendments to the Constitution were passed.

She said in a statement yesterday that according to Article 66 Clause (3) of the Constitution, once a bill had been passed in Dewan Rakyat, it would have to be brought to Dewan Negara for approval.

"Once the bill has been approved in Dewan Negara, it will be submitted to the Yang diPertuan Agong for his assent."

"According to Clause (4A), if the bill does not get the assent of the king within 30 days, it shall become law at the expiration of the period specified in Article 4 in the same manner as if it is allowed," said Azalina.

She said a motion to amend Article 66 of the Constitution was brought by former prime minister Tun Dr Mahathir Mohamad on Aug 1, 1983, at Dewan Rakyat, and it was approved.

The bill, which was passed by Parliament in December, allows for the establishment of a National Security Council headed by the prime minister.

It has been widely criticised by the opposition and human rights organisations.

They say the act would give the prime minister absolute powers to declare an "emergency".

On Feb 17, the Conference of Rulers recommended several refinements to the NSC Bill after being briefed on the law by Attorney-General Tan Sri Mohamed Apandi Ali at the 240th Meeting of the Conference of Rulers.

The government had said the aim of

the law was to better coordinate its response in the event of a security threat.

Under the law, the country's leader is empowered to declare a locale a security area for six months.

The council may then direct the deployment of security forces or government entities to the area.

These forces can stop and search any individual, vehicle, vessel or aircraft in the area without a warrant.

Security forces can also enter and search any premises.

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Datuk Seri Azalina Othman Said
Minister in the Prime Minister's Department