

# 'GOVT OPEN TO CHANGING ANTI-HOPPING LAW:

PH had proposed amendments in 2022, says Anwar

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PRIME Minister Datuk Seri Anwar Ibrahim said the government was open to discussing amendments to the anti-party hopping law to address gaps in the legislation.

Anwar said Pakatan Harapan had, in 2022, proposed amendments to the law, which would see any member of parliament expelled by their party automatically lose their seat.

Under Article 49A of the Federal Constitution, MPs can lose their seats either by leaving the party to become independent, leaving the party to join another, or independent MPs joining any party.

Parti Pribumi Bersatu Malaysia had, last month, submitted a notice to Dewan Rakyat Speaker Tan Sri Johari Abdul to have the seats of six MPs vacated as they had ceased to be party members.

Its vice-president, Datuk Seri Dr Ronald Kiandee, said the mechanisms of the anti-party hopping law should be fine-tuned so that it was not subjected to the Dewan Rakyat speaker's interpretation.

He said otherwise, the law would not be effective and would be seen as an instrument to assist the government in power.

"The (Dewan Rakyat) speaker thinks Article 49 (of the Federal Constitution) provides him the authority as a 'postmaster' to interpret the Federal Constitution and Bersatu constitution.

"However, it does not give the speaker the authority to interpret and make a decision," he said.

He said this following a point of order raised by Kiandee in Parliament yesterday to seek further clarification from Johari over the decision made on the status of six former Bersatu members.

Kiandee said Article 49 did not provide Johari the power to make a decision, but only to ensure the vacancy of seats.

Johari, however, stood firm on his decision by stating that he was not a "postman" and that thorough studies had been con-



Dewan Rakyat Speaker Tan Sri Johari Abdul has ruled against vacating the seats of six members of parliament after they were removed from their party. FILE PIC

ducted on the matter before arriving at a conclusion.

Kiandee said the amendments to the Federal Constitution were nothing new as it had been raised in the Dewan Rakyat several times by the opposition.

He said this was because the original intention and goal of the law was to prevent MPs from hopping to another party.

"If he (Anwar) wants to do it (the amendment), go ahead as this has been proposed in Parliament several times.

"I, myself, have already suggested that (the proposal) many times, but it had no impact on the government as the law is seen to be giving it the upper hand."

Pasir Gudang member of parliament Hassan Abdul Karim urged for any ambiguity regarding the anti-hopping law be removed.

"I welcome the prime minister's proposal to amend the law to make it clearer and eliminate any ambiguity.

"In doing so, the provision of Article 49A(1)(a)(ii) must be amended to make it clearer than the existing provision.

"The provision states that (a seat is considered vacant) when a member of the House 'ceases to be a member of the political party'.

"The word 'ceases' here must be elaborated upon further to eliminate any form of uncertainty."

Lawyer Mohamed Haniff Khatri Abdulla said any effort to amend the country's anti-party hopping law should be preceded with a review of related provisions in the Federal Constitution.

He said this could be done by an independent committee, which will deliberate all matters

with impartiality and without any political motive.

Haniff said an independent committee comprising experts should be established, but this should not be done hastily because the endeavour was aimed at protecting people's interest.

"What the people want is a law that ensures political stability and that there is no repeat of the Sheraton Move, instead of having a law that is used to protect the position of any political party.

"This means, none of the politicians should be part of the committee, lest there be a repeat of the current situation," he told the *New Straits Times* yesterday.

The Sheraton Move in 2020 led to the fall of the PH administration and the resignation of then prime minister Tun Dr Mahathir Mohamad after 22 months in office.

Perikatan Nasional then assumed power, but political instability persisted after the change of government, compounded by the Covid-19 pandemic.

Haniff said the vacating of parliamentary seats should be a judicial decision, instead of it being the Dewan Rakyat speaker's decision.

He said such a legal process would require all parties to submit their applications in court, a process similar to an election petition.

"The (Dewan Rakyat) speaker was right in his decision that there is no need for the six MPs to vacate their seats. They do not affect the government's position.

"On the other hand, if 40 government MPs leave their parties and it (the government) loses the majority, of course they will be punished." **Additional reporting** by Fuad Nizam