

Parliament briefing on govt decision

PM to explain to MPs why Sabah revenue ruling is not being challenged

PUTRAJAYA: Datuk Seri Anwar Ibrahim will explain the government's decision not to appeal the Kota Kinabalu High Court ruling on the 40% revenue share issue involving Sabah in Parliament today.

The Prime Minister said the clarification will also cover the appeal concerning perceived flaws in the court's judgment.

He said the decision was reached by consensus after a special Cabinet meeting was held to deliberate on the matter on Tuesday.

"Following a special Cabinet

meeting to review the Kota Kinabalu judgment, we reached this decision after hours of deliberation," considering the views and proposals of each Cabinet member," he said at the monthly gathering with staff members of the Prime Minister's Department here yesterday, Bernama reported.

Also present was Deputy Prime Minister Datuk Seri Fadillah Yusof and Chief Secretary to the Government Tan Sri Shamsul Azri Abu Bakar.

Following the Federal Government's decision, the Attorney General's Chambers

(AGC) announced that negotiations with the Sabah government will start immediately.

The AGC said the Federal Government respected the principle of the 40% Special Grant enshrined under the Federal Constitution.

At the same meeting, the Attorney-General also provided advice and views to the Cabinet regarding several defects in the judgment's reasoning, including allegations that the Federal and Sabah governments had abused their powers and breached constitutional obligations since 1974.

The AGC said that the grounds of judgment also stated that the Review after 2021 was unlawful, irrational and disproportionate.

On Oct 17, the Kota Kinabalu High Court ruled that the Federal Government acted unlawfully and beyond its constitutional powers when it failed to fulfil Sabah's rights to 40% of federal revenue from 1974 to 2021.

The decision was delivered by Judge Datuk Celestina Stuel Galid, who described the special grant made between the Federal and Sabah governments as "invalid, ultra vires and irrational" and in

breach of the Federal Constitution.

The court also issued a mandamus order directing the Federal Government to conduct a revenue review with the Sabah Government under Article 112D of the Federal Constitution to reinstate Sabah's right to 40% revenue for each financial year from 1974 to 2021.

The order required the review to be carried out within 90 days, while a mutual agreement between the two governments must be reached within 180 days from the date the order was issued.