

# PM to brief Parliament on decision not to appeal

**PUTRAJAYA:** Prime Minister Datuk Seri Anwar Ibrahim will address Parliament today to explain the government's decision not to appeal the Kota Kinabalu High Court ruling on the "Special Grant" based on the 40% revenue share for Sabah, as provided under the Federal Constitution.

Anwar 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.

"Following a special Cabinet meeting on Tuesday to review the Kota Kinabalu High Court judgment, we reached this decision after hours of deliberation, considering the views and proposals of each Cabinet member," he said.

He made the remarks at the Prime Minister's November gathering with staff of the Prime Minister's Department yesterday.

The gathering was also attended by 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 yesterday that negotiations with the Sabah Government will begin immediately.

The AGC said the federal government respected the principle of the 40% "Special Grant" enshrined in the Federal Constitution.

At the same meeting, the attorney-general also provided advice and views to the Cabinet on several defects in the judgment's reasoning, including allegations that the federal and Sabah governments had abused their powers and breached constitutional obligations said to have existed since 1974.

The AGC noted 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 had acted unlawfully and beyond its constitutional powers when it failed to fulfil Sabah's right to 40% of federal revenue for the years 1974 to 2021.

The decision was delivered by Judge Datuk Celestina Stuel Galid, who described the special grant



Anwar mingling with staff of the Prime Minister's Department in Putrajaya. - PIC  
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arrangement 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% of revenue for each financial year from 1974 to 2021.

The order required the review to be carried out within 90 days, with a mutual agreement between both governments to be reached within 180 days from the date the order was issued. - Bernama