

Pua: IT Bill has Orwellian 'big brother' written all over it
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KUALA LUMPUR, Dec 12 — DAP publicity chief Tony Pua said today that a proposed law to regulate the IT industry will have far-reaching consequences on not only the computing industry, but may also be abused to stifle freedom of speech.

He pointed out that the Multimedia Super Corridor (MSC) Bill of Guarantees had promised "unrestricted employment of knowledge workers" and "no censorship of the Internet".

However the Computing Professionals Bill 2011 (CPB), proposed by the Ministry Science, Technology and Innovation (MOSTI), will restrict the hiring of knowledge workers by making registration mandatory.

"Similarly, the CPB 2011 as it is currently defined could be used to register, regulate and restrict the activities of individuals or corporations to publish news reports or those who use Facebook, Twitter or other similar applications with the excuse of protecting the 'national image'.

"It is clear that the flimsily-drafted CPB has the Orwellian 'big brother' fingerprints all over it," Pua (picture) said in a statement.

A draft of what appears to be the proposed CPB that appeared on the Internet states that unregistered IT professionals will not be allowed to "practice, carry on business or take up employment which requires him to carry out or perform the services of a Registered Computing Professional."

They will also not "be entitled to recover in any court any fee, charge, remuneration or other form of consideration for any professional technology services rendered."

As far as can be ascertained, no country in the world has yet to enact a law to require IT professionals to be registered with a board before being able to practise.

Most countries however do require lawyers and doctors to be registered with a professional body before being allowed to practise.

The goal of the proposed Malaysian law appears to be aimed at bringing the IT profession to higher levels of accountability, especially in light of numerous large-scale IT projects that fail or experience cost overruns.

Pua said the draft CPB, which is currently being circulated for "consultation", is an attempt by MOSTI to regulate all "computing services" provided to entities or persons related to the "critical national information infrastructure" (CNII).

Any ambiguity in the law will be determined by the 15-member "Board of Computing Professionals" appointed at the sole discretion of the minister, and subjected only to the minister's approval, he pointed out.

"Contrary to the clarification statement made by MOSTI, which claimed that the Bill does

not restrict the practise of 'computing services' and is only limited to CNII, the Bill has pervasive and damaging consequences not only on the information technology industry, but also infringes on key government commitments under the MSC Bill of Guarantees.

"The information technology and computing industry has been operating without controversy, issues or impediment for the past decades. There is absolutely no bureaucratic requirement to restrict and control the industry, which will only bring adverse outcomes without any corresponding tangible benefit," Pua said.

He said will attend the CPB 2011 Open Day organised by MOSTI tomorrow to hear the ministry's clarifications on the Bill, and to submit the relevant points of objection.

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