

**EC Fails To Justify Rejecting Request Of Absent Voters, Court Told  
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KUALA LUMPUR, Jan 3 (Bernama) -- The Election Commission (EC) has failed to state any reason or basis to justify the exclusion of six Malaysians residing and working abroad from being registered as absent voters for the next general election, the High Court was told Tuesday.

Counsel Edmund Bon, representing the six, said the EC rejected their requests on the grounds that they did not qualify for registration as absent voters under the definition of "absent voter" pursuant to the Elections (Registration of Electors) Regulations 2002.

"But the EC did not justify its decision or the objective of the regulation, which allows some citizens and some not," he submitted in the judicial review application filed by six Malaysians residing and working in the United Kingdom to compel the EC to register them as absent voters.

Bon said that excluding the six from being registered as absent voters was clearly an unfair and discriminatory treatment to all citizens.

"The applicants are resident overseas and, therefore, should be able to vote as absent voters under Article 119 of the Federal Constitution, of fundamental right to vote," he said.

Senior Federal Counsel Amarjeet Singh, acting for the EC, countered that the EC found that the six applicants did not qualify to be registered as absent voters pursuant to Regulation 2 of the Elections (Registration of Electors) Regulations 2002 as they were residing and working in the private sector overseas.

He said the EC held that the six did not fall within the category of persons entitled to be absent voters, and that the EC lawfully rejected their request.

Amarjeet Singh said the six, residing and working abroad by their own choice, can return to Malaysia for election day.

Judge Datuk Rohana Yusuf fixed Jan 6 to give the verdict.

The six applicants are doctors Teo Hoon Seong, 43, and Yolanda Sydney Augustin, 31, electrical engineer V. Vinesh, 32, businessman Paramjeet Singh, 54, interpreter Sim Tze Wei, 28, and software architect Leong See See, 41.

The six have sought a declaration that as Malaysian citizens residing abroad, they are entitled to be registered as absent voters, meaning that they will be eligible to vote by post.

They are seeking an order of certiorari to quash a decision of the EC dated Sept 9, 2011, not to register them as absent voters, and a mandamus order for the EC to register them as absent voters.

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