

**States empowered to decide on third vote, says Penang CM**  
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**By Shazwan Mustafa Kamal**

KUALA LUMPUR, Jan 18 — State governments have full authority to implement a gazette exempting them from having to seek a court declaration to conduct local council elections, Lim Guan Eng said today.

The Penang chief minister was responding to Housing and Local Government Minister Datuk Seri Chor Chee Heung who said yesterday that Lim should first consult the National Council on Local Government (NCLG) before going ahead with such plans.

In a statement today, Lim pointed out that the Penang government had attempted numerous times in the past to consult the NCLG on the issue of restoring local government elections, but received no response from the council or Chor's ministry.

"Local government is a state matter under the Federal Constitution, and the state authority has the power under section 1(4) of the Local Government Act 1976 to exempt any local government area from any or all of the provisions of the Act.

"The Penang state government has decided that, 45 years after the end of the Confrontation, it is time for it to exercise its powers to free Penang and the MPPP (Penang Municipal Council) and MPSP Seberang Perai municipal council) from the anti-democratic provisions that prevent the holding of local government elections," Lim said.

He said that the Penang state legal advisor was instructed today to implement this gazette notification and also to issue a fiat appointing lawyer Tommy Thomas to represent the state government in court.

"After the gazette notification, the state government will refer this dispute with the Election Commission to the courts," he added.

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