

**Standardise state laws with Federal Constitution on religion of minors, says MCA
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State enactments and laws must be in line with the Federal Constitution to ensure that the religion of a minor is determined by both parents, the MCA said today.

MCA's publicity bureau chairman Datuk Heng Seai Kie said state governments should amend their laws to ensure consistency.

"It will be more helpful if all State Enactments follow that of the Administration of Islam (Perak) Enactment which requires minor children to be present to personally affirm their acceptance of the conversion," she said in a statement today.

"This is also in line with the Convention on the Elimination of Discrimination Against Women and the Convention of the Rights of the Child, which our country has ratified to protect the rights of minor children."

Heng was commenting on the Ipoh High Court ruling allowing kindergarten teacher M. Indira Gandhi's application to quash the conversion of her three children recently.

In lauding the landmark decision by Justice Lee Swee Seng, Heng noted that it tallied with the MCA position that Article 12(4) of the Federal Constitution i.e. "religion of a person under the age of eighteen years shall be decided by his parent", must involve both parents or "ibubapa".

"It should be pointed out that the Bahasa Malaysia version of the Federal Constitution printed by government printers in 1970 clearly uses the word 'ibu-bapa'. Requiring both parents' consent is further reiterated in the Eleventh Schedule, Article 160(1) in the Federal Constitution which reads that 'words in the singular include the plural, and words in the plural include the singular'," she pointed out.

"We want to avoid a situation of people running to the religious authorities to unilaterally convert their minor children without informing their spouse as a means of gaining custody without going through the civil court."

All religions, she added, are sacred. "We do not want individuals making use of religion to achieve their own agenda."

Heng also urged Indira's ex-husband to return her youngest child to her immediately as the High Court had awarded full custody of their three children to her in 2010.

"As a mother myself, I also appeal to the police and other authorities to assist Indira in locating Prasana so that mother and daughter can be reunited, and siblings will not be separated from each other," she said. - July 27, 2013.

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