

Anwar did not breach election laws, says Election Commission

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BY AMIN ISKANDAR, NEWS EDITOR

Opposition leader Datuk Seri Anwar Ibrahim did not breach any election laws as he is not "officially" a candidate yet for the Kajang by-election, the Election Commission (EC) said today.

EC chairman Tan Sri Abdul Aziz Mohd Yusof said that the election body has no legal power to take action against politicians who campaign before the stipulated campaign period.

"Before the naming of candidates, the EC has no power to take any action against Anwar," he told The Malaysian Insider today, responding to complaints that PKR and Barisan Nasional had flouted election laws ahead of the by-election on March 23.

Abdul Aziz said technically, the campaign had not started as nomination was fixed for March 11.

He said the candidates will only be confirmed once returning officer Datuk Hassan Nawawi Abdul Rahman announced their names on March 11.

"This is only if there is a contest. How then if no one sends in a nomination form?" said Abdul Aziz.

If anything, Abdul Aziz said the police are empowered to act based on current laws.

"Now the power rests on the police to take action in accordance with the Peaceful Assembly Act 2012," he added.

Anwar addressing a crowd in the Kajang constituency last week. – The Malaysian Insider pic, February 11, 2014. Anwar addressing a crowd in the Kajang constituency last week. – The Malaysian Insider pic, February 11, 2014. Today, the Bar Council urged the polls body to take action against any party that began its campaigning before the naming of candidates for the Kajang by-election.

Its president Christopher Leong said the EC should enforce the rule, irrespective of whether it is the Barisan Nasional (BN) or Pakatan Rakyat.

In response, Abdul Aziz said that while Leong's suggestion is welcomed, the EC is unable to take action.

"I thank the Bar Council for giving a response. This is positive. But perhaps they do not understand.

"The EC can only advise all parties to not campaign. Before the naming of candidates, all power lies with the police," he said.

Berita Harian reported that the police have begun investigating Anwar for failing to give a 10-day notice for his gatherings in Kajang, as stipulated under the Peaceful Assembly Act 2012

Selangor Deputy Commissioner Datuk Abdul Rahim Jaafar said the police force did not receive any notice from Anwar regarding his campaign in Kajang.

As such, Abdul Rahim said that Anwar can be investigated under the Act since the official 12-day campaign for the by-election only begins after March 11.

The Permatang Pauh MP has denied that his actions were illegal, saying BN had launched a campaign against him via media outlets such as TV3 and Utusan Malaysia.

The Kajang state assembly seat was left vacant after the sudden resignation of PKR's Lee Chin Cheh on January 27, in what has been dubbed as the "Kajang move". – February 11, 2014.

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