

Assembly looking at ways to gauge support for Khalid, says source
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The Selangor assembly is studying various options available to call for an emergency meeting to determine whether Tan Sri Abdul Khalid Ibrahim commands the confidence of the majority of assemblymen, a source said.

The source, who is familiar with the state constitution and standing orders, said under normal circumstances it was the menteri besar who advised the ruler to convene the assembly meeting.

"In this case, the MB who is supposed to communicate with the ruler is the subject matter of removal from office. We have read and interpreted the constitution and standing orders together with case laws," he told The Malaysian Insider, speaking on condition of anonymity.

He said the matter was complicated as the sultan was overseas and unsure whether the Selangor Council of Royal Court could act in his absence.

The sultan is expected to return on August 27.

The source said this in response to suggestions that Speaker Hannah Yeoh could call for a meeting to break the political impasse following the sacking of Khalid by PKR a week ago.

It was suggested that the speaker, who is the head of the legislature, could act independently of the executive (state government) to call for a meeting immediately without needing the sultan's approval.

The reason is that under the state constitution, the sultan only summons the assembly into session, and dissolves the house.

The assembly, which is independent of the executive and judiciary, looks after its

own affairs once it is called into session.

In April, the Sultan opened this year's assembly and a second sitting was held in June.

The final sitting for the year is scheduled in November, to debate and approve the 2015 budget, among others.

The speaker decides the date of the next sitting and the clerk of the house will give members at least 28 days' notice.

The source also said that in 1976, the Umno Supreme Council had written to the speaker to convene an emergency session to table a vote of no-confidence against then menteri besar Datuk Harun Idris.

"Records show a meeting was soon convened but only after the sultan had consented," he said.

Harun lost the confidence vote and resigned.

Lawyer Syahredzan Johan said the four PAS executive councillors, who formed the majority in the executive council, could also write to the sultan to convene a meeting.

"The sultan has the power to summon the state legislative meeting on the advice of the executive council," he said.

Khalid heads the executive council together with the four PAS representatives, the minimum required under the law, following the sacking of five exco members from DAP and PKR.

Rodziah Ismail of PKR resigned from office on her return from Bangkok.

The source said Pakatan Rakyat assemblymen were also looking into the possibility of removing Khalid without convening a meeting as outlined in the 2010 Federal Court ruling in the Nizar v Zambry case.

In that case, the court held that once the MB has lost the confidence of the majority of the assemblymen and failed to convince the ruler to dissolve the house, he has to tender his resignation together with that of the exco.

The court said that failing to do so, the MB is deemed to have vacated his office.

"The sultan can remove Khalid if we can show His Royal Highness that an overwhelming majority is supportive of another candidate," said the source.

He said there would then be a smooth transition and the people would be spared going to the polls to elect a new government.

On Thursday, Kajang assemblyman Datuk Dr Wan Azizah Wan Ismail showed proof that 30 elected representatives were supportive of her to replace Khalid.

The Selangor assembly comprises 56 members – DAP (15), PAS (15) PKR (13) Barisan Nasional (12) and Khalid as independent.

Two PAS assemblymen have openly voiced their support for Azizah for the MB's post while the position of 13 others is not known. – August 16, 2014.

<http://www.themalaysianinsider.com/malaysia/article/selangor-assembly-studying-ways-to-call-for-quick-meeting-to-gauge-support>