

PKR presses EC to clear Anwar's status as a voter
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Commission (EC) to clear the status of Datuk Seri Anwar Ibrahim's eligibility to vote in Permatang Pauh after it was pointed out that barring the jailed opposition leader from casting his vote was in breach of the federal constitution.

Lawyer N. Surendran, in citing Article 119(3)(a) of the Constitution, said yesterday that the EC was wrong, as the law stated a person was disqualified from voting only if he was already imprisoned at the time he applied to register as a voter.

PKR election director Datuk Saifuddin Nasution Ismail said EC chairman Tan Sri Abdul Aziz Mohd Yusof needed to clarify the final decision as Anwar's name is on the gazetted list of voters for the Permatang Pauh by-election on May 7.

"We have checked, and Anwar's name is in the gazetted list of registered voters for Permatang Pauh that was released by EC a day after nomination day," he said at the Pakatan Rakyat daily press conference in Permatang Pauh today.

Saifuddin said that another factor to consider was the EC's amendments of Section 9 of the Elections Act 1958, which ensured that a certified and gazetted electoral roll was final, binding and cannot be challenged in any court.

He said that the EC had made the amendments following a by-election in Likas, Sabah in 2001, which was called after the result of the state elections in 1999, was found to be invalid due to phantom voters.

"The EC was instructed by the court to update the Likas electoral roll then, but instead of complying, EC had made the amendments to Section 9 instead.

"Now the updated and gazetted electoral roll in Permatang Pauh, which contains the name of Anwar, is also binding and cannot be questioned.

"Therefore we are waiting for the EC's suitable response that is in line with the law."

Aziz had announced that Anwar was not eligible to vote based on Article 119(3)(a) of the federal constitution.

"(He is) not qualified according to Article 119(3)(a) of the Federal Constitution," Aziz told The Malaysian Insider in a Whatsapp message, when asked if Anwar could vote in the by-election.

Article 119(3)(a) of the Federal Constitution states that "a person is disqualified for being an elector in any election to the House of Representatives or the Legislative Assembly if on the qualifying date he is detained as a person of unsound mind or is serving a sentence of imprisonment". – April 29, 2015.

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