

No-confidence motion can still be tabled against Najib, says minister
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A motion of no-confidence against the prime minister can still be tabled in Parliament through a private member's bill, Datuk Seri Azalina Othman said, although the Standing Order is silent on this.

The minister in charge of parliamentary affairs said parliamentarians had the prerogative to table any private member's bill, but whether it will be brought up for debate is dependent on Standing Orders 15 (1), which states that government business takes priority over other matters.

"In short, any MP can submit a private member's bill on a motion of no-confidence in accordance with the Standing Order and it may also be debated in accordance with the Standing Order on government business.

"However, it should be understood that to pass any motion that involves voting, it is important to ensure there is at least a simple majority support, if not, the motion will be defeated," she said in her blog today.

She said a no-confidence motion was previously tabled by opposition leader Datuk Seri Dr Wan Azizah Wan Ismail against Najib's predecessor, Tun Abdullah Ahmad Badawi, in July 2008 under Standing Orders 18(1) and 18(2).

But it was rejected by speaker Tan Sri Pandikar Amin Mulia under Standing Order 18 (7) on the grounds that the bill stated that a vote to be taken on the no-confidence motion but the provisions it was filed under was to seek "negotiation".

"So it was clear that the motion was not rejected, but it was against the Standing Orders," she said.

Speculation is rife that the opposition will file a no-confidence vote against Prime Minister Datuk Seri Najib Razak at the upcoming parliament sitting which starts on October 19.

Najib has been under fire over the RM2.6 billion "donation" from an unknown Middle Eastern donor deposited into his personal accounts ahead of the 2013 general election, as well as the performance of his brainchild, state investment firm 1Malaysia Development Berhad (1MDB).

Parliament's lower house of Dewan Rakyat currently has 134 MPs from BN, 87 from the opposition, and one independent.

In citing the opposition numbers, Azalina said it was not enough to push through the no-confidence motion as they still needed 25 other MPs to gain the simple majority.

She said this would never happen as majority of the federal lawmakers are behind the

"Leader of the House" or the head of the government, namely the prime minister.

She also urged all MPs not to resort to any sabotage or to try to topple the government through undemocratic means.

Early this month, former prime minister Tun Dr Mahathir Mohamad had asked Umno and Barisan Nasional component party members of Parliament to support a motion of no-confidence against Najib's leadership.

However, Speaker Tan Sri Pandikar Amin Mulia had said that parliament's standing orders did not allow for the Prime Minister to be subjected to a vote of no-confidence.

However, last night in another blog post, Dr Mahathir wrote that a vote of no-confidence against the prime minister is "totally democratic".

He said that while Parliament may not have any provision for a no-confidence vote against the prime minister, the Federal Constitution clearly states that a prime minister should resign if he no longer commands the support of the majority of MPs.

"So, is the Speaker trying to ignore the Constitution?" Dr Mahathir had asked. – September 30, 2015

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