

No necessity for amendment of constitution to restore Agong's powers

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14/08/2018

KUALA LUMPUR, Aug 14 (Bernama) – The government will not amend the Federal Constitution in a bid to restore the mandatory requirement for the assent of the Yang di-Pertuan Agong to enable a bill to become law.

Prime Minister Tun Dr Mahathir Mohamad said this being that Article 66 (4A) of the Federal Constitution concerning the matter had been amended three times.

“The constitution has been amended thrice through amendments in 1983, 1984 and 1994. The amendments made in 1994 were to Article 66 (4) and (4a) of the Federal Constitution were to ensure a bill does not take long to become law.

“With the amendments, except those touching on the privileges of the rulers, any bill will become law after 30 days of it been passed by Parliament,” he said in response to a question by Datuk Seri Ismail Mohamed Said (BN-Kuala Krau) during the question and answer session in the Dewan Rakyat today.

Dr Mahathir said the amendments should not be viewed as a move to undermine the glory of the rulers but to realise the principles that had been agreed to , namely the sovereignty of the people and credibility of the legislative institution, which represented the people’s aspirations.

“The rulers’ status will continue to be upheld in the context of the constitutional monarchy. In fact, there are more than 30 proceedings listed in the constitution that require the assent of the Yang di-Pertuan Agong , with some without the advice of the prime minister,’ he said.

Ismail wanted to know whether the government would review or amend Article 66 (4A) of the Federal Constitution.

To a supplementary question by Datuk Seri Dr Wan Junaidi Tuanku Jaafar (BN-Santubong) whether there would be an imbalance in Parliament if Article 66 (4A) is amended, Dr Mahathir said:

“Our country is a democratic country where the voice of the people determines everything, but we also give place to the (Yang di-Pertuan) Agong) so that His Majesty knows on the laws that are passed by the people.

“If the (Yang di-Petuan) King is given absolute power to reject a law, the people will lose their power and our country will be an absolute monarchy,” he added.

The prime minister said the government would study all aspects before amending any laws so that an incident like the bill on the National Security Council which was amended and passed automatically as a law without the assent of the Yang di-Pertuan Agong would not recur.

“The law gives the right to the government to detain anyone without trial. The government will study the matter if the need arises,” he said, adding that the government was also aware that under the law, the Yang di-Pertuan Agong has the power to declare an emergency.

The National Security Council Act, which was passed by the Dewan Rakyat after the third reading in December 2015, and enforced on Aug 1, 2016, among others, allows the prime minister to declare an area as a security area by allowing the security forces to conduct search on any individuals, vehicles or buildings without a warrant.

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