

Azalina leaves to court to decide legitimacy of appointment as Dewan Rakyat Deputy Speaker

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KUALA LUMPUR, July 25 -- Dewan Rakyat Deputy Speaker Datuk Seri Azalina Othman Said is leaving to the court to decide on an originating summons filed against her and Dewan Rakyat Speaker Datuk Azhar Azizan Harun to challenge the legitimacy of their appointments.

However, she said, the motion on her appointment was read out under Order 6 of the Dewan Rakyat Standing Orders after Teluk Intan Member of Parliament Nga Kor Ming resigned as Dewan Rakyat Deputy Speaker.

“Therefore, I do not see any violation of the Orders of the Meeting or the constitution, and since the matter is currently under the purview of the Court, I, who is also a legal practitioner, leave to the Court to decide the matter,” she said in a statement today.

Azalina said Article 63 (1) of the Federal Constitution on the privileges of Parliaments states that the validity of any proceeding in either House of Parliament or any committee thereof shall not be questioned in any court.

She cited a similar High Court case involving former Perak State Assembly Speaker V Sivakumar and Datuk R Ganesan.

“(In that case) the court ruled that what cannot be disputed is that the House has the power to elect or sack a Speaker and the issue on who is legally appointed as Speaker is not the jurisdiction of the Court to decide,” she added.

Last Thursday, former Prime Minister Tun Dr Mahathir Mohamad, his son Datuk Seri Mukhriz, who is former Menteri Besar of Kedah, and three others, filed a legal action to challenge the legitimacy of the appointments of Azhar Azizan and Azalina as Dewan Rakyat Speaker and Deputy Speaker, respectively.

Dr Mahathir and Mukhriz, together with former Minister of Education Dr Maszlee Malik, Kubang Pasu Member of Parliament Datuk Wira Amiruddin Hamzah and Sri Gading Member of Parliament Datuk Dr Shahrudin Md Salleh filed the originating summons

against Azhar and Azalina, as well as Deputy Dewan Rakyat Speaker Datuk Mohd Rashid Hasnon and Dewan Rakyat secretary Nizam Mydin Bacha Mydin.

They are seeking a declaration that the Dewan Rakyat Speaker's post has been vacant since July 13 and that the appointments of Azhar and Azalina are invalid because it is unconstitutional and/or contrary to the Federal Constitution and/or Standing Orders 3, 4, 6 and 47 of the Dewan Rakyat and/or the rule of law.

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