

**Provision 'Detrimental To Parliamentary Democracy' Not For Political Offences
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KUALA LUMPUR, 17 April (Bernama) -- The provision in the Security Offences (Special Measures) Bill 2012 which states detrimental to parliamentary democracy is not a provision that will be used to punish political offences, the Dewan Rakyat was told Tuesday.

Instead, the provision covers a wide range of aspects involving democracy said Minister in the Prime Minister's Department Datuk Seri Mohamed Nazri Abdul Aziz when winding up debate on the Security Offences (Special Measures) Bill 2012.

A number of Parliamentarians from the opposition had raised their concern that the provision in the new legislation has a wide scope of coverage that may curtail democracy under the country's constitution.

The provision 'detrimental to parliamentary democracy' provided for in the new Bill would be used for seven new categories of offences from the overall 13 offences under Section VI of the Penal Code which was introduced in line with the abolishment of the Internal Security Act 1960.

Section 130A (a) defines 'activity detrimental to parliamentary democracy' as 'an activity carried out by a person or a group of persons designed to overthrow or undermine parliamentary democracy by violent or unconstitutional means'.

According to the amendment bill, whoever by any means, directly or indirectly, commits an activity detrimental to parliamentary democracy' shall be punished with imprisonment for a term which may extend to 20 years, while Section 124C suggested a jail sentence 'which may extend to 15 years' for the offence of 'Attempt to commit activity detrimental to parliamentary democracy'.

Individuals who by any means, directly or indirectly, commit espionage or sabotage can be punished with imprisonment for life under Section 124N, while attempts to commit espionage or sabotage are punishable with a jail sentence of up to 15 years.

The Bill specifies espionage as involving activities to obtain sensitive information by ulterior or illegal means for a purpose prejudicial to the national security or interest.

Offences involving sabotage include an act or omission intending to cause harm for the interests of foreign powers or knowingly producing defective materials used for national defence.

Anyone who prints or sells any document or publication that incites people to go against parliamentary democracy will also be sentenced to imprisonment up to 15 years.

Persons guilty of posting placards, circulars or documents with incitement to violence, or counseling violent disobedience to the law or to any lawful order, or likely to lead to disruption of peace, can be punished up to five years in prison.

Sections 124D and 125D of the Bill states that anyone who prints, publicizes, sells, issues, circulates, reproduces or possesses any document or publication detrimental to parliamentary democracy, can be imprisoned for a term that may extend to 15 years.

A five-year prison term applies, under Section 124H and Section 124I, to anyone who incites violence or disobedience to laws of the country through publication or on electronic media; and for anyone who disseminates false information, be it via publication or by electronic means.

The Security Offences (Special Measures) Bill 2012 was passed in the Dewan Rakyat without any amendments, despite objections that it might lead to further human rights abuses.

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