

**PENDENGARAN AWAM JAWATANKUASA PILIHAN KHAS  
BERHUBUNG PENAMBAHBAIKAN PROSES PILIHAN RAYA  
DI BILIK GERAKAN NEGERI,  
WISMA BAPA MALAYSIA, PETRAJAYA,  
KUCHING, SARAWAK.**

**JUMAAT, 9 Disember 2011**

**AHLI-AHLI JAWATANKUASA**

**Hadir:**

YB. Dato' Seri Mohd. Radzi Sheikh Ahmad [Kangar] - *Timbalan Pengerusi*  
YB. Tan Sri Datuk Seri Dr. Fong Chan Onn [Alor Gajah]  
YB. Tuan P. Kamalanathan a/l P. Panchanathan [Hulu Selangor]  
YB. Datuk Alexander Nanta Linggi [Kapit]  
YB. Tuan Mohamed Azmin Ali [Gombak]  
YB. Dr. Mohd. Hatta Md. Ramli [Kuala Krai]  
YB. Tuan Loke Siew Fook [Rasah]  
YBhg. Datuk Roosme binti Hamzah - *Setiausaha*

**Tidak Hadir [Dengan maaf]:**

YB. Datuk Seri Panglima Dr. Maximus Johnity Ongkili  
[Menteri Sains, Teknologi dan Inovasi] - *Pengerusi*  
YB. Tuan Wee Choo Keong [Wangsa Maju]

**URUS SETIA**

Encik Wan Kamarul Ariffin bin Wan Ibrahim [Penolong Setiausaha Kanan (Perundangan dan Prosiding)]  
Encik Zulfazly bin Mohammad [Penolong Setiausaha Kanan (Perundangan dan Prosiding)]

**HADIR BERSAMA**

**Parlimen Malaysia**

Encik Noor Rosidi bin Abdul Latif [Penasihat Undang-undang]

**Suruhanjaya Pilihan Raya Malaysia**

YBhg. Dato' Haji Noordin Che Ngah [Timbalan Setiausaha (Pilihan Raya)]  
Encik Harun Che Su [Timbalan Setiausaha (Penyelidikan)]  
YBhg. Datu Haji Takun bin Sunggah [Pengarah Pilihan Raya Negeri Sarawak]  
Puan Suriani binti Saruji [Timbalan Pengarah Pilihan Raya Negeri Sarawak]  
Encik Shah Aruzaman bin Ismail [Setiausaha Bahagian (Pilihan Raya)]  
Encik Ibrahim Saad [Setiausaha Bahagian (Penyelidikan)]  
Cik Yusniati Ishak [Setiausaha Bahagian (Pendaftaran Pemilih)]  
Encik Kamaruddin bin Haji Keling [Setiausaha Bahagian (Teknologi Maklumat dan Komunikasi)]  
Puan Hajiah binti Kip [PPTM Sarawak]  
Encik Mohd Khanafei bin Mohd Jamil [Ketua Penolong Setiausaha (Akademi Pilihan Raya)]

**Suruhanjaya Pilihan Raya Malaysia**

Encik Hamzah Mohd Noor [Penolong Setiausaha (Akademi Pilihan Raya)]  
Cik Noor Azira Ahmad Zuki [Penolong Setiausaha (Pengurusan Sumber Manusia)]  
Encik Mohamed Mokhtar bin Ahmad [Pegawai Latihan (Akademi Pilihan Raya)]  
Puan Faizah binti Hisham [Ketua Pembantu Tadbir]

*samb/-*

**HADIR BERSAMA** (samb/-)**Kementerian Dalam Negeri**

Puan Siti Zauyah binti Osman [Setiausaha Bahagian (Pendaftaran Negara dan Pertubuhan)]  
Puan Rafidah Datu Derin [Timbalan Setiausaha Bahagian (Pendaftaran Negara dan Pertubuhan)]  
Encik Fazli Mohd Ruslan [Penolong Setiausaha (Parlimen dan Kabinet)]  
Puan Fatimah Dzahra binti Mohammed Musaddik [Penolong Setiausaha  
(Pendaftaran Negara dan Pertubuhan)]  
Puan Shazana binti Zainal Abidin [Penolong Setiausaha (Pendaftaran Negara dan Pertubuhan)]

**Jabatan Pendaftaran Negara**

YBhg. Datuk Abu Bakar bin Mat [Pengarah JPN Sarawak]  
Encik Abdul Rahman bin Md. Noor [Ketua Unit Sabah & Sarawak]  
Encik Zulkifli bin Rahmat [Timbalan Ketua Pengarah (Operasi)]  
Encik Md. Solehan Omar [Pengarah Bahagian Kad Pengenalan]  
Encik Zakaria bin Awi [Pengarah Bahagian Teknologi Maklumat dan Komunikasi]  
Puan Laila binti Majid [Timbalan Pengarah Bahagian Teknologi Maklumat]  
Puan Nik Nurashikin binti Nik Mansor [Timbalan Pengarah Bahagian Kewarganegaraan]  
Encik Nik Hassan Fauzi [Penolong Pengarah Bahagian Kelahiran, Kematian dan Anak Angkat]  
Encik Ruslan bin Alias [Penolong Pengarah Bahagian Kad Pengenalan]  
Puan Mazni binti Bidin [Pegawai Khas KPPN]

**Suruhanjaya Pencegahan Rasuah Malaysia**

Puan Junipah binti Wandu [Timbalan Pengarah (Bahagian Pemeriksaan & Perundangan)]  
Encik Masri bin Seman [Timbalan Pengarah]  
Puan Hamidah binti Mohd Nadzri [Timbalan Pengarah]  
Tuan Haji Rahman Yaacob [Ketua Cawangan SPRM Sabah]  
Encik Ismajuri bin Ismail [Penolong Pesuruhjaya]  
Encik Mazery bin Mohd Zain [Pengusa]  
Encik Daniel Dajin [Penolong Penguasa]

**Polis Diraja Malaysia**

YBhg. SAC Dato' Abdul Malek Harun [Timbalan Pengarah Jabatan Siasatan Jenayah  
(Forensik Data Bank) Bukit Aman]  
YBhg. SAC Dato' Haji Aris bin Haji Ramli [Ketua Penolong Pengarah Pentadbiran Penyelidikan,  
Jabatan Siasatan Jenayah Komersial Bukit Aman]  
YBhg. SAC Dato' A. Rahman [Urus Setia Cawangan Khas]  
SAC Hasanuddin bin Hassan [Ketua Penolong Pengarah Pengurusan (Perjawatan)]  
SAC Abdul Hamid Mohd Ali [Komander Pasukan Simpanan Persekutuan (PSP) Bukit Aman]

**Kementerian Pertahanan**

Lt. Kol. Omar Daud [Penyelaras Parlimen]  
Mejar Muhammad Jilli Asyraf bin Ubu  
PWI Paul AK Awel

**Kementerian Luar Negeri**

Encik Mohd Faizal Razali [Pengarah Pejabat Wilayah Sarawak]  
Encik Ahmad Fuad Mohd Nordin [Penolong Setiausaha]

**Kementerian Penerangan, Komunikasi dan Kebudayaan**

Tuan Haji Zaharin Zainudin [Timbalan Setiausaha Bahagian]  
Tuan Haji Abdul Rauf bin Jamalil [Ketua Penolong Pengarah]

**MIMOS Berhad**

Encik Ramesh Kumar [Pegawai Perundangan]

**SAKSI-SAKSI (PENDENGARAN AWAM)**

**Pertubuhan Kebangsaan Dayak Sarawak (SDNU)**

Encik Anthony Banyan [Naib Presiden]

**Persatuan Media Sosial Sarawak**

Encik Wan Abdillah Edruce bin Dato' Seri Wan Abdul Rahman

**Individu**

Tuan Haji Wan Zainal Abidin bin Wan Senusi

Encik Idris bin Bohari

Dr. Mohd Faisal Syam bin Abdol Hazis

Prof. Madya Dr. Andrew Charles Bernard Aerra

Encik Jeguk anak Ngamo

Encik Wong Piang Yow

Encik Tsai Song Lim

---

**LAPORAN PROSIDING****PENDENGARAN AWAM JAWATANKUASA PILIHAN KHAS  
BERHUBUNG DENGAN PENAMBAHBAIKAN PROSES PILIHAN RAYA  
PARLIMEN KEDUA BELAS, PENGGAL KEEMPAT****Bilik Gerakan Negeri, Wisma Bapa Malaysia,  
Petrajaya, Kuching, Sarawak****JUMAAT, 9 Disember 2011****Pendengaran Awam dimulakan pada pukul 9.29 pagi****[Yang Berhormat Dato' Seri Mohd. Radzi Sheikh Ahmad  
*mempengerusikan Mesyuarat*]**

---

**Tuan Pengerusi:** *Assalamualaikum warahmatullaahi wabarakaatuh.* Salam Sejahtera. Selamat pagi, salam 1Malaysia. Ahli-ahli Jawatankuasa Pilihan Khas berhubung dengan Penambahbaikan Proses Pilihan Raya, Dewan Rakyat Parlimen ke-12. Yang Berhormat Berbahagia Datuk Roosme, Setiausaha Dewan Rakyat merangkap Setiausaha Jawatankuasa. Wakil-wakil daripada jabatan kerajaan, tuan-tuan dan puan-puan yang dihormati sekalian terutama sekali izinkan saya mengalu-alukan kedatangan dan saya menyampaikan salam daripada Datuk Seri Dr. Maximus Johnity Ongkili yang sepatutnya mempengerusikan mesyuarat kita pada hari ini. Beliau terpaksa balik ke Kuala Lumpur kerana hari ini merupakan hari Kabinet. Saya dipohon untuk mempengerusikan mesyuarat kali ini.

Untuk makluman, ini merupakan kali yang ketiga jawatankuasa ini mengadakan sesi pendengaran awam yang mana sebelum ini telah diadakan di Parlimen, Kuala Lumpur dan di Kota Kinabalu, Sabah. Hari ini merupakan hari yang kedua dan hari yang terakhir bagi sesi di Kuching, Sarawak. Jadi, saya hendak tahu dan saya hendak memperkenalkan barisan ahli jawatankuasa yang hadir sekarang ini. Yang belum sempat hadir ialah Yang Berhormat Kapit, Yang Berhormat Rasah dan Yang Berhormat Wangsa Maju.

**Datuk Roosme binti Hamzah [Setiausaha]:** Sampai sudah.

**Tuan Pengerusi:** Yang Berhormat Rasah sampai. Jadi, sukacita saya maklumkan bahawa ini merupakan satu persidangan mini Parlimen yang mana setiap pertuturan akan direkodkan secara verbatim dan akan dimasukkan dalam Laporan Prosiding. Bahasa yang digunakan ialah Bahasa Malaysia dan dengan izin jika diperlukan Bahasa Inggeris juga akan dibenarkan. Jadi, setiap pertubuhan akan diberikan masa, terpulang pada keadaan. Dengan tanpa kita melengahkan masa lagi, saya hendak memanggil – Kita ada sebenarnya lima, enam, tujuh pada hari ini yang datang. Sekarang ini ada Pertubuhan Kebangsaan Dayak Sarawak, Encik Anthony Banyan. Ada di sini? Silakan. *Please. Please. Take your seat.*

*[Saksi individu Encik Anthony Banyan mengambil tempat di depan Jawatankuasa]*

**Tuan Pengerusi:** Sila perkenalkan diri. Anda boleh menggunakan Bahasa Malaysia ataupun dengan izin Bahasa Inggeris. Kami di sini datang untuk hendak mendengar cadangan dan pandangan daripada Encik Anthony. Jika ada soalan yang perlu kami kemukakan untuk mendapat penjelasan, kita akan kemukakan kemudian. *So, I give you 10 minutes. Please.*

**9.33 pg.**

**Encik Anthony Banyan [Naib Presiden Pertubuhan Kebangsaan Dayak Sarawak (SDNU)]:**

Terima kasih Tuan Pengerusi. Saya telah menyediakan laporan ataupun cadangan kami dalam...

**Tuan Pengerusi:** Yang bertulis.

**Encik Anthony Banyan:** Bertulis. Pada hari ini, saya mewakili SDNU (*Sarawak Dayak National Union*). Salah sebuah pertubuhan NGO yang tertua di Sarawak yang telah didaftarkan dalam tahun 1956. Pada hari ini, saya mewakili sebagai *Vice President I SDNU* dan mengucapkan ribuan terima kasih kerana diberikan peluang kepada SDNU untuk mengemukakan cadangan dan pandangan kami.

Pertama Tuan Pengerusi, saya mengucapkan terima kasih sekali lagi dan saya telah menyediakan laporan ini. Izinkan saya membaca sepenuhnya teks yang telah disediakan ini. Sehubungan dengan itu, saya bagi pihak Kesatuan Kebangsaan Dayak Sarawak (SDNU) ingin mengemukakan pandangan bagi pihak masyarakat Dayak dari luar bandar mengenai perkara tersebut. Pertama tadi ialah persempadanan semula kawasan pilihan raya dan yang kedua adalah alamat pendaftaran. Dua perkara yang kita cadangkan di sini.

SDNU berpandangan bahawa persempadanan semula kawasan pilihan raya seharusnya berdasarkan kepada keluasan bagi menggalakkan ataupun berasaskan beberapa perkara berikut:

- (i) persempadanan berdasarkan Geografi ataupun Daerah Pentadbiran
  - dengan demikian segala pembangunan yang seimbang di bandar dan luar bandar akan dapat dirancang dengan sebaik-baiknya. Di samping itu, kependudukan dan pembukaan kawasan baru pembangunan luar bandar akan berterusan dan akan memulakan pertumbuhan penempatan yang baru serta dapat mengelakkan masyarakat berhijrah secara berterusan ke pusat bandar;
- (ii) peningkatan aktiviti ekonomi
  - dengan demikian, menggalakkan aktiviti ekonomi oleh kerajaan atau swasta, dilaksanakan di kawasan luar bandar agar memberikan peluang pekerjaan dan penglibatan secara langsung di samping mengurangkan penggantung hidup secara berterusan masyarakat luar bandar kepada kerajaan semata-mata;
- (iii) peningkatan kemudahan infrastruktur ataupun jaringan jalan raya
  - sekiranya aktiviti ekonomi dan pertanian secara komersial sudah pastinya akan terus meningkat dengan peningkatan kemudahan infrastruktur di luar bandar. Di samping itu, secara langsung membantu penduduk-penduduk luar bandar meningkatkan taraf hidup. Dengan demikian, impian kerajaan dalam mentransformasikan masyarakat miskin kepada masyarakat berdikari malah masyarakat ekonomi yang lebih kukuh akan menjadi realiti di luar bandar; dan

- (iv) pertumbuhan pusat pendidikan dan kemahiran
- persempadanan kawasan pilihan raya mengikut kawasan juga dapat membantu dalam pembangunan yang seimbang bagi menyediakan Pusat Pendidikan dan Kemahiran yang baru. Oleh yang demikian, ia akan menyumbangkan kepada peningkatan kualiti hidup dan daya saing masyarakat setempat terutamanya masyarakat luar bandar dalam jangka masa panjang. Ini adalah suatu pelaburan dan pengorbanan yang amat besar bagi kerajaan untuk masyarakat luar bandar yang sangat dahagakan pembangunan. Masyarakat luar bandar tidaklah mengharapkan pembangunan seperti yang dinikmati kita di bandar yang berbilion ringgit peruntukan pembangunan tahunan tetapi sekadar mengharapkan pembangunan seimbang.

Isu yang kedua yang dibawa oleh SDNU adalah Alamat Daftar Pemilih. SDNU berpandangan bahawa tidak wajar seseorang pemilih baru itu wajib didaftarkan di kawasan mengikut alamat dalam Kad Pengenalan kecuali si pemilih itu memilih untuk berbuat demikian. Sekian, terima kasih.

**Tuan Pengerusi:** Encik Anthony, Alamat Daftar Pemilih, *point* yang kedua itu... [*Membaca teks berkaitan*] "SDNU berpandangan bahawa tidak wajar seseorang pemilih baru itu wajib didaftarkan di kawasan mengikut alamat dalam Kad Pengenalan."...

**Encik Anthony Banyan:** Ya. Betul.

**Tuan Pengerusi:** Apakah caranya yang kita hendak?

**Encik Anthony Banyan:** Misalnya kalau anak saya sudah berumur 21 tahun, kalau anak saya, kad pengenalan mereka sekarang adalah mengikut alamat di mana kami tinggal. Akan tetapi oleh kerana saya memilih di tempat asal saya misalnya di Kanowit dan anak saya juga ingin mendaftar sebagai pemilih di kawasan Kanowit, misalnya walaupun dalam kad pengenalan itu, alamat kami di Kuching.

**Tuan Pengerusi:** Ia tidak berpandukan alamat dalam kad pengenalan?

**Encik Anthony Banyan:** Ya. Itu cadangan kami. Cadangan daripada SDNU.

**Tuan Pengerusi:** Okey.

**Tan Sri Datuk Seri Dr. Fong Chan Onn [Alor Gajah]:** Tuan Pengerusi, terima kasihlah Encik Anthony, ya. Yang ini mengikut berasaskan cadangan Encik iaitu seorang penduduk sungguhpun dia berasal dari Kapit misalnyalah, tetapi dia sudah bekerja di Kuching. Mengikut cadangan itu, dia boleh memilih seorang *voter* di Kuching atau di Kapit?

**Encik Anthony Banyan:** Ya. Itu cadangan kita. Melainkan beliau sendiri memilih, okey. Saya hendak memilih untuk mendaftar sebagai pemilih di Kuching tetapi sekiranya dia hendak memilih untuk mendaftar sebagai pemilih di kawasan datuk atau neneknya ataupun bapanya seperti saya, dia seharusnya mendaftar di sana.

**Tan Sri Datuk Seri Dr. Fong Chan Onn:** Itulah peraturan sekarang. Peraturan sekarang, kita benarkan dia membuat pilihan. Kalau dia ada perkaitan, ada hubung-kait dengan tempat asal, memang dia boleh.

**Encik Anthony Banyan:** Okey. Kita cadangkan itu dikekalkan sekiranya peraturan itu masih diguna pakai.

**Tuan Pengerusi:** Okey. Satu cadangan yang agak...

**Tan Sri Datuk Seri Dr. Fong Chan Onn:** Yang bagus.

**Tuan Pengerusi:** Ya. Okey.

**Tuan Loke Siew Fook [Rasah]:** Satu, Tuan Pengerusi. Encik Anthony Banyan, hendak tanya berkenaan dengan persempadanan semula dalam kertas memorandum ini dikatakan berdasarkan pada keluasan. Apakah sebenarnya cadangan keluasan yang disyorkan, yang dirasakan baik, yang hendak disyorkan untuk – Berapakah keluasan untuk satu kawasan pilihan raya?

**Encik Anthony Banyan:** Okey. Kita tidak mencadangkan spesifik keluasan tetapi secara geografinya, secara rasionalnya sesuatu kawasan itu berpandukan pada luas yang sepatutnya ditadbir oleh bahagian pentadbiran. Misalnya kita ada daerah. Kita ada bahagian dan dalam satu daerah itu kemungkinan dua ataupun tiga kawasan Parlimen. Itu kita cadangkan.

Maksud saya ialah tidak berpandukan pada jumlah penduduk. Sekiranya berpandukan pada jumlah penduduk, sudah tentu ia akan memberikan kesan yang negatif pada kawasan luar bandar yang sudah tentunya kekurangan infrastruktur dan sebagainya. Sekiranya kawasan itu diberikan pertimbangan, menurut sesuatu kawasan berdasarkan pada geografi, sudah tentu peruntukan yang ada untuk setiap anggota Parlimen itu sudah tentu mencukupi. Sekurang-kurangnya sudah sedia ada.

**Dr. Mohd. Hatta Md. Ramli [Kuala Krai]:** Saya hendak minta penjelasan Encik Banyan. Ada satu kawasan pilihan raya di Sarawak ini yang dikatakan sama saiz dengan negeri Pahang. Baram, ya? Sama saiz dengan negeri Pahang. Jadi, adakah cadangan Encik Banyan ini, berapa juga jumlah penduduk dalam Baram sekarang, oleh kerana terlalu besar, kita pecahkan contohnya pada tiga Parlimen. Tidak mengira berapa akhirnya jumlah dalam Parlimen tersebut. Begitu?

**Encik Anthony Banyan:** Ya, supaya pengagihan peruntukan itu sekurang-kurangnya mungkin daripada segi peruntukan itu kita mencadangkan ada *ratio* nya. Oleh kerana penduduknya kurang, sudah tentu sedikit peruntukan tetapi sekurang-kurangnya peruntukan ada untuk kawasan tersebut.

**Tuan Pengerusi:** Terima kasih Encik Anthony. Terima kasih. *Thank you.*

**Encik Anthony Banyan:** Ya. Terima kasih.

**Tuan Pengerusi:** Okey. Kumpulan yang kedua ialah dua orang individu yang ingin bersama iaitu Tuan Haji Zainal Abidin bin Wan Senusi dan Encik Idris bin Bohari. Sila. Sila. Mereka ini secara individu tetapi mohon untuk duduk bersama. Okey. Memperkenalkan diri... *[Disampuk] [Ketawa]* Cuba memperkenalkan diri siapa dia Tuan Haji Zainal dan siapa dia.

*[Saksi-saksi individu mengambil tempat di depan Jawatankuasa]*

■0945

**Tuan Haji Zainal Abidin bin Wan Senusi [Individu]:** *Bismillaahir Rahmaanir Rahim.* Terima kasih Tuan Pengerusi. Nama saya Haji Zainal Abidin bin Wan Senusi. Saya hadir di sini bagi mewakili pandangan umum walaupun sebenarnya saya adalah ahli Parti Keadilan Rakyat dan bekas Pengerusi Negeri, Parti Keadilan Rakyat. Di sebelah saya adalah rakan saya, Encik Idris bin Bohari yang juga mewakili pandangan umum dan bekas Setiausaha Negeri, Parti Keadilan Rakyat. Jadi oleh sebab Parti Keadilan Rakyat sudah diwakili semalam oleh Pengerusi kami, maka kami lebih kepada individu.

Jadi Tuan Pengerusi, *assalamualaikum warahmatullahi wabarakatuh* dan juga Ahli-ahli Yang Berhormat sekalian. Saya melihat *exercise* yang kita buat sekarang ini sebenarnya adalah untuk mencapai tahap keadilan dalam pilihan raya. Jadi sebab itu saya ada beberapa perkara walaupun tidak di dalam bentuk tulisan yang lengkap tetapi saya telah buat dalam bentuk *point forms*.

Satu di antaranya ialah, bagi saya kalau kita hendak mencapai keadilan yang sebenar di dalam pilihan raya di Malaysia ini, maka saya mencadangkan SPR ataupun Suruhanjaya Pilihan Raya hendaklah bebas sama sekali daripada pengaruh eksekutif. Kalau ini tidak berlaku, saya rasa apa pun usaha yang kita buat tidak akan mendatangkan hasil seperti mana yang kita kehendaki. Akta Pilihan Raya haruslah dikemaskinikan supaya ia tidak lagi ada *loophole* yang boleh memberikan ruang untuk apa juga bentuk penyelewengan dan *abuses* semasa proses pilihan raya.

Berhubung dengan ini, saya hendak menyebut satu perkara. Pada amalan kita yang ada pada hari ini, apabila kita hendak mengadakan pilihan raya, maka Perdana Menteri di peringkat pusat ataupun Ketua Menteri ataupun Menteri Besar, menasihati Agong ataupun Raja-raja atau Tuan Yang Terutama di peringkat negeri akan kehendak mereka, tujuan mereka untuk membubarkan Dewan Parlimen ataupun Dewan Undangan Negeri. Saya rasa ini tidak merupakan satu perkara yang adil kerana ini memberikan peluang campur tangan pihak eksekutif atau ketua parti yang memerintah untuk menentukan tarikh pilihan raya.

Saya mencadangkan tiap-tiap tempoh Parlimen itu ataupun Dewan Undangan Negeri hendaklah dicukupkan tempohnya sehingga tempoh lima tahun seperti mana yang diperuntukkan dalam Perlembagaan. Jadi, yang menentukan tarikh pilihan raya adalah SPR, bukan ketua-ketua parti yang memerintah, sebab kalau kita buat begitu, tidak ada ruang untuk mana-mana pimpinan parti yang memerintah untuk menyalahgunakan peluang itu. Saya mengambil contoh pilihan raya negeri yang kesepuluh dahulu, selama dua tahun rakyat dibawa berteka-teki bilakah pilihan raya hendak diadakan. Selama dua tahun itu macam-macam yang kita dengar terutama sekalinya pemimpin parti yang memerintah mengatakan dia menunggu ilham. Akhir-akhir, ilham hendak kahwin baru yang terjadi. Sekarang tempoh Parlimen masih ada kalau tidak silap saya di antara 16 bulan hingga ke 18 bulan, jadi sekarang pun sudah ada teka teki bilakah pilihan raya hendak diadakan.

Jadi untuk kemudahan rakyat, untuk adil kepada semua pihak, pilihan raya hanya diadakan setelah genap tempoh lima tahun Parlimen ataupun Dewan Undangan Negeri itu berjalan. Saya rasa itu mengikut Perlembagaan. Kalau seandainya parti yang memerintah mahu mengadakan pilihan raya lebih awal, mereka mesti meletakkan jawatan dan apabila mereka meletakkan jawatan keseluruhannya, maka kuasa eksekutif tidak ada lagi di tangan mereka. Ini ada kaitannya dengan amalan sekarang di bawah apa yang dikatakan *caretaker government*. Di bawah amalan sekarang, *caretaker government* adalah di bawah parti yang memerintah yang sebenarnya sudah membubarkan Dewan Parlimen ataupun Dewan Undangan Negeri.

Jadi saya mencadangkan, untuk keadilan semua pihak, *caretaker government* tidak seharusnya diletakkan di tangan parti yang sudah memerintah. Sepatutnya apabila sudah dibubarkan Parlimen ataupun Dewan Undangan Negeri, kuasa untuk mentadbir selama masa daripada bubarnya Parlimen ataupun Dewan Undangan Negeri sehinggalah tertubuhnya kerajaan baru, ia hendaklah diserahkan kepada *Chief Secretary to the Government* di peringkat pusat ataupun Setiausaha Kerajaan Negeri di peringkat negeri. Mereka bertanggungjawab langsung kepada Yang di-Pertuan Agong ataupun Raja-Raja ataupun Yang di-Pertua Negeri. Jadi ini mengelakkan salah guna kuasa.



Sekarang kita melihat – tetapi sebelum itu saya hendak bertanya, saya kurang arif tentang undang-undang yang ada di Malaysia ini, di manakah letaknya peruntukan undang-undang yang mengatakan parti yang memerintah setelah Parlimen dan Dewan Undangan Negeri dibubarkan, maka kuasa *caretaker government* itu boleh diteruskan oleh parti yang memerintah? Jadi saya sebagai orang awam saya meminta penjelasan ini. Di mana letaknya dalam Perlembagaan ataupun peruntukan mana-mana yang mengatakan kuasa itu masih lagi di tangan eksekutif yang telah membubarkan Parlimen?

Saya merasa bimbang sebab kalau ini berterusan, bahawa apabila berlakunya pilihan raya, orang-orang yang telah meletakkan jawatan ini, yang sudah tamat tempoh, eksekutif-eksekutif yang telah tamat tempoh termasuk Perdana Menteri, menteri-menteri, ketua-ketua menteri, mereka masih lagi keluar berkempen untuk parti mereka dengan menggunakan kemudahan rakyat, kemudahan kerajaan. Saya rasa itu tidak adil kerana itu memberikan ruang untuk menyalahgunakan kemudahan kerajaan yang dibiayai oleh pembayar-pembayar cukai.

Bagi saya, apabila berlakunya pilihan raya, yang bertanding itu adalah parti lawan parti, kenapa harus adanya agensi-agensi kerajaan digunakan untuk membantu mana-mana parti...

**Tan Sri Datuk Seri Dr. Fong Chan Onn:** Tuan Pengerusi, saya sudah dengarlah, tak payah *lecture* di sini.

**Tuan Haji Zainal Abidin bin Wan Senusi:** Saya tidak *lecture*...

**Tan Sri Datuk Seri Dr. Fong Chan Onn:** Tidak ada *point*. Kita sudah dengar, tidak payah *lecture* banyakkah, *lecture* sedikit boleh. Okey?

**Tuan Haji Zainal Abidin bin Wan Senusi:** Okey. Jadi saya berharap di dalam *reform* yang hendak dibuat ini, perkara ini harus diambil berat untuk mengelakkan ketidakadilan dalam pelaksanaan pilihan raya.

Saya bagi contoh satu sahajalah ya, saya minta maaf. Dalam pilihan raya negeri yang telah lalu, di malam sebelum pembuangan undi, Timbalan Perdana Menteri, Ketua Menteri dan bekas Perdana Menteri, Tun Dr. Mahathir, datang ke kawasan yang saya bertanding. Apa yang berlaku pada malam itu? Dengan menggunakan kuasa eksekutif *caretaker government* yang ada pada Ketua Menteri dan Timbalan Perdana Menteri datang sebagai Timbalan Perdana Menteri, mereka mengadakan satu perhimpunan yang sebenarnya itu adalah kempen pilihan raya tetapi menggunakan kemudahan kerajaan. Pada malam itu – kalau hendak dengar. Pada malam itu diadakan cabutan tiket bertuah untuk orang-orang yang datang. Beribu-ribu orang yang balik membawa basikal, balik bawa periuk nasi, macam-macam. Itu saya rasa satu penyelewengan, satu ketidakadilan. Mengapa ini boleh berlaku adalah kerana mereka masih datang dalam kedudukan mereka sebagai eksekutif, sebagai Menteri.

Jadi tuan-tuan dan puan-puan, satu lagi untuk tambahan itu, penglibatan jabatan-jabatan kerajaan dan agensi-agensi kerajaan di dalam pilihan raya. Saya telah membuat pengamatan ini selama hampir 30 tahun. Saya hendak sentuh satu persatu secara ringkas sahaja. Jabatan-jabatan yang terlibat, Jabatan Penerangan, JASA, Kemas, RELA, majlis-majlis agama menggunakan ustaz-ustaz pergi ke kampung-kampung, ke masjid-masjid, ke surau-surau berkempen untuk Barisan Nasional sedangkan mereka bukan daripada parti yang bertanding. Jadi, ini perlu diubah. Saya rasa kalau ini tidak diubah, jadi *tax payers are paying for a political party in achieving power to win election to achieve power*.

Jadi tuan-tuan dan puan-puan, Tuan Pengerusi dan Ahli-ahli Yang Berhormat, jadi saya rasa sekian, itu sahaja. Sebenarnya kalau masih panjang, boleh saya huraikan di sini tetapi saya memberikan ruang kepada rakan saya, Encik Idris bin Bohari untuk memberikan penerangannya. Terima kasih.

**Tuan Pengerusi:** Terima kasih Tuan Haji, terima kasih. Silakan Encik Idris.

9.56 pg.

**Encik Idris bin Bohari [Individu]:** Terima kasih Tuan Pengerusi. *Assalamualaikum warahmatullaahi wabarakaatuh*, selamat pagi. Saya ada dua pandangan yang perlu saya kemukakan, iaitu pertama ialah permit polis dan kedua ialah mengenai ceramah umum.

Saya fokuskan kepada cadangan pertama saya yang diambil daripada peristiwa pertenggaran dan pergaduhan kecil sewaktu pilihan raya DUN Pantai Damai yang lalu di Kampung Boyan dan di Bandar Baru Rampangi. Kenapa pergaduhan ini boleh berlaku? Perkara ini tidak mungkin boleh terjadi kalau tiada provokasi di antara kedua-dua belah pihak, malahan sifat sengaja pihak berkuasa, polis, yang telah memberikan permit berkempen untuk mengadakan ceramah umum di tempat yang berhampiran terlalu dekat pada masa yang sama dan waktu yang sama.

Perkara ini boleh dielakkan kalau permit yang diluluskan kepada pihak yang terdahulu yang memohon ataupun lebih awal diberikan. Maka itulah untuk menjadikan pengurusan dan perjalanan pilihan raya itu lebih baik, cadangan saya ialah pihak polis hendaklah memberikan permit dengan lebih bijaksana tanpa dilihat oleh pihak pembangkang sebagai kelulusan yang sengaja dilakukan bagi memberikan ruang kemenangan kepada parti pemerintah ataupun BN.

Kedua, mengenai ceramah umum. SPR sebagai badan pelaksana dan yang menguruskan pilihan raya hendaklah diberikan tanggungjawab untuk menyediakan pentas ceramah umum pada setiap parti ataupun calon yang berkempen mengikut giliran malam ataupun masa yang ditetapkan. Cara sebegini akan lebih teratur dan tidak akan menimbulkan provokasi yang tidak sihat. Ini juga mudah dikawal dan rakyat akan pasti selesai dengan cara ini.

Kalau ini boleh dilakukan, maka tidak timbul permit polis diperlukan dalam masa pilihan raya. Memohon permit ketika pilihan raya merumitkan kerana kelulusan hanya diketahui selepas jam tiga atau empat petang pada hari itu. Kita sedar aktiviti semasa pilihan raya adalah berkempen, berhimpun, berkumpul setiap waktu dan waktu. Itu sahaja, terima kasih.

**Tuan Pengerusi:** Terima kasih Encik Idris. Tuan Haji ada hendak tambah lagi?

**Tuan Haji Zainal Abidin bin Wan Senusi:** Ada sedikit lagi.

**Tuan Pengerusi:** Sila-sila.

**Tuan Haji Zainal Abidin bin Wan Senusi:** Terima kasih Tuan Pengerusi. Liputan media yang adil dan seimbang. Ya memang sudah banyak perkara ini disentuh oleh mungkin pemberi pandangan yang lain, tetapi saya hendak minta begini supaya keadilan dapat dilaksanakan di dalam pilihan raya di Malaysia. Saya hendak sentuh begini. TV1, TV2, TV3 dan stesen-stesen radio adalah agensi-agensi kerajaan yang dibiayai oleh *tax payers*. Jadi tugas mereka sewaktu pilihan raya mereka tidak boleh *bias*. Kalau media-media massa yang bebas itu, yang dipunyai oleh parti-parti politik, itu terserahlah kepada mereka untuk cakap apa. Tiap-tiap stesen radio dan TV yang dibiayai oleh kerajaan ataupun wang rakyat ataupun *tax payers money*, mereka tidak boleh melibatkan diri dalam proses pilihan raya.

Ini kerana kita melihat semasa pilihan raya, apa yang dikeluarkan oleh stesen-stesen TV dan radio yang saya maksudkan tadi, mereka lebih lagi daripada parti politik sedangkan mereka bukan sebahagian daripada parti politik itu. Sebab itulah ada hubung kait dengan apa saya katakan tadi tentang *caretaker government*. Kalau masih sistem yang sekarang ini iaitu *caretaker government* itu masih lagi di tangan parti yang memerintah semasa pilihan raya, maka sebab itulah penyalahgunaan kuasa media-media ini boleh berlaku. Itu sahaja Tuan Pengerusi, terima kasih.

**■1000**

**Tuan Pengerusi:** Terima kasih Tuan Haji dan juga kepada Encik Idris. Jangan pergi dahulu. Saya hendak mengucapkan terima kasih kerana kita ada di sini wakil daripada polis. Sudah tentu wakil daripada polis boleh mengambil perhatian tentang komen tadi itu, tentang permit polis, ceramah dan seterusnya semasa pilihan raya.

Tuan Haji juga telah mengemukakan tiga cadangan yang menarik, kita ambil ingatan sebab kita telah mendengar banyak cadangan-cadangan yang hampir serupa tetapi cara yang berbeza sedikit. SPR menentukan tarikh pilihan raya, itu semua satu perkara yang kita ambil ingatan. Terima kasih Tuan Haji dan Encik Idris.

Yang ketiga, UNIMAS. Ada dua orang wakil ya. Encik Andrew Charles Bernard Aerra dan seorang lagi Encik Mohd Faisal Syam bin Abdol Hazis. Selamat datang. *Please introduce yourself and go ahead.*

*[Saksi-saksi individu mengambil tempat di depan Jawatankuasa]*

**10.02pg.**

**Dr. Mohd Faisal Syam bin Abdol Hazis [Individu]:** Terima kasih Tuan Pengerusi. Saya Dr. Mohd Faisal Syam Abdol Hazis dan rakan saya Profesor Madya Dr. Andrew Aerra. Kami dari Jabatan Politik dan Hubungan Antarabangsa, Universiti Malaysia Sarawak. Kehadiran kami pada hari ini adalah mewakili golongan akademik secara umumnya bukan mewakili universiti yang mana kami bertugas dan kami telah menjalankan banyak kajian mengenai politik-politik Malaysia, pilihan raya dan sebagainya. Jadi itu kapasiti kami pada hari inilah.

Kami akan membentangkan empat kertas cadangan yang telah disediakan. Saya sendiri akan membentangkan satu dan Dr. Andrew akan membentangkan tiga lagi kertas kerja. Kertas kerja saya telah juga dibincangkan sedikit oleh Tuan Haji Wan Zainal tadi tetapi saya lebih fokus kepada *caretaker government* semasa proses pilihan raya. Izinkan saya mula Tuan Pengerusi.

Dalam kebanyakan negara demokrasi – walaupun saya sediakan kertas kerja dalam bahasa Inggeris tetapi saya olah semula dalam bahasa Malaysialah ya. Dalam kebanyakan negara demokrasi, pilihan raya adalah satu proses untuk kita menilai parti-parti politik pihak pemerintah yang telah dipilih tetapi ada kalanya dalam proses pilihan raya, proses keadilan pilihan raya yang boleh diragui itu akan menjejaskan proses tersebut. Dalam konteks Malaysia dan juga Sarawak, saya akan bincang secara lebih khusus kerajaan ataupun parti yang memerintah akan menggunakan *public resources* untuk dijadikan sebagai medium untuk berkempen. Bagi saya itu boleh menjejaskan keadilan proses pilihan raya dan juga keupayaan pengundi-pengundi untuk membuat keputusan secara bebas, secara objektif itu boleh terjejas.

Dalam konteks Sarawak Tuan Pengerusi, saya nyatakan di sini ada satu *table* dimasukkan dalam kertas cadangan. Ini juga dipetik dari satu artikel yang saya tulis dalam Akademika, satu jurnal di UKM. Ini melihat menyusur jenis-jenis projek baru yang telah dijanjikan oleh kerajaan yang memerintah sejak dalam pilihan raya tahun 1970 sehingga tahun 2006. So, dalam setiap proses pilihan raya itu ada projek-projek baru dan ini adalah diberi khas atas kapasiti parti yang memerintah itu menggunakan sumber-sumber kerajaan.

Bagi saya untuk mengatasi penyalahgunaan *public fund* ini, saya mencadangkan supaya *caretaker government* diwujudkan. Ini bukan adalah suatu perkara yang baru. Di kebanyakan negara-negara demokrasi moden sudah banyak digunakan dan diadaptasi.

Contoh-contohnya seperti Bangladesh, Netherland, New Zealand dan Australia telah menggunakan konsep yang sama. Dalam konteks *caretaker government* ini, ianya akan memerintah secara sementara tetapi berbeza dengan cadangan asalnya tadi. Bagi saya siapa yang memerintah itu adalah tidak penting. Apa yang pentingnya ialah *code of conducts* yang mengawal apa yang boleh dilakukan oleh *caretaker government*.

Dalam beberapa negara, kerajaan yang memerintah itu akan terus memerintah tetapi kapasitinya sudah berubah daripada kerajaan kepada *caretaker government*. Contohnya seperti Bangladesh yang menjadi pihak yang berkuasa semasa tempoh kerajaan memerintah itu adalah *chief judge*. Kalau di Australia dan New Zealand adalah kerajaan yang sedia ada.

Dalam kertas cadangan ini, saya nyatakan bahawa itu adalah bagi saya tidak penting. Apa yang penting ialah *code of conducts* yang mengawal apa yang boleh dilakukan oleh *caretaker government*. Berikut adalah cadangan-cadangan yang saya nyatakan secara ringkasnya dalam kertas kerja ini.

Pertamanya, *caretaker period* itu akan bermula daripada pembubaran sama ada Parlimen atau Dewan Undangan Negeri. Maka tempoh itu bermula dan tempoh itu akan berakhir setelah keputusan pilihan raya itu telah jelas – ada pemenangnya sementara proses kerajaan baru mengambil alih. So, tempoh itu akan dipanggil sebagai *caretaker period*.

Bagi saya, dalam kertas cadangan ini kita nyatakan bahawa *the ordinary day-to-day operations of the government* dalam *caretaker period* itu akan berjalan seperti biasa tetapi apa yang boleh dilakukan oleh *caretaker government* itu dikawal oleh *a set of code of conducts* ini tadi. Pada asasnya, prinsipnya ini adalah untuk memastikan parti yang memerintah tidak menggunakan *public fund* dan juga *public resources* sebagai *advantage* semasa dalam proses pilihan raya. Dalam perkara yang keempat ini saya nyatakan empat ciri-ciri penting dalam *code of conduct*:

- (i) tidak ada *major policy decisions* dibuat oleh *caretaker government*; dan
- (ii) *significant appointments* tidak perlu dibuat dalam masa *caretaker period*;

**Tan Sri Datuk Seri Dr. Fong Chan Onn:** Tuan Pengerusi, boleh saya bertanya sedikit. Terima kasih Dr. Mohd Faisal. Saya ada satu soalan tentang *caretaker government*. Memang inilah di mana kita sekarang ini tetapi saya hendak bertanya sedikit. Kalau dalam tempoh Parlimen sudah *resolve* sebelum keputusan, kalau ada satu kejadian yang besar misalnya tsunami, perang atau sebagainya. Itu satu contoh. Pada tempoh konfrontasi dengan Indonesia memang ada, dalam tempoh itu memang ada keputusan yang perlu dibuat. Ini adalah *major decision*. Kalau terjadi tsunami, itu adalah *major decision*. Jadi apa yang boleh dibuat dalam tempoh itu?

**Dr. Mohd Faisal Syam bin Abdol Hazis:** Kalau ikut apa amalan negara lain seperti Australia contohnya. Tujuannya seperti ini Datuk ya. Kalau dalam konteks penggunaan kerajaan memerintah, apa yang dilakukan itu boleh membawa kesan kepada keputusan pilihan raya itu sebenarnya yang cuba hendak dielak. Akan tetapi kalau ada sebarang keputusan penting yang melibatkan kepentingan nasional yang perlu diambil, saya rasa *caretaker government* itu masih boleh mengambil keputusan bagi kebaikan negara dan sebagainya. Saya rasa prinsip asasnya adalah supaya *caretaker government* tidak menggunakan *public resources, public fund* itu untuk tujuan *advantagenya* di dalam konteks pilihan raya.

**Tuan Pengerusi:** Saya hendak tanya di Australia dan New Zealand ini macam mana *caretaker government*nya, adakah berbeza dengan negara lain?

**Dr. Mohd Faisal Syam bin Abdol Hazis:** Ya, untuk makluman Tuan Pengerusi, kalau di Australia, dia menggunakan *conventions*. Dia tidak ada *code of conducts*. Apa yang saya cadangkan di sini *code of conducts which in a way* bersifat *legal binding* sedikit. Ini sebab pengalaman di Australia, dia menggunakan *convention*. *Convention* ini adalah bukan satu undang-undang yang tidak bersifat *legal binding* dan menjadi masalah sekarang ini ada *caretaker government* yang tidak mengikut *conventions*. *Convention* ini adalah persetujuan secara umum antara parti memerintah dan pihak-pihak pembangkang.

Sudah ada kecenderungan untuk tidak mengikut *convention* itu dan ini menimbulkan masalah. Akhirnya ada *caretaker government* pun, jadi *meaningless*.

**Tan Sri Datuk Seri Dr. Fong Chan Onn:** Terima kasih. Itu satu *observation* sahaja. Jadi, Dr. Mohd Faisal tidak bersetujulah dengan amalan sekarang di Amerika Syarikat di mana *current president* itu apabila berkempen pakai Air Force<sup>1</sup>, pakai jet, pakai helikopter, semua dipakai. Dr. Mohd Faisal pun tidak bersetujulah dengan amalan di Amerika Syarikat?

**Dr. Mohd Faisal Syam bin Abdol Hazis:** Bagi saya perlu ada *boundary* yang jelas antara apa itu parti punya *resources*.

**Tan Sri Datuk Seri Dr. Fong Chan Onn:** Begitulah dengan amalan di Amerika Syarikat. Memang sekarang tidak ada *boundary* di sana. Dia pakai semua.

**Dr. Mohd Faisal Syam bin Abdol Hazis:** Di Australia, *caretaker government* adalah *government* yang ada. Bukan badan lain, tidak seperti Bangladesh. Yang dia panggil *chief judge* itu akan menjadi *advisor* kepada *government* dan dia yang akan membuat keputusan yang penting. *Thank you*.

**Tuan Pengerusi:** Ya, Dr. Andrew.

10.12 pg.

**Prof. Madya Dr. Andrew Charles Bernard Aerra [Individu]:** Terima kasih Tuan Pengerusi. Selamat pagi, salam sejahtera kepada Ahli-ahli Yang Berhormat yang berkhidmat, tuan-tuan dan puan-puan. Pagi ini saya ingin membentangkan tiga kertas kerja cadangan. Saya akan bermula dengan yang pertama iaitu *mal-apportionment* berkenaan *gerrymandering of constituencies* atau dalam bahasa Malaysia, ketidakseimbangan dalam nilai undi antara kawasan-kawasan pilihan raya. Tuan Pengerusi, kerana saya telah sediakan kertas kerja cadangan saya dalam bahasa Inggeris, izinkan saya teruskan dalam bahasa Inggeris.

**Tuan Pengerusi:** Silakan.

**Prof. Madya Dr. Andrew Charles Bernard Aerra:** Terima kasih Tuan Pengerusi. *On the question of mal-apportionment of constituencies* Tuan Pengerusi, *the key principle of democracy is that one person has one vote and this vote has to have the same equal value whether you are voting in Perlis or in Johor Bahru or in Sandakan, the vote must have equal value. Therefore, your constituencies must be divided up in such a way that there is no such great imbalance such that one vote say in the rural part of the country is worth more than a vote in an urban part of the country. Now, when Malaysia was formed in 1963 and when Malaya got its independence in 1957, the Reid Commission made sure that there was not much imbalances in this weightage of the value of the vote. However, after 1973 after constitutional amendments, this was abolished. So, today in Sarawak if you look because I look at the tables of Sarawak only, if you look at Sarawak you have 31 Parliamentary constituencies, 71 state constituencies.*

*But if you look at Table 1 in your paper, you will find that Ba'kelalan has 6,958 voters whereas that is the smallest state constituency in Sarawak.*

*Pending has 29,488 voters. So, what this means is that a vote in Ba'kelalan is worth five times the vote of Pending. One vote in Ba'kelalan is worth five votes in Pending. One voter has five times the value of the vote than one in Pending. The same applies if you look in an urban comparison. This is very strange. If you look at Satok, Satok has 10,431 voters compared to Padungan, just next door to it, 23,576 voters. So this is a case where a voter in Satok has twice the value of a vote in Padungan.*

*The same applies in parliamentary constituencies. Voter in Lawas has 15,717 voters. The largest parliamentary constituency in Sarawak is Stampin – 67,257 voters. This means a voter in Lawas five times against the value of the vote compared to someone in Stampin. Petra Jaya over here – 14,533 voters whereas Stampin 67,257. This means a voter in Petra Jaya has 1.66 times the value of a vote compared to a next door neighbor in Stampin.*

■1015

*So there is a serious mal-apportionment in the value of the vote. This undermines the principle of one person one vote of equal value no matter where they are. We cannot go according to geographic size. Parliament represents people, we don't represent empty pieces of land. We don't represent jungle, we represent people. Therefore, you cannot take size as the main criteria. You have to take human being as criteria when we look at representation of the value of the vote.*

*So, the two recommendations, this issue of mal-apportionment of constituencies and the subsequent gerrymandering of the constituencies is an issue that affect the whole country, Tuan Pengerusi. That is not only affect Sarawak. So, as an academician in the field of political science, I urge the Parliamentary Select Committee on Electoral Reforms to strongly recommend the formation of the Royal Commission of Inquiry to look at the issue of mal-apportionment of votes. This was something that the Select Committee recommended for the case of Sabah where the whole question of the 'project IC' you recommended Royal Commission. I think the issue of mal-apportionment is in an equally important issue and that requires Royal Commission of Inquiry.*

*Secondly, I urge the PSC to recommend that Parliament be brave to adopt across party constitutional amendment to restore the powers of independent to the Electoral Commission. At the moment, the Electoral Commission answers to the Cabinet, not to Parlimen. This cannot go on, it has to return to Parliament. They have to be independent and they should return to Parliament.*

*My recommendation is in the piece of paper. Thank you for that point.*

**Tuan Pengerusi:** *Thank you Dr. Wait, wait. Yang Berhormat Hulu Selangor first.*

**Tuan P. Kamalanathan a/l P. Panchanathan [Hulu Selangor]:** *Thank you very much, Tuan Pengerusi. Dr. Faisal, just satu clarification sahaja. Dr. Faisal, are you here today representing the Department of Politic and International Relations Universiti Malaysia Sarawak or your representing yourself?*

**Dr. Mohd Faisal Syam bin Abdol Hazis:** *Myself.*

**Tuan P. Kamalanathan a/l P. Panchanathan:** *Yourself. Thank you.*

**Prof. Madya Dr. Andrew Charles Bernard Aerra:** *If I can clarify Tuan Pengerusi, we are representing ourselves as academician in the field of political science.*

**Tan Sri Datuk Seri Dr. Fong Chan Onn:** Tuan Pengerusi, I just throw in one short question and then Yang Berhormat Kapit I am sure have a lot of question. Dr. thank you for coming and spending your valuable time with us, thank you. We appreciate that. Just one question on your mal-apportionment and your basic principal of one Malaysian one vote. Yesterday we heard and also in Sabah we heard, that because of the Malaysia 20 point agreement, that is a static understanding that the Sabah and Sarawak should have at least one third the number of parliamentary seats, if we summed the total number of seats. Given the present population size, the population of Sabah and Sarawak does not constitute one third. So, how do we get out of this dilemma with your basic principal that one man one vote?

**Prof. Madya Dr. Andrew Charles Bernard Aerra:** Thank you Dr. Fong. We can respect the 1963 accord and we can argue against it. The argument is, do we respect something that was constitutionally agreed to 47 years ago, 48 years ago? Or, do we accept the fact that these things can evolve? But, that is an academic argument. The compromise is to respect the 33% weightage of the number of seat. But then, to look at the way the votes are apportioned in each constituency, between constituencies. We don't even have to talk about Sabah and Sarawak. Just look at the seats in Sarawak, and they are all imbalance already. So, we can fix that balance. We do not have to touch the issues of the Constitutional agreement of 1963. We just have to fix the balance such the rural seats have about the same weightage.

The suggestion is that, you take an average. If you take an average of voters in Sarawak for example, we have 980,000 voters in Sarawak, we have 71 seats. You take general average, it will give us about 13,800 voters per seats. Now, from that number, let us not go beyond, let have 20% band from this average. So, if you have to exceed 13,000, lets go 10% up and if you have to reduce, if you have to have less than 13,000, then you go 10% down. You have a 20% band and that is the one that guide on how you cut your constituency in Sarawak and Sabah.

**Tuan Loke Siew Fook:** Mr. Chairman, I just have one follow up question for Dr. Are you suggesting that the rural weightage within the state, I mean the constituency of – the weightage? It would be different value among state because this is something that we are looking and studying. If you take a rural weightage across the country, then you never have a balance, because, I mean the condition or the situation in Sarawak is much different from Selangor. For example, if you take a 15% or 20% weightage between Selangor and Sarawak, you never have the number of seat that we are talking about in Sarawak. So, are you suggesting that the weightage is within the state?

**Prof. Madya Dr. Andrew Charles Bernard Aerra:** I think these two different issues ya. I am actually suggesting that the Royal Commission of Inquiry should look on both issues. One, you have to look at the apportionment of voter's weightage across state boundaries. That is something for the work of the Royal Commission. But, just on the basis of Sarawak itself, within the state, there is mal-apportionment. And all you have to do is take an average. You can take the number of voters in Sabah. Let's say the number of voters in Sabah is 1.2 million. Then, you divide by the number of seats. Since we already have a set number of seats in Sabah, you will get a certain average and use that average because Parliament represents people, Parliament does not represent empty land. Therefore, you can take 10% band at the top and 10% band at the bottom. Make a 20% broad range and that is where you have an average where you cap your number of voters per constituency that way. And therefore, that allows for Parliament of a state constituency really to give live to this idea that one person one vote, equal weightage no matter where you lives.

**Datuk Alexander Nanta Linggi [Kapit]:** Tuan Pengerusi, while I represent very rural constituency in Kapit, I can accept the argument ideally what Dr. Andrew has said. I can accept that argument. Only thing I want to ask you is, do you realize how difficult it is to serve a very rural constituency where people live in a very spread out settlement, right? We should represent people, not empty vast of land. Fair enough, but the people who are populating those vast of land, you have to get to them, right? Well, it is fine if you talk about issues like corruption, other national issues, but then, we cannot run away from the fact that, to look after those people, you do get to them every now and then.

So, I would say that in the case of Sarawak, Sabah and any other area state even in Semenanjung where they are people and those people are actually native who are really poor people who needs close attention. I think in this case, I would raise my case that, while we can take it as an ideal situation, democratic principal equal values of votes, I think we also cannot turn our head too far away from looking at how we are to serve this people who live in the rural area.

Now, I am here Tuan Pengerusi, is just to throw this idea to Dr. Andrew. I want his opinion on how best do we serve these areas or how best do we serve this people? You see, politic – okay, we form a government through the number of seat, but I am for one as a wakil rakyat, I would think that how best do I serve this people in the scenario, in the situation where the areas is so difficult to access.

**Prof. Madya Dr. Andrew Charles Bernard Aerra:** Thank you Yang Berhormat. The answer is very simple. You cannot link the issue of servicing a constituency to the issue of mal-apportionment and how you cut a constituency in terms of delineate. You cannot link it. But what Parliament can do – and this is where Parliament has a very important role, you make laws, you pass budget. So, Parliament should allocate, and I am very sorry if you cannot see clearly, it is in point number one. My answer is in point number one, footnote number one. Parliament should allocate sufficient funds for rural Members of Parliament to service their constituencies. This is their right, they are taxpayers. Parliament's duty is to service the constituency and all rural MPs should be given sufficient allocation, irrespective of whichever party they are represent. This is the case in Britain. We follow Westminster. British Parliamentarian go back to their constituency every weekend, paid by the British tax payers and they service their constituency. So, there should be sufficient funds allocated, travel funds to the Members of Parliament to service their constituency.

**Tan Sri Datuk Seri Dr. Fong Chan Onn:** Dr. Andrew, I think the example of Britain, with the number of scandal involving abuse of parliamentary funds for the last two or three years, I think would not be a... [Ketawa] Good example lah. I do not want to say anything. We don't pass the judgment...

**Prof. Madya Dr. Andrew Charles Bernard Aerra:** Sorry, I am disagree with you Dr. Fong. I think there is enough scandal in our own cupboard. Let's not...

**Tan Sri Datuk Seri Dr. Fong Chan Onn:** That different issue. We are arguing on this point lah.

**Prof. Madya Dr. Andrew Charles Bernard Aerra:** But this point is clear.

**Tan Sri Datuk Seri Dr. Fong Chan Onn:** I do not want to take an issue with you. Generally, we agree that basic principle of one man one vote. It is a universal principle. I mean, it is a motherhood statement. Who can disagree with that, that one man – I mean, the basic foundation of democracy is that our mind upon free and equal. Who can argue with that? But then, given the articulation of Kapit and all that, that people like Orang Asli, Penan and so on, how best do we look after their interest within the basic principle of one man one vote and that is it? That is the issue.



**Prof. Madya Dr. Andrew Charles Bernard Aerra:** *I just answered the question, that you need to have – a government or Parliament must give sufficient allocation to rural Members of Parliament. And they then, with your sufficient allocation, you can appoint your assistant, you can make your frequent travel. There is no barrier of distance. I mean, look at Alaska, since we cannot talk about Britain, let's talk about Alaska. Alaska constituency get service and their congressman fly back on the public purse. Look at Australia. So, these are large country. Look at India. So, I think the issue cannot be linked. You have to delink this issue. Parliament must give sufficient allocation to Members of Parliament to service a constituency.*

**Dr. Mohd. Hatta Md. Ramli:** *Mr. Chairman. Thank you Dr. I think the common issues that I have always been brought up to counter this suggestion of to come back to proper apportionment is what Yang Berhormat Kapit has brought up. I serve in area of relatively rural in Kuala Krai, and if you go by the current practice, it is no wonder there is difficult to cover with whatever fund that we have. In fact if – you have not suggested that, I would suggest that. Each Parliament constituency should be considered according to the size, so that the Members of Parliament can serve it like any other parliamentarian. For those in the urban area, I think if you follow the current practice of Malaysian politic where rakyat will come to you ask this and that, if you have 90,000 voters in your area, you can see the amount of money that could be needed if you want to say belanja minum teh pagikah. So, it is equally difficult. What I am saying is that, your suggestion is very pertinent and the solution that the problems of the MPs must be look through the public purse, I think it is very appropriate and would be a solution to that. There is no mental block when you talk about apportionment. Thank you.*

■1030

**Prof. Madya Dr. Andrew Charles Bernard Aerra:** *Tuan Pengerusi, there is no question on this. I have two more papers very quickly. The second one is automatic registration of voters and a reduction in the voting age.*

*Tuan Pengerusi, Malaysian become legally -They reach a legal age at the age of 18. They can get married at 18; they can enter to legal contract whether is a business contract, whether a loan contract at the age of 18. But we do not allow them to choose the government which is also a contract, a social contract between the voter and the government until they are 21. So they have this big gap here Tuan Pengerusi. In the whole of South East of Asia, the only other country with Malaysia that put the voting age at 21 is Singapore. Indonesian East Timor has voting ages at 17. Burma, Thailand, Laos, Vietnam, Cambodia, Philippines is at age...*

**Tan Sri Datuk Seri Dr. Fong Chan Onn:** *What about Britain?*

**Prof. Madya Dr. Andrew Charles Bernard Aerra:** *Ya?*

**Tan Sri Datuk Seri Dr. Fong Chan Onn:** *What about Britain? What are the voting age in Britain?*

**Prof. Madya Dr. Andrew Charles Bernard Aerra:** *Britain is I think 18 also, if I am not wrong.*

**Tan Sri Datuk Seri Dr. Fong Chan Onn:** *Is it? So you check and see. I don't think so.*

**Prof. Madya Dr. Andrew Charles Bernard Aerra:** *So now, we are going to use the example of Britain, 21?... [Disampuk] Oh, alright. But since we are in Asean, why not follow the example of Asean. Let's take the lead. So if the rest of Asean is at 18, Indonesian East Timor is 17, unless we want to follow a Singapore at 21.*

*Since we can enter legal contracts at 18, why not we enter into a legal agreement with the government at 18 and also alternative registration Tuan Pengerusi? There is no reason for the Election Commission to say they cannot link the computer system to the National Registration Department.*

*Today, this is the 21<sup>st</sup> century, internet works very well. All we have to do is, the moment somebody renews the IC at the age of 21 or at the ages of 18, they automatically get registered into the electoral roll. When somebody goes and registers a death, then that person automatically close into the electoral roll and get's it deleted. This is very simple. It's actually a very simple electronic arrangement. This can be done. There is no reason not to do it Tuan Pengerusi. Thank you.*

**Tuan Pengerusi:** *Thank you very much. Is there anything to add on this point? Is that all?*

**Prof. Madya Dr. Andrew Charles Bernard Aerra:** *At the last paper Tuan Pengerusi.*

**Tuan Pengerusi:** *Yes.*

**Prof. Madya Dr. Andrew Charles Bernard Aerra:** *The duration of the campaign period currently is eight days. I would like to suggest. I think I like the idea of actually a month but since the argument is a month maybe too long, so 21 days might be a good three weeks Tuan Pengerusi. Now, why is it important? Because in the short elections campaign period Tuan Pengerusi, what we have observe from our research is that people don't do much campaigning. It becomes a beauty contest. They come and tell how good they are compared to the rest of the opposition or the competition. So I am good, everybody is bad. Then the other things that we are observed instead of talking about party manifestos, your campaign, track records, your campaign promises, there is no discussion about this. What they do is they come and just distribute money, distribute project.*

*Now, this defeats the whole idea of any elections Tuan Pengerusi. Any elections is to evaluate track record performance as well as to evaluate what is being promise and how you intend to continue bringing good government improving the economy, improving the state of democracy in the country. So all these are not discussed Tuan Pengerusi. And this is also because media is very much – I am afraid the mainstreams media. It is own by too many interests too close to the centre of power and also they do not present free, fair and equal access to the opposition.*

*So I think this need to be looked at recommendation need to be made by the PSC on electoral reform. One, we need to extend the time frame of the elections campaign. So that people can really evaluate for all the political parties competing as well as the candidates. Everyone needs to be evaluated even the opposition. Some of the opposition candidates may not be really viable and then again some of governing party candidates may also not be viable. So this needs to be evaluated. This can only be evaluated if we have a free, fair media that allows equal access to everybody. Thank you Tuan Pengerusi. And those are the recommendation.*

**Tuan Pengerusi:** *Thank you very much Dr. Thank you very much for your time and we appreciate it.*

**Prof. Madya Dr. Andrew Charles Bernard Aerra:** *Thank you very much.*

**Tuan Pengerusi:** *Ya, nombor empat ini seorang individu, Encik Jeguk anak Ngamo. Sila Encik Jeguk anak Ngamo. I hope my pronunciation is right.*

*[Saksi Individu Encik Jeguk anak Ngamo mengambil tempat di depan Jawatankuasa]*

**10.35 pagi.**

**Encik Jeguk anak Ngamo [Individu]:** Terima kasih Tuan Pengerusi. Salam sejahtera dan salam 1Malaysia. Yang Berhormat Tuan Pengerusi, Ahli-ahli Yang Berhormat, Datuk-Datuk, Datin-datin, Tuan-tuan dan Puan-puan yang saya hormati sekalian. Nama saya Jeguk anak Ngamo. Beralamat di Kuching. Mengundi di Parlimen Mambong dan DUN Benguk, di Daerah Bau di kampung saya sendiri.

Terlebih dahulu saya mengucapkan tahniah kepada SPR kerana berjaya melaksanakan proses demokrasi yang sihat di Malaysia amnya dan di negeri Sarawak khususnya. Kita tidak boleh nafikan bahawa demokrasi cukup sihat di Malaysia dan di Sarawak. Ini kerana pembangkang pun boleh menakluki beberapa negeri. Orang muda yang cukup mentah dalam politik pun boleh menang. Orang yang cukup pengalaman dalam politik, bekas menteri pun boleh kalah.

Jadi ini menunjukkan bahawa demokrasi di Malaysia memang wujud, memang ada, memang betul cuma perlu diperbaiki kelemahan-kelemahan yang ada. Kita harap Jawatankuasa ini akan mengambil dan mencadangkan kepada pihak yang berwajib cadangan-cadangan pada hari ini.

Pagi ini saya datang bukan untuk mewakili PBB walaupun saya Setiausaha PBB Cawangan N.16 Ngok. Ya, Ketua Cawangan saya adalah Yang Berhormat Timbalan Menteri Pelancongan, Dato' Dr. James Dawos Mamit. Akan tetapi hari ini saya bukan wakil PBB, saya wakil saya sendiri. Wakil pengundi dan juga wakil tenaga kerja yang bekerja semasa pilihan raya-pilihan raya yang lepas. Jadi ada 10 cadangan yang saya akan kemukakan dari mesyuarat yang akan saya ajukan. Untuk maklumat SPR, saya adalah Penolong Pendaftar Pengundi juga.

Cadangan yang pertama iaitu mohon cuti umum semasa pilihan raya. Walaupun hari mengundi selalunya berlaku pada hari Sabtu, di mana penjawat awam tidak bekerja namun rakan mereka di syarikat swasta tidak bernasib baik kerana perlu bekerja. Hari mengundi hanya berlaku lima tahun sekali. Justeru, adalah wajar diisytiharkan cuti awam untuk memberi peluang dan masa yang secukupnya kepada pekerja syarikat swasta untuk turun mengundi.

Cadangan nombor dua, cadangan pendaftaran pemilih ikut kemahuan dan niat pemohon. Saya berada di sini semalam satu hari untuk melihat pembentang-pembentang mengemukakan soalan yang sama. Akan tetapi hari ini saya ingin menambah perkara ini. Ramai penduduk kampung sudah berhijrah ke bandar dan mempunyai alamat dan MyKad di bandar, tempat dia tinggal macam saya sendiri. Kemahuannya adalah untuk mengundi di kampungnya sendiri. Namun, sekiranya dia mendaftar diri sebagai pemilih, maka beliau akan mengundi di daerah yang terdekat dengan alamat beliau tinggal. Contohnya isteri sayalah. Perkara ini menyebabkan ramai yang layak untuk mendaftar tetapi enggan mendaftar. Pengalaman ini saya sudah lalui. Sebagai Penolong Pendaftar, saya sudah lalui perkara ini tiap-tiap hari, tiap-tiap minggu, tiap-tiap bulan. Penduduk seperti di atas seharusnya diberi haknya iaitu hak untuk memilih tempat mengundi.

**Tan Sri Datuk Seri Dr. Fong Chan Onn:** Tuan Jeguk, saya minta sedikit. Tadi kita dengar prinsip seorang satu undi. Kita juga dengar di tempat di Sarawak, tempat-tempat bandar itu ramai pengundi. Jadi berasaskan kepada cadangan Tuan Jeguk, kerana ramai keluar dari kampung bekerja di Kuching misalannya. Cadangan Tuan Jeguk ialah mereka mesti berdaftar undi di kampung bukan undi di Kuching.

**Encik Jeguk anak Ngamo:** Dia daftar mengikut di mana dia hendak mengundi. Walaupun dia orang kampung, sekiranya dia hendak mengundi di Kuching, biarlah ikut alamat dia. Itu tidak menjadi masalah.

**Tan Sri Datuk Seri Dr. Fong Chan Onn:** ...Itu ialah ramai orang keluar dari kampung ke Kuching. Jadi, kalau dia undi di Kuching sebagai *proportion*, dia hilang *proportion* undi di kampung itu hilang dari segi *weightage*... Eh, *proportion* undi di bandar hilang dari segi *weightage* ini dari segi *argument*. Jadi bagaimana kita boleh keluar dari dilema tersebut?

**Encik Jeguk anak Ngamo:** Ikut niat orang yang memohon untuk mendaftar. Walaupun dia orang kampung, dia hendak mendaftar dan mengundi di pasar biarlah itu tidak menjadi masalah.

**Datuk Alexander Nanta Linggi:** Kalau boleh saya sedikit masuk. Ini tadi saudara Jeguk kata senario di mana seseorang itu dia masih hendak mengundi di kampung dia.

**Encik Jeguk anak Ngamo:** Betul.

**Datuk Alexander Nanta Linggi:** Akan tetapi dia perlu bekerja di Kuching dan beralamat di Kuching..

**Encik Jeguk anak Ngamo:** Betul.

**Datuk Alexander Nanta Linggi:** Yang mewajibkan beliau mendaftar di Kuching. Akan tetapi kalau ikut kehendak dia, dia mahu mengundi di kampung. Jadi cadangan ini untuk apa? Untuk membolehkan macam dahululah, membolehkan dia walaupun beralamat MyKad di Kuching...

**Encik Jeguk anak Ngamo:** Ya.

**Datuk Alexander Nanta Linggi:** Akan tetapi boleh mendaftar untuk mengundi di kampung.

**Encik Jeguk anak Ngamo:** Betul.

**Datuk Alexander Nanta Linggi:** Itulah sebenarnya.

**Encik Jeguk anak Ngamo:** Betul.

**Datuk Alexander Nanta Linggi:** Jadi ini ada sedikit sebanyak berkaitan dengan mengapa juga bilangan ataupun jumlah pengundi di luar bandar berkurangan.

**Encik Jeguk anak Ngamo:** Betul

**Datuk Alexander Nanta Linggi:** Misalnya di kawasan saya di Kapit. Ramai penduduk di Sungai Ketibas, di Daerah Song sebenarnya menetap di Sibul sebab bekerja di Sibul, di Perumahan Sibul Jaya. Saya telah mengesahkan mereka. Ramai di sana sebab terpaksa mengikut alamat di dalam kad mereka. Jadi tidak dapat mengundi di Kapit. Oleh kerana itu jumlah pengundi di Kapit tidak dapat meningkat. Kalau ditanya, mereka masih mahu sebab mereka ini Orang Iban, dia selalu balik ke kampung. Terima kasih.

**Encik Jeguk anak Ngamo:** Masalah dia senang dia tukar kad dia kepada alamat di kampung dan masalah lain pula yang akan timbul kerana dia perlukan alamat di Kuching untuk urusan lain. Itu masalah dia. Orang-orang di bandar ini saya bercakap tentang Bidayuh, Bengoh dan Parlimen Mambonglah sebab saya yang pergi kawasan. Mereka walaupun bekerja di bandar tetapi mereka terlibat dengan JKK. Mereka daftar diri dengan JKK, mereka terlibat dengan gotong-royong di kampung. Ini sebab dia tahu suatu hari nanti apabila dia habis kerja di Kuching, mereka akan balik ke kampung. Ada juga yang memiliki dua rumah. Satu rumah di bandar, satu rumah di kampung. Macam banglo juga di kampung. Inilah yang saya hendak kemukakan.

Jadi, untuk menyelesaikan masalah ini senang sahaja. Kita mohon, tidak perlu tukar IC sebab tukar IC memerlukan RM10. Orang kampung pun cakap mahal. Satu ketika dahulu dia panggil saya *sponsor* 30 orang, RM300 macam mana mahu *sponsor*? Mahu tukar IC sahaja. Jadi surat pengesahan dari ketua kaum atau penghulu yang menyatakan bahawa pemohon itu berasal dari kampung itu atau pengesahan melalui sijil kelahiran beliau tetapi walau bagaimanapun ramai juga anak-anak kampung ini, sijil kelahirannya di Normah, di Timberland di Kuching pun tidak sesuai atau pengesahan melalui surat perkahwinan bersama-sama dengan slip pendaftaran SPR yang menunjukkan suami atau isteri, beliau adalah pengundi di kampung tersebut.

■1045

Contohnya saya sendiri, isteri saya dari Kampung Bais, Serian, saya dari Kampung Bijuray, tetapi saya mengundi di Kampung Bijuray. Saya diam di Bijuray, isteri saya mahu ikut saya mengundi di kampung saya, itulah yang saya cakap tadi. Hingga ke hari ini, saya mahu mendaftar dia, dia tidak mahu, walaupun umur isteri saya umur 45 tahun, saya mahu mendaftar dia, dia tidak mahu sebab dia tidak mahu tukar IC dia, dia tidak mahu tukar alamat dia, sudah hilang satu undi untuk Yang Berhormat Dato' Dawos.

Jadi keempat ialah pengesahan melalui slip pendaftaran SPR yang menunjukkan bapa, ibu atau pengundi itu berasal dari kampung tersebut atau yang kelima seperti rakan saya cakap kelmarin, melalui *statutory declaration* iaitu melalui perisytiharan peribadi. Saya bagi contoh, sebuah Kampung Ledan, kalau kita tengok pada peta yang saya beri ini, Kampung Ledan di sebelah kanan, pengundi dia lebih kurang 40 orang, asalnya dahulu dari Kampung Gumbang di sebelah kiri. Mereka semua daftar dan mengundi di Kampung Gumbang yang jauhnya lebih kurang 32km, sedangkan tempat mengundi yang di Kampung Pangkalan Tebang hanya 1.5 kilometer.

Jadi kami yang mengurus pengangkutan semasa pilihan raya sangat susah hendak membawa orang mengundi kerana sewa van, van hanya mahu jalan sekali sahaja, jadi kos cukup banyak. Jadi inilah yang saya cakap tadi, saya mahu tukar alamat dari Kampung Ledan, mereka tidak mahu bayar RM10.

**Tan Sri Datuk Seri Dr. Fong Chan Onn:** Tuan Jegok, saya rasa cadangan ini adalah banyak detil, Yang Berhormat Kapiti pun ada sini, semuanya jelas, kalau kita hari ini...

**Encik Jegok anak Ngamo:** Okey, *I make it fast, the rest I just read* dengan izin Tuan Pengerusi. *I go to* cadangan tiga, cadangan periksa nama pengundi secara 'online' di hari mengundi selain menggunakan senarai pemilih. Pernah berlaku di mana pengundi datang dan mendapati namanya tidak ada dalam senarai. Sekiranya kaedah pemeriksaan secara *online* dilakukan di tempat mengundi, maka beliau boleh tahu di mana kedudukan tempat mengundi beliau. Ini pernah berlaku dahulu pada tahun lepas, dia mengundi di balai ini tetapi pada tahun, pilihan raya yang ini, dia kena mengundi di kampung lain. Disebabkan tidak ada pemeriksaan secara *online*, dia tidak dapat mengundi kerana dia tidak tahu di mana dia mengundi. Ini cadangan nombor tiga, jadi saya harap dapat diadakan secara *online* pemeriksaan pengundi semasa pilihan raya.

Cadangan nombor empat, cadangan menyediakan enjin jana kuasa generator di pusat mengira undi, ini pilihan raya yang lepas, satu SMS telah disebarkan bahawa BN akan sabotaj dan menyebabkan *blackout* di seluruh Kuching dan selepas itu dia cakap, semua parti BN, penyokong BN tidak payah turun mengundi kerana BN tetap menang disebabkan *blackout* tersebut, dia akan tukar peti undi.

Jadi kami bercadang apabila ini berlaku, SPR seharusnya menyediakan generator di tempat mengundi.

**Datuk Alexander Nanta Linggi:** Minta maaf Encik Jeguk, apa maksud ini berlaku?

**Encik Jeguk anak Ngamo:** Takut akan berlaku *blackout* betul-betul, bukan sabotaj punya *blackout*.

**Datuk Alexander Nanta Linggi:** Bukan, bukan, tadi saudara katakan ini berlaku.

**Encik Jeguk anak Ngamo:** Pilihan raya DUN yang lepas, bukan berlaku sabotaj *blackout*, tetapi SMS itu. Propaganda kempen itu yang berlaku, tetapi menyebabkan keresahan kepada pihak kami. Cadangan kelima, hanya satu permit sahaja diperlukan semasa berkempen. Kaedah sekarang adalah satu tempat satu kempen, satu permit. Jadi kami cadangkan supaya satu *master* permit dengan senarai tempat-tempat dia berkempen, jumlah orang yang akan hadir dengan demikian, tidak banyak urus setia yang diperlukan.

Ini sebab pernah semasa kami berkempen di Kampung Seratau, Yang Berhormat Dato' Dr James Dawos Mamit telah diarahkan berhenti berucap kerana pihak penganjur lupa untuk membuat permit. Ini memang berlaku kepada PKR tetapi tidak pernah berlaku kepada pihak kami, kerana selalunya meminta permit terlebih dahulu. Jadi saya pohon permit, *one master* permit untuk semua kempen semasa pilihan raya, *one master* permit dengan diattachkan senarai tempat-tempat dia hendak berkempen, masa dan jumlah orang. Ini dah berlaku kepada kami.

Cadangan nombor enam, calon seharusnya berasal dari tempat dia mengundi, itu tidak payah saya *elaborate*. Cadangan nombor tujuh, pameran senarai pengundi di tempat mengundi, ini saya mohon SPR apabila dia buat notis pilihan raya, dia seharusnya juga lampirkan notis serta paparkan notis senarai pengundi-pengundi di tempat mengundi tersebut. Dengan demikian, orang-orang kampung boleh datang periksa nama dia kalau dia tidak ada, dia boleh tanya secara *online* sendiri. Ini kerana pernah berlaku sebab kalau pihak BN yang buat, kami akan cop kami punya parti sendiri. Jadi kalau kami buat nanti tidak baik, sebab selalu di balai raya, pihak SPR akan tarik balik senarai itu.

Cadangan kelapan, SPR seharusnya pantau tempat mengundi, saya pergi ke Kampung Kopit, balai raya yang kecil. Dia menggunakan kawasan tersebut untuk pembuangan undi sedangkan balai raya cukup besar, sebelah sahaja dia pakai. Ini pun perlu dipantau tempat mengundi.

Cadangan kesembilan, pendaftaran pengundi baru, ini tadi secara automatik memang pihak kami tidak setuju, hak pendaftaran memang hak individu, kalau dia tidak mahu mengundi, itu hak dia.

Cadangan kesepuluh, pembersihan senarai mengundi yang sudah meninggal dunia. Ini ketua kampung boleh membantu tetapi apabila dia bantu, dia senaraikan dan hendak hantar ke pejabat SPR, terlalu jauh. Bolehkah SPR urus dengan pejabat daerah supaya senarai ini boleh diterima di peringkat pejabat daerah? Ini saya mohon kepada SPR. Jadi soalan-soalan yang diajukan, ini bukan cadangan, ini soalan kepada SPR supaya boleh menjawab.

Soalan satu ialah adakah wajar atau betul di sisi undang-undang untuk berkempen secara bergerak menggunakan kenderaan dan sistem suara, jalan ke jalan, sebab bunyi berlebihan boleh menggugat ketenteraman orang lain?

Soalan kedua, adakah memberi minuman kepada pengundi selepas membuang undi dikira sebagai satu bentuk rasuah?

**Tuan Loke Siew Fook:** ini minuman keras ke minuman biasa?

**Encik Jeguk anak Ngamo:** Minuman mineral atau minuman kotak. Mereka akan diberikan selepas mereka mengundi, bukan sebelum. Bermakna penyokong lawan pun diberi minuman.

**Tuan Loke Siew Fook:** Ini minta tanya, siapa yang beri ini?

**Encik Jeguk anak Ngamo:** Pembangkang pun beri, BN pun beri?

**Tuan Loke Siew Fook:** Dekat mana?

**Encik Jeguk anak Ngamo:** Saya punya kawasan, Bakong.

**Tuan Loke Siew Fook:** Bagi apa?

**Encik Jeguk anak Ngamo:** Mineral lah.

**Tuan Loke Siew Fook:** Air mineral pun kira rasuah?

**Encik Jeguk anak Ngamo:** Itu yang saya mahu tanya, adakah ia rasuah? Saya tanya ini...

[Ketawa]

**Tuan Loke Siew Fook:** Akan tetapi, dia sudah buang undi?

**Encik Jeguk anak Ngamo:** Sudah buang undi.

**Tuan Loke Siew Fook:** Kalau sudah buang undi, tidak menjadi masalah, jadi masalah jika belum buang undi, kalau sebelum buang undi bagi macam-macam, itu kira rasuah.

**Encik Jeguk anak Ngamo:** Itulah arahan yang saya beri kepada orang-orang saya, jangan beri minum sebelum mengundi. Pihak lawan pun sama, sebab pihak lawan dia punya kotak-kotak semua dalam van, sebab pihak lawan adalah wakil PKR, kebetulan abang saya juga. Jadi pilihan raya DUN bukan antara Yang Berhormat tetapi antara dia dengan saya.

Soalan ketiga, perlu ke dimestikan calon yang bertanding menyediakan ejen di semua tempat mengundi? Ini saya rasa perlu, sebab di kebanyakan tempat ejen-ejen calon tidak ada, nanti dia pandai kompelin. Jadi harus ada semua calon yang menjadi calon, dia seharusnya cukup duit untuk simpan dia punya ejen-ejen itu.

Soalan keempat, adakah ejen tempat mengundi perlu membawa Borang A semasa bertugas di hari mengundi? Ini berlaku kepada saya punya kawan-kawan yang menjaga di tempat mengundi, dia bawa ini ke tempat mengundi untuk bertugas sebagai ejen mengundi, dia tidak bawa borang ini. Disebabkan bantahan daripada pihak pembangkang yang mengatakan mereka tidak bawa ini, mereka tidak boleh masuk, walaupun ada ini, ini saya mahu tanya adakah betul?

**Tuan Pengerusi:** Yang sebelah kanan itu tidak perlu bawa sebab tidak ada dalam peraturan, yang sebelah kiri itu yang perlu bawa.

**Encik Jeguk anak Ngamo:** Akan tetapi ketua tempat mengundi mengatakan perlu bawa.

**Tuan Pengerusi:** dia yang sebelah kiri itu sahaja

**Encik Jeguk anak Ngamo:** Yang ini?... [Merujuk Borang A]

**Tuan Pengerusi:** Ya, mesti perlu bawa.

**Encik Jeguk anak Ngamo:** Ini sumpah,

**Tuan Pengerusi:** Ya, mesti kena bawa, yang kanan itu tidak payah... [Merujuk Borang A] Itu diberi kepada kita untuk kita bawa balik tunjuk kepada anak cucu kita kemudian hari, yang mengatakan kita jadi *polling agent*, sebelah kiri itu yang diperlukan oleh peraturan... [Ketawa]

**Encik Jeguk anak Ngamo:** Ini sumpahlah?

**Tuan Pengerusi:** Ya, ya.

**Encik Jeguk anak Ngamo:** Okeylah, bermakna kerja dia betul. Cuma yang peliknya, itu tempat mengundi satu sahaja yang bantah, yang lain semua pakai ini sahaja.

**Dr. Mohd. Hatta Md. Ramli:** Itu SPR perlu ambil maklum, prosedur sebenarnya, jangan ada kelam kabut di sebelah tempat.

**Tuan Pengerusi:** Memang, memang, saya tahu bahawa kadang-kadang ada di setengah tempat di mana pihak KTM itu memerlukan yang sebelah kanan itu, dia kata tidak ada sebelah kanan itu tidak boleh masuk, pihak polis pun serupa juga, polis pun kena ambil ingatan jugalah kerana mereka perlukan ini walhal peraturan ataupun undang-undang memerlukan sebelah kiri itu. Borang sebelah kanan itu hanya buat simpanan kita. Borang A itu borang sumpah, itu diperlukan.

**Encik Jeguk anak Ngamo:** Sebab berlaku di kampung...

**Tuan Pengerusi:** Tidak apa, sekarang SPR dan Polis ambil ingatanlah.

**Encik Jeguk anak Ngamo:** Kemudian soalan kelima, ini khas untuk tenaga kerja yang membantu SPR dalam pendaftaran. Jadi rakan-rakan saya dari PBB bertanya, macam mana kaedah pembayaran pendaftaran pengundi tersebut. Ini untuk mendaftar pengundi baru, jadi di bawah SPR terus, bukan rasuah ataupun apa. Ini memang sagu hati, untuk mendaftar pengundi baru bernilai RM1 untuk seorang pengundi baru yang didaftarkan.

**Dr. Mohd. Hatta Md. Ramli:** Jadi soalnya hendak minta lebih kah?

**Encik Jeguk anak Ngamo:** Macam mana dibayar?

**Dr. Mohd. Hatta Md. Ramli:** Oh, macam mana dibayar.

**Encik Jeguk anak Ngamo:** Kalau boleh dinaikkanlah.

**Dr. Mohd. Hatta Md. Ramli:** Cantik... [Ketawa]

**Encik Jeguk anak Ngamo:** Ini kerana, setakat ini, saya sudah daftar lebih kurang 300 orang, satu sen pun tidak dibayar. Bukan saya sahaja, ramai lagi rakan-rakan yang lain. Itu *that money, I can get, no problem* tetapi orang lain barangkali dia perlukan. Kesimpulannya saya mengucapkan ribuan terima kasih kerana diberi peluang semoga apa yang saya cadangkan ini diambil perhatian, sekian terima kasih dan sedia menerima soalan jika ada.

**Tuan Pengerusi:** Terima kasih, terima kasih. Ada yang ingin bertanya?

**Encik Jeguk anak Ngamo:** Tidak ada? Terima kasih.

**Tuan Pengerusi:** Okey kumpulan yang kelima ialah Persatuan Media Sosial Sarawak. Encik Wan Abdillah Edruce?

[Saksi dari Persatuan Media Sosial Sarawak mengambil tempat di depan Jawatankuasa]

10.59 pg.

**Encik Wan Abdillah Edruce bin Dato'Seri Wan Abdul Rahman [Presiden Persatuan Media Sosial Sarawak]:** *Assalamualaikum* Tuan Pengerusi, selamat sejahtera semua. *This is short compilation of paste* dari ahli-ahli kita, Persatuan Media Sosial Sarawak. *This have been picked to our discussion earlier base on what we have collected with the social media, and I been asked to raise it possible to let known to the Committee what a few suggestion that we have, basically cuma ada tujuh di sini and it is a straight forward. Some of it I understand* sudah di *brought up yesterday during the session.*



Firstly in regard to indelible ink, we welcome SPR effort to ensure a fair election but we just to be ensure the reliability as there are some ink that are indelible in 5 min. This is to avoid voting twice.

■1100

Secondly, in regards to Malaysian voting from overseas. We welcomed the government's decision but that has to be some condition imposed. These people might have been away for a long time to understand the needs of the citizen who live and breathe the laws of the country. It is not fair for them to determine change when they are not even here to feel the implication. So, maybe they should need to come back every year or once in two years for a certain period before they are eligible to vote. So, there has to be some condition sets for them before they are being allowed to vote.

Third, a candidate should not be allowed to contest both Parliamentary and State seat. As suggestion, this should not be an option but a rule to ensure maximum performance by them in either capacity because kita selalu dengar apabila tidak ada Parlimen, dia sibuk kerja ini. Apabila tidak ada dalam Dewan Undangan dia kata sibuk Parlimen, *all kinds of excuses*. So, we want a maximum performance, maybe one way to allow them only to sit in one capacity Parliament or State.

**Tuan Pengerusi:** Ya tetapi kalau rakyat hendakkan dia, bagaimana pula?

**Encik Wan Abdillah Edruce bin Dato'Seri Wan Abdul Rahman:** Bagaimana?

**Tuan Pengerusi:** Kalau rakyat hendakkan dia. *This is democracy*, bukan?

**Encik Wan Abdillah Edruce bin Dato'Seri Wan Abdul Rahman:** *It is democracy but adakah rakyat hendakkan dia. Its there I thought normally is being nominated by the party, the candidate. Not the rakyat.*

**Tuan Pengerusi:** *Chosen by the rakyat eventually*. Apabila dia...

**Encik Wan Abdillah Edruce bin Dato'Seri Wan Abdul Rahman:** *Voted by the rakyat upon nomination by the party. Yes.*

**Tuan Pengerusi:** Ya. kalau rakyat tidak hendakkan dia, *not efficient* umpamanya, seperti mana yang diceritakan tadi oleh Encik Wan. Jadi, rakyat *can just do not vote in lah*. Itu sahajalah.

**Encik Wan Abdillah Edruce bin Dato'Seri Wan Abdul Rahman:** *Well, that is the choice of the rakyat lah, who they want to vote. Regardless kalau dia stand dua ataupun satu, ia sama juga. It is does not matter. But I am just said administratively. I mean to make it to get a maximum performance by one person; I think ones should be given a position instead of having to seat into Parliament and State.*

**Tuan Pengerusi:** *I hope Yang Berhormat Gombak will take this into...*

**Tan Sri Datuk Seri Dr. Fong Chan Onn:** Yang Berhormat Rasah.

**Encik Wan Abdillah Edruce bin Dato'Seri Wan Abdul Rahman:** *Okay. Next point here is about age limit; 21 years and not 18 years... [Disampuk] Yes. Yes. Of the voters because number one, saya rasa our culture here, our maturity age we like it or not is a bit much more than other countries that we are talking about. Kedua is basically I think we let these student to finish the study, give them time to finish their education instead of getting involve too early. We are not depriving them. Of course even if you allowed them to vote at 18 years, it is there priority whether they want to vote or register. Bukan kita yang determine. You can set the age at whatever but it is up to them to decide. It is an individual decision. Unless you make it by law that you must register and you must vote. Then it is a different situation.*

**Tuan Loke Siew Fook:** *But, I think – Chairman, mencelah sedikit, ya.*

**Tuan Pengerusi:** *Sure.*

**Tuan Loke Siew Fook:** *But I think the freedom to vote is the person. I mean right now you are talking, it is just about automatic registration. Dia sudah register, whether dia hendak mengundi atau tidak hendak mengundi ialah kebebasan pengundi tersebut tetapi....*

**Encik Wan Abdillah Edruce bin Dato'Seri Wan Abdul Rahman:** *Yes. Even to register pun at the moment it is up to them as well.*

**Tuan Loke Siew Fook:** *No. I mean what we are talking here is kita register dia. Dia berhak. Ia kalau ada automatic registration, dia sudah mencapai umur 21 tahun. Apabila ada pilihan raya, dia berhak untuk mengundi atau tidak mengundi ialah hak dia, kebebasan dia.*

**Encik Wan Abdillah Edruce bin Dato'Seri Wan Abdul Rahman:** *Yes.*

**Tuan Loke Siew Fook:** *Akan tetapi kita hendak buat proses pendaftaran itu lebih mudah.*

**Encik Wan Abdillah Edruce bin Dato'Seri Wan Abdul Rahman:** *Right.*

**Tuan Loke Siew Fook:** *Itu secara automatik.*

**Encik Wan Abdillah Edruce bin Dato'Seri Wan Abdul Rahman:** *But even as it is, if you look at the statistic, the turn out of voters, yang even at this age pun sudah ramai yang tidak register but tidak turn out.*

**Tuan Loke Siew Fook:** *Ya tetapi kebebasan dia. Ada yang...*

**Encik Wan Abdillah Edruce bin Dato'Seri Wan Abdul Rahman:** *Yes. Exactly.*

**Tuan Loke Siew Fook:** *Jadi, apa yang kita hendak lihat ialah supaya pendaftaran itu lebih mudah secara automatik. Tidak perlu banyak logistik sebab sekarang banyak tenaga manusia dan wang digunakan untuk mendaftarkan pengundi...*

**Encik Wan Abdillah Edruce bin Dato'Seri Wan Abdul Rahman:** *That is secara automatik the pendaftaran. But what is the age limit.*

**Tuan Loke Siew Fook:** *Age limit is a different issue. If you are...*

**Encik Wan Abdillah Edruce bin Dato'Seri Wan Abdul Rahman:** *I am talking about the age limit here. It should be 21 years.*

**Tuan Loke Siew Fook:** *Your point here, it said automatic registration should not be allowed.*

**Encik Wan Abdillah Edruce bin Dato'Seri Wan Abdul Rahman:** *Ya. That is the second point sana. But the first point is about the age. That is another point.*

**Tuan Pengerusi:** *... the age is be at 21 years.*

**Encik Wan Abdillah Edruce bin Dato'Seri Wan Abdul Rahman:** *Yes. We would...*

**Tuan Pengerusi:** *You are talking now, you are going to the next one is automatic?*

**Encik Wan Abdillah Edruce bin Dato'Seri Wan Abdul Rahman:** *Yes. Which he has raised just now.*

**Tuan Pengerusi:** *Automatic registration. You do not want it to be allowed?*

**Encik Wan Abdillah Edruce bin Dato'Seri Wan Abdul Rahman:** *Yes, because automatic – What is the point of registering yourself to vote when you are not even bother to vote. That is because you automatically you are legible because of your age for example. But then you tidak pergi vote because you did not have the interest there.*

**Dr. Mohd. Hatta Md. Ramli:** *Encik Wan, currently there are about 4 millions eligible voters who have not registered and everybody is making noise about this. SPR is very concern. Why should we be concerned?.*

*That mean we are very interested for people to register. So you get – they might not want to vote but in case, there will be an occasion where suddenly people become interested because of issues, because of anything. At least they have this opportunity.*

**Encik Wan Abdillah Edruce bin Dato'Seri Wan Abdul Rahman:** *Well I think the youngster we should educate them, making it automatic educate and then convince and why they should register.*

**Dr. Mohd. Hatta Md. Ramli:** *Educate them to come out to vote but that means...*

**Encik Wan Abdillah Edruce bin Dato'Seri Wan Abdul Rahman:** *To register first.*

**Dr. Mohd. Hatta Md. Ramli:** *You said two campaigns. You save one campaign. One is campaign to register. One is campaign to come out to vote. So, lets the campaign come out to vote.*

**Encik Wan Abdillah Edruce bin Dato'Seri Wan Abdul Rahman:** *Come out to vote...*

**Dr. Mohd. Hatta Md. Ramli:** *But dengan syarat...*

**Encik Wan Abdillah Edruce bin Dato'Seri Wan Abdul Rahman:** *You must register. Why must register. So, we must tell them, we must educate them.*

**Dr. Mohd. Hatta Md. Ramli:** *We automatically...*

**Encik Wan Abdillah Edruce bin Dato'Seri Wan Abdul Rahman:** *So, automatic why...*

**Tuan Loke Siew Fook:** *Tuan Pengerusi, Encik Wan the other issue is do you know that registration sekarang pun, I mean even at this current kita punya registration system, it took about maximum five months to six months the moment you register then only you are able to vote. Katakan I mean I reach the age of 21 years on 28 Disember, then 29 Disember saya pergi mendaftar. It probably cannot kalau election bulan Mac ataupun bulan Februari, I have no right to vote because ia belum di updated lagi.*

**Encik Wan Abdillah Edruce bin Dato'Seri Wan Abdul Rahman:** *Well, that system should be rectify on how to...*

**Tuan Loke Siew Fook:** *The suggestion was about automatic registration, the moment you 21 years, boleh mengundi sebab in my case, saya punya personal experience.*

**Encik Wan Abdillah Edruce bin Dato'Seri Wan Abdul Rahman:** *No. Automatic at 21 years register, give them katakan two weeks process approve. Jangan blame the system later on why I can't vote because I have got six months.*

**Tuan Loke Siew Fook:** *Ya. Thats why we are...*

**Encik Wan Abdillah Edruce bin Dato'Seri Wan Abdul Rahman:** *So, give them an option.*

**Tuan Loke Siew Fook:** *Suggesting ...*

**Encik Wan Abdillah Edruce bin Dato'Seri Wan Abdul Rahman:** *Ya. Suggesting automatic but I also want to suggest, it is giving them an option whether they want to register or not.*

**Tuan Loke Siew Fook:** *No, the moment you registered, does not mean that you have to vote.*

**Encik Wan Abdillah Edruce bin Dato'Seri Wan Abdul Rahman:** *Whether they are ready to register.*

**Tuan Loke Siew Fook:** *Because in my own experience, tahun 1999. I registered pada tahun 1998. Satu tahun lebih. I was denied to vote in 1999 election because not updated in the electoral roll. So, that is wht we are suggesting, automatic registration. 21 tahun, terus masuk dalam electoral roll. The moment you reach 21 years, esok kalau pilihan raya, semalam you reach 21 years, you terus boleh menjadi pengundi. Akan tetapi, the right to vote is up to the person.*

**Datuk Alexander Nanta Linggi:** *I just want say something here. Encik Wan, ya. Well, I means that is your opinion. You are perfectly entitle to it. As far as I am concerned, since we love freedom of choice, freedom in speech, freedom of everything the principle of the democracy. Why not we just give people freedom of whether they want to register or not.*

**Encik Wan Abdillah Edruce bin Dato' Seri Wan Abdul Rahman:** *Exactly.*

**Datuk Alexander Nanta Linggi:** *I mean – Baik. I came by this argument in the sense by giving automatic registration is like you have no choice, when the day you reach 21 years, you are automatically register. No way is that argument for freedom of choice, freedom of speech, freedom of everything. The so-called the principle of democracy that so many has been saying in this. I means this is just try to throw into this argument. Thank you.*

**Encik Wan Abdillah Edruce bin Dato' Seri Wan Abdul Rahman:** *Should I continue? All right, the next point here is about Political Funding because we feel that party must declare the amount and reveal the source of funding for an election campaign. They must be made transparent and allows it to be audited.*

*The next point it just well I think Prime Minister must be applaud for the formation of this PSC. It is not due to pressure mounted by street demos but part of the transformation process. I think it is about time to prove of democracy. This is a process by the people, for the people.*

*The last point here is again we look at the allocation of seat for Sabah and Sarawak. I think this has been mentioned so many times. So I do not have to elaborate further on this. The only point that I want to raise which is not in here which I heard brought up by one of the speakers earlier on is on the number of days for campaign. I feel everyone had 365 days 24/7 to do their work. To convince the people who they have elected that they have been working to proof that they have done enough for them. So, why need that short time to be extended further just to convince people that they have done their work.*

*I think it just remain short basically for technical purposes, logistic purposes. That is what it is. You have got - I mean we have same people campaigning through out the year or 365 days with or without permit, ceramah and all. It is not campaigning? So why need to extend that present eights days to three weeks or one months. If you have done your job as the representative of the people during that period that you have been elected five years or four years, you do not have to convince people last minute.*

**Tuan Loke Siew Fook:** *What about new candidate..?*

**Encik Wan Abdillah Edruce bin Dato' Seri Wan Abdul Rahman:** *Exactly I was coming to that. You need a new time to introduce who is the candidate is. But that candidate belongs to a party that has performed or has not performed. So, the Rakyat can choose the respective candidate based on performance of the party unless you want to introduce your new candidate much earlier for him or her to do their job much earlier. All right, thank you very much. Assalamualaikum warahmatullaahi wabarakaatuh.*

**Tuan Pengerusi:** *Still we have a last speaker, our individual, Mr.Wong. Where is Mr. Wong?*

**Tan Sri Datuk Seri Dr. Fong Chan Onn:** *Mr. Wong come.*

**Tuan Pengerusi:** *Yes.*

*[Saksi individu (Encik Wong Piang Yow) mengambil tempat di depan Jawatankuasa]*

**Tan Sri Datuk Seri Dr. Fong Chan Onn:** *Welcome.*

**Tuan Pengerusi:** *Mr. Wong has been following us from Kuala Lumpur.*

**Tan Sri Datuk Seri Dr. Fong Chan Onn:** *And to Kota Kinabalu.*

**Tuan Pengerusi:** *And to Kota Kinabalu.*

**Tan Sri Datuk Seri Dr. Fong Chan Onn:** *And he promised to follow us to Penang.*

**Tuan Pengerusi:** *He has been stalking us. Ya. Go ahead Mr. Wong.*

**11.13 pg.**

**Encik Wong Piang Yow [Individu]:** *Thank you Tuan Pengerusi for those kind words. If you are a lady I have been stalking you Yang Berhormat Dr. Fong but if you are a man, it may called me weird. So, I do not think I am a kind of that. Good morning the members of PSC. Thank you for this opportunity to make a few suggestions. These are my pages to my presentation. The first two pages are just table of contents, so you can ignore it.*

*My name is Wong Piang Yow. I come in personal capacity. We have been going around the country conducting voter education and polling agent training. So, I believe we have a little bit of information that we can feed back to the committee and make suggestion based on that interaction with the public.*

*Number One, I like to congratulate the PSC for their timely preliminary report. I have managed to see ten points there could be more, but then? I am going to comment based on ten points which in page three:*

*Indelible Ink - We suggested that the SPR exercise transparency in the selection and purchase of indelible ink and that it be submitted for independent testing before use.*

■1115

*Postal voting - The SPR was set up because neutral party is needed to conduct elections. Elections can only take place if there are candidates contesting. Candidates need election agents, polling/counting/barung agents, Enforcement Team to protect their interest during the campaign. This is recognized in the Election Laws & Regulations as shown in the list there, Election Act section 13, Election Offences Act section two, section 12 to 17, section 24B, section 26, section 26A, section 27A to 27H. How can the provisions of the Conduct of Election Regulation and Postal Voting Regulations be implemented without the participation of candidates and agents?*

*I searched through all the Election Laws and Regulations but couldn't find a single reference to doctors, nurses or journalists and yet these categories are accorded postal polling privilege but not candidates and agents. This is not to say that doctors, nurses or journalists are not important but they are not as critical to the election process compared to candidates and agents. So we reiterate our request, please accord postal polling to candidates and agents. Because, election is very important activity of a democracy. We want to encourage as many people as possible to take part by allowing people who serve as polling agents, you encourage participant to take part in the electoral process, which I believe all political party would like to have.*

*Number 2.6, process for postal voting shall guarantee transparency like normal voting process. We request that the SPR consult with civil society groups like Bersih 2.0 on the procedures.*

*In Kota Kinabalu, the SPR officers advised that the postal voter supplementary rolls are issued every quarter. Since this is the case, there is no reason for the SPR not to issue the postal voter roll to the candidates on nomination day. We hope that this can be confirmed in their procedures to avoid confusion in future.*

*Number three, absentee voting for all Malaysian citizens residing abroad. I observe there is a lot of discussion on this point. There were some comments about the cost involved. If poorer countries like Indonesia, Philippines and Thailand can do it, there is no reason why we cannot. After all, they can afford to send an astronaut to outer space to make teh tarik.*

*It seems like the PSC does not have unanimity of opinion on the issue. Yesterday, this hall remarks are made such as, overseas Malaysian need to have connectivity with Malaysia before they are given the privilege of absentee voting. Overseas Malaysian couldn't care less, why should they be given the vote? If there have not been back to Malaysia for many years, they should not be allowed to vote, we can tolerate it if someone comes back every five years.*

*Article 119(4)(a) of the Federal Constitution refers to an absent voter as any citizen who is registered as an absent voter in respect of that constituency. It doesn't say anything about an absent voter having to come back every five years to kiss the ground of his constituency, or to kiss the feet of his MP.*

*Also, there are suggestion that certain western countries require that for a voter to be eligible, they do not stay away from their home country for longer than a certain period. For example, Australia is seven years and Canada is five years. Since we are talking about adopting western standard, we are sure many Malaysians will be very grateful if our SPR can upgrade their performance to the same level as that of Australia and Canada.*

*Number four, inter-state voting for East Malaysians and west Malaysian. We hope to see more credible civil society groups given the opportunity to provide polling, counting, barung agents to help the smaller parties and independent candidates who may not have the resources to see agents to monitor the process, especially since we are not talking about advance voting where you may have counting embassy or consulate overseas.*

*Number five, transfer of voting area. To save cost, can we suggest that the declaration be included inside the application form for transfer of voting area. Also, the authority to process this application be extended to the Assistant Registration Officers and also to allow online applications.*

*As a point to this, I just like to seek clarification with the SPR. Can a voter in the same state constituency choose his voting polling centre? Because, we have this problem in Batu Nanau, a Penan voter is in the interior which take him half a day to reach but he is working in Limbang. It would have save him a lot of time could he voted in polling centre nearer to Limbang but within the same state constituency. I think that sort of facility would be very helpful for the poorer voters who has difficulty in traveling, especially Sarawak where the access is not so good. Please, consider that.*

*Number six, electoral roll audit. We notice some back-tracking from certain politicians on this issue. We hope we will not be disappointed.*

*Number seven, display period doubled to 14 days. A minimum of 30 days should be allowed to give the public sufficient time to check. Any objector who is a citizen should be entitled to object, not just a voter in that constituency. According to Election Act 1958 section 9A, "certified or re-certified electoral roll shall be deemed to be final and cannot be questioned in court."*

*It is hard to reconcile the spirit of this section with Registration of Electoral 2002, Regulation 25A which state, "Chief Registrar may restore name in electoral roll". That regulation effectively grants the Chief Registrar carte blanche to do anything he likes with the electoral roll. How can a regulation override an act? We recommend that any changes made by the Chief Registrar be subjected to public scrutiny like that applicable to a supplementary voter roll.*

*In view of the massive errors committed by the SPR in the electoral rolls, public confidence in the competence and integrity of the SPR is very low. The phrase in section 9A "Cannot be questioned or appealed against in or reviewed, quashed or set aside by any court" should be removed. There should be a provision for the public to challenge the permanent electoral roll later.*

*Sub point 7.4b and c. Clauses 7.4b and c are good. We recommend that the PSC go further. The voter roll should be made available to the public at an affordable rate. Example hard copy five cents per page, soft copy RM3 per CD. The SPR should involve the public to assist in checking the voter roll. They have an interest in the integrity of voter roll. Make it affordable for them to help the SPR. This will enhance public confidence in the SPR*

*Number eight, transparency of voting process. Please refer to page six. Clauses 8.2.1 and 8.2.4.3, one of it refers to removing the serial number from the ballot papers, the other is allow for recount at the main tally centre. Effectively, this is reverting to the old system I believe, which in the past had many complaints about ballot stuffing, switching and hijacking of ballot boxes, etc. Why is the PSC going down that path when a very simple procedure has been identified and proposed? This is how things can go wrong.*

*Conduct of Election, Regulation 25(5) and Third Schedule states that even there are more ballots than stated in Borang 13 Ballot Paper Statement, the presiding officer can proceed with counting of the votes. I find this very strange. We should use serial numbers at the start of balloting and at the start of counting to identify valid ballot papers. Any ballot paper outside the range shown in Borang 13 should be rejected. Without this control, there is no way to check on ballot stuffing or switching.*

**Tan Sri Datuk Seri Dr. Fong Chan Onn:** *Mr. Wong, let me get it right. You saying that we should not remove the number from the...*

**Encik Wong Piang Yow:** *Ya, we shouldn't remove. For that matter, when you go to the cinema, you have serial number. Do you except my Ringgit if it does not have serial number? I give you a Ringgit or a dollar and if it has no serial number, you accept or not? This is basic accounting control. This is very basic. Now, Conduct of Election Regulation 23A place...*

**Tuan Pengerusi:** *Mr. Wong...*

**Encik Wong Piang Yow:** *Sorry.*

**Tuan Pengerusi:** *You go to the cinema hall, you go and see a show, but here is an election.*

**Encik Wong Piang Yow:** *This is even more important than a cinema show.*

**Tuan Pengerusi:** *Of course.*

**Encik Wong Piang Yow:** *A check book, you have a serial number, a Ringgit you have serial number.*

**Tuan Pengerusi:** *You want to be a secret. Your vote is secret.*

**Encik Wong Piang Yow:** *Can you wait a few minute, I can demonstrate you how it can be secret and even simpler...*

**Tuan Pengerusi:** Okey.

**Encik Wong Piang Yow:** *I see... Conduct of Election Regulation 23A(2), place of counting of votes, empowers the presiding officers to change the place of counting provided he gives notice three days before the commencement of the poll. This can seriously disrupt a candidate's campaign. I have been involved in election campaign planning and it is not an easy task. I am an engineer, I build palaces, But I can tell you, is rounding election campaign is more challenging than building a million dollar project. And if you allow anybody now just suka-suka change the rules half way through the campaign is very unfair to them, extremely unfair.*

**Tuan Pengerusi:** Mr Wong...

**Encik Wong Piang Yow:** *Sorry?*

**Tuan Pengerusi:** *Which one?*

**Encik Wong Piang Yow:** *Change the location of the counting center.*

**Tuan Pengerusi:** *Must be a reason. Is there a reason there you stated?*

**Encik Wong Piang Yow:** *Whatever he likes – he state, according to a regulations.*

**Seorang Ahli:** *[Bercakap tanpa menggunakan pembesar suara]*

**Encik Wong Piang Yow:** *Well, if you have a false major, fair enough. But he shouldn't say that, for whatever reason he deem fit. I think this give too much room for error.*

**Tuan Pengerusi:** *Where is location the polling has been change?*

**Encik Wong Piang Yow:** *In Batang Ai, February 2009, three days before polling, 14 centers were change. Of that 14 center – I am just relating to actual event – we tried to lock the ballot box. Two ballot boxes successfully locked. The results show a very dramatic shift in the voting result. The other 12 ballot boxes were not locked and it show very bad result for a candidate. Now, I am not suggesting that there is hanky-panky, but such practices create suspicions, and we should not only be fair, we have to be seen to be fair, because public confident is very important in the voting process. If we want to have a government that enjoys the trust of the people, it must be elected in the manner where everybody feels that the rules are followed fairly and freely.*

**Tuan Pengerusi:** *Are you suggesting we should delete that part, giving the power...*

**Encik Wong Piang Yow:** *Yes, unless you have an extreme event like for example – I give another extreme event. In Tenang By-Election, it was a massive flood. The town was flooded eight feet. By any common sense, it should have been postponed but it wasn't done. We have all the military lorries and government lorries stationed at the kampung to transport the voters out but there is no transport for the town folks. Were this create suspicions? You tell me.*

■1130

*Imagine the following. Sorry, I have come to page six in the middle. Regulation 23A – Place of counting of votes empowers the presiding officer to change the place of counting provided you give notice three days before the commencement of the poll. This can seriously disrupt a candidate's campaign. Imagine the following:*

- (i) *there is no control over the identity of ballot papers;*
- (ii) *the third schedule empowers presiding officers to proceed the counting even if there are more ballot papers in the ballot box. (shown in Borang 13);*
- (iii) *the returning officer can up to three days before polling choose to change the counting centre to any place he deems fit;*



- (iv) *during transit of ballot box from the polling centre to the main tallying centre, the candidates and their agents are not allowed to accompany the ballot box in the transport used by the presiding officer.*

*So there is a frantic car chase by the candidate's agents to try to make sure that the ballot boxes are not tampered with in transit. Suppose transportation is by speed boat or by helicopter, can the candidate follow them in the helicopter with another helicopter? We hear stories of ballot boxes found in the South China Sea after the Batang Ai By-Election in February 2009. True or not, these stories create doubt about the trustworthiness of the SPR? Under such condition, can it guarantees that ballot boxes are not tampered with in transit.*

*Again we talk about public perception. We have to create condition where the public can trust in the process. In our training at training deck Tindak Malaysia conduct with the public, we mentioned that the PSC has proposed the removal of serial numbers from the ballot paper. Almost without exception the trainees objected strongly. Almost without objection they objected strongly to the removal of serial numbers from the ballot paper.*

**Tan Sri Datuk Seri Dr. Fong Chan Onn:** *I think your point is well taken. Can we go on?*

**Encik Wong Piang Yow:** *Okay, thank you. So my recommendation is they turned the serial number of the ballot paper allow the candidates or the agents to accompany the ballot papers from counting centre to the tallying centre, recount at main tallying centre. The procedure for counting in the same location as the polling station provides a very good control. We think that is a good procedure as long as it doesn't change the location of counting.*

*It is possible to have a reliable counting process this way, the candidates themselves should do their homework and engage competent counting and trustworthy agents. This is something they have to do on their own. They cannot rely on distorting the regulation to suit their convenience on that.*

*Page 7; consider the situation where you cannot recount at the main tallying centre and there is no control over the ballot paper identity as serial numbers. You are faced with situation like in the password ballot boxes mysteriously disappear or are switched in transit. This will increase public suspicion of the SPR. We believe this is an unfair burden to be placed on them given the fact that they are currently facing an uphill battle to regain public confidence. One bright opposition MP, not from the PSC I must add, suggested that the election to be record to make sure if there is any evidence of ballot box tampering. If there's a hung parliament in GE13 and twenty seats have to be recorded because of protest over the voting process, imagine the chaos that will result.*

*Recommendation - The issue is fear. Whether anyone really take the trouble to open the ballot boxes to inspect the ballot is irrelevant is the fact that many voters are constraint from voting freely out of fear. You can solve this problem with a few simple procedures which is randomize the issue of ballot papers.*

*Allow me Mr. Chairman to demonstrate what I mean. Let say this is a ballot box. Each box has 50 papers and they are numbered sequentially – one, two, three, four, and five. Now the reason you can match a voter with the ballot paper is because of the procedure of issue of ballot paper. Currently, you issue the ballot paper sequentially.*

*First voter comes in; he gets the first ballot paper. Now if you are to randomize it and you take out from another place somewhere else, you cannot match the serial number with the voter. A simpler procedure, tear five ballot papers. Clerk number two does that. He gives it to the clerk number three, face down and let the voter choose at random. Once the voter had chosen, he passes it to the clerk number three to do the perforation – tindik. I guarantee you this is secret. We have done this hundreds of times and the voter when he sees this he says “Yes, we have confidence in this”.*

**Tuan Pengerusi:** *We understand you Mr. Wong but what will happen when you have torn all these ballot papers, suddenly 5.00 o'clock – habis, tutup and you have three more or four balance. Where do you put that?*

**Encik Wong Piang Yow:** *This is actually a very simple process. They have anticipated and that is why they say we tear five only. Now at the close of the day, you can estimate how many voters are there. I am sure the KTM can come up to five I believe. So when he sees there is only two or three, he tears two or three. That's it even if there's excess. It can be encountered for in Form 13.*

*Form 13 is a very good control document and it is not that difficult to record the excess ballot papers that are torn on Form 13. May I continue Mr. Chairman?*

**Tuan Pengerusi:** *A simple solution would be just at random. Just tear and give it at random. That would be a simple solution.*

**Encik Wong Piang Yow:** *You still have to control the accounting at the end. Therefore, if you have too much random then you have difficulty later on trying to find out where you have torn it.*

**Tuan Pengerusi:** *Just take five minutes. You are more worried about the secrecy.*

**Encik Wong Piang Yow:** *If you are happy with that, that is even better. But I would suggest again please retain the serial number. It is very important for control.*

*The second point is candidate should be allowed to place their own securities seals on the ballot boxes. Currently, only the SPR placed the security seal. We can increase public confidence by allowing the candidates to place their own securities seal?*

**Tuan Pengerusi:** *They are allowed.*

**Encik Wong Piang Yow:** *They are allowed? Okay, that's good. Sign on it and take photograph, are they allowed?*

**Tuan Pengerusi:** *They can take photograph.*

**Encik Wong Piang Yow:** *Well if they are not allowed to bring cameras in, how can they take photograph?*

**Tuan Pengerusi:** *No, no.*

**Encik Wong Piang Yow:** *They can sign but they should be allowed to take photograph otherwise there is no way they can remember a few months later who sign what you know.*

**Tuan Pengerusi:** *If you are allowed to sign and bring your own seal that would be sufficient.*

**Encik Wong Piang Yow:** *Okay. Also the other point is about the destruction of the ballot papers at the end of the holding period. Candidates and the agents should be required by law to witness the opening all the ballot boxes and envelopes to ensure that the ballot papers are destroyed without anyone scrutinizing the serial numbers.*

*The worry is about during the opening of the ballot boxes. That is one of the worries but if we had this procedure of randomizing, it solves all the problems because the voters themselves can see that is secret. They don't have to worry about whether the candidates turn up during the destruction. Actually they never go.*

*Counting must be carried out in the same location as polling. Delete combined of election – regulation 23A to where the SPR should not be allowed to change it as this creates room for abuse. At the end of Regulation 24(2) changes it to read – counting shall commence after all the polling station in that constituency has closed. In other words, in the Sarawak State Election where we have certain constituency closing at twelve noon, the counting time should wait until 5.00 pm.*

*Counting of ballots in the counting centre is final. A recount of a particular ballot box in the main tally centre may be approved if there is strong suspicion and proof of tampering with the result shown in Borang 14 statement of the poll after counting the ballots. For such a case the candidates should be allowed to appoint new counting agents. However, this shall be subject to Conduct of Election 1981 Regulation 24A(2) which states “if the polling result doesn't effect the overall results, the returning officer may choose not to do the counting”. This is following the existing regulations.*

*Para 8.2.2 – rearrange desk in polling centre to allow scrutinizers to identify voters easily. These rights for rearranging the desk to allow scrutinizers to indentify voters easily, we suggest that the polling agents be seated in a row behind the kerani SPR. The kerani desk should be separated with a sixth inch gap. The scrutinizers should be able to follow the ballot paper trail from the moment it is handed to the voter until it is dropped into the ballot box. Currently, it disappears behind the screen, what will happen, nobody can see. What we are suggesting is that the screen be rotated 180 degrees so that the ballot paper is seen all the time until it enters the box.*

**Tuan Pengerusi:** *You want to see him?*

**Encik Wong Piang Yow:** *You will not be able to see him marking the candidate. It will not be possible but you want to see if there is anything being done to the ballot paper from the time it leaves the clerk numbers three until the time it enters the box.*

**Tuan Pengerusi:** *But in some countries they don't even allow you to look at it. They are screened.*

**Encik Wong Piang Yow:** *Well, if we have the standard of SPR to that country, I supposed we can consider that. Meanwhile I think the fact that we are here having discussion this morning is that public confidence in SPR is very low.*

**Tuan Pengerusi:** *So you are saying now that if you do not allow the polling agent to see the voter, there must be something funny going on with the SPR. Is it right you were saying?*

**Encik Wong Piang Yow:** *No, what we are suggesting is that we have a very big task to rebuild confidence in the SPR. Let us do the small little things that we can do which cause nothing to make it better. That is my suggestion.*

**Tuan Pengerusi:** *By allowing the polling agent to see a voter cast their vote – you suddenly enhanced the reputation of the SPR, is that right? Is that what you are saying?*

**Encik Wong Piang Yow:** *Tuan Pengerusi, I think every small little thing adds up a little bit here, a little bit there, it will end up into something significant. I would suggest that it is helpful for SPR to be seen trying their best to make sure that the election is conducted fairly.*

*Page number eight; 8.2.5.2 – SPR shall only accept the marking (X) in the box on the right hand side of the ballot paper and alignment with the candidate's name as a valid vote. We keep hearing references on the need to respect the intention of the voter. If you are to refer to the second schedule of the conduct of election regulations 13(2), the procedure is very clear. The title at the very top says directions for the guidance of voter to be exhibited outside every polling station.*

■1145

**Tan Sri Datuk Seri Dr. Fong Chan Onn:** *Mr. Wong, can we just summaries it, so your suggestion is that stick to the cross and don't allow anything else?*

**Encik Wong Piang Yow:** *Yes, because...*

**Tan Sri Datuk Seri Dr. Fong Chan Onn:** *Okay. it just...*

**Encik Wong Piang Yow:** *Your instructions are very clear.*

**Tan Sri Datuk Seri Dr. Fong Chan Onn:** *We hear you, we hear you.*

**Encik Wong Piang Yow:** *Okay, thank you very much. Right, let me go down to number 10 at the bottom, strengthen SPR. Strengthen the SPR to improve public confidence, provision independent, and Election Commission be allowed to enforce election laws.*

*We suggest that PSC should go further. There have been too many complaints about the performance of the SPR. Public statement by the SPR Chairman and his Deputy seems to suggest that they are beholden to a particular political party. We reiterate our suggestion that all SPR officers from returning officers upwards be drawn from the public who do not have any previous or current involvement in government or GLC service. Even for the presiding officers, at least half of them should be drawn from the public.*

*The SPR staff and temporary workers should not be allowed immunity or government assistant arising legal suit from candidates or the public for personal violation of the election laws and regulations. This will act as a deterrent against some of the blatant abuse of the laws by some black sheep in the SPR.*

*The legal advisor for the SPR should not be drawn from the AG's Chambers. Rather, they should be recruited from the private sector, preferably an individual vetted by the BAR Council.*

*Next item, all PSC recommendation should be implemented before 13th General Election. PSC must conduct voter education programs. We are glad that the PSC recognizes the importance of this program, which we have been conducting throughout the country. It gives us encouragement to broaden our activities in this field. In fact, this is also part of the reasons I am here. I am conducting voter education in Kuching. If any of you are interested, you can come for my training tonight. Throughout our activities, we have been able to gather feedback of the public on the SPR and his performance. Our recommendations are a result of such feedback.*

*Section 2, additional comments. SPR has a lot of forms. Some 753, some 764, 13, 14, 15, 16 and other forms as appropriate. Please add a footnote to the forms – this is a suggestion from a former KTM Officer. Please add a footnote to the form to state that the presiding officer or returning officer shall issue a signed copy of each of the forms to the candidates or their agents. Candidates or the agents as attend shall sign all the forms.*

*Mal-apportionment and Article 116 of the Federal Constituency. I think this is an important point. In Kota Kinabalu on 26<sup>th</sup> November, my friend, a retiree, Mr. Ng Chak Ngoon raised the issue of serious mal-apportionment of voters between the rural and urban areas. Not only that, we have gross disparities due to the carving out of pocket of mono ethnic groups to create parliamentary seats. It could be used to create small parliamentary seats consisting of rolling parties supporters or to isolate opposition supporters within large parliamentary seats. It started with the FELDA scheme in the 1960's. It had small Malay population.*

*Then Federal territories, in 1971, Kuala Lumpur was taken out of Selangor to reduce the number of Chinese in Selangor. Putrajaya was carved out of Selangor with a population of 6,608 mainly Malay voters. This a grossly unjust.*

*We have traced the problem to an amendment to Article 116 of the Federal Constitution as shown below. I won't read out the whole thing but the main point is sub clause number 4, "Each state shall be divided into constituencies in such manner that each constituency contains a number of electors as nearly equal to the electoral quota for the state as may be after making due allowance for the distribution of the different communities and for differences in density of population and the means of communication; but the allowance so made shall not increase or reduce the number of electors in any constituency to a number differing from the electoral quota by more than fifteen per cent."*

*This means that the difference between the biggest and the smallest constituency should be arrange of 15% from the average. Without this constitutional – this was removed in 26<sup>th</sup> June 1962. Without this constitutional safeguard, there is nothing to stop a future government with a two third parliamentary majority from carving up little pockets of Federal Territories containing primarily of their supporters all over the country and creating a huge advantage as a result.*

*My recommendation. A precedent has already been set with N.44 Selat Klang in Selangor. It consists of several islands and an isolated pocket of land on the mainland that has the constituency of N.43 Sementa separating it. See Appendix 1 on the last page. You will see N.43 separating two pieces of N.45. The Putrajaya Parliamentary seat should be cancelled and the voter population treated as absent voters in the Federal Territory of Kuala Lumpur. That will reduce the parliamentary seats to 221, which is an odd number as it should be. I am sure this will create a lot of controversy.*

*Reinstate Article 116 Clause 4. Further, as we aspire to develop nation status, we should follow the United Kingdom's example. We should reduce the voter deviation not more than five percent by 2015. Thank you for your attention.*

**Tuan Pengerusi:** *[Bercakap tanpa menggunakan pembesar suara]*

**Tuan Loke Siew Fook:** *Tuan Pengerusi, just refer back to the issue berkenaan serial number. Saya cuma hendak mendapat penjelasan daripada SPR. Apa pandangan SPR terhadap apa yang telah dibangkitkan? Because, we have made these suggestions and recommendations dalam interim report kita. Apa pandangan awal SPR sama ada ini praktikal ataupun tidak untuk membatalkan serial number ataupun kebimbangan yang diketengahkan Encik Wong tadi memang benar? Apa pandangan SPR?*

**Dato' Haji Noordin Che Ngah [Timbalan Setiausaha (Pilihan Raya) Suruhanjaya Pilihan Raya Malaysia]:** *Tuan Pengerusi, SPR berpandangan status quo is better. Sebagaimana saya jelaskan dalam mesyuarat terdahulu, bahawa kita perlukan untuk serial number tadi.*

**Tuan Pengerusi:** Mungkin *there is challenge in...* [Disampuk] *What Mr. Wong suggesting is that we retain the serial number as suppose to what we have recommended in our usul. All right, Mr. Wong? But to make it more secret, we just random. In another word, you tear the ballot paper at random, do not follow by sequence.*

**Tuan Loke Siew Fook:** Adakah itu boleh dilakukan oleh SPR? *Random.*

**Tan Sri Datuk Seri Dr. Fong Chan Onn:** *We make it to the minimum. Kalau tear two to at one time, one person...*

**Tuan Loke Siew Fook:** Akan tetapi Tuan Pengerusi, *just one more.* Saya hendak tanya SPR, secara praktisnyalah sekarang, secara praktisnya, saya sendiri jadi calon saya pun ada pergi jadi agen mengira undi juga saya pergi tengok. Secara praktisnya, apabila undi itu daripada tong dikeluarkan, ia diagihkan untuk dikira, kita tidak *check* balik *serial number* itu, betul tidak? Itu secara praktisnya, tidak. Kita hanya kira jumlah undi. Itu secara praktisnya. Akan tetapi pernah tidak dalam pilihan raya-pilihan raya yang lepas, ada pertindihankah atau ada apa-apa isu, kita tengok balik ataupun *count* balik *serial number* itu? Pernah berlaku kes macam itu tidak?

**Dato' Haji Noordin Che Ngah:** Tuan Pengerusi, sehari sebelum hari mengundi, kita *check* *currently* semua kertas undi *according to the serial number* tadi. Jadi, prosedurnya satu lagi iaitu bila hari mengundi, sesiapa yang datang terdahulu, mungkin dalam *electoral roll* dia, dia punya kedudukan itu nombor 35 *for example, so* dia akan diberikan kertas undi *the third* onelah. *So, siapa mari dahulu itu. That is why* saya rasa kalau hendak *random* itu, kita kena bincang.

**Tuan Pengerusi:** *In practice you see, in practice. We know that one – I'm mean, satu buku mengandungi 50 kertas, right? So, when the polling station is open, the person who walks in, he may not be serial number one, he maybe serial number, katalah dia punya saluran nombor 1, there are 350 you know orang-orang warga emas, so the one who walks in, he could be number 235, so you are given number 1.*

**Seorang Ahli:** *They cross his name.*

**Tuan Pengerusi:** *There is no cross on the name. It is just a marker. Then the next person will be number 3 on the voter list, given number 2. Next one and so on. So, you cannot trace it at all. That is one. But if you give it at random, that make even more difficult to trace. Would you agree with me, Mr. Wong?*

**Encik Wong Piang Yow:** Tuan Pengerusi, *I agree the second part. The first part I would like to clarify a little bit. When you issue ballot paper consequently, you can trace the voter. I can prove to you that you can trace the voter, because all you need to do is for somebody to mark 1, 2, 3, 4, 5 against the voter they count in. That is all you need to do. You can trace the voter. We have tested it hundred of times. We have tested our proposal also hundred of times and every one without exception, said yes, they like this method. Tuan Pengerusi, we are not talking about reality, we are talking about perception. We are talking about how to deal with fear. If you allow a voter to see that he can choose five ballot papers like tikam, he feels confident. It is that all to do it.*

**Tuan Pengerusi:** *Will it be more easier at random?*

**Encik Wong Piang Yow:** *At random, you and I can handle this but you have to consider the lowest comment dominator. At kampung folks who is not so well train, he may have difficulty recording the serial number of something that far down the ballot paper. So we have to make it simple enough for them. I think five ballot papers, they can handle. If you have the ballot box all over the place ...*

**Tuan Pengerusi:** *Who is going to record? I mean...*

**Encik Wong Piang Yow:** *The KTM will record. The counting agent also have to record.*

**Tuan Pengerusi:** *Record what?*

**Encik Wong Piang Yow:** *The serial number at the end of polling.*

**Tuan Pengerusi:** *No, the kerani will mention the number, serial number 257, kad pengenalan sekian-sekian, Lim Ah Peng, that is it, right?*

**Encik Wong Piang Yow:** *No, no, no. I think you are talking about the wrong things.*

**Tuan Pengerusi:** *No, no...*

**Encik Wong Piang Yow:** *At the end of the polling, the polling book – whatever remains in the polling book have to recorded in Form 13 as a counting control. If you tear paper around the place from the ballot paper, it is difficult for them to find, and they can make mistake and they miss out that ballot paper, that serial number. If that serial number doesn't appear in Form 13 informed during counting, it can be a ground for rejection of that ballot paper.*

**Tuan Pengerusi:** *Mr. Wong, a 50 voters come in, you have finished one book.*

**Encik Wong Piang Yow:** *Yes.*

**Tuan Pengerusi:** *Alright?*

**Encik Wong Piang Yow:** *Yes.*

**Tuan Pengerusi:** *You have said 540, so how many book did you finished?*

**Encik Wong Piang Yow:** *Yes. Your...*

**Tuan Pengerusi:** *Ten and what? 540, mean 11.*

**Encik Wong Piang Yow:** *Yes.*

**Tuan Pengerusi:** *So one book is not complete, is not finish.*

**Encik Wong Piang Yow:** *Correct.*

**Tuan Pengerusi:** *So, it is only one book does not finish, you see. So you have used 40 but you tear at random, you see. So you leave another ten. So, it is very easy for you to account, ten, the otherwise is finish.*

**Encik Wong Piang Yow:** *Your last book is the one you have to be careful.*

**Tuan Pengerusi:** *Yes, the last book.*

**Encik Wong Piang Yow:** *As long as you are careful in your last book and...*

**Tuan Pengerusi:** *Why is it so difficult about counting the last book?*

**Encik Wong Piang Yow:** *I am just thinking of the...*

**Tuan Pengerusi:** *I know you have been very very long, I have been very long as well. I am contesting in 1982. I know the procedure. It is very simple, very simple. Give it at random, then finish.*

**Dr. Mohd. Hatta Md. Ramli:** *Tuan Pengerusi, the original idea why we want to remove this serial number is to ensure that the voters feels save, secure that nobody will know which ballot is his. So, that is why we remove the number. If you have the number, you can be identified because when this person came, walaupun he is in the middle of the table of the list, but people can write he is person number one who enters.*

#### ■1200

*But, Mr. Wong suggestions you run the five pieces. That means to say, you reduce to doubt for how many percent? Ertinya daripada tadi satu, jadi lima itu sahaja. You still have the doubt. What I am trying to say here is that you want to clear the doubts of the voters.*

*When I go in, I don't want to be identify later. Kalau ada nombor lagi, you still have 20% chance, you can be identify compared to the original ini. Kalau you bagi randomize ten list then you reduce it more. So I mean you produce ten pieces dia pilih then you make it safer lower.*

**Tuan Pengerusi:** *Book a fifty just there...*

**Dr. Mohd. Hatta Md. Ramli:** *Betul, betul. But it does not solve our original intention to clear so that at the end of the day even masa hendak buka enam bulan kemudian pun, nobody knows where your vote is. Akan tetapi kalau Mr. Wong punya tadi itu, ini when you want to rig the elections, you talk about rigging the election. Ya, I mean this is a whole intention to reduce doubt that is rigging. How can people know what you are voting unless the election is rig? So, selagi ada peluang untuk menulis satu so that person number datang nombor 3, that it is written on this hard copy pada kerani itu.*

**Tuan Pengerusi:** *The third voters comes in, but he gets the...*

**Dr. Mohd. Hatta Md. Ramli:** *Ya, correct. Itu masalahnya. That voter...*

**Tuan Pengerusi:** *Ballot-paper maybe number three may be number...*

**Dr. Mohd. Hatta Md. Ramli:** *No, definitely not.*

**Tuan Pengerusi:** *How do you know ballot-paper he gets that number.*

**Dr. Mohd. Hatta Md. Ramli:** *That is the normal practice I think from this tadi cadangan Mr. Wong. You have the fifty check book itu...*

**Tuan Pengerusi:** *Ya.*

**Dr. Mohd. Hatta Md. Ramli:** *You take first five. Unless you said, you start with middle five...*

**Tuan Pengerusi:** *First out of fifty...*

**Tan Sri Datuk Seri Dr. Fong Chan Onn:** *Itu sangat detil sedikit.*

**Dr. Mohd. Hatta Md. Ramli:** *Okey.*

**Tan Sri Datuk Seri Dr. Fong Chan Onn:** *I think in principle they have come to a problem, Mr. Wong has raised a very good problem. Kalau tidak ada nombor, mungkin ada akibat yang lain. So, now we have to find the way with the number but random much such away that you cannot trace back.*

**Dr. Mohd. Hatta Md. Ramli:** *That is right. I think we have to come back to what is the idea of having this to remove doubts peoples can't identify. Mr. Wong's problem when you talk about stuffing, you get extra numbers not within that book. That we have to deal in another way you know because itu sudah satu lain problem pasal lebih banyak vote. Jadi nombor yang di luar buku itu ada keluar, jadi ini this is another problem. Akan tetapi yang kita hendak solve ini problem of caution and fear, yang ini I feel strongly. Dahulu lagi we have been talking about fear. Dahulu lagi teruklah. You know, you write the number at the ballot-paper. Now, we remove that. Now we remove the number, clear. Isunya fear.*

**Tuan Pengerusi:** *Dua isunya, one is a serial number. Mr. Wong is suggesting that we go back to the present practice where you retain the serial number because according to the SPR, bila there is a challenge in court and then they have to take it out and then they have to compare. Then that is when you require the serial number, right Mr. Wong?*

**Encik Wong Piang Yow:** *I am not considering in the court...*

**Tuan Pengerusi:** *Why do you require the serial number?*

**Encik Wong Piang Yow:** *The serial number I am talking in terms of the counting agent. The counting agent needs to have serial number to be able to determine whether that is a ballot-paper or not.*



*Allow me to address Yang Berhormat Dr. Mohd. Hatta's concern, originally our planning which we are also tried is like what Tuan Pengerusi is saying. If you know that you have 540 voters, normally you would know but let say in the morning. In the morning you know that you are finish. You tear 50, you finish it. So, what you can do is you tear 50, put in the box and you let the voter choose. I think Yang Berhormat Dr. Mohd. Hatta will the two percent chance make you comfortable. Are you still paranoid with 2%, cukup atau tidak?*

**Dr. Mohd. Hatta Md. Ramli:** *Ya, I mean as the percentage just go down, it's look better.*

**Encik Wong Piang Yow:** *Two percent is okay for you?*

**Dr. Mohd. Hatta Md. Ramli:** *Zero percent lagi better.*

**Encik Wong Piang Yow:** *Lagi better. But I think it is not in practical terms as I said we are not making this suggestion just on. We have tested this hundreds of times, we had used five ballots and we had used the whole box. Of course whole box is better. In the morning, if used the whole box, I don't anticipate any problem. In the afternoon I think you have to control a bit. May be use do it ten, may do it five and the last five voters in their worried about voting jangan undilah.*

**Tuan Pengerusi:** *Thank you very much.*

**Encik Wong Piang Yow:** *One last point if I may add, we are talking about issue of ballot paper. Now, accounting of ballot paper I would like to suggest to the SPR. The first step you do is please arrange the ballot paper by serial number. They will allow you to eliminate a lot of duplicate or super flows ballot paper and also safe time in during counting if they are any confusion.*

**Tuan Pengerusi:** *Mr. Wong, you want to keep the end raised the ballot-paper according to serial numbers before there are counted?*

**Encik Wong Piang Yow:** *Yes.*

**Tuan Pengerusi:** *Because you see, at one stream that you have said 700 voters. So, they have got fourteen buku. Okay, may be fifteen. Extra one. Fourteen, right? So, they use at random. So, 500, 400 orang datang, 420 so they used eight, nine buku and nine buku may not be in sequence you see. You want it to be a secret. Jadi may not be in a sequence. How do you want to arrange them?*

**Encik Wong Piang Yow:** *Tuan Pengerusi, we have tested this. It takes about 20 minutes. Thank you.*

**Tuan Pengerusi:** *Okay, let finish here for today. Today been Friday. Sorry, I am so sorry. So, jadi nampaknya tidak ada sesiapa lagilah. But I have to be here at 2.00 o'clock in case some one comes up. Can't say you know.*

**Tuan Loke Siew Fook:** *Semalam dimaklumkan ada seorang minta petang ini, betulkah? Betul atau tidak?*

**Seorang Ahli:** *Tidak ada.*

**Tan Sri Datuk Seri Dr. Fong Chan Onn:** *Tidak ada ya.*

**Tuan Pengerusi:** *So anyway, kalau ada pun, I have to be here.*

**Datuk Roosme binti Hamzah:** *The PRS people, they requested but then Mr. Nordani, he had to undergo an operations. So dia tidak dapat hadir. SPDP lain tidak ada.*

**Tuan Pengerusi:** *Okey, SUPP tidak ada ya? So, okey. Kalau tidak ada apa-apa saya di sini, I cannot say menanggungkan. So kita adjourn for lunch and prayers for Muslims.*

Dengan ucapan ribuan terima kasih, *we have to come back at 2.30 o'clock. Of course kalau tidak ada apa-apa kita adjourn after that. So, now kita adjourn for lunch and for rest. Thank you very much.*

**Mesyuarat ditangguhkan pada jam 12.08 tengah hari**

**Mesyuarat disambung semula pada pukul 3.04 petang.**

**Tuan Pengerusi:** Okey, kita ada seorang lagi di sini iaitu Encik Tsai Song Lim. *Please, be seated.*

*[Saksi individu (Encik Tsai Song Lim) mengambil tempat dalam bilik mesyuarat]*

**Tuan Pengerusi:** *The number you see on my right are from various government departments and agencies. So Mr. Tsai, you can speak english if you want to, or Malay.*

**Encik Tsai Song Lim [Individu]:** *I think I prefer English.*

**Tuan Pengerusi:** *Alright. Okay, you are welcome to state your views and advice if any. The idea is to make...*

**Encik Tsai Song Lim:** *To improve the system.*

**Tuan Pengerusi:** *Ya, to improve the system. Please, go ahead.*

**3.05 ptg.**

**Encik Tsai Song Lim:** *So, my idea to come here is just to improve the election process here. It is just my feedback lah. Whether the point can be taken or not, it is up to the Committee. I list out the nine points.*

*The first point is, the counting can be done faster and effectively by using electronic counting machine like one used in the bank in counting notes. It is very fast. That is my first point.*

**Tuan Pengerusi:** *Why? Using the present system is a little bit slow, is it?*

**Encik Tsai Song Lim:** *By hand, of course very slow. If we use electronic system, at least it is faster lah. You just put there and that is it.*

**Tuan Pengerusi:** *But bank counts a lot of money, a lot of notes. Here, you have saluran which maximum is 500 to 600 ballot papers. It would take half an hour. Anyway, it is okay.*

**Encik Tsai Song Lim:** *Maybe for the main center with bigger volume...*

**Tuan Pengerusi:** *You have to invent the machine for that, right?*

**Encik Tsai Song Lim:** *Yes. That is first one. Second one is, the ballot paper can be improved by adding a small box where it can be detected by scanner digitally to determine which candidate has been selected. Just blacken the small box for that candidate on the ballot paper lah. Just like we go for exam where there is small box, and you just use a pencil...*

**Tuan Pengerusi:** *Shade it.*

**Encik Tsai Song Lim:** *Ya. So, you just shade on the small box there of that candidate, and when count the vote, you just put in machine, and then they will know which candidate has been selected. Faster way rather than you take here or this lah. This is one of the way lah. Another way, my third point, it is just like parking coupon, just scratch the box there. I think that is a good idea also.*

**Tuan Pengerusi:** *[Bercakap tanpa menggunakan pembesar suara]*

**Encik Tsai Song Lim:** *Just scratch it, just like in the parking coupon. Easy, right? But this one, of course it cost a lot of money to do it.*

**Tuan Pengerusi:** *[Bercakap tanpa menggunakan pembesar suara]*

**Encik Tsai Song Lim:** *No need to mark or – just scratch it.*

*The fourth point is, all citizens when they reach 21 years old, I think automatic lah registered. It is better that way lah. Based on their IC address.*

**Tuan P. Kalamathan a/l P. Panchathan:** *Mr. Tsai, only an opinion. You have suggested 21 years of age...*

**Encik Tsai Song Lim:** *Is it 21? I think it is 21.*

**Tuan P. Kalamathan a/l P. Panchathan:** *Ya, it is 21 now. What do you think if we making it lower to 18?*

**Encik Tsai Song Lim:** *It is depend to the Committee Members. To me, I think it is also mature enough. They can ride a motorbike and drive a car already. So, I think it is alright...*

**Tuan P. Kalamathan a/l P. Panchathan:** *You think 18 is also okay?*

**Encik Tsai Song Lim:** *Okay.*

**Tuan P. Kalamathan a/l P. Panchathan:** *Didn't you think they are still in school, so we thought 21 is a proper... Like Singapore, it is 21.*

**Encik Tsai Song Lim:** *But to me, I think 21 is...*

**Tuan P. Kalamathan a/l P. Panchathan:** *Does not matter?*

**Encik Tsai Song Lim:** *It is only three years. To me, I think it is still okay. I think I write it down 21 because it is based on existing law. But you put 18, to me, it is okay.*

*The fifth one is, the counting to start immediately after polling station closed. Once the counting finish, the result of the counts can be send by satellite phone. I think if there is a satellite phone especially in the rural area, just SMS to them or anything to main polling center. It is faster that way lah rather than you carry by boat or car which takes a long time. This is the faster way of communication lah. We use the existing technology that we have. I think last time we used to have a satellite phone, I think...*

**Tuan Pengerusi:** *Who makes the call?*

**Encik Tsai Song Lim:** *From the kampung. I mean, from the polling station in the rural area which cannot be accessed by any other means.*

**Tuan Pengerusi:** *The SPR lah. Pegawai SPR who will make the call, is it?*

**Encik Tsai Song Lim:** *Yes, yes. Of course he must from the head of that... [Disampuk] The Election Commission.*

**Tuan Pengerusi:** *SMS tak boleh pakai lah?*

**Encik Tsai Song Lim:** *SMS or you use MMS or anything...*

**Tuan Pengerusi:** *Bolehlah?*

**Encik Tsai Song Lim:** *Can. SMS, MMS, some sort of things – whatever means you have lah. Rather than you send the things – takes long time to me, is it? If weather is not good – who knows if it is raining heavily or what lah. This is my comment lah.*

**Tuan Pengerusi:** *Okey.*

**Encik Tsai Song Lim:** *Apart from public servant, those individuals from private sectors can be hired to be involved in helping the Election Commission in the election process. They are to be involved in Election Commission duties like manning polling stations, observing election process, counting votes, ensuring election is carried out orderly. My comment on this, rather than involve the public servant, why not involve the private sector also? Rather involve the teacher, government servant, I think the private sectors do have a lot of...*

**Tuan Pengerusi:** *The private sector, depa meniagalah. They say, "Ini macam mana? Mahu kasi berapa? RM100 bolehkah satu hari?"*

**Encik Tsai Song Lim:** *Those retired, I meant.*

**Tuan Pengerusi:** *I see, okay, okay.*

**Encik Tsai Song Lim:** *Those who are retired, they need some income lah. For me, I feel like I want to involve but I cannot because most of the Election Commission, they hire government servant.*

**Tuan Pengerusi:** *If you given an opportunity, would you volunteer, right?*

**Encik Tsai Song Lim:** *I will volunteer, in case they call me up lah. Of course I will take to do it. I think a lot of people will try to help out also. Those retired from civil servant or from the private sector – anybody lah. Election Commission to have Committee Members comprising of all political parties, NGO, election bodies, individual or anybody. At least, it looks like independent and fair and square to everybody lah. Next point, election day must be declared as a public holiday. Because last time, it is Saturday, some of the workers cannot go out because they are – they can go out in the afternoon. Some of them working half day, some of them – even Saturday they are working you know. So, they do not have the time to go for election, I mean cast the vote. So, I think it is best to declare public holiday.*

**Tuan Pengerusi:** *Once in every four years, right?*

**Encik Tsai Song Lim:** *Once in every four years only, not everyday.*

*My last point is, election day is better to fixed it rather than – I mean, every four years or five years. If we fix it rather than we give short notice one month or half month, for those who are in overseas they want to come back, they have to arrange for their fly back for this. For those outstation, they need to come back to vote, they need time. If it is well plan, and then, they can come back to cast their vote.*

**Tuan Pengerusi:** *What are you suggesting? Every five year fixed the date or..?*

**Encik Tsai Song Lim:** *I think roughly for...*

**Tuan Pengerusi:** *Six month before five years, you can decide any date?*

**Encik Tsai Song Lim:** *I think it is best to have a date lah, it is better. I mean, roughly which month lah.*

**Tuan Pengerusi:** *If I may suggest to you Mr. Tsai, five years, okay, but the last six month of the fifth year is the time when you should have an election. So the six month before that is the time when you must determine which is the date during the last six month, is that right?*

**Encik Tsai Song Lim:** *I think it is best to determine it, so that it is good for everybody especially the voters, they know when to come to vote that day. The date can be six month before it expiry. Somewhere around there lah. So, fix a date to make it easier for everybody. It easier for me and for those from overseas for them to come back to cast their vote. This is my personal opinion and also my friend opinion, so I write down all this.*

**Tuan Pengerusi:** *Okay, thank you very much Mr. Tsai Song Lim. You from Sarawak, are you?*

**Encik Tsai Song Lim:** *Yes, I am Sarawakians.*

**Tuan Pengerusi:** *From Kuching, is it?*

**Encik Tsai Song Lim:** *Yes.*

**Tuan Pengerusi:** *Okay, thank you very much for coming.*

**Encik Tsai Song Lim:** *Thanks for listening to my view. Thank you very much everybody. Thank you.*

**Tuan Pengerusi:** *Thank you.* So nampaknya itu sahajalah bagi persidangan kita di Kuching buat ketika ini. Sekarang sudah pukul 3 lebih. *We wait for five minute. It is not fair if they come...*

**Datuk Rosmee binti Hamzah:** *Until 3.30 pm maybe?*

**Tuan Pengerusi:** *Okay, we wait until 3.30 pm before we adjourn if tidak ada sesiapa lagilah, to be fair to everybody including us.* Takkan kita nak tunggu sampai pukul limalah, bukan? Jadi, pukul 3.30 itu berbaloi lah sedikit. *Okay, do we wait in silent or what?*

■1515

**Beberapa Ahli:** *[Berbincang sesama sendiri]*

**Tuan Pengerusi:** Saya ingat *time* sudah sampai. Sudah pukul 3.30 petang, kalau tidak ada sesiapa lagi, kita berhenti di sinilah. Jadi saya hendak mengambil kesempatan di sini bagi pihak Jawatankuasa dan Pengerusi khususnya yang tidak hadir di sini, untuk mengucapkan ribuan terima kasih kepada semua pegawai kerajaan, agensi-agensi yang lain yang terlibat yang datang jauh dari Kuala Lumpur. Saya tahulah *some of you feel a bit cold* duduk di dalam bilik ini, duduk tunggu sahaja, *but it is part of your experience* lah sebagai pegawai kerajaan. Bukan selalu *you have the privilege to sit in the Select Committee* sebab *Select Committee* ini bukan selalu ditubuhkan, mengikut apa yang saya tahulah, *I stand to be corrected.* Saya ingat dalam sejarah sejak kita mencapai kemerdekaan, tidak lebih daripada setengah dozen kali ditubuhkan jawatankuasa khas ini. *So, this is a privilege,* memberi kita satu pengalaman. *So that, at least you can tell you grandchildren, oh I once sat* sebagai jawatankuasa, sebagai apa, sebagai anggota yang membantu jawatankuasa khas...

**Datuk Roosme binti Hamzah:** Nama ada dalam *Hansard.*

**Tuan Pengerusi:** Nama semua ada dalam *Hansard. It will be there forever.* Jadi sekali lagi saya mengucapkan ribuan terima kasih. *Insyah-Allah,* kita jumpa di Pulau Pinang. Sekian. *Assalamualaikum warahmatullaahi wabarakaatuh.*

**Mesyuarat ditangguhkan pada pukul 3.32 petang**