
**PENDENGARAN AWAM JAWATANKUASAPILIHAN KHAS
PENAMBAHBAIKAN PROSES PILIHAN RAYA
BILIK GERAKAN TUN ABDUL RAZAK, BANGUNAN SULTAN IBRAHIM,
JOHOR BAHRU, JOHOR.**

KHAMIS, 12 Januari 2012

AHLI-AHLI JAWATANKUASA

YB. Datuk Seri Panglima Dr. Maximus Johnity Ongkili
[Menteri Sains, Teknologi dan Inovasi] - *Pengerusi*
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YB. Tan Sri Datuk Seri Dr. Fong Chan Onn [Alor Gajah]
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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]
YB. Tuan Wee Choo Keong [Wangsa Maju]

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Tuan Haji Kamaruddin bin Haji Keling [Setiausaha Bahagian
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SAKSI-SAKSI (PENDENGARAN AWAM)***Institute for Democracy and Economic Affairs (IDEAS)***

Profesor Dr. James Chin [Senior Fellow]

Encik Wan Saiful bin Wan Jan [Ketua Pegawai Eksekutif]

Majlis Profesor Negara

Profesor Dr. Mansor Mohd Noor [Setiausaha Kluster Politik, Keselamatan dan Hubungan Antarabangsa]

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Encik Saadon Abdullah [PKR Pagoh]

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Encik Abdul Hamid Yeop Zainuddin

Encik Wong Piang Yow

Encik Husain Mahmood

LAPORAN PROSIDING**PENDENGARAN AWAM JAWATANKUASAPILIHAN KHAS
BERHUBUNG PENAMBAHBAIKAN PROSES PILIHAN RAYA
PARLIMEN KEDUA BELAS, PENGGAL KELIMA****Bilik Gerakan Tun Abdul Razak, Bangunan Sultan Ibrahim Johor Bahru, Johor.****KHAMIS, 12 Januari 2012****Pendengaran Awam dimulakan pada pukul 9.36 pagi**

[Yang Berhormat Datuk Seri Panglima Dr. Maximus Johnity Ongkili
mempengerusikan Mesyuarat]

Tuan Pengerusi: Baiklah, kita ingin memulakan sesi pada hari ini. Seterusnya saya panggil mesyuarat ini *order, order, order* untuk kita mulai tugas rasmi pada hari ini. Sekali lagi selamat pagi, salam sejahtera dan salam 1Malaysia saya ucapkan kepada semua Ahli Yang Berhormat, pegawai-pegawai agensi sentral yang terlibat sebagai agensi-agensi sokongan seterusnya juga tuan-tuan dan puan-puan ada yang di dalam, ada yang di luar pada hari ini yang ingin mengikuti perjalanan pendengaran awam yang keenam ataupun hari yang kesebelas kita sudah pergi ke tempat yang keenam selain daripada Parlimen. Daripada Parlimen kita ke negeri Sabah, dari negeri Sabah ke negeri Sarawak, lepas itu ke Pulau Pinang, minggu lalu kita berada di Kota Bharu Kelantan dan pada pendengaran kali ini iaitu yang keenam ataupun hari kesebelas pada hari ini berada di Johor Bahru.

Kepada semua Ahli Yang Berhormat, Ahli Jawatankuasa Pilihan Khas Penambahbaikan Proses Pilihan Raya Dewan Rakyat Parlimen kedua belas ini selamat datang, terima kasih kerana kehadiran hari ini lebih banyak daripada di Kota Bharu kerana beberapa Ahli Yang Berhormat yang sibuk dengan urusan masing-masing. Juga kepada pegawai-pegawai Parlimen, terima kasih, Setiausaha Dewan Rakyat masih bersama dengan Speaker Dewan Rakyat di luar negara jadi tidak dapat bersama dengan kita.

Ahli-ahli Jawatankuasasekalian pada 7 dan 8 Januari 2012 Jawatankuasatelah mengadakan sesi pendengaran awam di Bilik Gerakan Negeri Kota Darul Naim, Kota Bharu Kelantan. Sebanyak lapan pertubuhan parti politik dan individu telah memberikan cadangan. Sebenarnya *I think* tambahan selain daripada pertubuhan dan individu itu barangkali ada 12 semuanya yang telah pun bercakap pada hari itu ataupun menjadi saksi kepada jawatankuasa. Suka saya ingin mengingatkan kepada semua ahli Jawatankuasakecil serta agensi-agensi teraju untuk memberi maklum balas terhadap perkara-perkara yang telah pun dibangkitkan semasa sesi pendengaran awam dan menyerahkan maklum balas tersebut kepada pihak urus setia. Format telah pun disediakan.

Barangkali pada hari esok kita akan kumpul semua maklum balas yang telah pun disediakan untuk pendengaran awam di Pulau Pinang dan pendengaran awam di Kota Bharu pada hari esok dan hari ini memang tugas itu berterusan.

Pada hari ini Jawatankuasa akan memulakan sesi pendengaran awam di sini di Johor Bahru dengan beberapa lagi pertubuhan dan individu yang akan tampil memberi keterangan ke hadapan jawatankuasa. Setakat ini mereka yang telah membuat tempahan bagi hari pertama ini adalah mengikut senarai kira-kira 10. Ini pertubuhan dan individu dan belum termasuk lagi mereka yang dengan izin *walk in* nanti. So, kita di sini sampailah pada hari esok dan juga tertakluk kepada masa. Jika pengerusi Jawatankuasa kecil masing-masing ingin berjumpa dengan ahli-ahli Jawatankuasa kecil dalam tempoh dua hari ini juga saya persilakan jika ada perkara-perkara yang ingin dirujuk bersama ataupun disediakan bersama.

Barangkali dari segi *framework* ataupun persiapan saya ingin maklumkan lebih awal bahawa selepas pendengaran awam di Johor Bahru ini kita akan mengambil masa *recess* kerana Tahun Baru Cina menjelang tiba. Selesai sahaja barangkali minggu pertama selepas Tahun Baru Cina kita akan bermesyuarat sebagai Jawatankuasa penuh untuk memberi tumpuan kepada perkara-perkara yang perlu dilaksanakan. Dua golongan perkara satu menyusuli pelaksanaan syor-syor yang telah pun dikemukakan kepada Parlimen dan khususnya yang perlu diambil tindakan oleh pihak Suruhanjaya Pilihan Raya Malaysia (SPR).

Saya ingin mengatakan syabas dan kerana ketetapan daripada Majlis Fatwa kelmarin begitu jelas sekali di mana mereka telah menerima supaya penggunaan dakwat kekal itu boleh diteruskan untuk digunakan oleh SPR dan seperti mana respons saya, saya telah mengatakan bahawa itu *much welcome*, dan kedua dengan itu peraturan-peraturan yang perlu dibentangkan disediakan bolehlah diteruskan dan jangkaan awal itu *first of February* harus disiapkan. Kedua, *I think* latihan-latihan kepada pegawai-pegawai SPR yang terlibat dari segi penggunaan dakwat tersebut dan ketiga *procurement itself*, dengan izin, perolehan. Jadi nanti barangkali tengah hari kita boleh minta laporan balik daripada pihak SPR apa lagi yang perlu dilaksanakan susulan daripada ketetapan pada hari kelmarin.

Baiklah seperti yang saya katakan tadi bahawa hari ini nampak panjang. Ada sepuluh yang sudah menempah masa dan untuk itu saya ingin jemput kalau ikut senarai ini ada yang sudah hadir, ada yang masih lagi dalam perjalanan tapi mengikut sini *maybe* kita *start* dengan *Institute for Democracy and Economic Affairs* kerana mereka *listed* nombor enam. Yang lain belum tiba lagi ataupun dalam proses tiba so, dengan izin, jemput *Institute for Democracy and Economic Affairs* diketuai oleh Profesor James Chin. *So these are academician, I think the thinkers, so we jemputkan dia sebelum saya address* mereka yang seterusnya. Senarai nanti edarkan. Saya jemput IDEAS. Okey, silakan.

Encik Che Seman bin Pa Chik [Setiausaha Bahagian Pengurusan Dewan]: Belum sedia.

Tuan Pengerusi: Belum sedia?

Tan Sri Datuk Seri Dr. Fong Chan Onn [Alor Gajah]: Belum sedia?... [Ketawa]

Tuan Pengerusi: Kita hendak mulakan dengan pertubuhan sebab golongan mereka banyak dan mengikut kehadiran di sini IDEAS (*Institute for Democracy and Economic Affairs*) sudah hadir dan selepas itu bolehlah Majlis Profesor Negara, juga 8.40 dia sudah tiba dan nanti saya jemput satu individu Encik Abdul Hamid bin Yeop dia 8.30 sudah tiba. So, bolehlah sediakan mereka yang saya telah sebutkan tadi. Selamat datang. Nampaknya pada hari ini *full force*. Saya ada lagi sedikit hendak sebut tapi saya hendak saksi datang.

■0945

Tuan P. Kamalanathan a/l P. Panchanathan [Hulu Selangor]: Tuan Pengerusi, Tuan Pengerusi...

Tan Sri Datuk Seri Dr. Fong Chan Onn: Minggu dahulu Yang Berhormat Gombak tidak hadir.

Seorang Ahli: Dia sibuk.

Tan Sri Datuk Seri Dr. Fong Chan Onn: Sibuk.

Tuan P. Kamalanathan a/l P. Panchanathan: Tuan Pengerusi, *before we start, just a point*.

Tuan Pengerusi: Yang Berhormat Hulu Selangor.

Tuan P. Kamalanathan a/l P. Panchanathan: Terima kasih Tuan Pengerusi. Hanya untuk satu makluman. Kita lepas mesyuarat *public hearing*, selepas cuti Tahun Baru Cina, saya ingin cadangkan untuk memulakan perjumpaan dengan ada permintaan seperti daripada duta-duta seperti kumpulan *European Union* (EU) untuk mengadakan satu perjumpaan dengan kita. Harap dapat dimasukkan antara perbincangan-perbincangan daripada mereka juga.

Tuan Pengerusi: Saya berharap esok kita boleh kemukakan senarai *outstanding matters* yang perlu kita beri perhatian dan mencari masa untuk membincangkan. Selain daripada perihal pengundi di luar negara dengan menjemput nanti membincangkan pengalaman-pengalaman negara lain. Dua perkara yang telah kita utarakan pada masa berada di Pulau Pinang dan di Kota Bharu adalah perihal media dan kedua, perihal yang kita katakan rasuah yang terjadi pada masa pilihan raya. Cadangan-cadangan ini belum dimuktamadkan dan lagipun saya rasa kedua-dua pihak di Parlimen ini bolehlah memberi pandangan-pandangan yang lebih spesifik. Baiklah, saya putuskan.

[Saksi dari *Institute for Democracy and Economics Affairs* masuk mengambil tempat di depan Jawatankuasa]

Tuan Pengerusi: Selamat datang saya ucapkan kepada dua wakil daripada *Institute for Democracy and Economic Affairs* (IDEAS), Prof. Dr. James Chin dan Encik Wan Saiful Wan Jan.

Terima kasih kerana hadir bagi pendengaran awam pada hari ini, memandangkan beberapa yang lain belum sedia. Maka, saya telah minta supaya pasukan daripada IDEAS ini memulakan. Selamat pagi kepada semua sekali lagi dan saya bagi pihak Jawatankuasaingin merakamkan penghargaan kepada tuan-tuan dan puan-puan yang sudi hadir sekali lagi. Satu yang telah dan akan diberi peluang untuk hadir di hadapan Jawatankuasauntuk memberi keterangan dan input dan juga mereka yang memerhatikan satu di galeri dan ada juga di luar di sana.

Untuk makluman, sebelum ini Jawatankuasa telah mengadakan lima pendengaran awam ataupun sepuluh hari keseluruhannya dan iaitu pada 11 dan 12 November di Kuala Lumpur, 25 dan 26 November di Kota Kinabalu, 8 dan 9 Disember di Kuching, 15 dan 16 Disember di Pulau Pinang, dan terbaru 7 dan 8 Januari di Kota Bharu. Untuk kita memulakan pendengaran awam pada hari ini saya rasa untuk pihak awam saya hendak memperkenalkan Ahli-ahli Jawatankuasa yang hadir untuk bersama dengan kita untuk mendengar input daripada pihak awam. Sebelum itu, saya ingin menekankan bahawa ini adalah persidangan Parlimen di peringkat Jawatankuasa. *So, this is a Parliamentary sitting at the Committee Stage so* semua tatacara perjalanan dan peraturan-peraturan tetap itu bagi Parlimen diguna pakai. Jadi, mereka yang boleh bercakap adalah mereka yang sekadar dijemput untuk berucap, *those who are invited to speak* dan memang *members of the team can ask to speak* tetapi yang berada di *gallery* tidak dibenarkan untuk menyampuk ataupun membuat sesuatu gangguan semasa persidangan mesyuarat kerana ini *Parliamentary discussion in process*.

Hari ini kita sangat bertuah, saya amat bertuah kerana 100% kehadiran ahli-ahli Jawatankuasa, daripada sebelah kanan saya di sini iaitu Ahli kawasan Kangar, *I hope you are much better compared to* berada di Kota Bharu, *because you are not walking very straight* pada masa itu. Seterusnya, ahli bagi kawasan Alor Gajah, Tan Sri Datuk Seri Dr. Fong Chan Onn, Yang Berhormat Kapit, Datuk Alexander Nanta Linggi, Yang Berhormat bagi Hulu Selangor, Tuan P. Kamalanathan a/l P. Panchanathan. Sebelah kiri saya bermula dengan Yang Berhormat Gombak, Tuan Mohamed Azmin Ali, *seems very happy and cheerful today*.

Tan Sri Datuk Seri Dr. Fong Chan Onn: *He looks relieved.*

Tuan Pengerusi: *He's timbalan parti. Always walk a difficult part. You overdo your job, you will get problem. You do under, you got problem.*

Seorang Ahli: *You learnt your lesson well.*

Tuan Pengerusi: *No wonder he's very happy today.* Yang Berhormat Kuala Krai, Dr. Mohd. Hatta Md. Ramli.

Dr. Mohd. Hatta Md. Ramli [Kuala Krai]: *Don't I look relieved?*

Tuan Pengerusi: *He is always cheerful.* Yang Berhormat Rasah, Tuan Loke Siew Fook and of course Yang Berhormat Wangsa Maju, Tuan Wee Choo Keong, *we missed you in Kota Bharu.* Terima kasih kerana hari ini pendengaran awam yang terakhir, semua hadir untuk mendengar dan saya rasa kita semua *looking forward* untuk sesuatu sesi yang begitu bermakna dan akan menerima input yang banyak. Sekali lagi, untuk makluman pada mereka yang saya jemput nanti, memandangkan ini adalah persidangan Parlimen di peringkat Jawatankuasa, setiap kata-kata itu dimasukkan ke dalam handsard dan direkod di dalam video semuanya. So, dengan itu tanpa membuang masa saya menjemput Prof. Dr. James Chin. *You can present in Bahasa Melayu or in English. Other than that, we need translators but, I let you to introduce your part. We give you initial 15 minutes, if need more I will give additional.* Sila.

9.53 pg.

Profesor Dr. James Chin [Senior Fellow, IDEAS]: *Thank you Tuan Pengerusi, thank you very much and a very good morning to all. IDEAS would like to thank the PSC of Electoral Reform for the opportunity to appear before it and to give suggestions towards improving our electoral system. I'm sure all Malaysians support the work of the PSC and looking forward of the final report.*

The PSC has received many good suggestions from various interested parties, and some have presented very detailed technical data. So for us, we will not repeat the technical data. From what you have already heard, we will simply present and we emphasize the key reforms that we would like to see the PSC to recommend in the final report. These reforms if taken on board, will give Malaysians and people around the world, a sense that elections in Malaysia are 'free' and 'fair'. As it stands now, there are many controversies that make many people around the world and in Malaysia feels that elections in Malaysia although may be 'free' but not necessarily 'fair'. We therefore want to emphasize the following eight reforms. Some of these reforms we ask for may be similar to what other bodies are asking but we feel that it is important to reinforce the importance here.

The first suggestions that we want to make is that we feel that it is very important to provide mandatory and equal access to public media for all contesting political parties. This issue of media access is a long-standing one. Obviously there is no agreement on this issue between the ruling coalition and the opposition. We feel that the easiest way to resolve this issue is to give the Electoral Commission powers to organize party political broadcast by all contesting parties on public broadcasters. In Malaysia, of course this refers to RTM, both radio and television. Therefore, we suggest that RTM should set aside a time, say one hour per week during the campaign period for each political party to present their manifesto. We do not believe that this political party broadcast should be carried by private stations. We are of the opinion that we should not dictate the private operators.

But in the case of RTM, since it is funded by the taxpayers, it has the responsibility to all Malaysians regardless of political affiliations. We will that it is wrong, immoral and corrupt if RTM abuse taxpayers money by acting for one side only.

The second suggestion we want to make is that we believe that this is the time to reform the postal and absentee voting system. We feel that there is no reason why postal votes should be restricted to members of the security forces and civil servants. Everybody, every Malaysian citizen above 21 should be able to use the postal vote if they choose to do so. There should not be a need to have a 'reason' to use postal voting.

We believe that the same goes for Malaysians living overseas. We do not think that just because you are living overseas, you are denied one of your most important Constitutional rights and that is the right to vote. We feel that all Malaysians, as long as they meet the requirements, must be given the right to vote, if you look at our neighbors, Singapore...

Tan Sri Datuk Seri Dr. Fong Chan Onn: *Tuan Pengerusi, may I interrupt.*

Tuan Pengerusi: *Do you allow for interruptions?*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *Prof. Dr. James, may I remind you that nobody is denied to vote, even Malaysians who are residents overseas, let's be very clear about it. They have not been denied their right to vote. So, please don't make... I mean, while we are listening, please don't make speculative statements as that because they can always come back to vote. Their right has not been denied. So let be very clear about that so, if you make a blanket speculative statements like that, its not fair as a think tank like IDEAS.*

Tuan Pengerusi: *I just paint the real picture, if you are a registered voter, even if you are overseas, provision has been made under the enactment, the regulation, if you are a student, you can vote by postal and if you are a civil servant working for the government, others- even if they are overseas and they are entitled under the category, of course they still have to request for it. Meaning, when Parliament is dissolved, they will have to inform SPR that they want to vote by postal vote. So, these are the two categories only. The rest, Yang Berhormat Alor Gajah got a point there. They are not denied, because they can come back to vote, but of course they cannot vote from outside the country unless..., and that provision has not been wider so, we are studying the possibilities. You go ahead. Just a clarification that we want to offer...*

Profesor Dr. James Chin: *Thank you Tuan Pengerusi. I think the point that we are trying to make is that although they are not denied to vote, the practical side of it is that, obviously nobody is going to fly back. Say for example, if they live in South America, nobody is going to fly back just to vote. The point that we are trying to make is that, they should be given the facility to vote overseas and the point I'm trying to make is...*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *That's different.*

Tuan Pengerusi: Okey, *continue*. We are actually listening to this kind of points. We have actually proposed to open that but, the problem has been, how do you do it? Because, it's a massive job. So, you may want to concentrate on it as well.

Profesor Dr. James Chin: Yes, thank you Tuan Pengerusi. As we mentioned, one of the suggestions that we want to make is we should look at the Singapore models. So, for example in Singapore, what they did was that in the last general elections in Singapore, they opened up a certain number of cities. Nine cities that we have listed in Appendix 1 where Singaporean living overseas have the right to vote at the High Commissioner or Singapore Embassies overseas. So, in the increasing...

Tuan Pengerusi: Prof., Yang Berhormat Hulu Selangor wants to have some clarifications.

Tuan P. Kamalanathan a/l P. Panchanathan: I agree with your point when you say that even our neighbor Singapore grants overseas voting in a selective cities overseas to give their citizens living overseas the chance to elect the government. Point noted. But, are you also aware that the Singapore has set a criteria, that means, there must be a connectivity to their country. They must come back at least once a year in order to qualified to be an overseas voter.

Profesor Dr. James Chin: Yes, yes.

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

Profesor Dr. James Chin: I think the point that we are trying to make is that, if you let me finish this section, in the increasing globalize world, more and more Malaysians will be working and living abroad for a period of time and to give them to vote is a very powerful glue to connect them back to Malaysia. That is the point that we are trying to make. In other words, we are suggesting to this Committee that we should make overseas voting as easy as possible to allow the maximum number of eligible Malaysians that can vote overseas.

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The third suggestions we make is that to allow free and open access to electoral roll authorized bodies. We would like to see open access by all political parties and parties with legitimate need to consult the roll. At the present moment, it is in our understanding that you have to buy the latest version direct from the Election Commission. By opening up the access, we can allow every interested party to scrutinize the roll. One of the issues we face in Malaysia is that in every election, there were accusations that the roll is not clean. But by opening up the roll, we can allow people to immediately bring some confidence into the system because it allows them to check the roll.

We would also like to see the process of objection to names on the electoral roll simplified. At the present moment, it is in our understanding that you have to pay to object to names, and you are actually be fined if the objection is not sustained.

We find that this is incomprehensible to most people. We find it is a bit funny that you can actually charge people who are trying to ensure that electoral roll is clean. It does not make sense. The argument that a fee will stop unreasonable objection does not stand given that the credibility of the roll is much more important than a small number of people trying to make a nuisance. We further would like to recommend that the PSC reads the document called 'Supply and Sell of the Electoral Registrar' published by the British House of Common which we attach in the appendix too. It gives a very good example of how to handle the issue of clean electoral...

[Gangguan sistem pembesar suara]

After all, if you argue that the informal campaigning period has an effect on the actual outcome, then there is really no need for any formal campaigning period.

Point number five, we suggest that the PSC recommend that we lower the voting age to 18 years old. Most of our neighboring countries for example Indonesia, it is actually lower than Malaysia. In Indonesia it is only 17. In Thailand it is 18. In the Philippines it is also 18 and 16 years old for municipal elections in some areas. The only neighbouring country that has the same age as us is Singapore which is 21 years old and again, that is due to the common British heritage.

So, among the developed countries, most of them would have 18 years old. For example, Canada, US, UK, Australia and New Zealand, all of them are 18 years old and most of continental Europe also 18 years old. At our last count, we found that 142 countries around the world actually have 18 years old as the voting age. And of course more and more countries are adopting 18 as the standard age.

So, given that our education level has gone up and our level of development has gone up, we do not see why we need to maintain the age of 21 years. After all, we are living in the 21st century and the most appropriate age that we feel are ideal is actually 18 years old. The analogy we like, to us is that, if you can get married at 18, we do not see why you cannot choose the government.

Point number six, we would like to recommend that the Election Commission be fully autonomous and independent. It is clear to us that one of the many reasons why general election in Malaysia suffer from credibility issue is the establishment and the set up of the Election Commission itself. At present, the EC is effectively an arm of the Prime Minister's Office and as such, it is widely perceived by the public and international bodies as to be non-independent and biased towards the ruling party. Many people think that EC, or perceived that the EC is doing the government's job and manipulating the electoral boundaries especially when it comes to delineation exercises. So, the simple way to deal with this is to make sure that EC is an independent body similar to a body such as SUHAKAM. Secondly, we also proposed that EC should report annually to Parliament directly. The EC should work hard to create a neutral and independent image.

Any EC Commissioner or staff who created the impression that he or she is no longer neutral must be removed immediately. In fact, we do not see any reason for EC Commissioners to play such a prominent role in public life. We cannot remember instances from any developed country where members of their EC become as well known as the way some of the EC members are in Malaysia. I am sure all of you here do not know who the EC members are in the UK, US or Canada. We believe EC members should work behind the scene, they should not act like politician. We also feel that appointment to EC must also be a transparent process. They must be professional members who are capable of performing their responsibilities without fear or favor and the EC must not be seen as retirement club for senior civil servants.

Suggestions number seven. There are serious problems associated with the principle of, "one vote one value" in Malaysia. The easiest way of course is to give a straightforward example. The Putrajaya seat has about 7,000 voters while Kapar has about 113,000 voters. For most people, this means that one vote in Putrajaya were equals to about 17 votes in Kapar.

We do not need to go into history that, at the time of independence, there was a rule that the differences in constituency numbers should be limited to about 15% above or below the average constituency numbers. This rule was relaxed in the 1960's and completely removed in 1973. We do not want to go into the technical details or the arguments why the number of rural is needed to be adjusted, the so called rural weightage argument. We recognize the need for rural weightage and we think that there should be a limit imposed. It is quite clear that rural weightage does not mean that one vote in one constituency can equal to 17 votes in another constituency, so we propose that the easiest way to handle this issue is actually to limit it to a ratio 1:2. In other words, the smallest constituency to the biggest constituency, the ratio should be 1:2 or 100% difference.

Now, we understand that the needs to have separate arrangements for Sabah and Sarawak given that they are asking for one third of the parliamentary seats as promised in the Malaysia Agreement. What we recommend is that once you have allocated the one third of the parliamentary seats to Sabah and Sarawak, the, "1:2" formula also applies to the seats in Sabah and Sarawak.

Point number 8 is the use of indelible ink. We understand that this is no longer issue as the EC just announced that they will use this for the coming general election. But we want to mention here as a matter of entering into public records that we strongly support this rule.

The final point we want to make to the PSC is that we feel that the PSC, in terms of transparency, should publish a minority report. It will be wasteful if the public does not trust the work of the PSC after all the hard work has been put in. One of the ways that we can make it into a credible report is to publish minority report.

This principle to be used in producing the minority report should be the same as normal parliamentary practices that all points must be recorded and all votes are public. The minority reports should outline all the ideas and proposals before the PSC including those rejected and the reasons for rejections and also how members vote. Only by doing this the PSC can assure that the public is fully concerned of the process and gain credibility. To summarize, we would like to see the following changes be adopted as soon as possible.

First, mandatory access to public broadcasters for all contesting political parties.

Second, allow postal and allow Malaysians overseas a simple system so that they can vote.

Third, we would like to see the electoral roll open access to all interested parties and groups that have legitimate need to access this roll in order to clean up the roll and make it transparent.

Fourth, we was recommended that we have a minimum of 21 days for the electoral campaign.

Fifth, we would like to see the voting age lower to 18. In other words, we would like Malaysia to be with majority of the countries around the world.

Sixth, we would like to see the Election Commission become a truly independent body reporting directly to Parliament rather than housed under the Prime Minister's Office.

Seventh, we would like to suggest that the formula for the smallest seats to the biggest seats, the difference be not more than 100% and the formula be 1:2. At the present moment, it is always seen the differences are too wide. This simple formula 1:2 is also easy to understand and the public will understand that this rule is needed because of the rural weightage argument.

Eighth, as I mentioned already, indelible ink, that is no longer issue because it is adopted by the EC.

And our final suggestion is that for the PSC to publish a minority report as part of the final report that goes to Parliament.

All our suggestions given here are practical first steps towards having credible election in Malaysia. It will go a long way in the constant indictment that Malaysia does not have free and fair elections. There is no point in keeping the same old system if people are fast losing faith in it. We feel that if we do not change our electoral system now, we can easily foresee a situation where the people will find an alternative to make their voices heard. We dare say here that if the people choose another way, it will most probably not be a peaceful way. We have a unique opportunity here today to do something significant that will really push Malaysia to the next level. It is our hope that the Committee here set aside any political differences between the members and concentrates on how to make elections in Malaysia more credible for the benefit of all Malaysians regardless of political affiliations. We thank the Committee for giving us time today. Thank you.

Tuan Pengerusi: Okey, thank you Profesor Chin. You hang on there because maybe ada Ahli-ahli Jawatankuasa ingin bertanya. Mengenai your minority report, we will call it "majority report" because what is exactly you describe it is what you will be asked for Jawatankuasa-jawatankuasa sebelum ini which is the resolution of the committee will recorded in Hansard including yours and the memorandum providing for NCD and so forth, minutes of our meeting when we deliberate and make decisions on those recommendations. So far we didn't have to do voting. In my Committee that I chaired before which is National Service and National Integration, some points were of course voted on or at least some members said they want to abstain on this particular decision. But, it will have those kind of ... So, I do not know why you called it minority, of course it is terminology but we call it a full report... [Disampuk] Yes, verbatim, Hansard.

Okey, Ahli-ahli Jawatankuasa, any further input you want to inquire? It is a good recommendation of what have been put forward before but we will find the details and it also help us to maybe on the how of – some of the earlier proposal.

But I just want to take you up on satu ya, yakni yang berkaitan dengan pengundi overseas. One, of course the process - how we want to do it? Secondly of course the qualifications because from the study, we not know how to compare. This is study that, I think of 22 countries and of course got different, different conditions they attached. Some say you must be a tax payer, others say you must be continuously no more than six years away and so forth.

The dilemma we have these days, there is thinking actually I think public perception, and even among the members here that we should reduce postal voting, the idea of postal. That means their voting, put in a bag, and send it back here. I may have taken the stand and respect of voting by the police and voting by the army. So now they do open transparent voting just like the public. Now, if you apply that we do not want – we want that effect that we want to reduce postal voting in the way we have that has been defined until now, then the idea of opening up to the embassy and so forth, and all these will be a massive job. In fact, we have prepared to open at the moment include categories with those condition but to postal voting. SPR is open to that while we haven't decided yet.

But, others would like to see transparent voting just like the normal voting, and that's massive because 222 Parliament, there will be boxes, I think about 567 states and so on. So if we want to do a normal public voting, then there is a massive operation overseas. Of course satu lagi, we just choose where we have consul general of embassies in that country, let say in China, I think we have four including Beijing, including Hong Kong.

Then, they just go to this places but again even the process of voting, you may have to assemble the boxes or you put it in one box and sort it out and that you want to just comment on that – the massive thing or you think cukuplah normal postal of voting put in the bag, send it up in the counting centres. Thank you.

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Encik Wan Saiful bin Wan Jan [Ketua Pegawai Eksekutif IDEAS]: *If I may reply to the..., just now Tuan Pengerusi. I think I disagree a little – sorry...*

Tuan Pengerusi: *Maybe you just introduce yourself.*

Encik Wan Saiful bin Wan Jan: *My name is Wan Saiful Wan Jan. I'm Chief Executive for Institute for Democracy and Economic Affairs (IDEAS). I think I disagree a little bit with idea of reducing postal voting system. Election should be made as easy as possible and in any way that people want to vote, really. I remember when I was living in the UK. The system there is actually much easier, it makes it much easier for people to vote compared to in Malaysia.*

Over there if you want to vote by post, you can just simply tick a box saying that you prefer to vote by post and you don't have to give reasons and in fact you will received the ballot paper about a week earlier than the actual voting day, polling day and you can vote, you just post it through the normal postal system and they will count. I think the real problem that we have here is there is a lack of trust on the integrity of our postal voting system. There is a bigger lack of trust on the integrity of our postal services on whether they can deliver on time, whether letters are safe or not.

So, to remove or to reduce the ability of people to vote by postal system, I think is to make it as equivalent to making it more difficult for them to vote. I think what we should be doing is looking at ways to improve the system so that anyone can vote and this why I think voting by post, should be made available just to anyone. Don't remove a good system just because the other part of the country is not working very well. We should work on improving the other parts in order to ensure that ease of voting exists.

In terms how to make people abroad vote, again, if we can trust the postal system, then this issue does not arise, you know they can vote by post. So, really – I think here shows how to make the postal system trustworthy and I think by the removing that or reducing it is taking the easy way out and that should not be the role of PSC, you know taking the easy option. It should be about how to resolve the other issues.

I also feel that the embassies overseas can be used, the high commission offices, the consulate can be used as a voting centre. There are many ways of doing this. I remember when I was in London, there was also the French election happening at that time and the French – London is known as the seventh biggest city in France because of the large population of French people living there and they were voting everywhere. I think they were voting in like four or five different places in London alone. So, you know, it is possible to do it and they counted the votes there and then.

So, the votes would not take back to France but it was counted in London itself. So, I think it can be done. Of course again, the integrity of the whole system and we emphasize, as Professor James Chin mentioned just now and we mentioned it in the paper as well, the integrity of the system must be ensured. So, if we focus on ensuring that the integrity can be guaranteed, I'm fully – I'm confident that we can have more people abroad voting and I know YB just now mentioned that in Singapore there are criteria to make people vote in Singapore – Singaporean abroad vote.

I think we should not follow that example. If people live abroad and they are on the electoral roll that should be the full stop. They should be eligible to vote or the other criteria, is completely unnecessary. The reality is they are citizens of Malaysia, they have the right to vote and they must be given right to vote.

Tuan Pengerusi: Okey. Ya.

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

Tuan Pengerusi: Sila.

Dr. Mohd. Hatta Md. Ramli: *I think the chairman mentioned just now, the idea now is to reduce number of postal votes. It is because in the previous practice, the whole numbers of postal votes are sent to the camp for example; it is not ascertain that each of the votes went to the individual army or police officers. That is the worry because they are being blamed and people came out in the open and you know and claim that they were crossing for other people. So, if we can trust the system and the vote are send individually to the voters anywhere in the world, I think we can accept that but the reason why we are talking today is because the whole votes are given to one place and they will claim that other people voting on behalf of the voters. This is what we want to abolish.*

Encik Wan Saiful bin Wan Jan: *Ya. If I may respond again, Tuan Pengerusi, I agree and understand that, I read Harakah as well and I know that there are people complaining especially in the army camps about how the voting system over there, they were instructed to vote in certain way, the postal system cannot be trusted but to remove it or to reduce it, this is equivalent of saying there are corrupt politicians over there, so let's ban our politicians.*

I think surely that's not right action you go to, you know, what we want to do is to improve the integrity of the system. So, yes I accept that there are problems with the integrity of the current postal voting system but we should actually look at making it easier for people to use it in a way that can be trusted. If you immediately say it cannot be trusted therefore let's remove it, and then there are so many other things that can be open for removal as well in our country. This why I think the direction we are going is the easy way out rather than – or other direction that you are implying just now is actually the easy way out rather than improving the system and looking at how to improve it, we are saying let's just remove it altogether.

Postal voting is actually quite important. My mother, for example who is like 70 plus, she can hardly walk anymore. You know how she going to walk to the voting centre. She would be – it would be preferable for her to just vote by post and my point is, we should not force people to go to voting centre. In rural areas in Sabah and Sarawak where just to go there takes hours. It should be easier for them to vote by post as well. So, the postal system is created for a reason and the reason should be to make everyone able to vote.

Tuan Pengerusi: Okey.

Dato' Seri Mohd. Radzi Sheikh Ahmad [Kangar]: *Ya Encik Wan Saiful. I'm here, is here. I'm...*

Tuan Pengerusi: YB Kangar, Kangar.

Dato' Seri Mohd. Radzi Sheikh Ahmad: *I'm attracted by your argument because postal votes meaning – you're talking about your mother, right? You're talking about your mother voting by post. In other words, she will receive the postal ballot by post in order for her to vote and then sent it by post, that's right, right? So, similarly with people overseas, residing overseas, Malaysian residing overseas to vote by post meaning they will receive the ballot papers by post.*

Tuan Pengerusi: Yeah.

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Then, they will also send it by post. That's right, right? Okay. So, I'm quite attracted by that because if we want to allow people overseas, Malaysian overseas to vote, that's the only way, by post. In other words, they received the ballot papers by post and then they mark and then they put it to the post and send it back. Whether it right on time or not, that is beside the point.*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *[Bercakap tanpa menggunakan pembesar suara]... It is a different issue.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *No, no, yeah. The point whether who marks it or not, that's a different issue altogether, is it because we learnt in France, anywhere in the world they receive it by post and we do not know who mark it. It could be the person himself or somebody else, it doesn't matter to me lah. This is because we are allowing postal vote, in other words then you have to open it up and you have to accept the fact that there you are. You have received the result of postal vote whether they were marked by the right people or by other people that is irrelevant lah. So, you're suggesting, you are saying that postal vote meaning the voters will receive the ballot papers by post and then to send them out by post after making a mark on the ballot papers?*

Encik Wan Saiful bin Wan Jan: *That's right.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Yeah but of course we are of the view that, you know...*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *[Bercakap tanpa menggunakan pembesar suara]*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Yeah, we should reduce the postal votes here, in Malaysia. We are talking about in Malaysia. I think that's what you're talking about right; in Malaysia we should reduce the number of postal votes in Malaysia. Meaning, namely the armed forces and the police at the moment they vote through the postal vote. So, we want to reduce that. So, we have come to a solution whereby we are suggesting that they should vote earlier. So, the police will vote earlier, both to the armed forces, majority of them will also vote earlier. So, that reduce the number of postal vote here but if you are talking about overseas, Malaysia, you cannot run away from allowing them to vote to the post, in other words they receive the ballot papers by post and they send it by post. Otherwise, as the Chairman were saying you have to – you have how many boxes, you know in the embassy, my God, it is countless, it is terrible.*

Tuan Pengerusi: Okey.

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Is that what it is, you mean?*

Tuan Pengerusi: *I think – but I like saudara Wan Saiful punya explanation actually tadi. I think our concern under publish concern about undi pos only because of the experiences allegations in camps and so forth that although who receive it by post. The trading can take place any manner without real person, that's the allegation. Trading can take place about how much of value, dengan vote itu lagi, changes – the votes change hand in terms who actually finally cross but I think just because of the integrity of the process. Akan tetapi kalau betul seperti mana yang dikatakan tadi, satu, the postal – part of the post ataupun the post service is a reliable and you know ada level of acceptable. Kedua, people have the proper understanding on how valuable is a vote to be casted and not simply 'hey, it is up to you who you want to be crossed' like that kind of attitude. Then, I think it is useful to reduce the burden and make of voting and making it easier for the people to vote. So, we are still deliberating with the panel issues, some of our members feel that the image of postal vote is so bad that the lesser the better, you know but I think you have some inputs there. Ya, sila. The last one.*

Encik Wan Saiful bin Wan Jan: *Can I just makes one respond, Tuan Pengerusi?*

Tuan Pengerusi: Ya.

Encik Wan Saiful bin Wan Jan: *Saya rasa selagi mana sistem mengundi melalui pos ini dikekalkan, as long as the system is kept available, then the issue will remain and I think it does not make sense if we say that okay one to group of people just because you are outside of Malaysia, you can vote by post but in Malaysia we are keen to reduce it. You know the act is still the same, is still voting by post. So, if you keep postal voting system in any form whatsoever, then the issue remains the same.*

It has to be filled with integrity and it has to be, not questionable and it also does not make sense that you only allow it to one group, just because they are outside of Malaysia, they can vote by post. If you allow it to any group, then everybody should have the same right.

I think it does not make sense if you say 'Oh, duduk di luar negara boleh mengundi by post tetapi disebabkan duduk di Malaysia, tak boleh' sedangkan you know people who are really in Malaysia should have more freedom to vote and it should be easier for them. So, if you decide to keep the postal voting system, I think it should be applicable to everyone. The principle is very important here. The principle is about making it as easy as possible for everyone to vote and all work should be concentrated around that principle rather than pushing it a side. Thank you

Tuan Pengerusi: *Okay Fong, you may proceed.*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *I think I agree that the principle is to make it as easy for people to vote as possible. The second equally important principle is that to make sure the process is transparent and the process is trustworthy. Explain one of the reason why a lot of issues have been raised about postal vote even the domestic, is not transparent and that's one reason why we try to eliminate as many of the postal voting, postal voters in the country as possible.*

You imagine the issue that a lot of Sarawakian and Sabahan are working in Semenanjung. They say that they are like living overseas because they cross the sea you know. So, we have to – we have that issue to deal with. The second issue I want to ask Encik Wan Saiful is this, you disagree with that of the Singapore system of overseas voters that there is a need for some connections. Some other countries have solved the problem like Canada, if they left the country five years, after that no more. Australia, six years...

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Seven.*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *Seven years. Do you agree with that or you do not think so because we all have been overseas and we have met Malaysian in Australia, in UK who has been in their 60's you know. They are now taxi drivers, they are now working as a civil servant. They say no, no I have not been to Malaysia for so long, I mean, I remember the Majestic Hotel and all that.*

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Obviously those were the days. So, now they are still Malaysian. Their children might not be but they are still Malaysian. Now, the issue we have got here is that we cannot deny their right to vote. You know, but how do we deal with that issue? Should we allow them without time bound or should we ensure some sense of connectivity like one group, one presentation we have in Sarawak is that they want to ensure the only Sarawakian can vote or people who have connectivity. Even... cannot vote, even teachers from Semenanjung cannot vote in Sarawak. So, that is one end of the story. Okay.

Tuan Pengerusi: *I think saya pun ada cakap tadi. Just make it, if they are still citizen of this country, allow them to vote. That is still your stand, is it?*

Encik Wan Saiful bin Wan Jan: Yes.

Tuan Pengerusi: *Even though they have been away for 30 years...*

Encik Wan Saiful bin Wan Jan: *Yes, you see that the principle is applicable to everyone who live away from the constituency that they suppose to vote in. Say for an example, I was born in Perlis. My IC address until last year was actually in Perlis, you see. So, I am suppose to vote in Perlis but I lived for 17 years in UK.*

Seorang Ahli: Orang Perlis.

Encik Wan Saiful bin Wan Jan: Ya, orang Perlis. [Ketawa] So...

Tuan Pengerusi: *Not many people there. So, they need to look out...*

Encik Wan Saiful bin Wan Jan: *Iklan. Iklan juga tadi itu but my point is just because I have been living in KL but my IC address is in Perlis and I have not been back to Perlis for like 25 years. Akan tetapi kalau sekiranya I have not been back for 35 years do I lose my rights to vote for DUN in Perlis?*

Seorang ahli: [Bercakap tanpa menggunakan pembesar suara]

Encik Wan Saiful bin Wan Jan: Ya, so if that principle apply then the same should apply for people who has been living for 35 years in Liverpool.

Seorang Ahli: *So, they can come back to vote. What I am saying is that they can fly back to vote... [Bercakap tanpa menggunakan pembesar suara]*

Encik Wan Saiful bin Wan Jan: Well...

Seorang Ahli: [Bercakap tanpa menggunakan pembesar suara]

Encik Wan Saiful bin Wan Jan: *Or use postal voting system to vote in the embassy in the High Commission in London. You see, the principle is important here. I think if we focus on the "simplematic" problems, you know, all the peripheral issues then you will aiming at thousand of smaller issues but you will be running away from principle. The principle is you wherever you live, you should have the right to vote. So, if my IC address is still in Perlis, I should have the right to go back to Berseri and vote for DUN Berseri. Kalau ada DUN Ia. I do not know what DUN is that.*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *Actually you are not denied. You can still go back to Perlis. I mean there is no question of...*

Encik Wan Saiful bin Wan Jan: Ya but the...

Tuan Pengerusi: *But it is not easy as the word...*

Encik Wan Saiful bin Wan Jan: Ya.

Tuan Pengerusi: *As easy as possible.*

Encik Wan Saiful bin Wan Jan: *So, your question to me just now is the issue of connectivity between people living abroad and people living in Malaysia. So, my point is there is also an issue of connectivity between people living in KL with the DUN that they are voting in Perlis. What if they are having been disconnected with the DUN in Perlis for 35 years? Are we going to denied them the right to vote in the DUN? So, you know the principle is important.*

If you give them the right to go back to Perlis even though they have never been back other than to vote then people living in Liverpool, Canberra, Washington should have the same right as well.

Tuan Pengerusi: *Okay last. Your views are attracting, lots of...*

Datuk Alexander Nanta Linggi [Kapit]: *[Bercakap tanpa menggunakan pembesar suara]*

Tuan Pengerusi: *Yang Berhormat Kapit from Sarawak...*

Datuk Alexander Nanta Linggi: *Okey, Encik Wan Saiful ya. I tertarik to a few of your points here but back to the most recent one on the connectivity. You said principle, okay. Principles mean a lot but to me practicality of doing things also has to be taken into consideration. Considering that our country has to deal with so much you know, in term of our capabilities.*

So, if you talk about you staying in KL connectivity with Perlis, to me at least you still in Malaysia. Everyday you will be reading local papers, you know what is going on in Malaysia. Let alone live in KL, even I am from Kapit. So, I would know probably a lot of what is going on of the ongoing in Semenanjung but for someone who have left country for 20 years, overseas and we have experienced when we go overseas, we meet up with them. We hear their opinion, even they admit that they has lost touch with Malaysia.

Now, to me putting a time frame would be practical in that sense. Principle yes, we still give them the right to vote as Malaysian. They have not lost their rights even though they have been away from Malaysia for so many years but the connectivity to me is important in the sense, how do we like someone who has left country for 20 years to 30 years, little connectivity and also determining who is going to win and lose in that constituency.

I tend to think that he is been away for too long, you know. Let also look into the point of interest of the people who has been staying in that constituency. So, I think while we think of principle of things, we also have to think the practicality of a lot of many things, you know. We should not put it a blanket. So, I would tend to go maybe after five years you lose yours connectivity. You want to reconnect, you comeback. You must have certain condition like that. Let not purely saying that "Oh! That is not democratic" because you have not given this fellow free, everything – democratic principles in that sense. I am sure we can set our own guideline. I mean...

Tuan Pengerusi: *Okey.*

Datuk Alexander Nanta Linggi: *That is one. The other thing I am attracted to is – thank you lah, I welcome the papers on the part of the remove..., especially in the case when you say, “Okay, wanted for Sarawak and Sabah” because that is of course when we...*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *[Bercakap tanpa menggunakan pembesar suara]*

Datuk Alexander Nanta Linggi: *Form Malaysia, you know. To me here you say that you understand the need to have separate arrangement...*

Tuan Pengerusi: *Just for Sarawak, is it?*

Datuk Alexander Nanta Linggi: *For that, I am speaking for the interest for Sarawak. Okay, so...*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *You like it, you like it?... [Ketawa]*

Tuan Pengerusi: *I like that.*

Datuk Alexander Nanta Linggi: *But this postal voting system, you were saying that even in the interior of Sabah and Sarawak people..., houses, vote through postal system. To me I do not really think so because for them as a development it is better in that sense because I know. I already gone through it and I had seen it. This is the fairest to them.*

Now, postal voting system for people living in the long houses in the remote area Sarawak and Sabah, I would imagine of this subject to allow... Also the people who will cried out loud against it, people who wants to have something against the establishment, against the government say “look, this is subject to abuse.” That is why you are probably the only group that I have heard who wants postal vote.

I can understand as a develop country, looking at develop country elsewhere. Yes, you know in England, yes but is it the time? Is it practical? That is what we are concern about because as it is now there is so many groups out there who are actually attacking the Election Commission, saying that they do not trust postal voting. That is why this has become the main subject of issues. Thank you very much.

Tan Sri Datuk Seri Dr. Fong Chan Onn: *May I say that...*

Tuan Pengerusi: *Okey, masa sudah berlalu.*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *[Bercakap tanpa menggunakan pembesar suara] ...People like are your colleague Professor James, speculate that our election are not fair.*

Seorang ahli: *[Bercakap tanpa menggunakan pembesar suara] ...Because of postal vote.*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *Because of postal vote.*

Tuan Pengerusi: *Okay, terima kasih banyak. Akan tetapi Dr. James, are you think-tank – one of the political party or is it independent? I give you one minute So, just say a little bit about your institute. Is it a private think-tank?*

Encik Wan Saiful bin Wan Jan: *Maybe I should explain, we are – well, we like to call ourselves as a cross partisan. We have an advisory board made-up of representative from different political parties. We have representative from UMNO, MCA, Parti Gerakan, PAS and PKR. We looking for someone from DAP if possible. So, we have that on our advisory board and work with everyone. So, we do not really align ourselves with any political parties but on at the very last page of the paper that we distributed to you, there is a description about us. So, that is more or less describes us. We believed in four principles, rule of law, limited states, the free market and individual liberty. So, those are the four principles that we promote and we will work with everyone to promote them.*

Tuan Pengerusi: *Okay, good input. Thank you everyone. Terima kasih.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Encik Wan, do not forget to go back to Perlis to vote... [Ketawa]*

Tuan Pengerusi: *Yes.*

Profesor Dr. James Chin: *He already changes his IC. So, it is a bit too late.*

Tuan Pengerusi: *Yang Berhormat Kangar is always there. There are only two parliamentary seat in Perlis.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *You know who to vote.*

Dr. Mohd. Hatta Md. Ramli: *Smaller than... [Ketawa]*

Tuan Pengerusi: *Smaller than Kota Marudu. Terima kasih banyak.*

Profesor Dr. James Chin: *Thank you very much. We would to thank the Committee this morning. Thank you.*

Tuan Pengerusi: *Thank you. Okeylah Ahli-ahli Yang Berhormat, tuan-tuan dan puan-puan sekalian. I think satu submission yang walaupun bukan baru tetapi memberi input kepada kita dari segi pelaksanaan hal-hal yang lain dan memang banyak perkara masih dalam pertimbangan kita, umur 18 tahun, access to media. Ini antara yang kita akan adakan diskusi yang lebih intensif. Saya ada jemput satu lagi pasukan, kerana dia pun datang awal sebelum saya panggil seorang individu. Di jemput Majlis Profesor Negara. Okey, diwakili oleh saudara Profesor Dr. Mansor bin Mohd Noor. Then after itu bolehlah saudara Abdul Hamid Yeop Zainuddin standby ya sebagai individu kemudian sebelum saya panggilkan pasukan-pasukan yang lain. Okey, Profesor Dr. Mansor. You are not new to the group. Well known everywhere, one of the critical thinkers in the university. Sila.*

[Saksi dari Majlis Profesor Negara mengambil tempat di depan Jawatankuasa]

10.40 pg.

Profesor Dr. Mansor bin Mohd Noor [Setiausaha Kluster Politik, Keselamatan dan Hubungan Antarabangsa]: *Terima kasih Tuan Pengerusi. Assalamualaikum warahmatullaahi wabarakaatuh.*

Tuan Pengerusi: Orang Perlis kah?

Profesor Dr. Mansor bin Mohd Noor: Apa namanya?

Tuan Pengerusi: *Kelantan or Perlis? Yourself.*

Profesor Dr. Mansor bin Mohd Noor: Tidak dengar.

Seorang Ahli: Orang mana?

Tuan Pengerusi: *Are you* orang Perlis kah? Orang Malaysia yang bermastautin di Perlis atau di mana?...*[Ketawa]*

Profesor Dr. Mansor bin Mohd Noor: Saya, tinggalnya di Mantin.

Seorang Ahli: Negeri Sembilan? Mantin, Mantin?

Profesor Dr. Mansor bin Mohd Noor: Mantin, Negeri Sembilan. Akan tetapi kerana bila berhubung dengan Tuan Pengerusi, kata *this is the last public hearing* dan bila Majlis Profesor Negara bincang tentang *we need to – kena submit* samalah supaya menyumbang demi kestabilan negara dan kemajuan. *So, a Committee was setup to look into the matter.*

Tuan Pengerusi: *Thank you. Give you 15 minutes and more.* Lima belas minit ataupun lebih, yang mana diperlukan.

Profesor Dr. Mansor bin Mohd Noor: Tidak boleh lebih 15 minit ya? *So, I select* yang asasnya. Okey, terima kasih. Saya akan fokuskan yang asas sahaja. Pertamanya, bila kita bicara tentang penambahbaikan proses pilihan raya *we should go beyond the technicalities* lah. Isu undi apa semua. *I think we should go beyond that because I think* ia terangkum dalam satu benda yang agak luas bukan sahaja mengira undi, pengundi, undi hantu semua itu.

So, I think the first thing that kita di Malaysia ini perlu *look into is* walaupun kita mungkin tidak akan laksana lagi dan perlu buat kajian yang mendalam untuk melihat kesannya *is* timbangkan di antara *the various –* kita panggil sistem pengundian yang ada di dunia ini. Terutama di antara yang kita biasa *the first past single majority.*

Tuan Pengerusi: *first-past-the-post...*

Profesor Dr. Mansor bin Mohd Noor: *I mean majority versus professional presentation.* Kita di Malaysia ini kita guna *first-past-the-post.* Kalau satu undi lebih dia menanglah. Walhal banyak lagi cara yang digunakan yang di negara seperti Australia semua, masih pun pakai tentang *proportional presentation,* bukan?

So, I think bagaimana *we need to look into.* Kenapa sebenarnya – kalau kita hendak percaya tentang demokrasi, hendak percaya tentang biasanya undi rakyat itu ada nilai. Ada sumbangan. *Probably we need to look into that matter.* Itu satu perkara. Satu perkara lagi yang kami masih perhati semenjak negara kita merdeka ini, sebenarnya kita tidak nampak yang sebenarnya kerajaan sementara dibentuk. Bila Parlimen dibubar dan *election* berjalan atau pelantikan baru itu kita tidak nampak.

Sebenarnya, *clear cut process between* kerajaan sementara dengan kerajaan pemerintah yang wujud sebelumnya. *I think to be fair*, kalau kita hendak memastikan keadilan dan proses pilihan raya berjalan *we need to look into this matter*.

Jadi, kami syorkan Kabinet yang dibubarkan sebulan sebelum tarikh pembubaran kerajaan itu untuk membolehkan pilihan raya diadakan dan kerajaan akan diketuai oleh Ketua Hakim Negara dan jika beliau gagal menjalankan tugas atas sebab-sebab tertentu maka tugas itu akan diambil alih oleh Ketua Setiausaha Negara. Penyandang tugas ini adalah pelantikan Yang di-Pertuan Agong. Ini bertujuan agar tidak ada lagi kuasa kerajaan sementara itu kekal di tangan Kabinet kerajaan yang lama sebelum Parlimen dan negeri dibubarkan. *I think* ini benda-benda yang asasnya, yang lain itu saya tidak baca. Lepas itu pilihan raya berjadual. *I think* kita perhatikan *there are too much politicking* di Malaysia ini, dengan pilihan raya. Kecut perut sahaja.

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Kadang-kadang jentera kerajaan pun terhenti kerja, kenapa? Oleh kerana masing-masing tunggu pilihan raya. Jadi bila kita pergi pejabat kerajaan pun tidak boleh, *anything cannot be made*. *I think to avoid that* kita kena ada pilihan raya berjadual. *Be defined* kan. Macam kami cadangkan SPR mesti mengisytiharkan pilihan raya umum dan negeri lima tahun akan datang. Maknanya lepas pilihan raya itu isytiharkan *the next election*. *Date* dia bila, bila, bila. *Don't play around*. Ini hendak tunggu wahyu daripada langit, daripada apalah semua. *You define the date*. Tiga bulan selepas setiap pilihan raya...

Tan Sri Datuk Seri Dr. Fong Chan Onn: Tuan Pengerusi, boleh tanya sedikit kepada profesor?

Tuan Pengerusi: Yang Berhormat Alor Gajah hendak tanya.

Tan Sri Datuk Seri Dr. Fong Chan Onn: Boleh tanya sedikit?

Profesor Dr. Mansor bin Mohd. Noor: Ya, ya.

Tan Sri Datuk Seri Dr. Fong Chan Onn: Biasanya negara-negara yang ada sistem pilihan raya berjadual biasanya mereka melantik presiden. Adakah Profesor cadang kita tukar sistem kita dari Perdana Menteri kepada sistem *presidential*?

Profesor Dr. Mansor bin Mohd. Noor: Saya tidak terfikir pula hendak cadang perubahan itu kan tapi yang saya hendak cerita *it doesn't mean that* kalau *style presidential* yang guna macam ini kita tidak boleh ikut. *Because I think* ini adalah proses pilihan raya.

Tan Sri Datuk Seri Dr. Fong Chan Onn: Biasanyalah kita tengok negara-negara yang lain yang memilih Sistem Berparlimen Perdana Menteri tarikh pilihan rayanya tidak berjadual. Itulah kuasa kerajaan pada masa itu. Biasanyalah.

Profesor Dr. Mansor bin Mohd. Noor: Kalau biasa dia boleh jadi luar biasa juga kan...
[Ketawa] *So, I take note of your suggestion*.

Tuan Pengerusi: Okey, okey teruskan.

Profesor Dr. Mansor bin Mohd. Noor: Ini *just* cadangan. *I think your* Jawatankuasa boleh pertimbangkan. Seterusnya *I think we need to reinstate* pilihan raya kerajaan tempatan kerana sebenarnya kita kena ingat sekarang ini kejayaan DEB yang berjaya mengubah daripada sebuah negara pertanian kepada industri, daripada sebuah miskin ke *middle class*, negara yang dahulu bandar bermakna etnik tertentu sekarang sudah agak berubah *but I think* ada satu benda yang *we need to look into* kerana benda sudah berubah. Lepas itu dari segi orang Melayu, Cina, India, KadazanDusun, Melanau semua sudah rencam. Dia bukan etnik *base* sangat. Kalau dahulu kita bermain etnik, dahulu kita bermain *culture*. Sekarang ini kita bermain *beyond ethnicity*. *So*, kita tengok *the last election* itu sebenarnya *is beyond ethnicity* punya *behavior of voting*. Kenapa orang India mengundi PAS, orang Melayu undi DAP. Dia sudah tidak ikut *style* lama sudah.

So, I think we need to look into this matter kenapa melahirkan pelapis kepimpinan negara *should begin there*. Dahulu saya ingat *local council* ini baguslah parti pemerintah pilihlah orang dia. Saya tengok yang duduk di *council* itu tidak menjadi pelapis kepimpinan parti. Dia jadi *make it tender*.

Perkara 6.0 tentang pengukuhan institusi rasuah dan jenayah politik. *I think we should be very stringent*. Kena tegas dengan penyalahgunaan kuasa dan rasuah termasuklah saya rasa jadikan jenayah politik bila *religious* atau *racial* punya *excitement*. *I think* kena ada benda ini supaya benda itu jelas. *You shouldn't cross the line*. *And then penalty* itu jelas, *bar them from the election*.

Kami juga cadangkan hak penggal Perdana Menteri dibataskan tanpa batas. Kita cadang kalau hendak jadi pun janganlah lebih daripada 15 tahun. *We know* kalau dia terlebih daripada itu kalau bagus *alhamdulillah*, kalau tidak bagus dia jadi macam Timur Tengah sekarang ini. *So, probably we need to look into this matter*. Lepas itu pendaftaran pengundi secara automatik, *I think should be practice*, kena amalkan kerana sudah sampai kerana kita sudah ada sistem teknologi. Sekarang MyKad kita itukan. Tidak tahulah ada yang palsu atau tidak. MyKad kita kalau jolok masuk tahu semua termasuk bini berapa pun sudah tahu sudah. *I think* kalau macam itu *should be automatic*. Bagi saya, mereka umur 21 tahun itu *register* terus.

Lepas itu penggunaan dakwat dalam pilihan raya. Walaupun ada *discuss* di kalangan rakyat ini negara maju hendak dakwat lagi tapi bagi saya, saya kata elok ada dakwat kerana saya perhati banyak sangat gebang politik tapi tidak mengundi pun. Berapi bercakap politik termasuk di UKM tapi tidak mengundi dan kajian *literacy politic* kami di kalangan universiti IPTA sebenarnya *around 40%* condong sangat kepada politik ada pembangkang, *fan sitter* ada, ada pro kerajaan tapi bila tengok mengundi kampus tidak banyak, yang terlibat *around 60%*, yang paling parah sekali *have you register yourself* dengan SPR, *45% over say, "No", so what kind of political culture are we having now?* Sebab itu kami bercadang bawah *Parliament Select Committee* ini cuba cadang tubuh Institut Literasi Politik supaya mengurus benda-benda macam ini.

Tuan Pengerusi: *Academic, we are thinking about academic.*

Profesor Dr. Mansor bin Mohd. Noor: Tidak apalah, *you* bagi UKM buat... [Ketawa]
Kena ada *after suggestion*.

Tuan Pengerusi: Nanti di sana pula Prof dia kaji, dia cerita tapi tidak mengundi juga.

Profesor Dr. Mansor bin Mohd. Noor: Itu yang saya kata, sebab itu saya setuju dengan dakwat ini walaupun nampak kampungnya negara kita hendak dakwat lagi. Fasal saya akan menggunakan kes ini bila ada geng-geng pensyarah yang tidak mengundi tengok dakwat tidak ada, *next time your political discourse is minuses to me*.

Tuan Pengerusi: [Ketawa]

Profesor Dr. Mansor bin Mohd. Noor: *You are the most irresponsible citizen of the country.* Berapi bercakap kerajaan tidak betul, itu salah, ini betul tapi *you don't even exercise. To me this is patriot of the nation.*

Tuan Pengerusi: So, lain kali tunjuk jari dengan ada tanda.

Profesor Dr. Mansor bin Mohd. Noor: Ha, kena tengok. Tengok jari tidak ada kata hang ini memang murtad sudah, *politically* murtad. Lepas itu kerajaan sementara macam yang saya cakap tadi kena jagalah masa untuk era pilihan raya ini tentang media. Kadang-kadang media itu nampak berat sebelah tapi kalau kerajaan sudah tidak ada, yang sementara sudah ada *and then fair play to all*. Dengan masanya, dengan parti manifestonya semua. Jangan seorang sahaja bercakap. Masa itu banyak sangat reben dibuka. Kita hairan apa benda. Projek sudah siap dua tahun potong reben lagi.

Tuan Pengerusi: [Ketawa] Di mana itu ya? Negeri mana itu ya.

Dr. Mohd. Hatta Md. Ramli: Kangar itu.

Profesor Dr. Mansor bin Mohd. Noor: Dia banyak jalan ini, jalan di Sabah banyak itu. Siap sudah lama potong reben.

Tuan Pengerusi: Ini biasa ini kerajaan dahulu sudah potong reben, kerajaan yang baru potong reben lagi.

Profesor Dr. Mansor bin Mohd. Noor: Ada setengah kerajaan negeri sekarang tidak potong reben fasal tidak ada benda apa hendak potong. Itu masalah kerajaan baru sekarang kerajaan negeri hendak potong reben macam mana apa benda tidak ada. Hendak potong apa kan?

Satu lagi saya perhatikan demi hendak menjaga kedaulatan negara dalam berpolitik sebenarnya kita kena pastikan bila program parti politik tidak kiralah ceramah politikkah, masa kempen pilihan rayakah ia mesti ada bendera yang diselang-selikan dengan bendera parti, negara dan negeri. Janganlah riuh bendera PAS belaka. Pada yang bodoh ini kata kuatnya Islam, rasa nak mati di sini. Padahal orang di situ tidak sembahyang pun. *To me*, kita kena bina kenegaraan itu dalam berpolitik...

Tuan Pengerusi: Ya, betul, betul. Saya setuju. Jawatankuasa setuju.

Profesor Dr. Mansor bin Mohd. Noor: Termasuk orang BN pun, dia sorang sahaja.

Tuan Pengerusi: Lupa negara.

Profesor Dr. Mansor bin Mohd. Noor: So, kena bina sebenarnya. Setiap parti ini ialah untuk membina negara bangsa, untuk memacu negara. *I mean you have a core business there.* Bukan yang ini buat salah, yang ini buat salah. Kalau benda betul, betullah, salah, salahlah. Ini tidak, kalau sebelah parti ini buat semua salah, sebelah sini buat semua betul. Tidak kenalah.

Tuan Pengerusi: Prof, itu parti saya punya lambang.

Profesor Dr. Mansor bin Mohd. Noor: Akan tetapi tidak apa fasal *this is where your PSC should do. I mean you must say, look, so that, you know* kepartian berpolitik ini untuk menstabilkan dan memajukan negara.

Tuan Pengerusi: Betul, betul.

Profesor Dr. Mansor bin Mohd. Noor: Kalau *you understand that then you* akan menjadi penguah negara. Kalau tidak *you are playing your game of trying to belittle the other so that* harapannya rakyat akan undi. Tengok hari pilihan raya orang tidak undi juga, kenapa? Rakyat lebih cerdik daripada *the political masters*.

Tuan Pengerusi: Macam untuk institut demokrasi itu boleh pergi UKM atau macam mana?

Profesor Dr. Mansor bin Mohd. Noor: Itu yang saya hendak cerita dengan Tuan Pengerusi lepas ini bagilah RM3 juta untuk lima tahun. Lepas itu dia punya kerusi mahal tahu. Kerusi dia adalah kerusi profesor literasi politik itu mahal RM30 juta. Itu kita bincang kemudianlah.

Tuan Pengerusi: Yang kerusi dulukah ataupun *invitation*?

Profesor Dr. Mansor bin Mohd. Noor: Itu masa USM minta dengan Low Pong Shui dahulu pergi jumpa dia hendak minta kerusi profesor. Jadi VC itu katalah kerusi dia RM30 juta. Dia kata ini kerusi apa mahal sangat ini, tidak pernah tengok. Hendak bayar profesor yang menyandang dia, *research* dia semua *so its the tips. Anyway discuss later that one. I think we need because* kami perhati pelajar kita sebenarnya menguasai ilmu literasi politik itu lemah dan kefahaman politik popular bagus tapi kefahaman tentang *what is Cabinet, what is Parliament, what is persekutuan* memang celaru. Sebab itu kita perhati bila 2008 banyak benda celaru. Dia buat *statement* yang you tidak sedar *the constitution is like this, undang-undang tubuh negeri is like this.* Akhirnya apa jadi? Malu sahajalahkan. Lepas itu riuh-rendah masyarakat kerana kita *lack that one.* Undi pos itu kami cadang batallah...

Tuan Pengerusi: [Ketawa]

Profesor Dr. Mansor bin Mohd. Noor: Undi pos itu batallah. Negara kita sudah tidak perlu pos-pos sudah, sudah maju belaka. *Let them vote.*

Tuan Pengerusi: Akan tetapi profesor ada pengundi kita di luar negara tidak boleh balik. Yang *student* itu *and* pegawai-pegawai kita di *embassy* semua itu bagaimana itu?

Profesor Dr. Mansor bin Mohd. Noor: Saya tidak fikir pula benda itu tapi fikir undi pos ini batallah. *But you look into the matter but I didn't suggest* kalau di *oversea*. Saya punya pemikiran dahulu *simple*. Kalau you tidak ada di Malaysia tidak payah mengundilah... [*Ketawa*] Tidak, betul. *I mean* buat apa kita *let people* yang duduk di luar negara lima tahun, sepuluh tahun untuk mengundi. *You don't know what's going on in the nation*. Akan tetapi saya tidak tulis situlah. Dalam kepala saya ada kawan kata kalau duduk luar negara bagi saya tidak payahlah mengundi. Hang duduk luar negara buat balikkah negara.

I think my last one kawasan Parlimen dan DUN dengan bilangan pengundi yang tidak seimbang kerana negara sudah berubah dan rakyat kita pun sudah agak matang. Kami fikir sebenarnya hujah lama *i.e. the rural weightage* itu *need to be looked into* tapi *to me* kerana kita tahu sistem kapitalis dunia sudah jadi global ekonomi. Di Malaysia pun sudah ada *trans capitalist class* yang terikat satu rantai negara. Agenda mereka ialah agenda orang kaya dan berkuasa. *I think* untuk menjaga kepentingan rakyat terutama di kawasan mundur dan ekonomi di *press area* ini sebenarnya kita kena bagi *weightage* besar kepada dia. Bukan *based on rural weightage*. *Based on economics and region*. Ekonomik punya *level and region which mean* dia macam *rural weightage* juga tapi *it is more logical*. Kalau *rural weightage* Malaysia sekarang 70% sudah *urban* so mana dia hak *rural*?

Akan tetapi kalau kita guna hujah kita di *market consensus based on economic and regional differences* then fasal kita tahu kerajaan saya di Pendang itu nampak sangat kalau yang duduk di ibu negeri dia, lepas itu ambil tiga kilometer ke belakang sedikit, ambil 10 hingga 15 kilometer ke dalam lagi, ambil lagi yang 15 kilometer ke dalam ia *very simple with economic and regional differences* kita akan nampak yang duduk dekat dengan tiga kilometer itu dia akan ada *good facilities, public amenities*, dia akan dapat gred pendidikan bagus, kerja bagus, gaji bagus, anak pun *can reproduce themselves to a middle class* tapi kalau dia jauh sedikit dia sudah mula lentur sudah. Lepas itu yang pergi jauh ke dalam sedikit daripada Sik itu, itulah dia di situ kita nampak bermasalah belaka. Pendidikan, pekerjaan, gaji dan sebagainya. Yang sebenarnya tengok tiga kampung ini *in relation to* pekan Pendang itu dia punya ibu daerah itu dia akan menentukan *are they a winner or loser in development. And then the loser will be the* pembangkang punya *voters. Which mean that parliamentary should* kalau kita hendak *delineate* balik *then look into the social economic and regional differences*?

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Kenapa di *urban areas* ini - *urban areas* bukan guna sangat wakil rakyat ini. Yang sibuk jemput wakil rakyat ini *rural areas*. Di bandar, kami tidak pergi ke bank, tepuk dinding sahaja. Lantak pi lah bank apa benda pun, kan.

I mean, most of the time we go by Tenaga Nasional, kami tidak pergi sudah semua-semua, internet banking sahaja. Sebab urban areas, different ball-game, which means that you readjust, considering based on that one. Saya rasa itu di antara benda yang saya ingin sampaikan. Sekiranya ada apa-apa pertanyaan, juga diberi ruang, bolehlah jawab. Terima kasih.

Tuan Pengerusi: Okey Prof. Mansor, *thank you very much. Yes, Yang Berhormat Kuala Krai.*

Dr. Mohd. Hatta Md. Ramli: Saya hendak tanya sedikit, sekarang ini ada *discrepancies* antara *rural areas* dan *urban areas in terms of number of voters*. Tadi dibawa contoh oleh IDEAS tadi, Kapar di Klang 117 ribu berbanding dengan Putrajaya dalam 6,000 - 7,000.

Itu perbandingan terlalu *extremelah*. Akan tetapi kalau kita bandingkan Kuala Krai 51,000 dengan Kapar tadi, saya mengatakan kawasan saya besar. Jadi, tuntutan orang yang hendak menuntutnya supaya agak disamaratakan jumlah pengundi. Ertinya, kalau Kapar itu layak mendapat tiga kawasan Parlimen misalnya. Kalau saya tanya saya, saya bersetuju. Walaupun saya mewakili *rural areas*, hujah saya, saya *rural*. Kalau kecil penduduk pun munasabah. Jadi, yang besar di bandar, kerja-kerja Ahli Parlimen ini mudah sedikit. Jadi, walaupun besar, ia tidak ada masalah. Saya hendak mencadangkan, *rural areas* ini masih kekal dengan satu orang, satu undi, juga di bandar, satu bandar, satu undi. Ertinya, Kapar dipecah tiga. Saya kekal di kawasan besar, masalah yang kami Ahli Parlimen hendak ialah kalau kawasan itu besar, peruntukan dilebihkan. Bukannya pengundi itu dikurangkan. Peruntukan dilebihkan. Itu isunya. Prof. setuju tidak?

Profesor Dr. Mansor bin Mohd. Noor: Ada dua benda, *we need to look into this matter*. Macam ini, Ahli Parlimen akan *go beyond 222, we have seen the changes*. Dahulu berapa orang, kita naik lagi besarkan. *Which means that, tidak mustahil satu hari we can go probably to 500 orang. I think, obviously Yang Berhormat, I think ruang untuk perpecahan sempadan itu daripada yang besar dipecah lagi dua, to me, akan berlaku. Akan tetapi persoalan dia, kena ingat, should we go on the basis of nisbah 1 undi- menandakan value itu samalah. Because I don't nampak kalau kita bermain dengan formula itu, sebenarnya yang kita akan menzalimi, makna mereka daripada rural dan economically depressed area and the regional yang memang sudah itu, kenapa? Mereka ini bukan watak yang ada suara dan kuasa. Yang suara dan kuasa ini walaupun tidak ada macam di Kuala Lumpur, bukan ada ADUN tetapi tengok, dia cakap sedikit pun kecut perut dah di Putrajayakan because they are organized, dia ada virtual Committee, dia ada macam-macam blog semuakan. Selepas kes Anwar dibebaskan ini lagi banyak kena fikirkan. So, I think ini nampak benda-benda. Akan tetapi what you can do macam ini, kerana kita mengandaikan jumlah kerusi Parlimen akan meningkat, what you can do, in order to maintain differential parity between urban, rural economically depressed area semua itu, you pecah katakan satu kawasan yang mention tadi...*

Dr. Mohd. Hatta Md. Ramli: Kapar.

Profesor Dr. Mansor bin Mohd. Noor: Kaparkan? Okey, *you kena at the same time*, pecah yang *rural economically depressed area* ini sama, ia akan mengecil lagi. Fasal dia perhatikan sekarang, saya risau dengan negara ini. Saya perhatikan *for example, since* RMKe-10 sudah nampak. RMKe-10 bukan dibentuk oleh pengalaman dahulu yang melihat *the geopolitic, the cultural, the structural*. Ia lebih melihat *the global economy*, ia lebih melihat *market and then*, sebab itu saya melihat banyak dasar yang keluar, *straight A's* dapat *scholarship*, itu panggil *market meritocracy* punya *discourse*, yang tidak ambil kira *discrepancies* diantara *urban, rural and regional*.

Selepas itu, apabila kerajaan kata okey, mereka suami isteri yang gaji RM3,000, beli rumah RM400,000. *To me*, itu lagi *damaging*. *Housing developer* mana hendak buat rumah RM400,000. Untung besar mana. Untungnya hak besar-besar, akhirnya kita hendak perhabiskan rumah yang mereka bangunkan tanpa memikirkan rakyat, *because* kita *gives wrong signal*. *I think, to me noting that* kestabilan dan kemajuan negara ini tertakluk kepada *the government* yang berhati dan berjiwa negara. Kerana dalam dunia sekarang, yang kita perhati masyarakat kita rencam, Melayu, Cina, India inikan. Apabila kerajaan tidak buat kerja dengan betul, ia boleh *manipulate* etnik agama. Ia akan terpecah begitu.

Ekonomi kita pula *is very global*. Kerajaan yang dilantik, kalau tidak ada kesedaran ini, *as related to alienating the Constituency* ini, ia akan di *absorbed* oleh pasaran sehingga akhirnya berlaku seperti pilihan raya di negara-negara lain sebelum ini di mana *the incumbent party in government are rejected*. Fasal kamu sudah tidak fikir rakyat, kamu fikir kenapa harga barang naik, kenapa ini global, pasaran dunia semua, *you* sudah tidak fikir sebenarnya *they are ways to managing this*. Ini yang saya cukup risau, dengan kemajuan negara *our political cultural become absorbed by the markets rather than* memikir *the needs of the society*. Kita tahu di Malaysia ini 40% *the low income group is quite big*. Akan tetapi kita macam relaks sahajakan. *To me, equality in the nation is so serious*, kita pun ambil sambil lewa jugakan *but to me, we need to manage this*. Saya cukup risau, benda ini berlaku kerana kita tidak meletakkan kepentingan *the voiceless and the powerless in our policy and governance*. *I think* satu cara untuk mengawal itu selain daripada *policy making is* pastikan *Parliamentary seats are not limited by the economic regional and rural differences* supaya *voices of the public are heard in the governance*.

Tuan Pengerusi: Okey, terima kasih banyaklah Prof, bagi pihak Majlis Profesor Negara. *Very good inputs and falsafah, then as well as very practical things that we have raised*. *So, keep in touch with us*. Kalau ada lagi *suggestions* yang lain itu, terbuka untuk meneliti. Kita berfungsi sampai *first week of April*. *So, we still have time in the next two and a half months*.

Profesor Dr. Mansor bin Mohd. Noor: Sebelum saya beredar, saya ingin mengucapkan terima kasih kepada PSC terutamanya Datuk Dr. Maximus Johnity Ongkili kerana memberi ruang kepada saya. *If not for the SMS communication with him*, saya tidak sampai sini hari ini. *Anyway, thank you very much on behalf of* Majlis Profesor Negara.

Tuan Pengerusi: Terima kasih banyak Prof. Okey, terima kasih. Saya menjemput seterusnya sebelum kita berhenti rehat. Seorang individu yang awal pagi, 8.30 pagi sudah sampai. Encik Abdul Hamid bin Yeop Zainuddin, ada di sini dan disusuli nanti sebelum kita berehat sebentar, Yang Berhormat Dato' Teng Chang Khim from Dewan Undangan Negeri Selangor dan Speaker, *with a team*. Saudara Encik Abdul Hamid bin Yeop Zainuddin.

Yang banyak bakul, ada banyak buku itu saudara. Okey. Selamat datang, selamat pagi saudara Encik Abdul Hamid bin Yeop Zainuddin dan terima kasih kerana hadir. Mohon maaf, terpaksa beri persatuan dahulu. Akan tetapi nampaknya sudah tersedia awal. Sila perkenalkan diri, saya beri permulaan 15 minit, jika perlu akan tambah nanti. Terima kasih.

[Saksi individu (Encik Abdul Hamid Yeop Zainuddin) mengambil tempat di depan Jawatankuasa]

11.09 pg.

Encik Abdul Hamid Yeop Zainuddin [Individu]: *Assalamualaikum warahmatullaahi wabarakaatuh* dan selamat pagi kepada Yang Berhormat semua dan sekalian yang hadir. Saya Abdul Hamid bin Yeop Zainuddin mewakili diri saya sendiri. Saya rasa yang saya hendak cadangkan itu sudah diberi kepada Jawatankuasatadi.

Tuan Pengerusi: Ada kertas yang sedang diedarkan.

Encik Abdul Hamid Yeop Zainuddin: Sedang diedarkan.

Tuan Pengerusi: Okey, buat kesimpulan atau pun hal-hal utama.

Encik Abdul Hamid Yeop Zainuddin: Jadi, apa yang saya hendak cadangkan itu adalah seperti yang telah tertulis di dalam edaran itu. Jadi, terima kasih. Cuma kalau perlu saya bacakan semula mana-mana bahagian sebab masalah masa, saya bersedia mengedarkannya. Kalau saya hendak ceritakan semua cadangannya, ini ada satu bakul ini, mungkin empat jam pun tidak habis dan ada komputernya pun di sini. Saya hendak cadangkan tetapi masanya tidak ada. Ini peringkat cadangan, pada anggapan saya. Mungkin kalau di peringkat pelaksanaannya boleh tetapi kalau hendak tengok sekarang juga. *Insya-Allah*, saya boleh tunjukkan dan ada empat bakul lagi dalam kereta... *[Ketawa]*

Tuan Pengerusi: Nanti bawa ke akademik. Kita akan tunggu... *[Ketawa]*

Encik Abdul Hamid Yeop Zainuddin: Okey, sepintas lalunya ada tiga saya edarkan itu. Pertama, cadangan ke arah pilihan raya yang lebih adil, bebas dan telus. Itu fokusnya.

Saya buka muka surat 1, kandungan muka surat 2, pengenalan di situ. Oleh kerana penambahbaikan itu satu skop yang amat besar, jadi saya cuba fokuskan kepada isu yang sudah timbul bertahun-tahun dan berapa kali pilihan raya sebagaimana yang dibangkitkan oleh pelbagai pihak termasuk orang awam, parti politik, NGO dan sebagainya.

Saya ambil satu fokus, bagaimana hendak menilai, mengkaji, menganalisis, hendak menentukan, hendak membuktikan dua perkara ini, SPR dan PRU, dua perkara ini. SPR dan PRU adalah bebas, adil dan telus. Ramai yang boleh bercakap tetapi saya mencadangkan cakap ini, saya bawa buktinya yang saya ada. Jadi, dalam fokus saya, dua cadangan. Bagaimana hendak memastikan SPR, PRU bebas, adil dan telus. Kedua, macam mana hendak buktikan. Bercakap satu perkara, menuduh satu perkara dan mengakui satu perkara.

Bagaimana hendak pastikan dan buktikan betul-betul bebas, adil dan telus. Saya akan fokuskan kat situ dan saya sudah pindakan, saya dah *developed* satu sistem yang dicadangkan supaya digunakan oleh SPR.

Latar belakangnya, perkara dua itu, merujuk kepada lampiran yang kedua. Asal usul yang saya perhatikan, timbulnya isu ketidakadilan, tidak telus dan sebagainya adalah mengenai pengundi hantu. Saya sudah buat analisis mengenai pengundi hantu, ini adalah jawapan kepada jawapan Menteri mengenai pengundi hantu dalam PRU12. Saya sudah serahkan sendiri kepada Yang Amat Berhormat Perdana Menteri di bangunan Parlimen pada sehari sebelum wartawan dikurung itu tetapi malangnya sebagaimana saya sebutkan dalam perkara 2.7 di situ, menafikan sesuatu yang telah dibuktikan itu memang memberi implikasi negatif. Jadi, implikasi negatif ini banyak pihak boleh membuat andaian sebagai tindak balas hipotesis.

Satu hipotesis andaian yang dibuat ialah Perdana Menteri dan SPR mempunyai kepentingan untuk mengeksplotasi undi hantu dalam pilihan raya. Ini boleh dibuktikan benar atau tidak. Pihak SPR boleh buktikan, pihak awam boleh buktikan dan saya sebagai individu cuba buktikan. Saya telah membuat laporan polis di sini, ada di belakang edaran itu, laporan polis pada 16 Mei 2008 di Balai Polis Johor Bahru kerana saya dapati ada 136,008 undi hantu dalam PRU12 yang melibatkan 141 kerusi Parlimen daripada 222. Maknanya, kalau ada pihak yang membawa ke mahkamah, 141 itu lebih daripada separuh mungkin Parlimen dibubar dan pilihan raya semula. Jika tidak ada pengundi hantu dan jika kiraan saya ini salah. Saya akur, maknanya saya membuat laporan palsu, saya kena dua tahun penjara. Saya minta polis bagi hasil siasatannya, tidak adalah, saya melaporkan sahaja. Ini kerana saya percaya adanya undi hantu di situ dan boleh dibuktikan. Jika berikan saya senarai kertas undi, saya boleh buktikan. Jadi saya kemukakan sekali lagi cadangan sebagai menyahut cabaran daripada SPR yang dahulu meminta semua pihak memberi cadangan.

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Terbaru saya serahkan laporan lagi satu iaitu laporan 2 Ogos 2011. Saya kemukakan cadangan saya. Masa ini kecoh hendak pakai bio metrik. Jadi saya cadangkan jangan pakai bio metrik, menimbulkan banyak masalah. Hendak pakai dakwat tidak apa, seperti profesor tadi kata, kita undur ke belakang. Negara mundur, kita undur ke belakang, pakai dakwat, sekurang-kurangnya ada bukti pada jari. Penyelesaian yang saya berikan, tidak perlu bio metrik, tidak perlukan cap jari, tidak perlu ubah apa-apa, pakai tempik sahaja. Itu yang *the best solution*, penyelesaian paling terbaik yang saya dapat fikirkan sehingga kini yang boleh menyelesaikan terus masalah-masalah yang ditimbulkan selama ini seperti peristiwa undi hantu, pengundi hantu, undi berulang, pengundi tidak cukup umur dan sebagainya. Sekali gus saya rangkumkan semua itu diselesaikan, tidak ada masalah.

Undi pos seperti yang profesor sebutkan tadi itu, boleh dihapuskan, diselesaikan. Undi dari luar negara pun boleh diselesaikan, tidak ada masalah. Saya dah buat pun sistemnya. Dalam kertas kerja 2 Ogos ini, saya cadangkan hendak derma ke Parlimen kepada semua MP. MP bawa wakil rakyat masing-masing, ADUN masing-masing, senarai pemilih kawasan masing-masing dan bawa pengundi hantu, *test* sistem boleh *approve* atau tidak. Gunakan undi hantu, gunakan pengundi hantu, tengok apa jadi.

Mungkin saya boleh jelaskan sedikit di sini di dalam ini yang tidak ada edaran ini. Sebenarnya ada perbezaan antara undi hantu dengan pengundi hantu. Sebenarnya tidak wujud pengundi hantu. Semua pengundi yang masuk itu dah dibenarkan. Jadi bukan hantu, dah *identified*, dah tahu, cuma dia layak atau tidak layak. Misalnya satu kes dahulu di mana dia pengundi bawah umur, bukan hantu itu, dah kenal, dia tidak layak mengundi tetapi dibatalkan kemudiannya. Yang ada adalah undi hantu. Ini yang ada tetapi ramai pihak menafikan. SPR sendiri menafikan tidak ada pengundi hantu. Memang betul tidak ada pengundi hantu, yang ada ialah undi hantu. Sebanyak 138,000 ini adalah undi hantu.

Masalahnya kenapa pihak SPR dengan pihak polis tidak ambil tindakan? Akta 5, Akta Kesalahan Pilihan Raya, seksyen 3(1)(h) dengan seksyen 6(2) di mana seksyen 6(2) mengatakan ini adalah kesalahan jenayah yang boleh ditangkap dalam erti Kanun Tatacara Jenayah (Akta 593). Seksyen 3(1)(h) mengatakan seseorang yang tanpa kuasa yang sepatutnya membawa keluar dari tempat mengundi dan seterusnya. Maknanya tidak ada satu pun, tidak ada cara yang mana sehelai kertas undi boleh dikeluarkan atau dibawa masuk tanpa kebenaran. Akan tetapi 138,000, maknanya ada 130,000 kes jenayah ini, tidak ada satu pun yang diambil tindakan. Jadi saya tinggalkan di situ dan saya cuba pergi kepada penyelesaiannya itu. Jadi dalam penyelesaiannya itu, saya cadangkan itu. Jadi apa yang ada ini cukup membuktikan bahawa SPR tidak bebas, adil dan telus. Jadi itu yang saya fokuskan iaitu bagaimana hendak jadikan ia adil dan telus.

Ketiga, saya pernah cadangkan di sini, banyak masalah MyKad palsu dan sebagainya. Saya cadangkan buat satu kaunter Jabatan Pendaftaran Negara. Itu sahaja, selesai masalah. SPR tidak ada kuasa untuk mengesahkan pemegang MyKad, kuasa pada JPN. Jadi di tempat pengundi itu, letakkan satu kaunter JPN. Jadi siapa-siapa yang cuba gunakan MyKad palsu dan sebagainya, polis ada, terus tangkap, apa susah. Tidak payah hendak kecoh-kecoh sebab Jabatan Pendaftaran Negara yang mengesahkannya. Akan tetapi sekarang ini mungkin susah hendak buat sebab JPN telah tutup untuk semakan MyKad. Saya pun sudah tidak dapat hendak akses.

Jadi perkara 3 itu, untuk memudahkan fokus Jawatankuasadengan...

Tuan Pengerusi: Tadi ada cakap tentang tutup semakan MyKad. Itu di pejabat-pejabat ataupun di tempat...

Encik Abdul Hamid Yeop Zainuddin: Di *website* JPN. Laman web JPN dulu ada kita masukkan nombor IC, dia keluar. Macam misalnya Misbah, kita masuk nombor IC, keluar nama dia Misbah, tetapi sekarang ini hendak semak MyKad dengan jabatan ini saya dah tidak dapat akses *website* ini. Jadi minta dibuka balik. Ini contohnya, 45,000 senarai diedarkan, hendak semak di mana?

Tuan Pengerusi: Dato' Ketua Pengarah, betulkah ditutup? So proses hendak semak itu ada lagi Dato', yang dikatakan tadi sudah tutup?

Dato' Jariah binti Mohd Said [Ketua Pengarah Jabatan Pendaftaran Negara]:
[Bercakap tanpa menggunakan pembesar suara]

Tuan Pengerusi: Masih ada? Dikatakan masih ada.

Encik Abdul Hamid Yeop Zainuddin: Permohonan mereka ada tetapi semakan status MyKad yang sedia ada sudah tidak ada.

Dato' Jariah binti Mohd. Said: Pengesahan untuk memohon MyKad?

Encik Abdul Hamid Yeop Zainuddin: Bukan, bukan. Macam saya, saya masuk nombor IC saya, dulu keluar nama saya Abdul Hamid Yeop Zainuddin dan begini-begini. Sekarang *website* itu tidak ada. Kalau dah ubah mungkin saya tidak tahulah alamat *website* nya sebab saya guna laman *website* lama. Ini kerana saya tidak boleh hendak semak lagi... *[Disampuk]* Memang tidak ada. Jadi macam mana kita hendak *verify* yang macam dalam 42,000 senarai yang SPR itu, macam mana kita hendak tahu pemegang nombor IC itu dia ada dalam Jabatan Pendaftaran Negara atau tidak, sebab orang awam tidak boleh hendak semak.

Tuan Pengerusi: Memang yang 42,000 itu barangkali sukar, tidak ada di dalam daftar ataupun...

Encik Abdul Hamid Yeop Zainuddin: Biasa tidak kisah mana-mana senarai, jadi kita hendak semak tidak boleh. Misalnya saya dapat satu senarai kawasan di Johor, senarai terbaru daripada SPR. Saya *pick at random* sahaja, ada dalam seribu senarai satu daerah itu, saya pilih *random*, daripada sepuluh yang saya pilih itu, tujuh tidak ada dalam rekod JPN.

Jadi maknanya 70% yang tidak ada dalam senarai pemilih yang dah di edar, senarai terbaru. Jadi banyak isu. Di sini saya tidak mahu mencari di mana tidak telus dan sebagainya. Saya hendak fokus kepada macam mana hendak selesaikan masalah itu.

Tuan Pengerusi: *Check* di mana?

Encik Abdul Hamid Yeop Zainuddin: Di laman *website*. Masa itu laman *website* itu ada.

Tuan Pengerusi: Pada masa itu. *Oh, I see.*

Encik Abdul Hamid Yeop Zainuddin: Akan tetapi selepas itu sudah tidak ada. Selepas saya hantar kertas kerja ini, dah tidak boleh hendak tunjuk dah. Masa itu boleh tunjukkan tetapi saya ada *print out* dan simpan di rumahlah. Jadi untuk ...

Dato' Seri Mohd. Radzi Sheikh Ahmad: Nanti, nanti. Kita hendak minta penjelasan daripada JPN, nombor satu dulu, perlahan-perlahan.

Encik Abdul Hamid Yeop Zainuddin: Okey.

Dato' Seri Mohd. Radzi Sheikh Ahmad: Adakah biasanya JPN mengeluarkan *website* di mana orang ramai boleh *check* IC melalui *website*, adakah?

Dato' Jariah binti Mohd. Said: Itu tidak ada.

Dato' Seri Mohd. Radzi Sheikh Ahmad: Tidak pernah.

Dato' Jariah binti Mohd. Said: Tuan Pengerusi, untuk menyemak dari segi daftar pemilih, memang kita tidak beri perkhidmatan itu.

Dato' Seri Mohd. Radzi Sheikh Ahmad: Ya, *what I am saying is* melalui JPN punya *website*. Katalah saya hendak *check* nombor IC si polan-si polan, *can I punch the number* dan melalui JPN punya *website*, ia beritahu adakah dia itu warganegara.

Dato' Jariah binti Mohd. Said: Tidak boleh.

Dato' Seri Mohd. Radzi Sheikh Ahmad: Tidak pernah. *We have never done that.*

Encik Abdul Hamid Yeop Zainuddin: Ada, saya pernah buat dan dalam Malaysiakini pun banyak gunakan *website* itu untuk buat. Saya rasa PAS pun ...

Dato' Seri Mohd. Radzi Sheikh Ahmad: Ini KP duduk di sini dah beri jawapan.

Encik Abdul Hamid Yeop Zainuddin: Ya, itulah saya kata...

Tuan Pengerusi: Kalau sebelum ini adakah, pernah? Akan tetapi kalau hendak semak permohonan, itu boleh?

Dato' Jariah binti Mohd. Said: Status permohonan sahaja.

Tuan Pengerusi: Tetapi bukan untuk IC pihak awam?

Dato' Jariah binti Mohd. Said: Tidak ada.

Tuan Pengerusi: Biasanya ini *need a lawyer*. Dulu kalau hendak minta pengesahan, minta JPN sila sahkan kalau nama-nama ini adalah sah.

Dato' Jariah binti Mohd. Said: Yang itu dia kena hantar secara bertulis.

Tuan Pengerusi: Ya tetapi dulu, berapa lama dulu ini?

Encik Abdul Hamid Yeop Zainuddin: Kalau dibenarkan, saya akan kumpulkan beberapa bukti *print out* misalnya dalam *website* dalam *Malaysiakini*, *Harakah* pun saya rasa dah keluaran contoh output daripada sistem itu dulu. Sekarang boleh kita menafikan ia tidak ada, jadi saya tidak boleh buat apalah.

Tuan Pengerusi: Nanti kami *check* balik lah. Barangkali dulu-dulu, zaman Jepun, dah berapa lama tu.

Encik Abdul Hamid Yeop Zainuddin: Itulah isunya. Jadi jika pihak-pihak tidak boleh hendak mengenal pasti, tidak boleh mengesahkan yang sesuatu MyKad itu palsu atau tidak, *what is the point?*

Tuan Pengerusi: Ya, *of course*.

Encik Abdul Hamid Yeop Zainuddin: Saya boleh tuduh, tetapi minta maaflah apa yang saya cakap dari awal ke akhir nanti kalau ada yang menyinggung mana-mana pihak. Saya boleh sahaja buat tuduhan, sekarang Jabatan Pendaftaran Negara setiap minggu berkampung di hotel, masuk data MyKad palsu untuk digunakan semasa PRU13. Jadi macam mana Ketua Pengarah hendak jawab? Saya tuduh begitu. Sekarang JPN sedang buat proses itu, hari Sabtu dan Ahad mereka duduk di hotel untuk masukkan data MyKad palsu dalam sistem. Siapa boleh berani *verify?*

Tuan Pengerusi: Barangkali orang luar.

Dato' Jariah binti Mohd. Said: Minta maaf Tuan Pengerusi. Untuk apa JPN hendak masukkan daftar maklumat palsu sebab kita mengeluarkan IC yang tidak palsu. Buat apa hendak *key in* data palsu sebab selama ini kita mengeluarkan MyKad yang *genuine*.

Tuan Pengerusi: Barangkali ini kerja operator-operator.

Encik Abdul Hamid Yeop Zainuddin: Ya, itulah *point* nya. Kalau tidak ada yang palsu, hendak takut apa? Ini adil, bebas dan telus. Telus maksudnya nampak. Memang orang boleh tengok, saya boleh *check*.

Contoh, saya baru dapat minggu lepas di Sabah, orang gunakan MyKad dia, palsu. Yang MyKad asal ini, dia adalah orang pertama, yang kedua itu yang palsu. Akan tetapi yang pertama yang kena pelbagai masalah. Yang palsu itu tidak ada apa-apa tindakan sedangkan kita dah *check* daripada nombor siri cip, itu kita dah tahu yang mana keluar dulu, yang mana keluar kemudian, yang kedua mesti palsu. Akan tetapi bila tidak ada laman web yang sepatutnya hendak *check* itu, kita tidak tahu yang palsu atau original. Dia tidak boleh pinjam bank, hendak buat itu tidak boleh, segala-galanya tidak boleh, masalah. Terpaksalah dari Semenanjung pergi ke Sabah tolong *settle* kan kes. Banyak kes begitu.

Dulu di Sabah atau Sarawak saya lupa, 70 ribu lebih dikeluarkan MyKad palsu daripada senarai SPR, bukan senarai JPN. Jadi sebab bukan skop saya hendak cakap tentang ini, saya tidak pergi *detail* di situ lah.

Adil, bebas dan telus. Jadi jika ada bebas dan telus, ingat, SPR tidak ada kuasa untuk sahkan MyKad, hanya JPN. Jadi bila seseorang datang hendak mengundi, dia bawa MyKad seperti yang Professor sebutkan tadi, ada MyKad semua datang di situ, mana hendak tahu MyKad dia palsu atau tidak? *So*, kena *check* dengan JPN. JPN yang ada kuasanya itu. Kalau JPN tidak boleh hendak buat, senang sahaja, serahkan pada orang lain. Saya pun sanggup terima tanggungjawab itu, sebab saya pegang... Minta maaf dah cakap tadi, masa Aziz Bahari – mana-mana pihak bercakap, dia kata “*Okeylah kau letak jawatan, mari masuk bertanding*”. Saya bercakap ini saya boleh buat, saya cabar dan saya menawarkan diri saya.

Kalau pun saya bercakap, lantiklah saya. Hendak lantik saya sebagai Pengerusi Suruhanjaya pun saya sanggup sebab saya boleh buktikan SPR dan pilihan raya yang adil, bebas dan telus...

Tuan Pengerusi: Itu kena patuh pada peraturan-peraturan.

Encik Abdul Hamid bin Yeop Zainuddin: Ya, saja saya cabar sahaja, tidak sambut tidak apa.

Tuan Pengerusi: Nanti *we get stuck with this one*, susah juga. Tunggu habis hujah, nanti barangkali lepas itu kita boleh bincang.

Encik Abdul Hamid Yeop Zainuddin: Yang itu mungkin boleh *follow-up* kemudianlah, bukan? Yang fokus hari ini cadangan PSC.

Tuan Pengerusi: Okey, maju ke hadapan.

Encik Abdul Hamid Yeop Zainuddin: Jadi untuk kecilkan skop macam mana atau apa bebas, adil dan telus. Ramai orang boleh cakap tetapi bila tunjukkan apa yang tidak telus, tidak boleh cakap. Macam profesor cakap tadi, banyak yang boleh cakap tetapi dia sendiri tidak buat.

Jadi saya kecilkan senarai, dari SPR – muka surat 5 itu ada pangkalan data pemilih, kita pecahkan ikut semua sekali, ikut negeri, ikut Parlimen, DUN, daerah, lokaliti, tempat pengundi dan pemilih sendiri. Jadi mana-mana pihak yang hendak lihat senarai, dia dapat senarai itu. Ini tidak diberikan oleh SPR sekarang. Daripada yang tengah itu, daripada senarai Parlimen hingga ke pemilih itu, di situ kita boleh sahkan ia bebas, adil dan telus. Telus boleh dapat semua. Misalnya jalan saya ini, lokaliti saya, Jalan Skudai misalnya, siapa pengundi di sini hendak kita dapatkan senarainya. Saya ada buat contoh-contoh – kalau tidak ada di komputer, macam ini saya buat, mana kawasannya, keluar senarainya. Masuk daerah itu apa, mana daerahnya, berapa pengundinya dan saya tambahkan ahli parti itu berapa.

Saya buat contoh. Lompat ke muka surat lampiran berkaitan kertas kerja 2 Ogos itu. Maklumat ini tidak diperolehi parti dan tidak boleh diperolehi oleh SPR. Muka surat 13 itu saya senaraikan, ambil contoh ini. Dalam satu kawasan itu, ini daerah-daerahnya. Antara daerah-daerahnya itu, ambil contoh satu, Kampong Tebok Trong.

Setelah pilihan raya, saya tanda berapa undi Barisan Nasional dapat, berapa bukan Barisan Nasional dapat. Yang gelap itu yang Barisan Nasional menang, yang putih itu Barisan Nasional kalah. Jadi ambil contoh Kampung Tebok Trong, 549 pengundi, semuanya Melayu, 100% Melayu, 53% ahli UMNO. Jadi kalau semua ahli UMNO mengundi di situ, maknanya sudah tentu UMNO menang. Akan tetapi di situ bukti UMNO kalah. Jadi ini membuktikan maknanya ada ahli UMNO yang tikam UMNO sendiri. Ini kalau hendak lihat proses peringkat parti. Kenapa saya pergi kepada peringkat parti, ada cadangan saya lagi satu itu.

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Kebanyakan masalah yang timbul kekecohan semasa mengundi ini bukan sebab SPR, ini sebab parti. Saya sudah buat analisis untuk satu kawasan Parlimen ini. Ini saya buat untuk Selangor, 5051 nombor ajaibnya. Saya buat satu kawasan pilihan raya ini di Johor. Boleh kata semua maklumat parti dibandingkan dengan maklumat SPR semua tidak sama. Contohnya ikut parti di Parlimen itu ada 1600 tempat *locality* mengundi. Dia akan mengundi, dia akan mengundi, 1600 tetapi ikut SPR hanya 46 sahaja. Jadi, bila hendak pilihan raya, parti pergi ambil orang, pergi hantar ke sana. Orang itu tidak mengundi di sana dan bila pergi hendak mengundi, sudah semak senarai, nama tidak ada – kecoh. Sudah banyak kes, beratus-ratus kes saya kaji boleh kata semuanya data parti dengan data SPR tidak sama. Jadi, di situ untuk telus, saya sudah bantu. Saya sudah buat satu sistem untuk parti. Jadi, parti boleh bandingkan data dengan data SPR yang mana yang tidak berdaftar.

Bilangan mendaftar salah juga. Sudah berpuluh tahun parti itu jaga dekat Johor ini, bilangan yang mendaftarnya tidak sama dengan bilangan SPR. Dia kata 20,000 lebih sudah mendaftar sedangkan ikut SPR ada 16,000 lebih sahaja. Jadi, selama ini tidak tahu, parti itu tidak tahu, setiausaha dia tidak tahu, pengerusi dia pun tidak tahu sebab data dalam komputer dia, dia ingat betul. Nanti dia salahkan pihak lain. Kalau bukan UMNO itu minta maaf, nanti dia kata salahkan SPR. Akan tetapi kes ini saya dapat lihat pada parti politik. Saya sudah kaji dua tiga politik data.

Jadi, banyak, banyak yang timbulkan isu tidak ada, tidak tahu ini bukan semata-mata daripada SPR. SPR sudah bagi betul pun, data salah. Misalnya SPR sudah bagi data, dia tambah lagi. Jadi, sudah bukan data yang original daripada SPR. Itu sebab saya kata hendak buktikan telus itu, saya sudah buat sistem, data SPR itu kita *display* kan hendak tengok macam mana, terus tahu. Jadi kalau macam kita dalam Dewan ini satu *locality*, kita kenal semua. Sekali tengok ada pula mak seorang ini, 'Eh, kau ini dari mana?'. Jadi, semua orang boleh maklumkan kepada SPR ini pengundi luar atau pengundi hantu atau yang tidak sah misalnya. Jadi, kalau daripada 12 juta itu, pejam mata sahaja, siapa hendak *check* satu-satu nombor I/C 12 juta. Jadi, ada macam parti-parti Pakatan Rakyat itu, saya tabik, cuba hendak semak satu persatu.

Akan tetapi dengan sistem saya tidak perlu semak satu-satu. Terus senaraikan, terus dapat. Jadi, untuk buktikan ada bebas nombor satu ada senarai pemilih itu dahulu saya pegang. Kalau senarai pemilih itu ada bebas dan telus, yang lain belum tentu telus lagi. Senarai itu perlu bersihkan dahulu. Kalau senarai tidak bersih, sudah tentu pilihan raya itu tidak bersih. Jadi, senarai itu bersihkan, telus dahulu. Jadi, saya cadangkan itulah gunakan sistem yang sudah sedia dibangunkan. Buat semakannya boleh.

Saya lompat sedikit di situ. Di mana SPR dan bebas sepatutnya berada. Saya lukiskan gambar rajah di situ, muka surat enam itu. Ada bebas dan telus itu jadi sempadan, dia mesti di tengah-tengah di nukleus, di *hardcore* dia, nombor tujuh. Jadi, kalau adil dan bebas sahaja, dia terus tidak jadi. Jadi, mesti buktikan sentiasa SPR berada dalam pagar nombor tujuh.

Kalau terkeluar itu, cepat-cepat masuk balik. Ya, kadang kita tidak salah, *human, human error*, 5% mesti ada *human error*. Ya, jadi petugaskah, apakah, betulkan balik. Sistem yang saya cadangkan itu yang saya sudah *develop* itu, 3.9 itu adalah *error free, internet based, real-time, online network, data-sharing and transaction*.

So, itu teknologinya dan teknologi ini *insya-Allah* boleh *beat* sistem yang sedia ada di SPR dan saya sudah catatkan dalam penutup itu, sebelum ini ada cadangan hendak serahkan pada MIMOS, saya ragu-ragu sebab adakah MIMOS mempunyai sistem yang telah sedia ada, bila masanya untuk dibangunkan, adakah dia mempunyai kepakaran dan teknologi ini sebab kepakaran dan teknologi yang ini, tidak ada pada orang lain. Setakat inilah. Pihak lain sedang cuba mendapatkan kepakaran dan teknologi ini sebab ini adalah kepakaran dan teknologi yang saya *develop* sendiri. Satu dunia pun memang tidak ada lagi. Jadi, macam sistem SPR itu, kalau ambil RM100 juta nilainya, dengan teknologi saya, saya boleh buat dalam kos RM10,000 sahaja. Bukan main-main. Bayar RM10,000 pada saya sekarang, saya serahkan pada SPR sekarang juga. Bawa beg ini balik.

Okey, kemudian cadangan saya tiga perkara ini, perkara lima. Gunakan sebelum, semasa dan selepas. Tiga peringkat itu penting. Sebelum – mesti sahkan dia bebas, adil dan telus. Semak senarai semua parti, semua orang masjid boleh semak, ketua kampung boleh semak. Semak senarai itu, senarai masing-masing. Pastikan bebas. Tidak ada campur pengundi yang tidak disah *voting*. Semasa pilihan raya, di sini kritikal. Saya buat satu modul yang digunakan khas di tempat mengundi. Boleh digunakan dalam sekarang ini dengan teknologi *iPad* seperti tuan pakai itu, *iPad, handphone*.

Maklumat ini boleh dicapai dari mana-mana sahaja, pada bila-bila masa, pakai apa-apa sahaja alat asalkan dapat *line internet*. *Investment* kerajaan kan berapa bilion untuk MSC. *Handphone* pun boleh dapat *internet* sekarang. So, dapat *line internet*, dapatlah maklumatnya. Kalau senarai diedarkan sekarang ini, senarai ini SPR keluarkan senarai lain. Nanti orang tengah tukar senarai lain. Saya dapat *detect* banyak kes begitu ditambahkan 20 lagi pengundi.

So, bila pergi, yang pengundi hantu ini pergi. Dapat dan boleh masuk mengundi. Akan tetapi dengan sistem saya ini, semasa PRU, jika digunakan, tempik sahaja. Hamid Yeop, nombor I/C 1234, siapa-siapa itu dia pergi. Taip di komputer masing-masing untuk keluar data daripada SPR. Okey, boleh mengundi. Baru bagi kertas undi. Catatkan nombor kertas undi dia. Hamid Yeop, kertas undi 1234, 1234. Sudah dia pangkah sendiri. Hendak rekod apa dunia pun boleh. Pergi dekat sana, letak atas - okey ambil pangkah – PAS – rekodkan.

Boleh. Jadi, hendak tahu siapa boleh, siapa pun, boleh. Kiraan itu sudah jadi automatik. Kalau mengundi dua kali, dia pergi tempat lain pula seperti yang PRU-12 ya, saya dapat *detect* itu, dia benarkan. Sekarang sistem ini dia masuk lagi '*Tidak boleh. Tadi sudah mengundi di tempat ini, meja ini, pukul sekian, sekian, sekian*'. Terus tangkap kesalahan apa, cubaan mengundi dua kali. Jadi sistem *bullet proof*. Kalau orang yang jatuh hak mengundi, SPR ada senarai itu. Selepas dia masuk sahaja sistem beritahu orang ini tidak layak mengundi. Kalau ada aduan, rujuk kepada pegawai SPR atau PP kah dekat situ sebagai JPN dan sebagai – jadi proses pengundian berjalan lancar semasa pilihan raya. Sudah selesai masalah undi pos.

Undi pos diserapkan dan buat kategori baru yang saya cadang ini. Kategori undi *online*. Kategori undi *online*. Dekat depan itu saya tulis kat bawah itu, cadangan itu. Saya bacakan. "*Jika wang berjuta-juta ringgit dipindahkan menggunakan perbankan internet boleh dipercayai, kenapakah undi pilihan raya yang tidak melibatkan transaksi wang tidak boleh atau tidak hendak dipercayai*". Jadi, apa guna kita buat teknologi *internet*, perbankan *internet*, *transaction* tetapi hendak pangkah undi secara *online internet*, tidak boleh kononnya tidak percaya.

Jadi, itu persoalannya. Jadi saya sudah buat – boleh tunjukkan. Mungkin sebelum ini ada pihak kata tidak boleh sebab tidak ada, tidak boleh hendak tunjukkan dan memang boleh. Saya bawa ini sebab apa, biasa yang saya cakap ini, boleh, boleh, boleh ini, selama ini di mana-mana saya cadang cakap pun tidak ada yang percaya. Jadi, saya cakap di sini hari ini pun saya menyangka tidak ada yang percaya apa yang saya cakap seperti saya hendak ceritakan betapa sedapnya makan durian. Tidak boleh cerita, ambil sedikit rasalah. Itu sebabnya saya bawa ini jadi kalau tidak percaya, duduk, buka, tengok saya tunjuk, baru percaya atau tidak percaya.

Jadi, perkara enam itu sebagai pemantau semasa pengundian itu. Jadi, tambahan kepada yang sudah ada *as is*. Jadi, sebagai pemantau dan dapat pantau apa-apa segalanya. Saya bagi contoh di situ semakan menerusi sistem. Maknanya semak dia mengundi dekat mana. Kalau salah tempat mengundi pun tidak ada masalah, boleh terus bagi mengundi. Sekarang ini halau dia '*pergi kamu mengundi kat sekolah sana itu*', pergi dekat sana. *Last-last* kawan itu balik rumah, '*malaslah hendak mengundi*', dia cakap. Sekatan pengundian – saya sebut tadi, apa-apa sekatan itu boleh *detect* sebelum dia dapat kertas undi pun, mengelak pengundian berulang. Dia tidak ada pengundi berulang, tidak ada undi hantu. Okey.

Kemudian, semakan penama berulang dalam senarai boleh dapatkan nama berulang dan sebagainya, halang pengundi tidak cukup umur, elakkan salah tempat mengundi, boleh mengundi di mana-mana sahaja dan *create* kan kategori baru pemilih dan maklumat diguna semula semasa kiraan. Sekarang ini masalahnya kiraan undi. *So*, bila sistem itu sudah diberi semasa itu ... kiraan itu dia sekali jalan. Buat perlahan-lahan sekali jalan, saya hendak tunjuk pada semua dan rekod untuk kita. Nombor 1431 – PAS, , nombor 1432 – UMNO, dan sekian-sekian. Jadi, sistem komputer yang mengira, bukan – manusia kira 5% *error* mesti ada. Mesin kira, tidak ada 100% tak ada *error* bila di *collaborate*. Jadi, terus dapat manakala ada perbezaan undi, terus tahu perbezaan undi dan boleh semak balik.

Kalau ada undi tambah, maklumat dipamer, undi pos tohmahan dan sebagainya data dimasuk pada tahun ini – saya teringat satu contoh dahulu masa Tengku Razali lawan Tun Mahathir. Kira, kira, kira Tengku Razali menang – *blackout*. Nyala balik Tun Mahathir menang lebih 43 undi. Jadi, bagaimana hendak sahkan, hendak adil daripada itu mesti boleh dibuktikan. Mesti dibuktikan, kalau tidak buktikan, cakap sahaja jadi hipotesis, memang tidak jadi, tidak selesai masalah. *So*, buktikan. 43 itu mana dia, betul tidak 43 itu dan saya ini yang menjawab yang SPR sebut itu hari dekat TV. Nombor kekal – terima kasih saya sokong penggunaan nombor itu, buku tetapi ingat nombor itu hanya boleh disahkan, dikoyak daripada bukunya tetapi tidak boleh sahkan buku itu yang dikeluarkan semasa mengundi.

Kalau buku itu, satu buku itu pakai untuk undi hantu macam mana, dia sahkan. Jadi, dengan sistem ini, sistem yang saya sudah *develop* ini, kalau nombor itu kertas undi itu, kertas undi hantu itu dimasukkan selepas mengundi tengah jalan masuk kotak atau tukar kotak, sistem beritahu, nombor ini tidak ada dalam daftar mengundi. Walaupun, satu undi hantu masuk, memang dapat *detect*. Cuma hendak pakai, tidak hendak pakai, itu sahajalah.

Kemudian yang 19 itu, tadi sudah sembang tadi, baik kita undur ke belakang. Misalnya dakwat boleh buat kecoh. Misalnya saya sudah mengundi, dia calit dakwat, saya padam dakwat saya, dalam tiga minit sahaja boleh padam. Tiga minit saya pergi lagi sekali mengundi dan tidak dibenarkan pada saya sebab saya sudah kantoi. Saya kata saya tidak dakwat, saya boleh mengundi. Apa hendak bagi? Hendak bagi saya mengundi atau tidak. Saya kata saya boleh mengundi. Ataupun saya boleh mengundi, saya calitkan dakwat. Saya kata saya sudah mengundi, pergilah mengundi tengok. Belum mengundi, bagi mengundi lagi, saya sudah calit dakwat. Nanti orang kata tengok Hamid, dia undi dua kali. Sudah calit dakwat dapat lagi. Tidak ada. Dengar ceritanya boleh pakai dakwat itu sebagai *backup* dengan sistem tahu kalau dia boleh mengundi, sistem beritahu '*belum mengundi*'. Kalau dia mengundi dua kali, terus tangkap dia, tadi awak sudah mengundi, hendak cuba kacau lagi sekarang ini. Tidak ada masalah. Nombor siri itu saya cadang kekalkan nombor siri dan tulis itu betul.

Saya cadangkan ini bukan untuk SPR sahaja, perkara 21 itu, banyak yang saya tulis di situ, kekecohan dekat mana apa semua. Jadi, bukan hanya untuk SPR, untuk semua pihak – orang awam, parti politik, NGO dan sebagainya. Siapa-siapa yang hendak melihat maklumat dan boleh dikembangkan kepada pendidikan di peringkat sekolah. Ada akademik SPR, ada pelajar-pelajar sekolah tadika sudah didedahkan dengan politik. Jadi, kenapa tidak dedahkan, biar mereka melihat *'ini oh, senarai pengundi'*. Bapa dia tengok, *'bapa aku ada rupanya mengundi dekat sini, eh bapa ko tidak adalah'*. Dia sesama dia - eksploitasi kegilaan muda-mudi sekarang ini terhadap *internet, Facebook* dan sebagainya. Ya, dengan itu dan yang ke-20 itulah buktikan cabaran SPR dan kerajaan. Jadi, itulah kata jika ramai pihak mencabar, 20, 21 ya. Jika PRU-12 tidak telus, masakan pembangkang boleh menang besar hingga menawan lima negeri.

Kita asyik dimomokkan dengan jawapan – andaian sebegini sahaja tetapi ramai pihak lupa apa andaian sebelah sana pula. Andaian sebelah sana pula kata apa, saya tuliskan 22, 6 itu. Jika PRU-12 adalah benar-benar bebas, adil dan telus, mungkin pembangkang telah memenangi lebih banyak kerusi dan menjadi Perdana Menteri. Ingat di Semenanjung PRU-12 beza lima kerusi. BN – 85, bukan BN – 80. Ini saya cakap itu hari, minta maaf saya cakap Yang Berhormat. Saya kata PKR bodoh. Hendak pergi kejar 40 buat apa. Beza lima, bukan hendak cari lima. Cari tiga sahaja. Cari tiga, majoriti sudah berpindah. Sabah, Sarawak tidak ada masalah. Ada tekniknye Sabah, Sarawak dia akan boleh sesuai ikut mana-mana parti. Minta maaf kepada Yang Berhormat Sabah dan Sarawak... *[Ketawa]*

Ya. Jadi hanya tiga kerusi sahaja. Tiga kerusi ditarik, sudah, Anwar sudah ke Putrajaya sudah masa itu tetapi cadangan saya masa itu, mereka tidak terima, tidak apalah kan. Saya hanya bagi cadangan sahaja. Jadi ini, kalau benar-benar bebas dan telus, yes. Saya bagi contoh kawasan saya, Gelang Patah. 8,000 undi hilang dengan rosak dan BN menang tetapi kalau 8,000 undi untuk Pakatan Rakyat – Pakatan Rakyat menang, BN kalah. Banyak kerusi yang saya senaraikan, jika yang hilang itu tidak hilang, BN kalah. Jadi, saya boleh berani kata kalau betul-betullah PRU-12 itu adil, bebas dan telus, memang Pakatan Rakyat – Perdana Menteri sekarang.

Tuan Pengerusi: Okey saudara Hamid...

Encik Abdul Hamid Yeop Zainuddin: Jadi, hendak bukti...

Tuan Pengerusi: Perkara yang pokok. Lima minit lagi sudah setengah jam.

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Encik Abdul Hamid Yeop Zainuddin: Ya, minta maaf, tadi itu cabarannya. Jadi saya kata kes itu isunya, saya bagi penyelesaiannya supaya benda-benda ini tidak berlaku, tidak timbul, gunakan penyelesaian yang saya buat, dia tidak timbul dan tidak jadi isu. Sekarang dia boleh jadi isu, bukan? Itu masalahnya. Jadi dengan macam ini dia tidak jadi isu dan boleh buktikan adil, bebas dan telus. Okey, itu sahajalah dan saya tutup itu, cadangan saya pilihan raya ini seperti yang Tuan Pengerusi sebut tadi, kita memilih wakil rakyat dan bukan wakil parti.

Jadi, mungkin kalau perlu ubah Perlembagaan supaya lebih jelas, ubahlah dekat situ. Ingat, wakil rakyat, wakil parti dan sebenarnya pembangkang ini tidak wujud, istilah pembangkang ini tidak wujud. Sebelum dia menang kerusi memang dia pembangkang kepada UMNO, dia bukan pembangkang kepada kerajaan. Sama juga dengan pra-psikologi dengan komunis dipanggil pengganas.

Okey, pembangkang tidak wujud sebab kita kerajaan Raja berperlembagaan dan ada Perlembagaan. Kerajaan dan juga Parlimen. Semua wakil rakyat yang dipilih itu adalah kerajaan. So, kalau PAS dalam Parlimen, DAP dalam Parlimen, dia adalah sebahagian daripada kerajaan. Tidak sepatutnya mereka ini dipanggil pembangkang sebab dia kerajaan. Melainkan kalau kerajaan sekarang adalah kerajaan parti, yes.

Jadi, saya minta jelaskan sebab saya tanya hingga ke akar umbi semua keliru. Kita lantik wakil rakyat kah atau wakil parti? Sekarang ini yang saya nampak wakil parti dan Perdana Menteri pun dipilih oleh parti, bukan dipilih daripada semua wakil rakyat yang membentuk kerajaan. Misalnya saya tanya, Yang Berhormat Tuan Mohamed Azmin kerajaan atau bukan? Kalau ikut orang UMNO, dia kata Yang Berhormat Azmin bukan kerajaan. Akan tetapi pada kami rakyat, beliau kerajaan sebab dia wakil rakyat.

Seorang Ahli: Dia kerajaan Selangor. [*Bercakap tanpa menggunakan pembesar suara*]

Encik Abdul Hamid Yeop Zainuddin: Dia wakil rakyat, kerajaan. Parlimen mana-mana sebab dia kerajaan Selangor. Jadi, dia bukan pembangkang, sekarang UMNO pula jadi pembangkang di Selangor. Oleh itu, minta dibetulkan ini supaya dia eksploitasi – membetulkan hanya pihak tertentu sahaja. Kita *open*, kata hendak adil, bebas dan telus. Teluslah ya.

Tuan Pengerusi: Akan tetapi saudara Abdul Hamid...

Encik Abdul Hamid Yeop Zainuddin: Ya, terima kasih.

Tuan Pengerusi: Dalam sistem kita *first-past-the-post* itu, kita kira siapa yang majoriti banyak kerusi dia menubuhkan kerajaan. Jadi, yang sebelah itu memanglah pergi sebelah, sebagai pembangkanglah begitu.

Encik Abdul Hamid Yeop Zainuddin: Ya, itulah.

Tuan Pengerusi: ...Kita katakan semua itu kerajaan, tidak kira – asal dia dipilih rakyat, dia kerajaan. Akan tetapi dalam..., *culture*, definisi *parliamentary democracy* yang kita amalkan, itu memang tidak wujud ya.

Encik Abdul Hamid Yeop Zainuddin: Yalah, itu yang saya menyampaikan. Mungkin penambahbaikan yang kata tadi itu...

Tuan Pengerusi: Ya. *Sure, sure*.

Encik Abdul Hamid Yeop Zainuddin: Jadi penambahbaikan itu, adakah kita memilih kerajaan daripada wakil parti? Kalau begitu pilihan raya kita buatlah, memilih wakil parti, jangan sebut memilih wakil rakyat. Tukar, Dewan Rakyat tukar nama kepada Dewan Parti.

Tuan Pengerusi: Okey, betul...

Encik Abdul Hamid Yeop Zainuddin: Okey, terima kasih.

Tuan Pengerusi: Okey, terima kasih banyak-banyak, tadi ada *detail* yang barangkali kalau ada kekeliruan mengenai *access website* tadi itu boleh bincang dengan Ketua Pengarah di luar sana. Mana tahu ada kekeliruan *because* mengikut yang dimaklumkan tidak pernah data kad pengenalan itu ditunjukkan kepada umum kecuali pemohon-pemohon yang sedang menunggu. Barangkali bila kita *check* IC kita yang sudah lama itu memang tidak ada keluar sana sebab hanya untuk baru. Akan tetapi kalau mereka keluarkan, bolehlah minta penjelasan. Okey terima kasih banyak.

Encik Abdul Hamid Yeop Zainuddin: Terima kasih.

Tuan Pengerusi: Okey kita dengar satu pasukan lagi sebab yang berpasukan ini belum. Nanti *after lunch* barangkali mereka akan hadir. Akan tetapi saya hendak jemput satu kumpulan daripada Dewan Undangan Negeri Selangor. Ya, dia datang dari jauh sebab barangkali mereka *miss* sedikit di Parlimen. *So*, dia datang dari jauh. Tiga ahli bersaudara ataupun Ahli-ahli Dewan Undangan Negeri, diketuai oleh Tuan Yang di-Pertua Dewan Undangan Negeri sendiri yang...

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

Tuan Pengerusi: Ya, oleh kerana sudah terlintas, dia kata "*dia datang ke sini.*"

Tuan Mohamed Azmin Ali [Gombak]: ...1Malaysia, bukan?

Tuan Pengerusi: 1Malaysia. *So*, Tuan Yang di-Pertua DUN Selangor Dato' Teng Chang Khim dengan Encik Chan Kok Keong dan Lt. KDR. Rosdi Mohamad. Barangkali mereka *miss* pendengaran awam di Parlimen, jadi telah minta izin untuk datang *all the way to Johor Bahru*. *So*, selamat datanglah Tuan Yang di-Pertua. Okey, sila perkenalkan teman dan saya beri 15 minit dahulu. Kalau perlu lama, tambahan nanti kita pertimbangkan.

[*Saksi dari Dewan Undangan Negeri Selangor mengambil tempat di depan Jawatankuasa*]

11.50 pg.

Dato' Teng Chang Khim [Speaker DUN Selangor]: Terima kasih Tuan Pengerusi dan Yang Berhormat sekalian. Saya ucapkan terima kasih kerana membenarkan saya untuk menyampaikan pendapat saya di dalam pendengaran awam ini kerana saya tidak dapat hadir pendengaran di Kuala Lumpur memandangkan pada masa itu Dewan Undangan Negeri Selangor sedang bersidang. Ya, Tuan Pengerusi. *First of all I would like to congratulate the PSC, the Committee for tabling an interim report that contains ten recommendations for the electoral reform.*

However, electoral reform should not be confined to technicalities rating only to the conduct of the election undertaken by the Election Commission. Electoral reform is not complete if a holistic approach is not taken to review the conduct of the Election Commission over the years.

Identifying its shortcoming weaknesses and after that introduce changes to ensure the independent and its professionalism. Now, the issue here is the perception of public is that the Election Commission has not been perceived as an independent body by the public at large. The negative impression of not truly independent of the EC has been further strengthen resulting from a few recent incidents.

Now, the first one is the declaration of vacancies of seats in the legislatives' assembly of Perak, Kedah and Selangor. I will talk about the situation in Selangor. In Selangor situation, myself as Speaker has pronounce a declaration by virtue of Article 69 of the Selangor Constitution that the Port Klang seat has been vacant, that was last year. Yet, the Election Commission has refused to accept the declaration and even did not officially communicate with the Speaker.

The Election Commission saw it is fit to challenge declaration by the Speaker through a press conference disputing its decision. Now, what should have been done according to the state and Federal Constitution was to call for by-election which the Election Commission has failed get it done. By casting doubt on the decision and the declaration of the Speaker was of performing his Constitution duty, the EC has used up the power of the Speaker and thereby, contempt of the house.

Tan Sri Datuk Seri Dr. Fong Chan Onn: *Minta maaf, minta maaf Tuan Pengerusi. Sorry, Yang Berhormat Dato' Teng Chang Khim, I thought that issue was resolved by the High Court ruling, is it?*

Dato' Teng Chang Khim: *No, I am talking about the independence of it. I am reciting it as an example.*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *Ya, but I thought...*

Dato' Teng Chang Khim: *I am not discussing the issue here. I am talking, I am reciting as an example why I said that the Election Commission is perceived to be not independent.*

Tuan Pengerusi: *...Would be Appeal Court, is it?*

Seorang ahli: *Appeal Court.*

Tuan Pengerusi: *Appeal Court.*

Seorang ahli: *Ya, ya.*

Tuan Pengerusi: *...Maybe go straight then the issue of independent because the example will not be that perfect since the Appeal Court take over rule, is it.*

Dato' Teng Chang Khim: *You see Yang Berhormat, when you talk about sub judice which is at the court of first instance, when you had to adduce fact. Therefore, it should not be discussed. When it is completed at the court of first instance, it will go to appeal then it is a different issue. At the same time, I am not talking about the merits of the case. I am talking about, as an example.*

Tuan Pengerusi: *So, you just referring to that as an example?*

Dato' Teng Chang Khim: *Yes.*

Tuan Pengerusi: *Okay, concentrate on issue of independence.*

Dato' Teng Chang Khim: *Yes.*

Tuan Pengerusi: *What else we can do to improve.*

Dato' Teng Chang Khim: *Yes, right.*

Tuan Pengerusi: *That is all what I want to hear.*

Dato' Teng Chang Khim: *I am going to the point.*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *In another words Yang Berhormat Dato' Teng Chang Khim, what you are saying is that in order to demonstrate its true independence the EC has to abide by the speaker's ruling.*

Dato' Teng Chang Khim: *Yes and please allow me to read from Article 69 of the Law Constitution of Selangor 1959. It is very clear and compared to Article 52(1) of the Federal Constitution when it is related to Parliament. If it happened in Parliament, Article 52 of the Federal Constitution says and explains that "If a member of either House of Parliament is without the leave of the house is absent from every sitting of the house for a period of six months the house may declare the seat vacant." It is refers always to the house. If the members without the leave of the house are absent for six months then the house may declare the seat vacant.*

That is the situation in the Parliament and that is provided in the Article 52(1) of the Federal Constitution but when come to Selangor, it is govern by Article 69 of Law of Constitution of Selangor 1959 which express and unambiguously provided. "If a member of the legislative assembly is without the leave of the Speaker" not the House, "absent from every sitting thereof for a period of six months, his seats shall be declared vacant by the Speaker." Not by the house. So, the difference is very clear. We do not need a lawyer or language experts to understand this but we are puzzle why the Election Commissions has choose to ignore the probation under the Constitution of Selangor. Therefore it is perceived by the public that they have not been independent. This is my point.

Tan Sri Datuk Seri Dr. Fong Chan Onn: *I am not trying to defend. Yang Berhormat Dato' Teng, I am not trying to defend anybody. I am just trying to say that, I think the catch word is the leave or absents for six months. I have read in the paper that there were some dispute whether there was a continues leave, absent for six months but I am not trying to...*

Dato' Teng Chang Khim: *Yes, right. Yang Berhormat has pointed out that dispute.*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *I am not trying to...*

Dato' Teng Chang Khim: *That is the point that should be taken out by the agreed party not the Election Commission. As far as the Election Commission is concern, there is a declaration for the Speaker therefore it has been taken as final, but the Election Commission has chosen otherwise. They has chosen to say that "No, we want to start this." That is the reason why the public perceive it that it is not the independent...*

Tuan Pengerusi: *Maybe upon the submission of the agreed party, you know.*

Dato' Teng Chang Khim: *They are not the agreed party. Election Commission...*

Tuan Pengerusi: *No, No. The Yang Berhormat concerned...*

Dato' Teng Chang Khim: *Yes.*

Tuan Pengerusi: *The agreed party that the process upon which the Speaker are right about the decision maybe questionable. Did he bring up such...*

Dato' Teng Chang Khim: *Of course he has brought to court but I am questioning...*

Tuan Pengerusi: *Okey.*

Dato' Teng Chang Khim: *The independence of the Election Commission. Election Commission...*

Tuan Pengerusi: *Alright, it might not be a perfect example but I can get your point, that the need for independence.*

Dato' Teng Chang Khim: *Yes*

Tuan Pengerusi: *Maybe clear transparent interpretation.*

Dato' Teng Chang Khim: *Yes. Until today the Election Commission has not communicated with me as the Speaker on this matter. They choose to go to the press. When the issue is that – actually, the Election Commission should communicate with me and understands why I made the declaration. No! Nothing has been done. They choose to go to the press and say “No, we had to study the situation.”*

Tuan Pengerusi: *So, the communication line maybe a little bit blur.*

Dato' Teng Chang Khim: *I think it is more than that. In fact there should not be any communication. The only communication is the declaration send by the Speaker notifying the EC that there is a vacancy. Therefore you conduct the election or by-election according autonomy. This is provided under Article 113 where this is their duty. You conduct election.*

Tuan Pengerusi: *Okay, point taken. Can you move on to another, some more?*

Dato' Teng Chang Khim: *Yes, right. Therefore, their conduct does not reflect that it is independent and it is seen to be politically bias. Of course this is my accusation against – based on the reason as cited. I believe these are the reasons, most if not all of the Election Commission members are ex real civil servant, spending most part of their life contributing to nation in the civil service. They had been consciously or unconsciously indoctrinated to acquire the mentality of “Saya menurut perintah”. So, everything is, “Saya menurut perintah”.*

As you can see, you know our Election Commission Chairman; he was a life time civil servant. Among members, we have one ex police officer which always “Saya menurut perintah”. If we a asked a constable “Why you arrest me?” He will say that “Ini arahan.” “Arahan siapa inspektor?” We ask inspektor “Arahan siapa?” “Arahan OCPD.” You asked OCPD “Arahan siapa?” “Arahan CPO.”

Tuan Pengerusi: *Once you are ex, you are not bound with that anymore, is it?*

Dato' Teng Chang Khim: *But you have been indoctrinated up to so many years in the civil service.*

Tuan Pengerusi: *Okay, I see.*

Dato' Teng Chang Khim: *So, you believe the change...*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *Yang Berhormat, I think you should not be personal here.*

Dato' Teng Chang Khim: *No.*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *Because there are many example of ex civil servant in other positions that can be very exemplary. The Auditor General has recently been cited as a very good case in which he has executed a high sense of independent...*

Tuan Pengerusi: *So, this...*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *Let's not be personal.*

Dato' Teng Chang Khim: *I am not being personal.*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *Let's not be blanked say "ex civil servant are therefore no good," you know.*

Dato' Teng Chang Khim: *I am talking the culture.*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *Let not be personel.*

Dato' Teng Chang Khim: *I am talking the culture. I am not talking about the person.*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *No, there are enough example of ex civil servant who are now very respected in their own rights.*

Tuan Pengerusi: *Okay, time's up.*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *[Bercakap tanpa menggunakan pembesar suara]*

Dato' Teng Chang Khim: *You are citing one example. I am citing about the culture as I said from the very beginning most of the Election Committee or Election Commission Members if not all. So, they are actually bringing the culture. They are extending the culture of the civil service into this commission.*

Tuan Pengerusi: *Okay, so how do you suggest the work to be done?*

Dato' Teng Chang Khim: *So, there must be a new mechanism in the selection of the members of the Election Commission. For example, if we can amend our Constitution by allowing the selection of the judges through a Judicial Committee rather than by the Prime Minister himself, that is a...*

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Tuan Pengerusi: *Actually we thinking along that kind of lines.*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *...Without to personal...*

Dato' Teng Chang Khim: *I am glad to hear that...*

Tuan Pengerusi: *[Ketawa] Okay.*

Tuan Wee Choo Keong [Wangsa Maju]: *...Differ isn't it?*

Dato' Teng Chang Khim: *Therefore in situation like this as I said just now, I am...*

Tuan Pengerusi: *Okay. Move on.*

Dato' Teng Chang Khim: *When I am facing new situation that has never been experienced. For example, discretion by Speaker because Member has been absent. This is something new to them.*

So they will look at what would be the master one, what would be the trend because there is no precedent. They tend to be influenced by the statement made by the leader of government who inevitably influences other politicians. You ask the politicians, you look who are the ADUN. This is my ADUN then I see something to defend him. If he is not my ADUN, I'll see something against him. Therefore, the Election Commission can be influenced. That is the point I try to make that you must get someone who has actually...

Tuan Wee Choo Keong: *Yang Berhormat Teng...*

Tuan Pengerusi: *Yang Berhormat Wangsa Maju.*

Tuan Wee Choo Keong: *May I interrupt a bit. I mean you seem given all examples and all that, I mean...*

Dato' Teng Chang Khim: *Only one example.*

Tuan Wee Choo Keong: *I may agree with you on some this point. But on the other hand, there also allegation in Selangor Selcat, investigation and there are a lot of similar allegation too, I mean maybe also there are also other opinion. They were not independent whereby the investigation end up with nothing, no action, so similar. Selective prosecution all that...*

Dato' Teng Chang Khim: *Okay fine. I will suggest that...*

Tuan Wee Choo Keong: *I think it is similar also.*

Dato' Teng Chang Khim: *If Yang Berhormat opinion Selcat is not independent, I will suggest the Parliament can set up inquiry committee and I will be happy to subject to the inquiry.*

Tuan Wee Choo Keong: *No.*

Dato' Teng Chang Khim: *This also. We are open.*

Tuan Wee Choo Keong: *No. What I am saying that I mean both allegations from your own members in Selangor, like for example, the sex scandals where evidence been presented there but the Selcat was behaving like a death cat and also like that all the time. I mean what they say...*

Dato' Teng Chang Khim: *Yang Berhormat, we have to be professional enough when we conduct public hearing. This is not issue. This is political statement which is not related, not relevant to the case...*

Tuan Wee Choo Keong: *No. I am...*

Dato' Teng Chang Khim: *No. If we are talking about Selcat, please set up inquiry committee and investigate Selcat. I will be happy to appear and answer every accusation.*

Tuan Wee Choo Keong: *No. I am saying that this is the similar of allegation that have been made about independent of the Selcat and independent of the...*

Dato' Teng Chang Khim: *Yang Berhormat, if I were to be the Speaker of the House today then I will ask you to sit down. You are talking something irrelevant.*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *Mr. Chairman, I strongly object to that. I think...*

Dato' Teng Chang Khim: *You may...*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *Yang Berhormat Teng, today you are appearing at the Parliamentary public hearing and...*

Dato' Teng Chang Khim: *Yes. Therefore I should not be subjected to question about my office, nothing. I am talking about Election Commission, we talking about electoral reform. Is he making accusation? Yes! He is talking Selcat as the dead cat. That is an accusation. That should be withdrawn.*

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

Dato' Teng Chang Khim: *Tuan Pengerusi, I am here to talk about Election Commission.*

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

Dato' Teng Chang Khim: *Yes.*

Tuan Wee Choo Keong: *[Bercakap tanpa menggunakan pembesar suara]*

Dato' Teng Chang Khim: *And he said Selcat is dead cat, that is accusation. That is very unfair statement. I am here making a point on Election Commission. He is talking about something else and result to name calling. That is uncalled for as a Parliamentarian. I am surprise this is the standard of Parliament. In Selangor, it is never happen.*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *[Bercakap tanpa menggunakan pembesar suara]*

Dato' Teng Chang Khim: *You may differ with me. But I am given only 15 minutes to complete.*

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

Dato' Teng Chang Khim: *Yes, certainly. I hope there is no unnecessary interruption Yang Berhormat. Yang Berhormat, besides the mechanism of the appointment of the Election Commission, the criteria must be clear. What are the criteria? Which are now the criteria is not clear as provided under the Article 113 and Constitution, someone that enjoys public confidence. Public confidence can be very wide. It is very – every concept. What is public confidence? But when you look at all these examples, then the public confidence have been eroded.*

[Berbincang sesama sendiri]

Dato' Teng Chang Khim: *Yes. Thank you..., so another point is, I would like to suggest that the Election Commission shall have the power to appoint its own legal panel. At it is now, their legal advisors are from Attorney General. Attorney General basically they are also civil servants. So, they are subject to transfer. Whereas the Election Commission they enjoy the security of tenure, you will be appointed and then you will retire in 65. They can only be removed like a judge, you have to set a panel to ensure that they have actually committed misconduct themselves before you can dismiss them. But they are not being advised by independent legal advisor. Legal advisor may not be necessary independent if it is not from the independent body.*

So I suggest that the Election Commission being advised by an independent legal panel appointed by them. As the result, we've seen that inserting independent, their refusal to implement the recommendation agreed by consensus by this by partisan committee itself which has been adopted by Parliament by way of motion for getting about Article 113. The intention of Parliament is crystal clear by the adoption of the motion unanimously. Yet the Election Commission see it fit not to implement it. Not all your implementation in your report has been... [Gangguan pembesar suara]

They should have adopted it in total, no question about it. How does Election Commission enjoy the confidence of public as required by the Federal Constitution when the resolution of the Parliament can be rejected. If they find themselves unable to carry out the wish of the people, they should have resigned honorably. This is what the point I would debate. If the Election Commission refuse to accept a resolution of Parliament that a top the recommendations of this committee then there is no respect for this committee. How do they? How would they enjoy the public confidence when the decision has been reached by consensus and they are not totally independent. They are still bound by the law Article 113. They are bound by Federal Law.

If the motion of the House if adopted, actually the Parliament can make all this recommendation into Federal Law and they have to adopt it but before we do that, before the Parliament do that, they should actually respect the Parliament. This is the wish of the people. This is a wish list. This is a consensus reached by partisans from all parties. There is no reason why they say no. If their unable to implement it, that is their incapability. This is my second point on the independence of the Election Commission.

Tuan Pengerusi: *Okay. Maybe focus especially Dato' Teng to recommendation rather than just a common tray. We are more interested to hear what can be done as so on.*

Dato' Teng Chang Khim: *That is goes back to mechanism.*

Tuan Pengerusi: *Okay.*

Dato' Teng Chang Khim: *Second point I want to make is – this is my suggestion. I hope that the committee will put up recommendation to amend the constitution. Please allow me to refer to the Federal Constitutions.*

Tuan Pengerusi: *Amend the Federal Constitution is beyond our term of reference.*

Dato' Teng Chang Khim: *Recommendations because this is related to the electoral reform as I said, electoral reform should not be confined to technicalities post to vote, all this thing.*

Tuan Pengerusi: *Okay.*

Dato' Teng Chang Khim: *Which is in respect of Article 54 the proviso of it on by-election when there is vacancies. This is provided under Article 54. Then under normal circumstances by election will call...*

Tuan Pengerusi: *So, what is your suggestion?*

Dato' Teng Chang Khim: *So the proviso say that now if within two years when the Parliament stand to dissolve, then it should be and I am on opinion this infringe of Article 8 of Federal Constitution. Article 8 of the constitution says this, "All people are equal before the laws are entitled to the equal protection of the law." Once if the voters' representative has passed away, then there is no representative in the Parliament. There is no representative to say 'yes' or 'no' to the bill proposed in the Parliament. Therefore it cannot be say to have been equally protected by the law. This is Article 8 is one of the fundamental liberties and strength in Federal Constitution. Article 54 the proviso has infringes our liberty, our fundamental liberty. This is...*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *Tuan Pengerusi...*

Tuan Pengerusi: *Just comment kalau bijak.*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *You are appearing in this committee as a Speaker...*

Dato' Teng Chang Khim: *Yes.*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *And not representing DAP.*

Dato' Teng Chang Khim: *No.*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *No, as a Speaker.*

Dato' Teng Chang Khim: *Yes.*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *Just ask a technical issue, did regret we read the announcement of the passing away of the ADUN for Bukit Gasing. What was the action taken by you with respect to as a speaker, with respect to your – we are talking about the provision of the right of the citizens and all that.*

Dato' Teng Chang Khim: *I am actually, I am confined by this proviso. This is provided. Same provision also appears in Selangor Constitution. When that happened, for example, the proviso say so. Provide further that, if a casual vacancy in the House of Representative or in legislative is established on the date within two years of the date Parliament sure in accordance to clause 3 of the Article 55, stand dissolve. Such casual vacancy shall not refill unless the Speaker notify the Election Commission...*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *You are talking about Dewan Rakyat right?*

Dato' Teng Chang Khim: *But it is the same assembly.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *No. You are talking about the Federal Constitution which regard to Dewan Rakyat.*

Dato' Teng Chang Khim: *Yes right. Once this is amended then the state constitution has to amend accordingly. Then unless the vacancy shall not refill unless the Speaker notify the Election Commission in writing that the numerical strength of the party that constitute a majority of all the member of the House is been affected by such vacancy.*

So unless in the situation where one member died and the number of the ruling parties members and the opposition are equal, then the Speaker should write and say look we need that number therefore by-election should be called.

Tuan Pengerusi: *Inspired to the provision of the regulation?*

Dato' Teng Chang Khim: *Yes. This is the exceptions where you have 'hang' Parliament. This is the situation, otherwise no by-election to fulfill the vacancy.*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *That is only for Parliament is it?*

Dato' Teng Chang Khim: *No, for all state. This is under during the time of Tun Mahathir as Prime Minister he amendment this all even all the six. Same provision I am given.*

Tuan Pengerusi: *So what are you saying Dato' Teng, should we do that?*

Dato' Teng Chang Khim: *Yes. We should do all of this. So that by election should call. Otherwise...*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *I mean that...*

Tuan Pengerusi: *That see something dia punya – There were suggestion present in Kelantan, Kota Bharu last week. It is really very simple. Why bother by-election, cost so much money and tension and so far give it to the party that already want it anywhere and nominate to the member, to the Speaker.*

Dato' Teng Chang Khim: *What happen to independent? That is independent member. For example, Wangsa Maju seat is vacant.*

Tuan Pengerusi: *Well, maybe that creates a situation whereby you have, maybe go back to the people. So, maybe their provision to be made but...*

Dato' Teng Chang Khim: *In any event, yes. In any event, the vacancy shall be filled. This is my point. It shall not be left vacant.*

Tuan Pengerusi: *Even it is just six month to go?*

Dato' Teng Chang Khim: *Yes. There must be some way where the people are representing.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Going back to the old law.*

Dato' Teng Chang Khim: *Yes, going back to old law. We start from the old law. There is no reason why we cannot go back to old law.*

Tuan Pengerusi: *Okay. We respect your views. Okay, last three minutes.*

Dato' Teng Chang Khim: Yang Berhormat, *because involved all this provision, I will seek your indulgence to allowed my console...*

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Tuan Pengerusi: *Okey, I will...*

Dato' Teng Chang Khim: *...Mr. Chan Kok Keong to address you on the integrity of these. Okey, and some others now...*

Tuan Pengerusi: *Okey, make sure there is some freshness in itlah, not repetition.*

Dato' Teng Chang Khim: *We are very professional here, don't worry Tuan Pengerusi.*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *So, your colleague now will not be speaking in his capacity as Speaker, but as individual.*

Dato' Teng Chang Khim: *As council, by council. Yes.*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *As an individual.*

Tuan Pengerusi: *Individuallah.*

Dato' Teng Chang Khim: *As council.*

Tuan Pengerusi: *Yalah, individual or council. Which is Encik Chan Kok Keong is it?*

12.15 tgh.

Encik Chan Kok Keong [Dewan Undangan Negeri Selangor]: *Honorable Chairman, my name is Chan Kok Keong, honorable Members of the Select Committee. Thank you for this opportunity. I take note that this is an all party committee and that augurs very well, because what I have to say really involve not only the legislature of the Selangor Assembly, but involves all legislatures including Parliament. I have this to say in relation to what has happened in the Selangor Assembly where by the Elections Commission refuse to declare or refuse to hold an election after Mr. Speaker has declared the seat vacant.*

Tuan Pengerusi: *But that has already been address just now.*

Encik Chan Kok Keong: *Yes. But, I want to make this point, even assuming that the words declared vacant by Mr. Speaker. Assuming for the minutes that those words are not there, it is my intention to urge this all party select committee that the question of who sits in the House is actually a very important matter for all Parliamentarians regardless of party, regardless of which state you are, because that is a very high privilege of the Assembly. You should not allow another person to determine whether or not there is a vacancy. That right belongs to the House. So, what has happened in Selangor, when the Elections Commission did not carry out the elections, it created an impasse. It set up the very delicate Constitutional equilibrium between the Elections Commission, the legislature and the cost because we know that whenever the court makes a decision, Parliament does not question what is decided in the court, because of the subjudice rule. Similarly, the cost for time in memorial will not question what happens inside the Assembly.*

As you know, article 127 provides that before the conduct of the judge can be discussed, you will need at least 25% of the members to introduce a resolution. Therefore this is a very happy equilibrium that has been established and it has worked very well in our country. Example, that Mr. Speaker has illustrated whereby the vacancy was not recognized by the Elections Commission had this effect. It meant that the decision of who sit in the Assembly is now taken away from the Assembly itself.

Two things will happen. I say that it exposes the Elections Commission, knowingly or unknowingly, wittingly or unwittingly, to the allegation of biased, because it is best that the issue of the vacancy, right or wrong as provided for in the Constitution, be decided by the House itself. Apart from writing for Mr. Speaker in the Selangor Assembly, I also have experience from the Perak litigation which gentlemen honorable members, you will recall that similarly the Speakers there informed the Elections Commission that there were vacancies. Again, by elections were not held and I believe that this position taken by the Elections Commission does not augur well for the equilibrium between the court, Elections Commission and the Parliament.

Tuan Pengerusi: Okey, I think points are taken. I just want to say that may not be always applicable that the peer decision of the Speaker that SPR has to comply. It also depends I think on the processes upon which those decisions were derived. I say in the example, there is also a Sabah case, an undated letter submitted to the Speaker, the Speaker accepted, informed the SPR, these people who sign that an undated letter then says that they signed it under some form of compulsion. Also at the material time they went to the court, the court overruled, that helps in favor of the complainer. So, I think we also have to look at the process that we face and the justice upon which the Speakers arrived at those decisions. I think the moment that there are questions of injustices, and then in this case, they went back to the court. I think the case is still before the High Court isn't it, in this particular one, the case of Selangor?

So, in a manner applicable to all, we have to go through the processes. So, in other words, Speaker's decisions are not golden truth. We have to look at the background upon which the decision is made. I'm just saying that it can not be applicable to all.

Encik Chan Kok Keong: I appreciate the comments Mr. Chairman. But Mr. Chairman, both the Federal Constitutions and the values Constitutions provides that, in fact, anything that is done inside the walls of the Assembly or the legislature cannot be questioned outside. Particularly no court can impeach any proceedings of the Assembly. My purpose in coming today is actually to alert Parliament to the trend which has been happening over the last two years. Whereby fifth legislatures have been taken to court in contravention of the clear provisions of the Constitutions that actually a legislator and the court, we are what we call, we are Constitutional sovereignties, whereby each respects the other.

It is unthinkable Mr. Chairman, Honorable Members of the Select Committee, for you gentlemen to discuss every court proceedings that is going on in the court. You will not do that, because you respect the proceedings and similarly to court. Respect what is happening in Parliament.

Tuan Pengerusi: *Okey, Mr...*

Encik Chan Kok Keong: *So that you will gets mutual respect*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *Okey, we get the point.*

Tuan Pengerusi: *Okey, Mr. Chan. I just allow Yang Berhormat Alor Gajah one more intervention.*

Encik Chan Kok Keong: *We are always cognizance on the fact that there is always the process of justice, there is always checks and balance. I will you an example, there is a Yang Berhormat was fined by the court, fined RM2,000. That was at the borderline. The EC did not want to make a decision to declare the vacancy, but refer it to Speaker of the Parliament for decision and the Speaker decided and EC accepted. So, I just want to give you an example of the inter-linking chart check and the counter check in processes, in cases where there are certain grey areaslah. The other example was as pointed out by the Chairman, the undated resignation letter. So, I just want to advise, but we take your point.*

Tuan Pengerusi: *Yes.*

Encik Chan Kok Keong: *So, can we then proceed further to other points now?*

Tuan Pengerusi: *Okey, can you move on?*

Encik Chan Kok Keong: *I have actually come merely to defend the privileges of the Assembly in view of the state of litigation which has been filed, because...*

Tuan Pengerusi: *I think that is why references are valid to a constituency and so forth.*

Encik Chan Kok Keong: *Yes.*

Tuan Pengerusi: *In the case of that undated letters, as I said, the court has decided that the Speakers decisions was wrong, because the circumstances of which he derived those decisions. Ever since then, undated letters do not hold anymore purposes of disqualifying people for by elections. The court wins against the decision of the Assembly for that purpose.*

Encik Chan Kok Keong: *Yes, those sentiments are well accepted Mr. Chairman. Except, it establishes an unhealthy situation because that exposes what is supposed to be an impartial, independent Elections Commission because, when it decides one way or another, it therefore is perceived. Whereas the idea is complete independent. The Reed Report which proceeded the Constitution, the five wise men who drafted the Constitution were very clear that the Elections Commission is at the risk of repetition, should be made up of a panel which is completely impartial, independent and to put their words, it should have the confidence of all political parties and all sections of the communities.*

So Mr. Chairman, by making that decision, whether or not there is a vacancy, which I urge you to accept, really belongs to you, the legislature, because you must have the rights to decide, who sits and who does not sits. Not another body. So, when we remember that this is the rights that belongs to us, then we are establishing, reestablishing that equilibrium which is in our country.

Tuan Pengerusi: *Okey, I think we will discuss this, take it up when we will talk about the frame work for the independent of the Elections Commission. Okey, that's it?*

Encik Chan Kok Keong: *Thank you. Yes.*

Dato' Teng Chang Khim: *I just...*

Tuan Pengerusi: *Dato' Teng last, one minute...*

Dato' Teng Chang Khim: *Ya, just one point to stress. We cannot rely on court decisions in matters that involve the proceedings of the House. Otherwise, it will lead absurdity, because it has already happened in Selangor, where the litigants, one of the ADUNs have actually try to obtain an injunction to stop the Privilege Committee from conducting this proceedings. That by analogy, tomorrow, someone is not happy with this Committee, you will go and get a court injunction and stop from proceedings. These are against the doctrine of separation of powers.*

Tuan Pengerusi: *Ya.*

Dato' Teng Chang Khim: *I give you one minute Yang Berhormat, let me finish this before you ask questions.*

Tuan Pengerusi: *You want to do the correction is it?*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *Can I just state that, since you are appearing in this sub committee, expressing some unhappiness with the running of the electoral process in Selangor. I suggest that you recommend to the Speaker, you can recommend to Selangor State Government, to amend the necessary legislations; firstly, to allow for absolute power of the Speaker to declare a vacancy. Secondly, to ensure the by elections a held even after three years of this seating of the...*

Dato' Teng Chang Khim: *Okey, alright thank you Yang Berhormat. Firstly, on the provisions on the powers Speaker, it is already there in the Constitution of Selangor. No amendment is required. Thirdly, on the vacancies, to fill up...*

Tuan Pengerusi: *...For less than two years.*

Dato' Teng Chang Khim: *Yes, less than two years. We cannot amend it without Parliament first doing so, because otherwise it will be inconsistent with Federal Constitution.*

Tuan Pengerusi: *Federal law...*

Dato' Teng Chang Khim: *This is a basic legal knowledge.*

Tuan Pengerusi: *Federal...*

Dato' Teng Chang Khim: *I think we can do it. Each state can have different...*

Tuan Pengerusi: *No!*

Dato' Teng Chang Khim: *It has to be consistent. This is provided in the Federal Constitution or the state law pass must be consistent with the Federal law.*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *Not really. Not to, some...*

Tuan Pengerusi: *Depends on the issue.*

Dato' Teng Chang Khim: *Different states, states...*

Tuan Pengerusi: *Okey, your final word Dato' Teng...*

Dato' Teng Chang Khim: *Thank you very much for listening to me. Thank you.*

Tuan Pengerusi: *Okey, I think you made your point known. Especially in terms of independent and some of those inferences for example you mention, we take note of those. The interjections are there to write, to make it as fair as possible. So, thank you. Terima kasih Dato' Teng and the group. Saya hendak jemput kumpulan terakhir hari ini. Ada yang lewat datang, terpaksa nanti 2.30 kalau boleh, the DAP are also here, but since dia orang Johor barangkali dia boleh tunggu sebelah petanglah 2.30. Ada satu group, Angkatan Amanah ini datang dari jauh, Tan Sri Abdul Kadir bin Sheikh Fadzir. So, since they come all the way from the north.*

Beberapa Ahli: *[Berbincang sesama sendiri]*

Tuan Pengerusi: Panggilah Tan Sri. Okey, Tan Sri Abdul Kadir dan kumpulan Angkatan Amanah Merdeka.

Seorang Ahli: *I leave it to Gombak to asklah the question.*

Tuan Pengerusi: Saya belum dapatlah tetapi ada.

Beberapa Ahli: *[Berbincang sesama sendiri]*

Tuan Pengerusi: *Okeylah, since you heard - Ini DAP... [Ketawa] Okeylah, we deal with DAP, the bigger group. Okey, dengan itu DAP Johor. Banyak kumpulan ini, Encik Tan Chen Choon here? Tan Sri nanti nextlah, what to do. Senarai sudah ada, dia orang sudah duduk. Okey, siapa ketua. Sila perkenalkan diri and I give you starting 15 minit dulu, kalau perlu tambahan new issues, we will give you additional time. Ada Ahli Yang Berhormat juga di sana itu okey, sila.*

[Saksi dari Parti DAP Johor mengambil tempat di depan Jawatankuasa]

12.29 tgh.

Encik Tan Hong Pin [Parti DAP Johor]: Salam sejahtera diucapkan kepada Tuan Pengerusi, Yang Berhormat dan Ahli-ahli Yang Berhormat. Nama saya Tan Hong Pin daripada Pemuda DAP negeri Johor. Jadi, akan membentangkan satu memorandum di mana saya rasa salinan memo telah ada di meja Ahli-ahli Yang Berhormat.

■1230

Kami amat gembira di mana Jawatankuasa Pilihan Khas atau PSC ini telah ditubuhkan walaupun dikatakan di bawah tekanan atau desakan daripada Perhimpunan 709. Walaupun sesuatu yang nampaknya terlewat tetapi akhirnya datang juga.

Jadi, sistem pemilihan merupakan satu yang wujud secara dinamik, bukan statik, di mana pembaharuan perlu diadakan atau dengan izin *reform* perlu diadakan dari semasa ke semasa. Ini bukan sahaja satu kewajipan atau keperluan di Malaysia tetapi asal usul sistem kita iaitu di UK sendiri, *reform* atau pembaharuan sistem pemilihan merupakan satu topik yang hebat dibincangkan walaupun sehingga sekarang.

Isu pertama yang hendak disentuh di sini adalah tentang kewibawaan EC atau SPR di mana pernah berlaku kes di Johor sendiri di mana apabila kami menjalankan semakan atas *database* yang dibekalkan oleh SPR sendiri kepada kami, kami mendapati ada banyak kes yang mana kita kata *suspicious voters* telah dapat dikesan, iaitu ada yang tiada alamat lengkap, ada yang tiada nombor IC, ada yang langsung tiada alamat dan ada yang apabila disemak kaunter *check* dengan JPN mendapati bahawa status kewarganegaraannya ialah *PR (permanent residence)*. Jadi kesemua ini adalah di mana kita rasa tidak boleh berlaku atau tidak munasabah berlaku dalam data yang dibekalkan oleh SPR sendiri. Jadi kami mengesyorkan bahawa sesuatu perlu dibuat untuk...

Tan Sri Datuk Seri Dr. Fong Chan Onn: Saudara Tan, saya ingin merayulah. Kalau ada bukti-bukti tertentu, tolong bawa kepada Jawatankuasa ini dan kita boleh siasat dan boleh arahkan SPR untuk ...

Encik Tan Hong Pin: Sila rujuk *appendix* pertama.

Tan Sri Datuk Seri Dr. Fong Chan Onn: Sekarang boleh bawa? Jangan cakap perkara...

Encik Tan Hong Pin: *Appendix* pertama, sila. Semua telah disediakan di atas meja Yang Berhormat, *appendix* pertama, telah lengkap.

Tuan Pengerusi: Dia belum dapat. Baru sampai.

Encik Tan Hong Pin: Sabar, sabar.

Tuan Pengerusi: *So apa yang kita just saying, specific cases you can just mention about...*

Encik Tan Hong Pin: Ini sebenarnya berlaku di kawasan Bakri sahaja.

Tuan Pengerusi: *So just present those facts and highlight the points and move on because public hearing ini...*

Encik Tan Hong Pin: Okey. Selepas isu ini dikatakan, kami dapati bahawa apabila kami hendak buat semakan di *website* JPN, itu telah tidak dapat dijalankan, di mana sistem semakan melalui JPN telah ditutup. Sebelum ini kami dapat semak sama ada seseorang pemilih itu adalah warganegara atau tidak daripada *website* JPN, tetapi selepas isu ini didedahkan, sistem itu telah ditutup dan sekarang ini kita tidak dapat cari.

Tuan Pengerusi: Tadi saya dah bincang dengan Ketua Pengarah JPN. Mengikut penjelasan, tidak pernah ada web untuk *check* secara terbuka mana-mana IC rakyat Malaysia.

Ada satu web ialah untuk yang baru memohon ataupun menukar IC, itu ada tetapi *because this are national security, usually have to use the council or lawyer for reason if you want to say "can you please check for me" and they have to pay which I used to do when I was doing objection and all this thing*. Akan tetapi JPN kata tidak pernah memaparkan *database* IC negara sebab *this is under national security. So maybe some confusion there, you know*.

Encik Tan Hong Pin: Saya rasa tiada kekeliruan dalam isu ini di mana memang berlaku. Memang berlaku sebelum isu ini didedahkan dan kami dapat semak. Saya bukan orang yang sepatutnya dipersoalkan mengapa perkara ini boleh berlaku tetapi ia berlaku, ini hakikat. Walau bagaimanapun, sekiranya JPN *insist* bahawa ini tidak pernah berlaku tetapi kami minta mengesyorkan bahawa pihak ketiga, *source* daripada *third party* akan dibekalkan iaitu JPN membekalkan *facility* ini, kemudahan ini supaya kita dapat *double check* data-data yang diberikan daripada SPR. Kalau tidak, kita tidak dapat *double check* atau *confirm, verify* sama ada *database* yang diberikan daripada SPR itu benar atau tidak. Ini kerana daripada semakan yang dahulu, memang terdapat banyak ralat yang berlaku dalam data-data yang diberikan oleh SPR.

Tuan Pengerusi: Apa itu 'lalat'..., salah?

Encik Tan Hong Pin: Salah.

Tuan Pengerusi: Oh, saya fikir lalat yang besar itu tapi itu pun masalah juga... [Ketawa]

Encik Tan Hong Pin: Memang berlaku banyak ralat.

Tuan Pengerusi: Okey, okey.

Encik Tan Hong Pin: Isu kedua yang ingin disentuh di sini yang saya rasa telah disebut oleh pihak-pihak yang lain iaitu pilihan raya yang berjadual ataupun kita kata Parlimen yang mempunyai tempoh penuh di mana satu penggal lima tahun adalah tetap. Walaupun tadi Yang Berhormat Datuk Fong ada kata itu berlaku di Amerika di mana presiden yang dipilih, tetapi perkembangan yang terkini adalah di UK sendiri telah pun membuat enakmen, akta, di mana pilihan raya adalah ditetapkan bagi tempoh yang tetap. Jadi kita sebagai salah satu sistem pilihan raya Westminster, adalah satu langkah yang baik supaya kita mencontohi langkah ini di mana tarikh pilihan raya tidak sepatutnya sesuatu yang diketahui oleh seorang sahaja di Malaysia.

Jadi, adalah adil bagi semua pihak di mana kita tahu tarikh PRU akan datang. Adalah baik juga bagi menteri-menteri atau MP-MP supaya mereka dapat melaksanakan tugas mereka dengan tidak perlu untuk risau pada bila tempoh perkhidmatan mereka akan tamat di mana mereka tahu bahawa tempoh mereka adalah lima tahun, tidak perlu mereka risau bila PRU akan datang dan sibuk dengan urusan parti masing-masing. Jadi ini adalah baik untuk semua pihak, bukan sahaja bagi parti pembangkang tetapi lebih baik juga untuk parti pemerintah.

Tuan Pengerusi: Okey, itu kita dengar. Teruskan, ada lagi yang baru?

Encik Tan Hong Pin: Isu yang seterusnya akan dibentangkan oleh Setiausaha Pemuda DAP Negeri Johor, Encik Chen Kah Eng.

Tuan Pengerusi: Sila perkenalkan diri untuk rekod, nama.

12.39 tgh.

Encik Chen Kah Eng [Setiausaha Pemuda DAP Negeri Johor]: *Thank you very much. My name is Mr. Chen Kah Eng, yang kelima dari senarai pendaftaran.*

So, we really need a fair election because fair election is really ensuring the right people in the governments. In all the selection of whatever in competition or whatever in football team or sports or whatever, we really need a fair selection. In selecting the government, we need a fair election to ensure the right people. If not the right people in the government, then we are haywire. So, in terms of whole to the part concept, banyak benda-benda perlu dilaksanakan sama ada secara part concept ataupun whole concept, secara kecil-kecilan atau secara umum, general benda-benda yang besar seperti enactment of political party acts ialah salah satu yang boleh menolong because the amendments of any other acts or enactment or new acts is important to ensure a fair election.

So here we like to suggest enactment of political acts. Under political acts, some of the act that we list down here sudah ada dalam isi memorandum iaitu:

- (i) registration of political party should handled by EC instead of with the ROS;*
- (ii) internal party election can be regulated;*
- (iii) candidates from every party should be elected by delegates through internal elections;*
- (iv) empower the EC to carry out investigations and verify financial reports submitted by political parties and candidates;*
- (v) prevent organizations linked to political parties from being used as conduits for political funding;*
- (vi) companies with accumulated losses are prohibited to make political donations;*
- (vii) tobacco and gambling companies are strictly prohibited to make political donations;*
- (viii) impose a limit on contributions by individuals to political parties;*
- (ix) prohibit political parties from receiving foreign donations;*
- (x) impose an expenditure limit – ini mungkin kena dilaksanakan dengan lebih ketat;*
- (xi) prohibit parties from directly or indirectly owning or being involved in business;*
- (xii) introduce state funding for political parties to finance their electoral and non-electoral activities; and*

(xiii) *prohibit ownership of media by political parties.*

Tan Sri Datuk Seri Dr. Fong Chan Onn: Saudara Chen, sorry ya. Boleh saya tanya sedikit?

Encik Chen Kah Eng: Okey.

Tan Sri Datuk Seri Dr. Fong Chan Onn: *I am very attracted by your recommendation of Political Parties Act especially the recommendation that internal party election be regulated and the candidates from every party should be elected by delegates through internal elections. I am curious whether you represent DAP and this is official opinion of DAP or it is your own opinion?*

Encik Chen Kah Eng: *This one is suggestion to enact the political parties to all parties.*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *This is a stand of your party or you are speaking it as a person?*

Encik Chen Kah Eng: DAP Johor.

Tuan Pengerusi: Cawanganlah, cawangan.

Tan Sri Datuk Seri Dr. Fong Chan Onn: *It is very interesting.*

Encik Chen Kah Eng: *For DAPSY.*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *So I wish you would work through it to your party so that internal party election be regulated, candidates for the party being elected to internal elections and not determined by the central leadership and so on. I mean, I am very attracted by that, so...*

Tuan Pengerusi: *You are suggesting it to all parties, you know.*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *Yes, including your own party. So I just...*

Tuan Pengerusi: *Okay Mr. Chen, move on, sambung.*

Encik Chen Kah Eng: *Next is prime ministerial TV debates where be...*

Tuan Pengerusi: Okey, teruskan.

Cik Liow Yi Fei [Wakil Pemuda DAP Negeri Johor]: *[Bangun]*

Tuan Pengerusi: *Yes lady, part of DAPSY?*

12.43 tgh.

Cik Liow Yi Fei [Wakil Pemuda DAP Negeri Johor]: Ya, selamat sejahtera semua yang berada di sini. Nama saya Liow Yi Fei.

Tuan Pengerusi: *Speaker number three. Okey, lady.*

Cik Liow Yi Fei: *I think that what we suggest here might be raised up by others because this is the last talk as we know. So here we are providing some of the details to implement this suggestion of Prime Ministerial TV Debate.*

Debates for countries leadership have been held in many other countries. For example like – this leader debates have occurred since 1948, the year of the first American primary debate.

An Australian political debate was televised in 1958. For many other countries like Australia, Canada, France, and even some eastern country like Taiwan, they also have this practice of prime ministerial TV debate. Debates provide voters an opportunity to compare the leading candidates for office discussing the same topics.

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Debates are longer than television sports, providing an extended opportunity to learn about candidates. Candidates may encounter an anticipated question of criticism in a debate which could mean a more candid view of candidates. The direct confrontation of the debate format offers an opportunity to correct the misstatement from the opponent.

DAP Johor thinks that if both the top leadership from BN and PR sits at the same platform and justify their own stand. A fair and open Prime Ministerial TV Debate is right in time for Malaysian GE, our General Election 13th campaign. The leader of the nation shall advocate their views and policies in an open and neutral platform before they seek mandate from the people. We think that Malaysia deserve better and there's no reason that the candidate as prior to be Prime Minister hide themselves behind the media and refuse to meet face to face. In some other countries, there's some research show that has proof and show that the advantages of TV debates. For example in US, Presidential Debates create issue knowledge, influence perception of the candidate's characters and alter the better choice.

In our opinion, it should establish a commission that consists of national debate leaders from a multitude of political orientation to sponsor the future general election Prime Ministerial TV Debate and advisory board that composes of NGO is needed too. So, in a broadly reflects their composition and concern of the voters. Besides, the historical arrangement might helps in providing fair and equal coverage for all campaigning political parties during the election campaign period. One of the right demands of BERSIH. All the public broadcasters in Malaysia including RTM or Bernama must take responsibilities for the broadcasting. So, the Malaysia will able to access themselves to all the measures broadcast network like TV, radio, channels and print media.

As a conclusion for our presentation today, we think as the stand of DAP Johor, we think that fighting the corruption and dirty politics is high on the Malaysian agenda. We propose the reforms on reliability of Election Commission, fixed term general election and I think political parties establish the Prime Ministerial TV Debate as a putter by a wide cross section of Malaysian and a crucial for future of Malaysia.

Besides, we think that we fully supporting the Bersih, the aid demands on the electoral role reforming and all their suggestions including the memorandum which Bersih Chair Women, Dato' Ambiga submitted on 12 November 2011. DAP Johor close for the implementation of the propose reforms along with Bersih demands before the General Election.

Tuan Pengerusi: *Okay. Thank you very much. In the end of the presentation tetapi sebelum I think MP Mr. Er Teck Hwa, Bakri. Sebelum itu, I just want to say in respect of the Ambiga submission you know, lapan itu, actually our first ten perkara that we tabled in Parliament for our interim report it covers almost about 76% of those.*

In fact, out of lapan itu, only really four or five, we think a lot of SPR, there rest are really I think the political parties will have to engage ourselves, issue of corruption. It should access to the media, this is issue that transcend boundaries of political parties which we also want to address. So, we address much of those raised by the group but we also like my own party, Parti Bersatu Sabah here also. We has many of the issues that I think Ambiga group put together but anyway, thank you for the reminder. Yes, Member of Parliament Bakri, alright five minutes because there are one more group we want to...

12.50 tgh.

Tuan Er Teck Hwa [Ahli Parlimen Bakri]: Selamat petang kepada Tuan Pengerusi dan tuan-tuan dan puan-puan. Di sini, saya ingin mengambil kesempatan ini untuk memberikan beberapa maklum balas mengenai isu-isu yang berkaitan dengan indeks penduduk di kawasan Bakri. Satu, menurut siasatan yang kami jalankan melalui sistem pangkalan data milik SPR terdapat 9,111 pemilih tidak mempunyai maklumat alamat. Angka ini terbentuk 14.98% daripada jumlah pemilih di kawasan Bakri. Selain itu, terdapat 34,332 pemilih atau 54.47% daripada jumlah pemilih tidak mempunyai alamat lengkap.

Dua, indeks pemilih yang kami beri tadi, SPR dikeluarkan pada bulan Jun tahun lepas. Dalam indeks nama ini, alamat tidak dipadankan termasuk juga butiran kaum dan agama tidak ditunjuk. Jadi, minta SPR membekalkan satu indeks nama yang lengkap dengan alamat, kaum dan agama seperti saya sebutkan tadi.

Tiga, saya ingin menekankan di sini bahawa indeks nama pemilih ini bukan diberi percuma tetapi dengan amaun yang ditetapkan oleh SPR maka SPR mempunyai tanggungjawab untuk membekalkan satu indeks nama terkini kepada pelanggannya.

Empat, saya juga ingin mencadangkan supaya SPR mempercepatkan proses penyelarasan sistem pangkalan data SPR dengan JPN.

Lima, sejauh manakah yang diketahui oleh umum termasuk parti politik pembangkang tidak dapat mengesakan daftar-daftar yang berada di indeks nama pemilih yang dibekalkan oleh SPR. Kadangkala JPN lupa menunjukkan secara rasmi yang boleh digunakan oleh orang umum.

Enam, malangnya pangkalan maklumat JPN merupakan satu sistem yang tidak stabil dan tidak *transparent* selepas SPR membuka pangkalan maklumat untuk pemilih menyemak alamat pendaftaran, PAS dan DAP serta PKR termasuk pasukan khas telah ditubuhkan untuk tujuan tersebut. Satu laporan telah dikeluarkan oleh DAP Muar pada 9 September 2011.

Satu jam selepas laporan tersebut dipamerkan pada hari yang sama pada pukul 3 petang, pasukan khas mendapati pangkalan maklumat JPN telah tiba-tiba tertutup. JPN berhentikan pangkalan maklumat tersebut selama tujuh hari dan buka semula seminggu kemudian. Apa yang disyaki ialah selepas pangkalan maklumat tersebut dibuka semula, kebanyakan maklumat-maklumat pemilih tidak dapat disemak dengan mesej '*kad ini tidak diwujudkan*'.

Lapan, saya telah menulis beberapa surat kepada Pengerusi SPR, Pengerusi Jawatankuasa Pilihan Khas Berhubung Penambahbaikan Proses Pilihan Raya dan sebagainya, namun sehingga hari ini tidak ada satu surat balasan diterima. Saya minta Jawatankuasa Pilihan Khas memberikan jawapan mengenai isu ini.

Sembilan, melalui berita surat khabar adalah difahami bahawa SPR sedang bekerjasama dengan JPN untuk berkongsi maklumat pemilih. Soalan saya ialah bagaimana SPR boleh memastikan satu sistem pemantauan yang neutral boleh diadakan supaya indeks nama ini tidak mengandungi kesalahan?

Sepuluh, memandangkan hak asasi, saya setuju bahawa maklumat peribadi tidak seharusnya didedahkan dalam laman web dengan sewenang-wenangnya. Di sini, saya mencadangkan supaya JPN sekurang-kurangnya mempamerkan kawasan kediaman seseorang warganegara di pangkalan maklumat JPN apabila SPR mengadakan penyelarasan pangkalan maklumat dengan JPN. Sekian, terima kasih.

Tuan Pengerusi: Ya, terima kasih Yang Berhormat Bakri. Tadi itu penyampaian tidak ada salinan pada kami.

Tuan Er Teck Hwa: *[Bercakap tanpa menggunakan pembesar suara]*

Tuan Pengerusi: Boleh ya?... Okey, Ahli-ahli Yang Berhormat, ada soalan-soalan?

Dr. Mohd. Hatta Md. Ramli: Tuan Pengerusi, saya hendak tanya bukan kepada umumlah, kepada Jabatan Pendaftaran Negara. Apa polisi mengenai apa yang telah dibangkitkan oleh DAP Johor tadi mengenai boleh atau tidak kita hendak mengakses data dikatakan data-data yang untuk menjaga keselamatan negara ini tetapi dalam hal membantu SPR, membantu kita dengan satu senarai pemilih yang lebih baik, lebih bersih, apakah ada halangan di sana untuk kita sama-sama membuat akses. Akses sahaja tidak boleh mengubah data-data tersebut, ya untuk kita membuat perbandingan. Jadi bagaimana kedudukan jabatan? Terima kasih.

Tuan Pengerusi: Okey. Ketua Pengarah JPN beri ulas dari segi dasar yang sekarang ini.

Dato' Jariah Mohd Said: Yang Berhormat Tuan Pengerusi, Yang Berhormat-Yang Berhormat dan tuan-tuan dan puan-puan sekalian. Untuk makluman, kita di JPN memang mempunyai data kependudukan Malaysia dan untuk itu kita memang ada sistem yang lengkap agensi yang mana kita *online* dengan 33 agensi kerajaan. Cuma agensi kerajaan sahaja.

Jadi, untuk yang ada yang boleh diakses oleh orang awam ialah bagi mereka yang memohon Mykad. Jadi, mereka boleh menyemak permohonan Mykad mereka. Apa yang dikatakan tadi bahawa – sebelum itu kita memang letak semua nama pemohon-pemohon Mykad. Jadi, apabila statusnya telah lulus dan mereka boleh mengambil Mykad yang telah siap, makna selepas itu nama-nama pemohon tadi tidak lagi ditunjukkan dalam sistem.

Tuan Pengerusi: Bila dia sudah hendak *collect*, dia sudah ambil.

Dato' Jariah Mohd Said: Mykad mana pemohon itu sudah tengok sistem status dia kad telah siap, boleh dipungut. Selepas sahaja dia mengambil Mykad itu di mana...

Tuan Pengerusi: Nama dia.

Dato' Jariah Mohd Said: Nama dia tidak disiarkan lagi.

Tuan Pengerusi: *Disappear* dari *list* tersebut.

Dato' Jariah Mohd Said: Ya.

Tuan Pengerusi: Hanya Dato', hampir dua pasukan telah menyentuh bahawa ada *database* sebelum ini. *So*, saya minta Ketua Pengarah cuba *check* balik. Nanti kita bincang dalam Jawatankuasa seterusnya sebab katakan ada kekeliruan. *So*, cuba tengok sejarah sebelum ini. Nanti kita bincang dalam mesyuarat nanti. Okey Ahli-ahli Yang Berhormat. Kalau tidak ada sudah, saya ingin mengatakan terima kasih kepada Mr. Chan – sudah selesaikan? Lagipun, tiga yang telah pun berucap tadi untuk memberi keterangan. Kalau ada maklumat – hanya Yang Berhormat Bakri punya *piece of paper* itu, sila bekal sama kita.

Ada idea-idea yang baru dan juga yang menekankan setakat mana sebelum ini sudah pun disentuh. Kami menghargai input-input tersebut khususnya perkara yang katakan yang kami belum putuskan misalnya tarikh pembubaran sesuatu Parlimen itu ditentukan lebih awal, *fixed term* begitu. Soal tidak timbul dalam tadi tetapi soal ini isu pembersihan daftar pemilih adalah satu perjuangan bersama di sini dan kami akan terus memberi tumpuan kepada itu. Memang ini soal *debate* semua ini, *access to media* pun kami masih menerima input-input, kalau ada lagi cadangan-cadangan lain bolehlah beri kepada pihak jawatankuasa. Okey. Terima kasih.

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Tuan Wee Choo Keong: Tuan Pengerusi, saya rasa mahu merujuk kembali, *just a short one*, ya.

Tuan Pengerusi: Sudah tutup.

Tuan Wee Choo Keong: Saya amat tertarik dengan *enactment of this...*

Tuan Pengerusi: Ya, Yang Berhormat Wangsa Maju selalu di hujung.

Tuan Wee Choo Keong: *No, just one minute.*

Tuan Pengerusi: Okey.

Tuan Wee Choo Keong: Tertariklah dengan *enactment of this political party act* yang disembahkan oleh Encik Chen Kah Eng. *All this are very good points. I am – you know. I do support all this but are you aware that your party have received contribution from gambling company, Genting contribution. Are you aware of that?*

Tuan Pengerusi: *Okay, up to you. You want to answer that or not.*

Tuan Wee Choo Keong: *Are you aware of that, you know, because if this enactment is there, then you will be in trouble?*

Encik Tan Hong Pin: Yang Berhormat.

Seorang ahli: *That it, we hope...*

Encik Tan Hong Pin: Yang Berhormat Wangsa Maju, memang...

Tuan Wee Choo Keong: *You want me to give bukti?*

Encik Tan Hong Pin: Memang kami hormati Yang Berhormat sebagai wakil rakyat tetapi buat sesuatu tuduhan itu biarlah berasas.

Tuan Wee Choo Keong: Bukan tuduhan.

Encik Tan Hong Pin: Akan tetapi...

Tuan Wee Choo Keong: Dan berasas.

Encik Tan Hong Pin: Itu memang...

Tuan Wee Choo Keong: Memang dapat *contribution* daripada Genting.

Encik Tan Hong Pin: Itu memang pendirian kami sebagai pemuda di negeri Johor, di mana kami berpendapat bahawa...

Tuan Wee Choo Keong: Tidak tahu?

Encik Tan Hong Pin: Berpendapat bahawa sesuatu parti politik itu, dia tidak seharusnya di campur aduk dengan urusan yang mana diurus tadbir betul, di selaras oleh ROS sebagai pendaftar pertubuhan. Jadi, kita perlu membezakan antara pertubuhan yang biasa iaitu NGO dengan parti politik. Di mana parti politik ini memang tujuan ataupun objektif pertubuhannya adalah untuk menyertai pilihan raya dan menubuhkan kerajaan yang baru jika menang dalam PRU. Kalau sekarang semua sudah campur adukkan pendaftaran ROS maknanya mana-mana satu NGO pun boleh bertanding dalam PRU lah. Jadi, sebab itu kami cadangkan bahawa satu *regulation* yang baru digubal supaya...

Tuan Pengerusi: NGO politik pergi SPR, begitu?

Encik Tan Hong Pin: Kalau politik, SPR yang urus tadbir.

Tuan Pengerusi: Okey, nanti kita teliti cadangan itu. Terima kasih banyak. Terima kasih. Okey, yang terakhir hari ini walaupun sudah melintasi pukul 1.00 tetapi oleh kerana kumpulan ini, pasukan datang dari jauh iaitu kumpulan yang disebut Kumpulan Amanah ya. Saya jemput orang lama bukan orang tua, orang lama. *[Ketawa]*

Tan Sri Abdul Kadir Haji Sheikh Fadzir untuk mewakili kumpulan. *Firstly*, kami mengatakan terima kasih, selamat datang *and you are welcome to give views. Thank you for coming and give us your words of wisdom. Thank you.*

[Saksi dari Angkatan Amanah Merdeka (AMANAH) mengambil tempat di depan Jawatankuasa]

1.03 ptg.

Tan Sri Abdul Kadir Haji Sheikh Fadzir [AMANAH]: ... Terima kasih, Tuan Pengerusi...

Tuan Pengerusi: Boleh?

Tan Sri Abdul Kadir Haji Sheikh Fadzir: *Is it on?*

Tuan Pengerusi: *Yes.*

Tan Sri Abdul Kadir Haji Sheikh Fadzir: Terima kasih Tuan Pengerusi. Sepatutnya ada seorang lagi bersama dengan saya dari Sabah Datuk Wilfred Bumburing. Akan tetapi *last moment* tidak jadi, kami berdua sahajalah datang dari jauh.

Tuan Pengerusi: ...Kapal terbang, susah dapat *flight* sekarang.

Tan Sri Abdul Kadir Haji Sheikh Fadzir: Ya. Terima kasih. Saya memanglah mengalukan penubuhan *Select Committee* ini. Sepatutnya kami di Amanah lebih cenderung – *we will be happier* kalau ada *Royal Commission* kerana subjeknya adalah satu perkara yang cukup-cukup penting. *Royal Commission would have been better*, akan tetapi tidak mengapalah dengan *Select Committee* ini pun. *Alhamdulillah*, dia pilih pula seorang pengerusi yang memang *have been on the receiving end for a long time* mengenai *free and fair election*.

Tuan Pengerusi: [Bercakap tanpa menggunakan pembesar suara] ...View lah.

Tan Sri Abdul Kadir Haji Sheikh Fadzir: [Ketawa] Jadi, dia tahu apa dia itu *free and fair election* dan sebagainya. Saya gembira sangat mengenai *announcement* keputusan Dato' Sri Mohd. Najib ini kerana nampaknya dia ini mula – Perdana Menteri kita ini mula ada penasihat-penasihat yang agak berlainan sedikit, yang sedang menasihatkan dia bahawa *time has change, this is the era for the new politics*. Kita mesti benar-benar *respects individual rights, civil liberties* ya. Kita tidak boleh tipu rakyat lagi. Rakyat sekarang sudah pandai. Jadi...

Beberapa Ahli: [Bercakap tanpa menggunakan pembesar suara] [Ketawa]

Tuan Pengerusi: Semua pasukan, *one way or another* barangkali ada.

Tan Sri Abdul Kadir Haji Sheikh Fadzir: Yang Berhormat lebih tahulah ya. Okey, jadi *they are – I suspect that he now have some good advisor around him*. Itulah agaknya beliau telah membuat keputusan untuk mansuhkan ISA dan banyak lagi undang-undang yang *out of date, alhamdulillah*. Di tubuh pula *Select Committee* ini dan dihimpun pula parti-parti pembangkang untuk bersama-sama, *together and workout for a truly fair and free election*, okey.

Agaknya antara hakikat yang telah pun diterima oleh kerajaan adalah bahawa adalah *the whole world is now in evolve*. Di mana-mana sahaja rakyat menuntut hak asasi mereka. Hak asasi bahawa sesebuah negara itu adalah kepunyaan rakyat. Di Tunisia, di Syria atau mana-mana, yang *revolve* itu adalah untuk menuntut hak rakyat.

Saya rasa dalam hubungan ini pun bila Baba Malaysia kita menuntut kemerdekaan, merdeka itu adalah untuk rakyat. Jadi, negara ini adalah hak rakyat, kepunyaan rakyat. Begitu juga Baba Malaysia kita dapat memujuk rakyat, Raja-Raja pun *surrender their rights to the rakyat*. *So, this country, Malaysia kita ini kepunyaan rakyat, alright*. Kita pilih *Westminster parliamentary System of Government*. *Okay, now* paling pokok *Westminster Parliamentary System of Government* ataupun paling pokok dalam menegakkan hak asasi rakyat *is a free and fair election. That is very important*.

Alhamdulillah, saya tengok apa yang saya hendak bangkitkan pun saya rasa banyak telah pun dibangkitkan oleh rakan-rakan yang lain, dari badan-badan yang lain. Saya ikut surat khabar. Ini IDEAS, Wan Saiful, dia CEO IDEAS. Mereka pun telah kemukakan pandangan mereka pagi tadi. Jadi, saya tidak ada banyak perkara yang hendak sampaikan. Cuma saya rasa apa yang telah dibangkitkan, yang telah pun diputuskan oleh Parlimen baru-baru ini adalah *very minor*. *Even this indelible ink* ini, pada pandangan saya ini sebenarnya tidak perlu. *It is very* menyusahkan rakyat sahaja bukan pasal *indelible ink* yang ditipu-tipu ini. Perkara kecil sangat. Banyak ada kesilapan di sana semua merupakan teknikal sahaja. Akan tetapi tidak mengapalah. Ada desakan maka diterima oleh *Select Committee*. *It is to show that you are willing to change, to be fair and to be seen to be fair*.

Bagi saya ada tiga perkara yang saya rasa terlalu fundamental. Kalau benar-benar kita hendak mengadakan *free and fair election*. *This is being said by everybody and I am sure it is also been accepted by Select Committee*. *This is free and equitable access to the media by all parties* supaya semua pandangan-pandangan, bagaimana hendak mentadbir negara ini, di mana dasar yang baik, apa dasar yang tidak baik dan bagaimana kita hendak mentadbir dengan cara baik dapat disampaikan kepada rakyat. *You know, the founding father, our founding father* waktu awal-awal kemerdekaan dahulu ini, saya rasa ada peluang untuk semua orang menyampaikan hujah mereka kepada rakyat *but overtime, all the media, the mainstream media were control by one party* ya. *By my party* lah, *alright*. *The mainstream media, newspapers, radio, TV* dan sebagainya. Oleh sebab itu, maka pandangan *the other side cannot really reach the rakyat. Cannot reach the rakyat. This is a very fundamental flow, very fundamental flow*.

Jadi oleh sebab itu, saya ambil satu contoh, waktu saya jadi Menteri Penerangan saya *setup*, saya *started this program called "Debat Perdana"*. Di mana saya jemput juga wakil-wakil pembangkang, tokoh-tokoh pembangkang, tokoh-tokoh dari pihak kerajaan *choose different subjects, open debate and let the rakyat listen to it* ya.

Of course I was attacked by my party members, kenapa bagi peluang kepada ahli-ahli pembangkang menyampaikan hujah dia. Jawapan saya mudah sahaja, because hujah-hujah kita ini, hujah-hujah Barisan Nasional ini, kita selalu sampai kepada ahli-ahli kita sahaja. We have no chance to sampaikan hujah kita ini kepada parti, pihak yang lain. Akan tetapi dengan adanya "Debat Perdana" ini maka everybody can listen to both side of the argument ya.

Okay, so it continued for a while but now it is back to the old situation. Jangan langsung bagi chance kepada the other side. Saya ambil satu contohlah ya, Harakah misalnya. I think parti PAS ini, ia lebih kurang mewakili half of the Malay vote, Malay voice in Semenanjung Malaysia. They been trying to get a permit, a newspapers permit for last 50 years but it is not given to them. Saya garu kepala juga, how can we do it and get away with it for 50 years? Because there is a right guarantee in the Perlembagaan. Is a right guarantee in the Perlembagaan.

I do not know how we got away with it for 50 years. You know, that we cannot give them a permit for newspapers when they are representing such a big group ya. Kasihan pada mereka.

Tuan Pengerusi: Tidak, barangkali ada syarat-syarat yang tidak dapat dipenuhi. [Ketawa]

Tan Sri Abdul Kadir Haji Sheikh Fadzir: [Ketawa] Jadi Tuan Pengerusi, *this is a very serious matter, very fundamental. Do not talk that you are having, going to have free and fair election until you have open up the media for everybody. If we are confident of our policies, if we are confident that we have implemented our policies wisely, apa kita takut hendak menghadapi rakyat. Kenapa perlu takut menghadapi rakyat? You know – and we think that their policies are lousy and they are not capable on implementing it. If we have an open media, I think we can also tell why because right now they are not listening to us. When Yang Berhormat pergi berceramah, you cari ceramah kepada your own supporters. Syok sendiri sahaja.*

Tuan Pengerusi: Ada juga orang lain dengar. Tan Sri, ada juga yang lain datang untuk dengar... [Ketawa]

Tan Sri Abdul Kadir Haji Sheikh Fadzir: *So, really I tell you – is an open media, free media is something that is very fundamental. Get that done before you hold the next election. Itu satu.*

Tuan Pengerusi: Okey, satu.

Tan Sri Abdul Kadir Haji Sheikh Fadzir: Nombor dua.

Tuan Pengerusi: Dua.

Tan Sri Abdul Kadir Haji Sheikh Fadzir: *Of course banyak negara dalam dunia ini bila dekat-dekat election dia ada caretaker government. Di sini pun saya dengar juga suara-suara minta supaya adakan caretaker government. Six months before election dan sebagainya lantik one high court judge dan sebagainya. Dia ada their own Cabinet dan dia akan pastikan pilihan raya dijalankan dengan telus, dengan adil dan sebagainya.*

Now, AMANAH is not going to fall for that but there is something that we can do, which will also appear to be beautiful iaitu dekat-dekat pilihan raya ini, the six months before election and so on, let all government departments, let all semi government department, GLC dan sebagainya be neutralized, completely neutral.

Kita tahu one fundamental in a Westminster parliamentary system government is that the bureaucracy is neutral. Whoever becomes the government, they will abide by that government. Okey, tetapi just to carry out policies but not to be use – bureaucracy is not to be used to campaign for one side and using the rakyat money campaign for one side. Ada Yang Berhormat kita asyik jekih saya, kata eh! You were MP for thirty years. You were using that also... [Ketawa] I am proud to say that I did not used much of that kind of things.

Beberapa Ahli: *[Ketawa]*

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Tan Sri Abdul Kadir Haji Sheikh Fadzir: *Alright.*

Tuan Pengerusi: *This is hindsight, okey.*

Tan Sri Abdul Kadir Haji Sheikh Fadzir: *Now, really. This is very important. We will have about four and half years to used government departments to explain the policies to the rakyat but six months also before election stop. It is very ugly, I have now people telling me, “Wah Dato’, seronoknya kita. Kiri kanan dapat duit. Dapat RM100 here, RM100 there for our children”. Then get RM500 for being income earner RM3000 and below and then get bonus dari FELDA. Selepas itu RISDA pun datang beri. FELDA dan FELCRA pun datang beri. Macam-macam department mahu beri. Then, their people going to camp, they are already now camping in the villagers, in the various houses. Pegawai JASA, pegawai KEMAS, pegawai penerangan you knows, police not in uniform.*

Tuan Pengerusi: *Picnic they all.*

Dato’ Seri Mohd. Radzi Sheikh Ahmad: *Army not in uniform. Ya, picnic buat mihun, sembelih kambing, beri duit sebagainya and campaigning using peoples money, campaigning for one side.*

Dato’ Seri Mohd. Radzi Sheikh Ahmad: *Yang Berhormat Gombak tidak tahu ini. Ini Yang Berhormat Gombak baru tahu.*

Tuan Mohamed Azmin Ali: *Saya tidak tahu itu. Ini baru saya tahu.*

Tuan Pengerusi: *[Ketawa]*

Tan Sri Abdul Kadir Haji Sheikh Fadzir: *Now...*

Tuan Pengerusi: *Dari all camps.*

Tan Sri Abdul Kadir Haji Sheikh Fadzir: *Tan Sri , kalau you tidak tahu...*

Tuan Pengerusi: *Yes.*

Tan Sri Abdul Kadir Haji Sheikh Fadzir: *I like..*

Tuan Pengerusi: *Ya, ya.*

Tan Sri Abdul Kadir Haji Sheikh Fadzir: *Sorry, I welcome Dato' Seri Najib new mood one to value, he said that, "Saya tidak mahu dituduh sebagai Perdana Menteri dengan penipuan". Alhamdulillah very good.*

Tuan Pengerusi: *Yes.*

Tan Sri Abdul Kadir Haji Sheikh Fadzir: *We have changes, new politics, new eras, and so on. So, it is very good. And just stop, government departments cannot be used for election purpose because they are using government money and so on. Now, if you do not do that, believe me. You cannot see you had free and fair election. Now, this is very important too.*

Tuan Pengerusi: *The third point, concern.*

Tan Sri Abdul Kadir Haji Sheikh Fadzir: *The third point, blatant used of money to buy food.*

Tuan Pengerusi: Yang Berhormat Kangar ada mahu minta penjelasan.

Tan Sri Abdul Kadir Haji Sheikh Fadzir: Jika Yang Berhormat ada ragu, sila.

Dato' Seri Mohd. Radzi Sheikh Ahmad: Sebelum Tan Sri pergi kepada *third point, the second point* tadi itulah. Bagaimana kalau kita ikut langkah macam Tunku Abdul Rahman dahulu. Dia berhenti sebagai Perdana Menteri sebelum ada pilihan raya. *What do you think of that? That's all.*

Tan Sri Abdul Kadir Haji Sheikh Fadzir: *Can you say that again?*

Dato' Seri Mohd. Radzi Sheikh Ahmad: Satu ketika dahulu Tunku Abdul Rahman meletakkan jawatan sebagai Perdana Menteri untuk menghadapi pilihan raya. *What do you think of that?*

Tan Sri Abdul Kadir Haji Sheikh Fadzir: *Okay. One very important colleague of the Prime Minister, Bapa Malaysia Almarhum Tengku Isa, Yang Berhormat Radzi father Sheikh Ahmad. They are great people. They were true democrats. You know they could have done anything that time and they got away use it because they were so popular but from the first day, they made it very clear that this country belongs to the rakyat. Almarhum Tunku, anak raja, he said that, "No, this country belong to the rakyat". The rakyat must decide everything and similarly which is compatriot the time Tun Ismail, Tun Abdul Razak, Tun Tan Sri Sambanthan. They were true democrat and they were prepared to lose. You are right. Tunku Abdul Rahman was prepared even to letak jawatan sebentar, you know and he personally going campaign on things like that, so only free and fair but seen to be free and fair, alright.*

Ringkas Yang Berhormat, Tuan Pengerusi. *This using of government departments has become very ugly. There were times people were not aware of these things. But now all these young people they are all very highly educated, they know what happening else where. What free and fair election.*

Suddenly in their kampung they sees government kampung officers "force" to come, camp there for weeks and weeks, distributing money, buat mihun sampai kenyang tidak tahu apa mahu makan. Kambinglah, lembulah, itulah, dan ini. One officer of mine came to see me, one pegawai JASA just see me two days ago. He said, he told me, pegawai JASA their duty go and camp in the kampung, be nice to the kampung people, feed them as much as they want, make them happy, and make sure they are vote Barisan Nasional. Dia kata, "Tan Sri, saya tidak tahu duit punya banyak mereka beri sekarang ini. Saya tidak tahu bagaimana mahu guna duit ini." We have so much money now, so much allocation. Okay, that is number one.

Number two, I saw some very senior civil servants. It is very, very senior civil servant. Tan Sri tahu atau tidak bajet pembangunan yang baru bentang di Parlimen? Practically more than 90% all projects, continuation project. Not new project, continuation project the rest of the money is political project. Projek politik, that the distributing billion-billion sini dan sana berjalan sekarang ini. I went to see another civil servant. Sorry, I am talking about using government department.

I want to see top civil servant and he told me, "Tan Sri, do you know in the 2012 Budget, the whole of Malaysia in spite of all the statement being make about role development and so on? The whole of Malaysia, they are only 10 new rural roads.

Yang Berhormat Tuan Wee Choo Keong ada dengar ini. The whole of Malaysia, there are only 10 new rural roads and the whole of Kedah, I want to ask for one rural road, during my time which not finish yet and this is the answer, the whole poor Kedah only one rural road in 2012. Perlis tidak ada langsung. Where is the money gone through?

Tuan Pengerusi: Ke kawasan bukan *rural* bukan...

Tan Sri Abdul Kadir Haji Sheikh Fadzir: *Where is the money gone to? Projek politik. Projek politik tidak perlu tender, tidak perlu itu, dan tidak perlu ini. Ia boleh direct nego beri macam itu. Semua boleh distributed cash.*

Tuan Pengerusi: Di bandar.

Tuan Mohamed Azmin Ali: Tan Sri, Tan Sri...

Tan Sri Abdul Kadir Haji Sheikh Fadzir: Tahun 2012 Yang Berhormat.

Tuan Mohamed Azmin Ali: Tan Sri...

Tan Sri Abdul Kadir Haji Sheikh Fadzir: ...Perlis *cannot be done.*

Tuan Pengerusi: Yang Berhormat Kangar menyampuk, Yang Berhormat Gombak ini.

Tan Sri Abdul Kadir Haji Sheikh Fadzir: Ya, sila.

Tuan Mohamed Azmin Ali: Tan Sri, dakwaan Tan Sri ini satu dakwaan yang serius di mana satu dana, ya. Ia bukan satu tuduhan yang kecil di mana satu jumlah dana yang besar tidak ditumpukan kepada pembangunan seperti yang diluluskan oleh Dewan Rakyat tetapi ditumpukan kepada projek-projek politik untuk kepentingan parti-parti tertentu. Di sini dalam pendengaran awam kita ada wakil daripada SPRM.

Jadi apakah cadangan Tan Sri, dan apakah benda ini sekadar hendak melaporkan kepada jawatankuasa dan hilang begitu sahaja seperti juga yang berlaku dengan Laporan Ketua Audit Negara di mana pegawai-pegawai kerajaan telah bekerja dengan baik menyiapkan Laporan Ketua Audit Negara setiap tahun tetapi tidak ada sebarang tindakan diambil. Apakah Tan Sri hendak mengulangi sikap yang sama mewakili parti yang sama? Tuduhan itu satu tuduhan yang serius yang melibatkan wang rakyat. Apakah cadangan Tan Sri untuk berdepan dengan SPRM pada petang ini untuk kemukakan bukti-bukti ini supaya satu tindakan diambil terhadap mereka-mereka yang terlibat dalam penyelewengan dana awam ini?

Tan Sri Abdul Kadir Haji Sheikh Fadzir: Saya bukan kata penyelewengan. *It is the money allocated by the government.* Dia tidak *allocate* tempat-tempat yang sepatutnya.

Tuan Mohamed Azmin Ali: Akan tetapi kalau Tan Sri sebutkan tadi *this money was allocated for development*, ya?

Tan Sri Abdul Kadir Haji Sheikh Fadzir: *Yes.*

Tuan Mohamed Azmin Ali: *But instead they used that for political purposes.*

Tan Sri Abdul Kadir Haji Sheikh Fadzir: Tidak, tidak ada.

Tuan Mohamed Azmin Ali: Tidak?

Tan Sri Abdul Kadir Haji Sheikh Fadzir: Maksud saya itu, untuk peruntukan pembangunan.

Tuan Pengerusi: *Priority.*

Tan Sri Abdul Kadir Haji Sheikh Fadzir: Permintaan pembangunan itu kalau *go into details* kebanyakan nampak angka itu besar tetapi sebenarnya tidak ada projek baru, sangat sedikit. Kebanyakan adalah *project continuation*. Pegawai-pegawai yang lapor itu kerana dia kecewa kerana dia ada banyak projek-projek yang baru yang perlu. Kenapa tidak masuk? Ini kerana peruntukan yang ada itu dibawa pergi kepada projek-projek yang lain iaitu projek politik.

Tuan Pengerusi: *Prioritylah.*

Tan Sri Abdul Kadir Haji Sheikh Fadzir: *Yes, priority.*

Tuan Pengerusi: Ia bukan salah guna tetapi salah *priority*, barangkali.

Tan Sri Abdul Kadir Haji Sheikh Fadzir: *Yes. Anyway this is ugly.*

Tuan Pengerusi: Okey, sambung.

Tan Sri Abdul Kadir Haji Sheikh Fadzir: Ini minta maaf sangat Yang Berhormat. Saya hendak tekan sangat. Ia hodoh! *Very ugly because all this young people can know and can see it is very ugly. They can understand now it is so very ugly. Malu and it was never done during days of our founding fathers. They are very wise people they let song founding for us. It is all being eroded. So, there is select committee now, so please, this must be stop! You know they must be proper* sekurang-kurangnya enam atau sembilan bulan *stop*, baru buat pilihan raya.

Third ini, latest distributed...

Tuan Pengerusi: *Distributed...*

Tan Sri Abdul Kadir Haji Sheikh Fadzir: *The last, my last.*

Tuan Pengerusi: *Can.*

Tan Sri Abdul Kadir Haji Sheikh Fadzir: *Blatant distribution of cash.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Cash?*

Tan Sri Abdul Kadir Haji Sheikh Fadzir: *Cash. Dua tiga hari sebelum pilihan raya, kita bom.*

Tuan Pengerusi: *Sebelah sahaja dia bomkah atau kedua-dua sebelah itu dia bom?*

Tan Sri Abdul Kadir Haji Sheikh Fadzir: *Ya.*

Tuan Pengerusi: *Kalau tidak meletup kalau sebelah sahaja.*

Tan Sri Abdul Kadir Haji Sheikh Fadzir: *No, no. The other side dia tidak ada duit. Dia hendak bom tidak ada duit. Bomb now it is a culture. It is a word that been accepted bomb. Bomb means because we have our support, "Eh! Tan Sri bila lagi? Dato' bila lagi hendak bom ini?"*

That mean you are going to give them cash to the leaders and they will go and distribute money RM200, RM500, RM1,000, and so on two or three days before election. Now it is became blatant especially last few by elections and especially the last Sarawak state election, it became very blatant and open macam tidak perlu sorok-sorok lagi. Ia seperti it seems it is right. If you have money, you can distribute, and win the election. Ia sudah jadi seperti itu and people malas hendak report kepada Suruhanjaya Pilihan Raya. They do not take action. Dia report pada polis, polis do not take action. You see? So it is very blatant.

Saya pernah lead rombongan dari Kedah untuk bantu various by election and I have been given also lump of cash to go and distribute. But I said, "Sorry, saya tidak mahu. You go and suruh orang lain buat. Saya tidak mahu, politik wang ini saya tidak mahu". It is ugly but it has became very big, very blatant, very unfair, do not talk about free and fair election. How do you stop it? It is because people who receive it, we know 60% or 70% of our people are poor in the rural areas. Dia terima duit dia senyaplah. Then, dia akan undi siapa yang beri duit kepada dia, dia akan undi orang itu. So it is a simple thing put simply strictly but is very fundamental.

Jadi AMANAH minta that the next general election be held only selepas select communities ini selesai kerja-kerja dia and semua recommendation dia dilaksanakan dahulu. Selepas itu barulah kita buat election. Benda ini hendak implement senang sahaja. So you do not need much time. Misalnya free access to media can be done tomorrow. Kalau ada will to do it, sincere to really want to have free and fair election. Tomorrow you can implement.

Nombor dua, government department, semi government tidak boleh main waktu ini dekat countdown to the election. You can stop it tomorrow, alright. Money can to be distributed and cannot to be distributed also can stop it tomorrow.

Kalau ada *real sincere political will and so on and the life of this Parliament goes on until March 2013. So we have plenty of time*, banyak masa untuk kita hendak melaksanakan persetujuan dan *recommendations* yang dibuat oleh *Select Committee*. Jadi AMANAH minta *no election until Select Committee are wisely move, Select Committee has done their work and their recommendation is fully implemented. And there is plenty of time to get this done, and then you go for election. Then you brought up Malaysia back to where it should be where you really respect kemerdekaan rakyat. That is what the founding father decided, thank you very much.*

Tuan Pengerusi: Terima kasih atas input orang lama *and looking back at history, looking back where we are. We all admit there are weaknesses in the system, that is why we are here to address some of this and how to find command ground to improve the situation and make the country better.*

Terima kasih atas itu. *With that* saya tangguhkan mesyuarat sehingga pukul 2.45 petang.

Mesyuarat dtempohkan pada pukul 1.31 petang.

Mesyuarat bersidang semula pada pukul 2.54 petang.

[Yang Berhormat Dato' Seri Mohd. Radzi bin Sheikh Ahmad **mempengerusikan Jawatankuasa**]

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: Kita sambung sementara kita tunggu Pengerusi kita datang, saya diminta supaya menjalankan persidangan. Jadi kita punya kumpulan berikutnya ialah daripada parti PKR Negeri Johor. Tiga orang wakil. Jemput, jemput. Encik Saadon Abdullah, Encik Syed Hamid bin Ali, Encik Liew Voon Chew dan Encik Steven Choon Shiau Yoon, empat orang. Sila, sila.

[Saksi dari PKR Johor mengambil tempat di depan Jawatankuasa]

2.55 ptg.

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: *Assalamualaikum warahmatullaahi wabarakaatuh*, selamat datang, salam sejahtera. Kita hendak langsungkan persidangan kita. Jadi di hadapan kita sekarang ialah empat orang wakil daripada PKR Johor. Tolong memperkenalkan diri dan mengemukakan pandangan. Kita bagi 10 minit lebih kurang begitu *after that we see how its goes*. Sesiapa hendak bercakap dahulu bagi nama dan teruskan, sila.

2.56 ptg.

Encik Steven Choon Shiau Yoon [Parti Keadilan Rakyat]: Nama saya Steven Choon Shiau Yoon, saya adalah pembahas yang pertama. Kemudian saudara Syed Hamid akan membentangkan sedikit isu. Saya berharap sebelum saya bermula saya ingin mengucapkan selamat petang kepada semua yang hadir, tuan-tuan dan puan-puan. Kalau boleh saya hendak membahaskan dalam bahasa Inggeris.

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: *Go ahead.*

Encik Steven Choon Shiau Yoon: *Thank you very much. I hope everyone have been given our presentations because this is the last stop, many points have been raised by other people. So I just want to take as you say probability in 10 minutes but just if we repeat it because we feel it is important. To be taken note by PSC.*

Number 1, the malapportionment of the constituency, we hope PSC will recommend that in our case will reduce the amount malapportionment, meaning there shouldn't be too much difference between the number of voters between one constituency and another. I mean my example was given between Maran 20,000 voters in Terengganu whereas Kapar, Selangor are 110,000 too much difference.

Second point is police permit. So far police permit are required for all ceramah during campaign period but if we look at Election Offences Acts, section 27, the enforcement team are already tasked with job of monitoring election offences during the campaign period.

They are also empowered to direct the police to arrest anyone committing the offences under section 27E. So we see, there is over lapping of role between the police and the enforcement team. So we will say that let the enforcement team to or necessary if they commit offences let the enforcement team direct the police to do the arrest rather than police have to grant permits for ceramah.

Under the Federal Constitution, anyone above 21 and not a bankrupt can be appointed to be a member of the Election Commissions. But so far those appointed are either ex-civil servants or ex-GLC staffs. So we would want to recommend that this should not be sold or a mixture of people from the civil society to be appointed.

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The fourth - Returning Officers and Presiding Officers so far, again everyone appointed were from civil service or related to GLCs. Again under the elections law, anyone could be appointed. Therefore, we would recommend that PSC recommends that the appointments by EC should incur a mixture. If EC wants to restore the image, they should consider actually having a majority of the Returning Officers and Presiding Officers coming from civil society.

The fifth - section 11(1(iii)) of the Elections Offences Act have this clause that a prosecution for a corrupt practice, except any corrupt practice as defined in paragraph B and E of subsection 1, shall not be instituted without the sanction of the public prosecutor. Now, with this actually it gives the discretionary power to the public prosecuted to prosecute someone or not if that person have committed the offences such as bribery, tricking under the Elections Offences Act. Why discretion power be given to the public prosecutor. That is why our recommendation is that discretion power should be removed in order to ensure no undealt preference will be given to anybody who has committed corrupt practices.

Let the court decides whether corrupt practices have been committed rather than letting the public prosecutor decide whether that person have committed that offences.

The sixth – now these are required by law to be provided on polling day. But, it is not compulsory for– I mean, it provided for the elector to check the electoral roll number. But, it is not compulsory. So, you will have voters entering the polling station direct. Now since the person will not know which room he is supposed to be in, he probably will be disturbing while the EC officers inside. Furthermore, there is the situation we heard so much about, people impersonating other people so, committing the offence of impersonation using the IC of someone to collect the ballot paper to vote. We thought if the election were to be fair, were to be in such a way that we mitigate personation.

Then, every elector should be compelled to report to the booth to collect not just the electoral number and the slip that tell you which stream to go inside, but also have the identity properly check at the booth.

Therefore, this is our recommendations that section 36(A) after election officer might be amended to make it mandatory for the elector to have his or her identification verified in addition to just ascertaining that electoral number.

Dato' Seri Mohd. Radzi Sheikh Ahmad: *May I interrupt here?*

Encik Steven Choon Shiau Yoon: *Yup.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *There is a recommendation by the SPR that we do away with this...*

Encik Steven Choon Shiau Yoon: *Booth.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *...We do away with what we called a...*

Encik Steven Choon Shiau Yoon: *Barung.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Barung SPR.*

Encik Steven Choon Shiau Yoon: *You took away, that means every elector- there are so many rooms inside.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Ya. Do you agree or don't you agree?*

Encik Steven Choon Shiau Yoon: *I will disagree because then it will be way disruptive because an elector will try this room, A and 1,2,3,4 to identify his room. It will be very disruptive inside.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *You not only wants it to be there, but also you want it to be compulsory...*

Encik Steven Choon Shiau Yoon: *Compulsate that then report...*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *and the voter must go in and report first.*

Encik Steven Choon Shiau Yoon: *So when they goes inside, it will be very smooth and no arguments as to whether this voter's identification is correct or not.*

Because at the moment, a lot of arguments happen inside the room whether the person because someone brought driving licence, someone brought other form of identification, a lot arguments. So, let this be settled at the booth without disturbing the process inside. That is our recommendations.

The seventh - about removing of the objection period as well as three days cooling off period - good recommendation, but I just hope that you don't just remove it because we have the thing of- removing it is good, but may have added additional problems. So, we hope that in the nominations, need not be just presented at 9am and closed at 10am. But, allow two days for people to submit the nomination paper, but closed at 10am on polling day. These allow the EC to check the documentations, nomination papers properly.

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Not on polling day of course.*

Encik Steven Choon Shiau Yoon: *I make a mistake. On nomination day, my apology so that, you have two days to check the documentations, if a decision is made by the Returning Officers to accept or not to accept the nomination, that decision cannot be conclusive.*

It is must be allowed to be challenged and overturned by the Election Court subsequently, if the accused person were to filed election petitions. Because to avoid person who is actually eligible being rejected and ineligible candidates being accepted and if it is conclusive at that point, then it would not be fair to any candidates.

Eight – also PSC has some good recommendations about - but, one point is about removal of serial number on the voting paper. Now, there are pro and cons as to removing the serial number on the ballot paper. I mean, the pro is definitely the votes cannot be identifying to the voters but the cons are what if some persons have stuffed additional ballot papers into the ballot box? Then EC will have a problem in identifying which ballot paper stuffed in. So, the serial number was created for that purpose to eliminate ballot paper stuffed in. That mean, they probably have a series of serial numbers different from that being used in that room. So, we will say keep it, but to overcome the probabilities of identifying to the voters, the vote to the voters, is to simply allow the voters to pick and choose the paper of his choice by just having a new paragraph called 19(2)(a), inserted just after paragraph 19(2), that each voter shall be given the options to pick and choose a ballot paper with choice.

I am sure you have heard the possibility if why the voter can be identified is because of the electoral roll number being written on the ballot paper. So, the other precautions to avoid that is kerani 2 and kerani 3, actually their function: (2) is to just tear up the ballot paper and (3) is just to emboss, there is no need for them to hold any pens or pencils. So, just remove the pens and pencils from these kerani 2 and kerani 3 and allowing the voters to pick and choose the ballot paper would have safe guarded the identity of the voters being identified.

No perfect solutions, but we thought there is a better solution and yet allowing any stuffed ballot paper to be eliminated by identifying the serial number later on.

The ninth - regulation to 25(7)(a) requires the presiding officers, the KTM (ketua tempat mengundi) to recheck any ballot paper which is not stamped or perforated with the official mark. However, earlier regulations do not, regulations 18 will require the KTM to be prepare the ballot box to make sure it is empty to be sealed. But, there is no regulations to compel the presiding officers to show the official marks and make a sample on a form called SPR 753 which is being used in the postal voting system for the retention for checking during counting process to match any ballot papers by pairing the same perforation marks or not. So, our recommendations is a new regulation 18(a) must be inserted after regulations 18, to require presiding officers to make a sample of the official mark on the form similar to SPR 753 being used in the postal voting system.

The tenth – regulations 24(i)(c) also requires the KTM to complete section 'B' to 'E' of the ballot paper statements or Form 13. Section A is the total number of the ballot paper received by the KTM from the Returning Officers and it must be recorded before the polling start, because that is what being brought in.

So, it must be completed before the polling actually starts at 8am, if the polling starts at 8am. However, you go and check the regulations. There is no regulation compelling the KTM or Presiding Officers to complete section 'A' of Form 13 before polling starts, but section 'B' to 'E', there is a regulation to compel him to fill in, there are no regulations to compel him to fill in section 'A'. So, we hope this would be rectify by a new regulations 18(b) to compel the Presiding Officers to fill in section 'A' of Form 13 and therefore it will be complete form so, section 'A' to be completed before polling starts and 'B' to 'E', after polling ends. It is a compulsory action. At the moment, Form 13 at the completion only requires the KTM to sign and Polling Agents may signed, but doesn't compel the KTM to extend a copy to the Polling Agents. It is not here, but I want to add this to the PSC that regulations should also be amended to compel KTM to extend a copy of the Form 13 to Polling Agents.

Eleventh – There are recommendations that we heard that are presented by others that recount should be allowed at the main tally center. I mean, for us in Johor, we have deliberate having dealt with polling process. since every streams, there is rule required that all ballot paper counted and uncounted, unused, all be sealed in envelopes and put inside ballot box and be sealed also except Borang 13 and Borang 14, sealed under separate envelopes where to be taken to the main tally centre

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Now, if you allow recounting, it would require opening of all the ballot boxes and all the ballot papers enveloped to be unsealed. That would create huge exercise because I am looking at the practicality, most Counting Agent by that time they are so tired.

Some of them were already gone home and suddenly there is a recount and everybody must be summoned back the practicality of it. We urge that no recount at the main tally centre, just at the polling, each streams where recounting be done at that point should be sufficient because every candidate should appoint a Polling Agent, Accounting Agent to monitor and observe all process in every stream.

Okay then, point twelve - Regulation 25(14) actually allows the Presiding Officer to exercise his discretion power again to recount until he is satisfy. There are so many reports saying that presiding officer recount and recount and recount. So our recommendations, since the Counting Agent only have one option that means can only request once, likewise the same should be accorded to the presiding officer that if you want to order a recount, once will do and not until he is satisfied.

Point thirteen - early voting has recommended by PSC while it is welcomed with too, but if that is so, we want to make sure that the EC have to ensure that a Polling Agent, Counting Agent and even booth observers to be allowed to be appointed like in the normal polling process, to be appointed to observe in a all this process – the early voting in all kem and balai.

Point fourteen - Malaysia working overseas, there is a recommendation to include them. EC said they were look into it. We thought the simple ways is to amend regulations by Election (Registration of Electors) Regulation 2002 just by inserting a news sub paragraph (g) in regulations in paragraph 2, a new section. At the moment is only (a) to (f) include the army, include the spouse, student and so all.

So include a new (g) to read like this, “Any registered voter residing overseas who does not fall within the definition of (a) to (f) and had prior to the dissolution of the Parliament or State Assemblies opted via a prescribed form which the EC have to come out with the prescribed form, to receive the ballot paper via post”. We thought the simple ways to get them involve is to have new sub paragraph (g) to include them, and came out with a form for them to indicate they want to receive it through post.

Point fifteenth, second last, also relating to the oversea voters but to allow them definitely if EC cannot have a short campaigning period like we have it in recent year ranging between eight to twelve days because of the process of printing ballot papers, issuance of ballot paper forwarding returning it and so forth. So we have thought about it, looking at the best efficient and most efficient postal or whatever deliver system 21 days and above would be the normal what we called campaign period to be allowed to allow what recommendation in fourteen is to be take place.

So lastly, point sixteen - EC is suffering from a huge public distrust towards them due to many issues. I think many people have report up and we would like to reemphasis again that you all need to gain back the trust. EC must really be revamped whether involvement of civil society to polish their image as recommended in item three and four.

Also take up the following recommendation made by many others that we just reemphasise it that a free and fair media coverage during the campaign period. No usage of government facilities and transport vehicles by any political party during the campaigning period.

And then, the enforcement team which at the moment does not really function as I observed it as accorded under the law. I had been told and seen that enforcement team they just attend ceramah and after that go for coffee and drinks rather than patrolling. So, enforcement team must truly function to monitor and curb election offences such as personation, treating, bribery, inducement, undue influence and other dirty politics such as incitement of hatred among races and of different faith.

Then, Public Prosecutor, Election Court, police and the EC themselves must act impartially and fair. And of course, the pertinent matters like cleaning the electoral roll which the EC are committed to cleaning up and that we want to comment that and wish them success and we would like to work together with them to help them clean up the electoral roll. So, that is my presentation. Thank you.

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: *Thank you Mr. Choong. I am interested in your recommendation number 7 where you mentioned that the nomination should be over period of 2 days. So that to allow all parties who are keen to contest, they can come anytime to submit the nomination paper, so that we not involve so many thousand of supporters coming. That is a good suggestion. That is a good one.*

The other one is that you want the pegawai-pegawai SPR on polling day to comprise of not only civil servant but also members of the public who are willing to volunteer and go for training and then to understand the law and the regulation and then to assist the SPR on polling day. Okay, alright. Any question? Ya.

Dr. Mohd. Hatta Md. Ramli: Tuan Pengerusi, saya ingin memberi pandangan dan juga pertanyaan kepada isu *serial number*. Ada *pros and cons* dan saya bersetuju cadangan supaya kita gugurkan nombor siri pada kertas undi itu ialah untuk memberikan keyakinan kepada pengundi, *to reassure them that nobody will know which kertas undi belongs to you*. Itu *the main purpose, the core I mean but of course* bila kita bangkitkan isu *stuffing*, kalau *stuffing* ini *by voters to fraudulently spoil the election*, then kertas undi ini merupakan kertas undi palsu. *Can you take it?* Kertas undi palsu...

Encik Steven Choong Shiau Yoon: *How you got to identify palsu?*

Dr. Mohd. Hatta Md. Ramli: *That is what I want to know. Kalau kertas undi betul, sebenar, then somebody inside is an accomplice, betul, betul?*

Encik Steven Choong Shiau Yoon: Betul.

Dr. Mohd. Hatta Md. Ramli: Ini sudah lebih, jadi kita mengatakan ada orang tidak amanah di dalam pengurusan ini tetapi kalau undi itu palsu, kertas undi itu palsu, kita boleh kenal dengan senang, betul tidak?

Encik Steven Choong Shiau Yoon: Kalau dia ada *enforcement*, kalau kertas undi yang sah sekarang punya adalah mesti ada *enforcement* tindik, corak tindik dengan nombor siri. Kalau *you* tidak ada nombor siri, hanya yang kenakan adalah palsu atau sah adalah corak tindik sahaja. Corak tindik yang saya tahu punya, bukan ramai, bukan setiap saluran guna tindik yang tidak sama, yang berbeza.

Dr. Mohd. Hatta Md. Ramli: Samalah.

Encik Steven Choong Shiau Yoon: Dia akan ulang punya. Jadi ada kemungkinan *you* dapat kertas undi dengan corak tindik yang sama. Itu *you* tidak boleh ketepikan.

Dr. Mohd. Hatta Md. Ramli: Ya, ertinya dia buat dia punya *fraud* ini *on that very day*, hari mengundilah. Dia *bring out one* kertas undi, tengok *preparation* itu...

Encik Steven Choong Shiau Yoon: [*Bercakap tanpa menggunakan pembesar suara*].

Dr. Mohd. Hatta Md. Ramli: Dia buat sendiri? *I am not sure*, SPR mungkin ada boleh mengesahkan bahawa kertas-kertas undi kita ini dicetak oleh *security painters*, dicetak secara *security*. Ada *watermark* kah, itu saya tidak pastilah. Kalau ada *watermark*, *it can solve* tetapi...

Encik Steven Choong Shiau Yoon: Kalau ada *watermark* mungkin boleh, tetapi sekarang punya tidak ada *watermark*.

Dr. Mohd. Hatta Md. Ramli: Sebab itu saya punya cadangan, kalau ada *bar code*, okey, *bar code* ini hanya hari mengundi itu sahaja kertas undi itu bawa keluar orang baru tahu *there is bar code and for them to* cetak yang palsu *that day* dengan *bar code* yang ada itu....

Encik Steven Choong Shiau Yoon: Okey, sekarang punya alat tindik yang diguna oleh SPR, senang dibuat. Saya *accountant for secretary* pada syarikat kita, kita pakai *seal* punya, itu boleh dibuat oleh orang itu senang. Dalam masa dua jam boleh siap.

Dr. Mohd. Hatta Md. Ramli: Okey, jadi itu boleh *fraud* lagi ya?

Encik Steven Choong Shiau Yoon: Ya, *pros and cons*.

Dr. Mohd. Hatta Md. Ramli: Ya, katalah kita letak nombor siri. *If I am going to cheat, my false*, palsu punya kertas *ballot* pun ada nombor siri juga.

Encik Steven Choong Shiau Yoon: Ya tetapi akan ulang atau dengan...

Dr. Mohd. Hatta Md. Ramli: Nanti sekejap, nanti sekejap. *I know what is the number series inside the borang. I vote you in the morning, my number series 005 for example, I can always copy from 005* kalau *I* hendak *vote 10, to 010 for example* ya.

Encik Steven Choong Shiau Yoon: Ya, okey.

Dr. Mohd. Hatta Md. Ramli: *Can you tell me* kertas undi yang mana yang *you* akan *reject*?

Encik Steven Choong Shiau Yoon: Okey, saya mesti tanya lagi. Katanya yang sudah isu punya siri contohnya katanya 1 hingga 300. Sekarang yang saya punya mesti nombor siri nombor 1 hingga 300. Kalau *you* bawa satu kertas undi yang nombor siri, *you* punya nombor siri apa?

Dr. Mohd. Hatta Md. Ramli: Nombor 1 hingga 300 juga saya bawa.

Encik Steven Choong Shiau Yoon: Jadi ada dua.

Dr. Mohd. Hatta Md. Ramli: Macam mana?

Encik Steven Choong Shiau Yoon: Jadi ada ulanglah.

Dr. Mohd. Hatta Md. Ramli: Ya lah, jadi ada dua.

Encik Steven Choong Shiau Yoon: Jadi ada dua kertas undi.

Dr. Mohd. Hatta Md. Ramli: Kertas mana yang *you* hendak buang?

Encik Steven Choong Shiau Yoon: Kertas yang mana kita hendak buang? Dia punya corak kalau dia bawa masuk punya, ada lagi satu sekurutilah, dia punya corak pun mesti sama.

Dr. Mohd. Hatta Md. Ramli: Ya lah *you*...

Encik Steven Choong Shiau Yoon: Kalau...

Dr. Mohd. Hatta Md. Ramli: *You are saying*, dua jam saya boleh buat, *you* boleh buat tipu, *proprietor you* boleh buat, kertas undi *you* boleh buat, nombor pun sama, yang mana *you* hendak buang? Kalau saya hendak menipu, saya tidak boleh cetakkan nombor 301 hingga 320 *because* nombor ini tidak keluar. Mesti dia *reject*. Saya letak 001 sampai 020, jadi yang mana *you* hendak buang?

Encik Steven Choong Shiau Yoon: Kalau begitu memang susah.

Dr. Mohd. Hatta Md. Ramli: Ya.

Encik Steven Choon Shiau Yoon: Dia boleh buat nombor siri dia ulang dan dia punya corak pun dia ulang.

Dr. Mohd. Hatta Md. Ramli: Corak tindik? *You* kata boleh dalam dua jam *you* boleh tiru tindik.

Encik Steven Choong Shiau Yoon: Boleh tiru semua.

Dr. Mohd. Hatta Md. Ramli: Jadi apa selesainya?

Encik Steven Choong Shiau Yoon: Sebab itulah saya kata ada *pros and cons, no perfect solution*.

Dr. Mohd. Hatta Md. Ramli: Sebab itu saya punya pandangan, isu ini timbul bukan kerana *stuffing*, tetapi kerana orang takut undi kamu dikenal pasal ada nombor siri. Itu sahaja kita hendak *eliminate* nombor siri. *So you can cover* dengan *bar code*, orang boleh tiru. *You can cover* dengan..., orang boleh tiru. Semua orang boleh tiru. Akan tetapi tidak ada nombor siri, selesai masalah keraguan. Itu yang kita hendak. *Not the stuffing issue. Stuffing issue* kita tidak boleh selesai dengan nombor siri. *Unfair stuffing issue* tidak boleh selesai dengan nombor siri.

■1530

Dr. Mohd. Hatta Md. Ramli: Ya, itu sahaja.

Encik Steven Choon Shiau Yoon: Kalau memang berlaku di beberapa tempat contohnya satu parti, dia kalah 200 undi tetapi banyak tempat ada lebih kertas undi yang sepatutnya dan jumlah melebihi 200 majoriti. Kalau *you* hendak bawa ke mahkamah, macam mana hendak selesaikan isu ini?

Dr. Mohd. Hatta Md. Ramli: *This one can not go to mahkamah.* Kalau sudah lebih 200 undi mana-mana peti undi kita lawanlah. Masa itu *poling agent* kita akan *compare* jumlah kertas undi yang dikeluarkan dengan kertas undi yang dijumlahkan lebih. Bukan mahkamah lagi, di situ lagi kita sudah berperang.

Encik Steven Choon Shiau Yoon: Bukan, Peraturan 25(5),sekarang punya walaupun ada kelebihan kertas undi dalam peti undi, KTM terpaksa meneruskan kiraan, teruskan juga. 25(5). Jadi, kalau *you* tidak boleh 25(5) mesti *emend*.

Dr. Mohd. Hatta Md. Ramli: Yang ini yang perlu dipinda. *That is to be amended. Not otherwise.* Lebih pada itu kita kena ...

Encik Steven Choon Shiau Yoon: *You have to amended 25(5).*

Dato' Seri Mohd. Radzi Sheikh Ahmad: Saya tidak pernah dengar itu yang Ahli-ahli kertas undi lebih yang juga dikira. Di mana itu?

Encik Steven Choon Shiau Yoon: Pindaan 25(5)

Dr. Mohd. Hatta Md. Ramli: Pernah berlaku kah?

Dato' Seri Mohd. Radzi Sheikh Ahmad: Bukan peraturan. Dia tidak kata mesti di kira. *They have to go through a process.*

Encik Steven Choon Shiau Yoon: *A process?*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *A process whereby- we do have to eliminate, we have to find out why there are extra.*

Encik Steven Choon Shiau Yoon: Oh, ada tiga langkah?

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Because it cannot be extra.*

Encik Steven Choon Shiau Yoon: Ya?

Dato' Seri Mohd. Radzi Sheikh Ahmad: *It cannot be extra. Cannot be lebih.* Kurang tidak apa lah.

Encik Steven Choon Shiau Yoon: *No.* Kalau tidak ada orang masuk undi, kelebihan undi memang tidak ada perbezaan. Kurang ada. Kalau ada kelebihan mesti ada orang masukkan kertas undi yang palsu.

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Have you came across where in the incident where there lebih.*

Encik Steven Choon Shiau Yoon: *There is ...*

Dato' Seri Mohd. Radzi Sheikh Ahmad: Adakah?

Encik Steven Choon Shiau Yoon: *Actually, if you don't mind I can email to you. I can show you one score sheet result.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Sure, sure no problem. You can bring it anytime Encik Choon.* Tidak ada masalah. Kita ini hendak memperbaiki sistem. Kalau kita dapati bahawa sistem itu tidak baik, kita hendak perbaiki sebab saya hairan juga, terkejut sebab ada insiden di mana kertas undi itu lebih daripada yang sepatutnya diadakan sebab saya tidak pernah dengar ini.

Encik Steven Choon Shiau Yoon: Saya beri satu contoh ...

Dato' Seri Mohd. Radzi Sheikh Ahmad: Kurang banyak sebab dia hendak bawa keluar...

Encik Steven Choon Shiau Yoon: Kurang memang banyak kerana orang bawa kertas undi keluar.

Dato' Seri Mohd. Radzi Sheikh Ahmad: Dia hendak bawa keluar hendak tunjuk kepada kawan dia. Ini saya undi Barisan Nasional. Dia hendak tunjuk dekat kawan dia, dia hendak minta RM50 sebab undi Barisan Nasional. Itu adalah tetapi kurang berlakulah.

Encik Steven Choon Shiau Yoon: Ada, ada. Saya boleh *email* kepada *you score sheetnya* tetapi ini tidak ada langkah yang paling terbaik. Jadi saya minta PSC tumpulah.

Dato' Seri Mohd. Radzi Sheikh Ahmad: Tadi Yang Berhormat daripada Kuala Krai, dia mencadangkan sebab ada cadangan daripada orang ramai untuk kita memperkenalkan *barcode*. Di mana kalau kita ada *barcode*, tidak payah kita ada *serial number* lagi lah.

Encik Steven Choon Shiau Yoon: *Barcode number.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: Pertama ia menjadi mengelakkan keraguan orang ramai. Kononnya ini tidak rahsia. Jadi, tidak adalah keraguan lagi. Kedua, *you can identified* kalau ada lebih sebab *barcode* itu tidak mungkin orang lain boleh buat.

Encik Steven Choon Shiau Yoon: Itulah yang saya katakan sebelum ini. Kalau *you* ada *barcode*, *you* mesti ada tiap-tiap *stream*, saluran mesti ada *barcode reader*.

Dato' Seri Mohd. Radzi Sheikh Ahmad: Ya, ya, mestilah.

Tuan Pengerusi: Kita boleh pertimbangkan tetapi dalam kes ini Yang Berhormat, ejen kita tidak akan mahu teruskan mengira selagi belum tahu dari mana kertas itu dan semua berpuas hati. Kemudian barulah pengiraan dijalankan. Kalau tidak, gantung tong itu sampai ada penyelesaian.

Encik Steven Choon Shiau Yoon: Kalau begitu Tuan Pengerusi, Peraturan 25.5 mesti dipinda.

Tuan Pengerusi: Bukan ini diperjelaskan Peraturan 25.5.

Encik Steven Choon Shiau Yoon: Peraturan 25.5

Dato' Seri Mohd. Radzi Sheikh Ahmad: Cuba baca 25.5. Cuba baca kepada kita. Ya, *read it, if it need to be amended, we will amend it.* Undang-undang apa itu?

Encik Steven Choon Shiau Yoon: *[Bercakap tanpa menggunakan pembesar suara]*

Dato' Seri Mohd. Radzi Sheikh Ahmad: Peraturan apa? Baca peraturan dahulu.

Encik Steven Choon Shiau Yoon: Okey, 25 (5). *I read 25 (4) first.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: Tidak, tidak. Peraturan apa itu?

Encik Steven Choon Shiau Yoon: *Election Circulation.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: Peraturan 25?

Encik Steven Choon Shiau Yoon: Peraturan 25.4 *first.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: Peraturan 25.4 *first.* Okey.

Encik Steven Choon Shiau Yoon: *If it comparing the number of ballot paper with the statement in Form 13, if it's appears that the number of ballot paper in the ballot box exceeds the numbers stated in Form 13. Then the procedure describe in the third schedule shall be ...*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Yes. What is the third schedule?*

Encik Steven Choon Shiau Yoon: *Third schedule I will read to you. It quite long. First sekali paragraph one..., shall make a comparison and check whether Form 13 have any arithmetic error. If there arithmetic error to a amend it and compare with the numbers of ballot paper. If there is no arithmetic error that means still got more ballot paper than proceed to number two.*

After the computer process it appears that there is more ballot paper in the ballot box. Then presiding officer shall order or what we call trucks to inspect the perforation one by one and exclude them if one there final perforation or another perforation.

Now, after all this is done, when the officer has extracted all the ballot paper in accordance with the paragraph two just now, He shall order the counting of works, fit to counting. So meaning any ballot papers with authentic or different corak atau tidak ada tindik is limited. Paragraph 3 moves on is He shall proceed to count. So what happen if there is a stew ballot of paper having same serial number or barcode?

Dato' Seri Mohd. Radzi Sheikh Ahmad: *No, no. Mr. Choon if you go slowly, the first step itself, you can eliminate the four steps. The first step, you go to perforation that will eliminate all the four steps already.*

Dr. Mohd. Hatta Md. Ramli: *Akan tetapi Yang Berhormat contention dia tadi into hour the can copy the perforation.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Ya, second round.*

Encik Steven Choon Shiau Yoon: *Not perforation can be eliminated by this process. But if you copy, meniru perforation you cannot eliminate it. So, it's only the serial number. But serial numbers it's not a required process, is it to eliminate it. Even so, meaning it there are two ballot papers having a same serial numbers, the KTM is compelled by the rule here, to know that and proceed to count. That's why I'm saying if you want to use is barcode and whatever legal 25.5 need another paragraph.*

Tuan Pengerusi: *I'm surprised the serial numbers is not mentioned there, perforation pula...*

Encik Steven Choon Shiau Yoon: *I can...*

Tuan Pengerusi: *Because the easy to be matching to serial numbers.*

Encik Steven Choon Shiau Yoon: *Ya, I like to think this why it happened that way because serial numbers was inserted only in May 2006. Before that there is no such thing as what we call serial numbers I believe. So, at that time you don't need the serial number...*

Tuan Pengerusi: *...We want to go to the serial number matching.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *I thought serial number on the ballot paper have been there since...*

Encik Steven Choon Shiau Yoon: *Long time that means overlooked for a long time.*

Tuan Pengerusi: *Okay.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *President numbers have been there for all this time except that before...*

Encik Steven Choon Shiau Yoon: *I invite that...*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *On to the...*

Tuan Pengerusi: *I think you can ...*

Encik Steven Choon Shiau Yoon: *This one I have additional procedure to... After removing ballot paper paring different tindik or different corak tindik atau tidak ada tindik then go to serial number.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Serial numbers is automatic. I mean you look through whether there are fouls papers there. Automatically you look to the serial number first. Don't have to spell it out.*

Encik Steven Choon Shiau Yoon: *Then what you take care the... Here I am not required to inspect them....*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Ya, but I have not come across. I have not come across and telling I'm not come across right where in the stream, in the saluran there are more ballot paper in the box.*

Encik Steven Choon Shiau Yoon: *What we recall, I will show you sample the score sheet and email to you. But if we want you to make any regulation, we must avoid all possibilities. We should ...*

Dr. Mohd. Hatta Md. Ramli: *What was the ...*

Tuan Pengerusi: *Saya mahu minta pihak SPR nanti. Ada penjelasan? Ya.*

Dato' Haji Noordin Che Ngah [Timbalan Setiausaha, Suruhanjaya Pilihan raya Malaysia]: Tuan Pengerusi, kalau kita baca dari segi amalan yang kita laksanakan hari ini dan juga selari dengan panduan yang kita buat, kertas undi boleh mula *counting*, mula dikira jika ia sama atau kurang daripada jumlah yang dikeluarkan. Kalau melebihi, kita kena balik kepada prosedur jadual yang ketiga belas tadi.

Cuma saya di sini, kalau kita baca dalam penjelasan Bahasa Malaysia Tuan Pengerusi, kita tengok di sini. Jika Ketua Tempat Mengundi berpuas hati bahawa bilangan kertas undi dalam peti undi itu tidak melebihi bilangan kertas undi yang telah dikeluarkan dengan sewajarnya di tempat mengundi, ia hendaklah memerintahkan supaya mengira. Oleh itu jika Ketua Tempat Mengundi mendapati bahawa tidak melebihi, baru dia arahkan.

Seorang Ahli: Kalau melebihi.

Dato' Haji Noordin Che Ngah: Tidak boleh, kena balik *one by one* macam disebutkan tadi kita kena *check* daripada mana dan sebagainya. Arah, kira jika KTM berpuas hati, dia tidak melebihi. Terima kasih Tuan Pengerusi.

Tuan Pengerusi: Tidak melebihi *so*, ertinya kalau melebihi, *stop and go to the procedure*. *But usually before they look out for the perforation, the first thing they look at will be matching of serial number because* senang nampak. Okey, ada pandangan lagi..., pihak YB-YB, puas hati?

Tuan Pengerusi: Mereka puas? Sudah lama puas.

Encik Steven Choon Shiau Yoon: Kalau boleh, saya ada satu atau dua isu saya hendak beri.

Tuan Pengerusi: Sila. *This is Syed, is it?* Tuan Syed.

3.43 ptg.

Encik Syed Hamid Ali [PKR Batu Pahat]: Syed Hamid *is my name*. *Assalamualaikum warahmatullahi wabarakaatuh*

Tuan Pengerusi: Oh Syed. *Still around and I think...*

Encik Syed Hamid Ali: *Yes, still...*

Tuan Pengerusi: *Welcome, welcome*. Sama sahaja dia punya muka. Okey, sila.

Encik Syed Hamid Ali: *Assalamualaikum warahmatullaahi wabarakatuh* Tuan Pengerusi. *Allow me to speak in Malay?*

Dato' Seri Mohd. Radzi Sheikh Ahmad: Okey.

Tuan Pengerusi: *In Malay-English*.

Encik Syed Hamid Ali: Lebih senang. Saya percaya Jawatankuasad sudah letih. Dua bulan, enam kali berturut-turut begini. Kami faham. Saya tidak berhasrat untuk menambah *point* lagi sebab saya rasa kalau enam 16 *point* yang dibentangkan oleh kami PKR Johor, tidak terkira yang di bentang oleh pihak-pihak lain.

■1545

Kalau dapat yang ini pun dipertimbangkan, bukan dipakai. Dipertimbangkan sahaja pun dengan baik dan sewajarnya, saya percaya proses penambahbaikan *election* ini, akan berlaku dengan lebih baik. Oleh sebab timbul masalahnya, satu ialah proses itu. Jadi, *mechanism* itu yang ingin dibaiki. Kalau kereta itu, mana-mana skrunya itu kita ketatkan sedikit, kalau kereta itu agaknya orang sudah tidak berapa berani hendak naik, dia rasa mungkin tayar itu sudah haus, ganti tayar itu. Itu satu seginya. Satu segi yang lain itu, ada benda-benda yang menyebabkan kadang-kadang kereta itu bukan sahaja tambah, baiki minyak, tukar minyak atau membaiki tayar. Akan tetapi kereta itu sendiri kalau orang sudah tidak mula yakin, orang tidak mahu naik. Catlah macam mana pun, orang tak mahu naik.

Jadi Tuan Pengerusi, minta maaf. Saya mungkin tidak mahu membentangkan lagi *point mechanism* yang disebutkan oleh banyak pihak tadi. Kalau diizinkan, saya cuma hendak membentangkan sedikit kebimbangan yang ada di kalangan orang-orang macam saya, khasnya anak-anak muda hari ini, yang mana kita mengharapkan mereka percaya kepada sistem pemilihan, sistem pilihan raya kita. Itu sebab kita hendak baiki. Oleh sebab kalau kita baiki macam mana pun kalau dia tidak percaya, tidak timbul macam soal *point ke-16* tadi, *public distrust*.

Ini bagi saya kalau boleh dipertimbangkan, diambil kira supaya menjadi satu *recommendation* kepada pihak yang berkenaan nanti, ini dipertimbangkan. Macam mana sistem pilihan raya yang ada hari ini boleh diubah, diperbaiki atau ditukar sekalipun kalau perlu sehingga dapat menimbulkan keyakinan di kalangan *public*, khasnya para pengundi kitalah. Khasnya anak-anak muda kita. Mengapa saya sebutkan begini? Saya percaya banyak juga pihak yang sekarang sudah mula merasakan dan saya sendiri merasa bimbang dengan *the eroding away*, pupusnya hakisan kepercayaan terhadap sistem pilihan raya kita.

Jadi apa sebabnya? Apa puncanya, bagaimana hendak baikinya, saya tidak tahu. Akan tetapi saya nampak gejala kurangnya percaya terhadap pilihan raya yang wujud pada hari ini. Sistem pilihan raya yang macam ini ada di kalangan anak-anak muda. Oleh sebab itu timbul..., *pressure* seperti *not* pilihan raya *but* jalan raya. Jadi, *through this* atau melalui sini saya hendak rekomenkan macam mana para bijaksana di sini, Jawatankuasa di sini boleh membentangkan, mencadangkan dan menaikkan cadangan-cadangan ini pada pihak yang berkenaan supaya menimbulkan keyakinan sahaja. Sebagaimana contoh yang saya katakan tadi, jangan tukar tayar sahaja, jangan cat sahaja, jangan *tighten the screw* sahaja akan tetapi macam mana supaya orang yakin untuk naik kereta itu sehingga sampai pada sesuatu matlamat, yang ini saya rasa lebih penting. Jadi, kalau kita buat sahaja macam begini, *well* nampak kosmetik memang cantik dan sebagainya. Penat, ada orang keletihan dan sebagainya. Banyak wang yang dibelanjakan akan tetapi apakah ini akan memberikan satu jaminan, kepercayaan, *public trust* di kalangan orang terhadap sistem pilihan raya itu sendiri.

Jadi, saya rasa *point* seperti macam mana hendak memperbaiki *mechanism* itu, macam mana hendak memperbaiki proses itu, *I believe so much has been said*. Saya percaya kalau semua ini dapat dipertimbangkan dengan baik, *which I trust this Committee will do likewise*, kita akan menghadapi masa depan yang baik terhadap pilihan raya ini. Akan tetapi kalau masalah ke-16, yang dibentangkan oleh kertas ini tadi, *public trust* itu tadi tidak dapat. Macam mana cara? *I am sorry, I cannot make any recommendation here but there is this feeling* di kalangan banyak pihak. Walaupun jumlahnya kecil akan tetapi kita harus mengambil kira.

Saya percaya *through this kind of recommendation, very general recommendation*, saya percaya pihak Jawatankuasa ini akan dapat menekankan sedikit soal-soal begini, *as to how* kita dapat meyakinkan jumlah terbanyak, meyakinkan jumlah muda khususnya supaya yakin pada sistem pilihan raya yang ada pada hari ini. Kalau tidak *I am sorry to say...*

Tuan Pengerusi: Tuan Syed, *thank you for your input and comment*. Saya rasa memang ada isi juga itu. *I think* soal keyakinan memang ada ruang untuk diperbaiki tetapi kalau kita ukur itu dari segi *turnout our general election which is almost 70% averaging*. Keseluruhan 68.75%, *compared to many of the developed country as Australia below 50%*. *I think* keyakinan *is there but there is a great desire for improvement in there*. Kalaulah tidak hendak yakin *then I think they might not come out to vote*. So, *while you are stressing the point, definitely there is a room for improvement. I think the trust in the system is there but a concern that we need to do better than what we are is definitely on*.

Encik Syed Hamid Ali: *Precisely, precisely. So, let us not make any comparison with* yang 50% ke bawah itu.

Tuan Pengerusi: Ya, okeylah.

Encik Syed Hamid Ali: *We always need to look ahead. Make comparison* dengan yang lebih maju, bukan yang lebih mundur daripada kita. *Thank you very much*.

Tuan Pengerusi: Ya, okey. Ahli-ahli Yang Berhormat ada lagi? Yes, ada lagi sebelah sana? *We last...*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Anybody else? Yes, please*.

Tuan Pengerusi: Mr Liew...

3.51 ptg.

Encik Liew Voon Chew [Saksi, Parti Keadilan Rakyat]: *Just for information, I am Liew Voon Chew. I remember during the by-election in the Hulu Selangor last two years ago, the counted number – ones of the pengundi darat, it happened that counted number is more than the... paper issue. I think my Yang Berhormat, Tuan Mohamed Azmin Ali should be remembered this. It happens that – I try to remind all of us*.

Tuan Pengerusi: *Maybe we can trace that, do you want?... [Disampuk]* Tidak ada. Biasanya kalau wakil calon kita atau agen kita, *they will not want to go home unless we sorted out but I am aware there is in one published report* yang di bawa juga di Kuching itu. *But I think that is statically wrong. I mean* yang penerbitan itu salah, yang mana *issued number, the votes counted more than the issued number but I think it is a – print, one of the saksi came.* Tulis silap *I think because otherwise... Usually* kalau kita punya *polling agent, it does not matter from which party, a lot of the case* seperti begitu, *you would not want to go home.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *The counting agent,* dia untuk hendak isikan Borang 14. Keputusan pilihan raya itu diisikan dalam Borang 14. Jadi, *the counting agent of the party will never sign* Borang 14 kalau didapati bahawa kertas itu lebih. *I am sure, I am sure...*

Encik Steven Choon Shiau Yoon: Tuan Pengerusi, saya setuju...

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Unless your counting agent, their simply cannot be trusted, just sign* sahaja.

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

Encik Steven Choon Shiau Yoon: Apa yang kita mesti faham, memang kita dan semua parti berharap pada PRU ke-13 semua ada cukup petugas, sedia cukup petugas akan tetapi kita mesti pandang dari segi sejarah. Sejarah banyak calon tidak cukup petugas untuk ditempatkan di tiap-tiap saluran. Akan tetapi Tuan Pengerusi, *you said the problem is you have to take... If the procedure said that even if there is more pallet paper inside the ballot box, KTM can proceed then it is not a fair system because that third place does not have polling agent or counting agent. The system must be fair. So, even there is no polling agent, the system will be seen to be fair. That is what I hope you are here for. The system must be seen to be fair and the rule must seen to be fair that it just like in the developed world, no one need to appoint any polling agent or counting agent because the system is fair. Everyone trusts the system. So, if you have reached that stage then we do not have to waste resource...*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Because...*

Encik Steven Choon Shiau Yoon: *Because a lot of people have to take leave – the polling agent and counting agent.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: Mr. Steven Choon *if I may read* jadual ketiga ini, dia *step-by-step* sampai ke akhir sekali disebut begini *in Malay.* Dia kata “*Apabila Ketua Tempat Mengundi telah mengeluarkan kertas undi mengikut perenggan 2, mengeluarkan yang lebih itulah dalam jadual ini, dia hendaklah memerintahkan supaya pengiraan itu dijalankan*”. *In other word, after he has taken out everything, extra* barulah dia boleh mengeluarkan perintah menjalankan undi. Itu sahajalah, *because... [Disampuk]*

Tuan Pengerusi: Jika...

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Is there...*

Tuan Pengerusi: *Everyone is clear then we have to clarify.*

Encik Steven Choon Shiau Yoon: *...For the last..*

Tuan Pengerusi: *Yes, yes.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *We will discuss among ourselves. If we feel that it is not sufficient, ia tidak kuat. Kita akan mengukuhkan lagi. Don't worry.*

Encik Steven Choon Shiau Yoon: *That is what we hope.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Because I am very surprise that you come out with a thing I have never heard of a stream where there are extra kertas. I have been contesting since 1982, long time in 30 years. I have not come across once...*

Encik Steven Choon Shiau Yoon: *You have not comes across part – I am not saying it is rampant...*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *But anyway...*

Tuan Pengerusi: *It can happen, it can happen.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *You will make sure it is...*

Tuan Pengerusi: *Definitely. It can happen and we want the guidelines to be clear so nobody is confused.*

Encik Steven Choon Shiau Yoon: *...Will happen. So, basically I am saying our system must be fair just in case that what happen if that constituency majority is 100 votes and it happen in that constituency one ballot box have additional 150 votes then our party doubts the isi, doubt this person, doubt that person. So, if we put it properly...*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Because it is easy to say that sort of thing, you know. What happen if this thing – dia ada lebih sepuluhkah but never. Has never happened, itu yang susah but whatever it is...*

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

Tan Sri Datuk Seri Dr. Fong Chan Onn: *In that sort of situation, the election result would not be announced until there are investigation. That is my experience, even if there is excess of one vote, the Returning Officer would not announce it because it is subjected to challenge. It is so easy to challenge, the losing side will challenge it.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Even the wining side.*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *Even the wining side would not want to accept it.*

Encik Steven Choon Shiau Yoon: *I thought there is one election results, I cant remember, the constituency is in the northern state. The Returning Officer go ahead to announce the winner despite strong protests. So, the losing party got no choice but to filed, the PAS candidate had to file an election petition.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *It was in Sanglang, where the Returning Officer by mistake, wrote... [Disampuk]*

Katalah 'A' dapat 120, 'B' dapat 130. Dia letak 'A' dapat 130 dan 'B' dapat 120, *reverse*. So, when there was objection because... he said, "I have no power to make an amendment." This is quite true. So, he left it like that and announces 'B' the winner when in fact 'A' was the winner. So, it went to court, of course it was the...

Encik Steven Choon Shiau Yoon: Thank you for saying that. You see KTM ours faithfully... I call it faithfully... They say "there, they do."

So, if your regulations do not compel them, they would not do then you have situation like that. That is why – make it clear, if there is things that need to toss, spell it out.

Tuan Pengerusi: ...In SPR does not rise anymore. They have made it. There is a power to amend if it is – I mean the factual, dia salah masuk kolum sahaja pada waktu itu.

Seorang Ahli: Salah masuk kolum.

Tuan Pengerusi: Akan tetapi you should give the guideline in such a way that I notice some exist, witness by the agent that he can make the necessary correction. I will pick the form and refer back to this. Tidak perlu mahu pergi mahkamah, wasting time to go to mahkamah. So, I think maybe some of this minor but crucial.

Encik Steven Choon Shiau Yoon: [Bercakap tanpa menggunakan pembesar suara]

Tuan Pengerusi: Ya, ya. Okay, we understood. Terima kasih banyak-banyak, we benefited from your inputs, it almost one hour and to the whole team - saudara Steven, Saudara Liow, Tuan Syed dan Encik Saadon. Thank you very much. Okey, Ahli-ahli Yang Berhormat, kita ada dua lagi individu pada hari ini.

Saya menjemput Encik Wong Piang Yow. I think we have seen him dua, tiga kali but we give him another ten minutes, mana tahu ada hal baru lagi.

Okay knock, knock, knock! Where are you Encik Wong?..

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

4.01 ptg.

Tuan Pengerusi: Okay, we have seen you so many times. Enter Encik Wong. Ya, Encik Wong okay we see you again here.

Tan Sri Datuk Seri Dr. Fong Chan Onn: Encik Wong I saw you this afternoon you said that you won't come. I met you this afternoon.

Tuan Pengerusi: Okey Encik Wong, welcome to Johor Bahru, on behalf of local committee in public hearing in Johor Bahru.

Tan Sri Datuk Seri Dr. Fong Chan Onn: How come you didn't join us in Kota Bahru? We miss you, we are so free.

Tuan Pengerusi: *Okay, thank you Encik Wong although we heard of you so many times. We want to hear something new not repetition. Can I give you starting five minutes and see how you go from there.*

Encik Wong Piang Yow [Individu]: *Basically this is the last hearing and I think this is very-very important hearing that I hope that I have some opportunity to offer suggestion and ideas to the Parliamentary Select Committee on Electoral Reform. The first recommendations are very important to the nation and the committee has a historic opportunity to make a difference to help moved democracy forward. Please don't let this chance slipped away.*

And part of movement known as Tindak Malaysia there's going around the country training thousand of people on voter education and to be polling agent. Its part of our community service to society. In our training we tell the participants that their free to serve any candidate. So we don't tell them which party they have to serve. Many request that they promote free and fair election.

Along the way, we get to listen to their feedback gather their experience and feeling on how elections are conducted. Generally it has been quite negative. Our recommendations are based on such feedback. We are here to help the PSC by offering observations, identify problems and proposed solutions and it hope it will be adopted in that spirit. Although sometime it may sound we are criticizing some people it is actually based on feedback. We try to cool it down to as we go along. Basically we have to see independence SPR which can conduct election freely and fairly in a way that earns public confidence in that institution so I like to start it up with preamble the role of the PSC. We considered the PSC has made up of MP's appointed by the Cabinet to seek public opinion on electoral reform.

Tuan Pengerusi: *We are appointed by the Parliament.*

Encik Wong Piang Yow: *Oh Parliament sorry. To make recommendations based on such feedback. We are therefore very troubled to see proposal such a doing a way with serial number for ballot paper which does not seem to gel with public opinion. Based on our training of the public and their feedback, their almost without exceptions against such a proposal. Even in the rural area such as Sabah, Sarawak and Kelantan. So, it's not correct to claim that the rural voters are scared to vote freely because of the serial number. Our experience doesn't seem to indicate that.*

When we trained the voters and the polling agent about randomizing the ballot paper, they were extremely happy with that and said yes they are confident with this procedure that it is secret. During the hearing in Kota Kinabalu, Tuan Syeikh Radzi even proposed renewal the ballot paper for the whole book and put in the box and it is a wonderful proposal. Everybody when they heard that they like it very much. So we hope that the serial number will be return.

Indelible ink we understand they have talked about Bar Council has approved the sample of valet ink submitted. May I ask how many samples were submitted and approved? We hope during elections we don't hear excuses that it is only one type approve and we had to pay whatever price that is demanded by the supplier.

PSC recommendations and feedback on the PSC recommendations, we hope that we can continue to the forward feedback to the PSC even though this is the last public hearing because we continue with training the public and we continue to get feedback. We also hope that the PSC will make public their final recommendations for public comments and consideration before tabling to Parliament.

Tuan Pengerusi: *Yes, continue.*

Encik Wong Piang Yow: *We hope that the PSC will covered this seven brought area in their final recommendations their composition of the PSC members, senior administrative staff, Returning Officers and presiding officers. Voter role integrity, re-delineation and mal-apportionment, reviews of the Election Laws and Regulations, conduct of election and Independent Commission of Inquiry, postal advance voting. By it is not in the written submission I will email this to the PSC separately later.*

Composition of SPR members of Senior Administrative Staff, Returning Officers and Presiding Officers such members should come from civil society and have no link or previous or current employment with governments or political party.

Voter role integrity - The SPR should clean it up through active engagement with the public and political parties. They should encourage the public rather than placed administrative obstacle such a punitive chargers to report any over side in the preparation of the voter roles and there should not be any time limit to objection, except during the solutions of Parliament.

Re-delineation and mal-apportionment - The paper by Associate Professor Tay Tsun Hung in the CD submitted to the PSC has describe in rate detail the reason why such practices has gone for so long so must so that's less than 1.85 million voters can decide who wins in the smallest 112 Parliamentary seat in GE 12. That is less than 17% of voter population. We have situation where Kapar the largest seat and the smallest seat in Putrajaya. By any measure this priority is very extreme. We hope to see a recommendation by PSC that the constitution be amended to aim for one person one vote of equal value by 2015. After all we are aiming for develop nation status let us also has the develop nations status quality in our election procedure such that by 99% of the Parliamentary seat should for within the band of 95% and 105% of the national average. Within the state, 99% of the state's seat shall fall within a band of 95% to 105% of the state average.

The elections laws and regulations should be amended the suit. Example, Election Offences Act section 40 you can see that in the Law Book page 60 it says votes to be struck off at a scrutiny. This cannot work if voting is secret. The judge...

Tuan Pengerusi: *Mr. Wong, you reading a different paper from what you give us.*

Encik Wong Piang Yow: *Because this is preamble...*

Tuan Pengerusi: *Oh preamble only. Okey mahu cepat sikitlah.*

Encik Wong Piang Yow: *Okey boleh. I will email to PSC separately.*

Tuan Pengerusi: *Mahu cepat banyak.*

Encik Wong Piang Yow: *This is quite light the... Okey boleh, boleh.*

Tuan Pengerusi: *The advisory we should value but sudah masuk otaklah.*

Encik Wong Piang Yow: *In that case I will skip now direct to the key points. Allow me to go to the return submission. Make-up the Election Commission, I touch on that generally and in the paper I quoted the constitution clauses that applies to it and also suggested some changes to Article 114 (2) this is on the page two of submission towards the bottom.*

Article 114(2) Constitution of Election Commission shall be amended to read: In appointing members of the Election Commission the Yang di-Pertuan Agong shall regard to the importance of securing an Election Commission which shall conduct elections in a free and fair manner, and is independent of the Administration of the Government. Bearing in mind the importance of appointing an Independent Election Commission that enjoys public confidence and a separation of power between the Election Commission and the Administration of the Government, all future appointments shall be drawn from members of civil society who have no previous service in the government, government-linked companies nor should they be members of any political party.

The present Election Commission I am sorry to say, does not performed in a way commands public confidence as attested by the fact that BERSIH 2.0 had to carry out a public protest on 9th July 2011 and the fact that Parliament had to set up Parliamentary Select Committee on Electoral Reform in response. The present Election Commission and all the officers identified in the Election Act 1958) and the Election Commission Act 1957) shall be replaced with members of civil society as described above, before the next general election, to enable financially-independent... [Gangguan sistem rakaman]

Tuan Pengerusi: *What happen? I think even the microphone had enough maybe you know. [Ketawa]*

Encik Wong Piang Yow: *[Bercakap tanpa menggunakan pembesar suara]*

Tuan Pengerusi: *Okay I know your voice has strong enough Mr. Wong. Sila, sila.*

Encik Wong Piang Yow: *...All selection of the Law and Regulations that constrain the power of the Election Commission to prosecute any violation of the Election Offences Act shall be removed, in particular those that require the sanction of the Public Prosecutor. Members of the Election Commission and their officers shall not enjoy legal immunity in their actions where it is seen that their actions appear to be a violation of their duties.*

Election Officers and Presiding Officers come from civil society. In our training of civil society conducted across the country, we keep receiving complaints of biased actions by the Returning Officers and Presiding Officers during elections. As can be seen in the Report of the 12th General Elections prepared by the Election Commission Malaysia, Tables 4.3 and 4.4, you can refer the appendix; all these officers are drawn from the civil service or local councils. There is inherently a conflict of interest as such personnel will be seen to be beholden to political parties.

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To avoid such problems in future, we propose that all such officers appointed during an election be drawn from civil society as described in the 1st paragraph of this proposal. As shown in table 4.2, there are 2,459 election officers and more than 21,164 presiding officers employed during the 12th General Elections. The Elections Commission should start identifying and selecting such people and train them in preparation for the coming 13th General Election which is due by March 2013.

Number three, Independent Commission of Enquiry. We propose that an Independent Commission of Enquiry (ICE) be set up to investigate malpractices by the Elections Commission and also objections to the voter rules. The ICE shall be appointed by the Yang Dipertuan Agong and made up of reputable and knowledgeable persons from civil society recommended by the Bar Council and NGOs with interests in election.

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

Encik Wong Piang Yow: *[Gangguan sistem rakaman]*

Tuan Pengerusi: *What else in future?*

Encik Wong Piang Yow: *In future...*

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

Encik Wong Piang Yow: *We hope that we would not commit non-partisans, but we should hope to see that there should be a provision or an investigation.*

Tuan Pengerusi: *Okey.*

Encik Wong Piang Yow: *Number four, polling station layout. We have seen layout put up to cater for indelible ink. Apparently there are four pots in the polling station, is it correct Mr. Chairman, four pots?*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Yes.*

Encik Wong Piang Yow: *We would like to suggest a proposal that will help to save a bit of money there, retain the four pots.*

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

Encik Wong Piang Yow: *Taking into consideration the introduction of indelible ink and the need for polling agents to be able to observe the voter closely before he is issued with a ballot paper, we propose the layout of the polling station below. You can see that on the next page. At the ballot marking counter, we propose that the screen be set 12 inches high.*

Tuan Pengerusi: *We have already take note in last months suggestion. In the layout, in the— but, you still want to further make inputs.*

Encik Wong Piang Yow: *Okay. Fair enough. It is just that we like to make a proposal, it is up to the PSC to decide whether they wish to accept or not. In this present proposal we believe there are certain advantages.*

You have two clerks at one side with provision for polling agents at the back. Clerk number two, only tear and perforates the ballot paper. Clerk number three will supervise the application of the indelible ink after the voter has mark and drop the ballot paper in the ballot box.

Tuan Pengerusi: *We don't setuju that one, he must be marked before he vote, otherwise a voter doesn't want to be marked, just walked out.*

Encik Wong Piang Yow: *Anyway, this is our suggestion. The other things is that we would like to propose that the screen be rotated 180 degrees to allow the polling agents follow the ballot paper from the time the voter receives it until the time he drops it into the ballot box.*

Tuan Pengerusi: *Now, it is actually facing them as they come in. Dahulu remember, you are complaining they are facing only the buttocks, now you are saying they face it to come in, we are on the side all the way, decide.*

Encik Wong Piang Yow: *Tuan Pengerusi, the idea of being able to see the face of the voter is be able to compare his face with the MyKad.*

Tuan Pengerusi: *Sure, sure.*

Encik Wong Piang Yow: *It is not to see him walking in, doesn't really make that much different because when I'm the polling agent in old arrangement, I could see the voter coming in, that is not an issue. The issue is to be able to inspect the voter, compare his face with the MyKad. That is the issue.*

Tuan Pengerusi: *Of course, but in the districts, they know most everybody there. So, any foreigner that comes in, first thing is to see their face because the next one is to see the MyKad, but I think we can further enhance that.*

Encik Wong Piang Yow: *Yes Tuan Pengerusi, I hope you can reconsider that point because it is not necessary that every local will be the polling agents. For example, from the Sarawak elections, there are so many requests for orang Semenanjung pergi ke sana untuk mereka membantu mereka. Dahulu they say, orang Semenanjung jangan datang. Now they says, "Orang Semenanjung, sila datang" membantu mereka. So, looks like the last election has changed a lot of attitudes.*

Tuan Pengerusi: *Okay, move on.*

Encik Wong Piang Yow: *Number five - Form 13, statement of ballot paper. Yang Berhormat Dato' Seri Mohd. Radzi had mentioned about a new form being issued by the SPR. I have gone to Putrajaya to look at the form and obtain a copy, there is some improvement, but it does not go far enough. So, we are proposing two forms in place of one form, one extra form, but actually there is no extra form because, if you refer to page six, page six is the form to be used before polling. It has both statement of the ballot paper and a sample of the perforation.*

The old form does not provide for such perforations. Now, the perforations are important to determine the validity of a ballot paper. Therefore, a sample should be provided to every Polling Agent before polling starts. That this form— well, there are two papers, but last time there was no provision for Borang SPR 753. I'm sure there are many ways we can save money, like the RM2.4 million spent on the indelible ink. The Borang 753 for the contoh corak penindik should be issued to the polling agents. It is only issued the postal polling agents. I think for good practice it should also be issued to the normal polling agents. So, to incorporate that and to save the government's money, we have put Form 13, part 'A' and Borang 753 inside one form.

So Tuan Pengerusi, the governments have not incurred extra cost. They are actually helping the government to save money. Here, it provides for the presiding officer to sign on this statement and to issue copies to every polling agents or election agents as the case maybe. I think this is important for inventory control. The ballot paper, when it is received, should be properly acknowledge and recorded. So, there is no dispute during counting. Then the next page seven, Form 13.2 is the Penyata Penutupan Kertas Undi, that means, the ballot paper to be prepared after closed of polling. Here I have modified slightly in the row 'B', 'C' and 'D' to make it more straightforward for the polling agents. The previous arrangement was a little bit confusing. So, you will see that in 'B' - lets say row 'E', item 'E' is very simple. Item 'B', minus item 'C', this is a little simpler and more intuitive compared with the old formula. Basically, it follows, reflects quite closely the new form prepared by the SPR except that we have broken it in two forms and incorporated the Borang 753.

Tuan Pengerusi: *Ya, nanti telitikanlah dan kalau masih ada improvement yang menyenangkan semua pihak dan menambahbaikkan, we are open. Okey Mr. Wong, anything final word from you.*

Encik Wong Piang Yow: *If you allow me to run through my preamble again, I take two minutes only.*

Tuan Pengerusi: *Ya, maybe it should be your conclusion rather than preamble.*

Encik Wong Piang Yow: *Ya, this is conclusion on that.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *You don't have Borang 14, Mr. Wong?*

Encik Wong Piang Yow: *Sorry.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *You don't have Borang 14, no more?*

Encik Wong Piang Yow: *[Bercakap tanpa menggunakan pembesar suara]*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *So, you are saying you have dua Borang 13.*

Encik Wong Piang Yow: *We are not proposing any change to Borang 14, Borang 14 is fine.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Okey, dua Borang 13 dan satu Borang 14.*

Encik Wong Piang Yow: *Ya, ya, ya.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Okey.*

Encik Wong Piang Yow: *Borang 14 is side by side except that many officers don't want to issue it, that was the issue.*

Tuan Pengerusi: *Ya, now it is compulsory, but your polling agents must ask for it also. Sometimes they go home without it, sudah kalah besar, pulang dia- selepas itu baru complain. Tidak boleh juga. Okey, last few words from you, thank you.*

Encik Wong Piang Yow: *Last, few words. Let me run back to what I wanted to speak about in the general overview. The election laws and recommendation, if you refer to Election Offences Act, section 40, in the law book. It is on page 60, it says, words to strike off at a scrutiny. The judge cannot strike off a vote if they cannot identify who is the voter. If the voter is secret, it is not possible to identify the ballot paper. So, section 40 should be strike off. The PSC has made it mandatory that the second schedule of the Conduct of Elections, in law book, page 171. Only an 'X' in the box provided decides the candidate that is the only valid ballot paper. I think that is a very-very good decision and I congratulate the PSC. I would suggest that section 41 of the Elections Offences Act is in conflict with the second schedule and it should be removing to avoid ambiguity. Because, section 41 says that the decision of the presiding officer is final, he cannot be given the power to overwrite.*

Tuan Pengerusi: *This particular recommendation, SPR has requested to KIV and there were feedback from the public that, just any clear sign or indication of preference and intention. But, we are trying to limit the scope rather than having up to 7/10 yang boleh reduce it. So, our stand remains, but the process implementation is still being discussed.*

Encik Wong Piang Yow: *Tuan Pengerusi...*

Tuan Pengerusi: *What you are saying that, if you take that one and there are consequential amendment, is it?*

Encik Wong Piang Yow: *Tuan Pengerusi, we have also got feedbacks on the recommendations by the public on the PSC proposals and almost universally the public likes that one. Because, it is clear, very clear cut. Let me give a suggestion, you can put right in front of the ballot marking screen, the procedure on what is a valid ballot paper.*

There is a requirement, if a voter look at that requirement, decides not to fulfill the requirement, that means he has make the decision not to vote for a particular candidate. It is very simple, very clear cut. It makes the counting so much easier, you can dispense with the buku undi ragu, most of it. Why make a simple thing complicated.

Tuan Pengerusi: *Thank you for the feedback. You did a survey or something?*

Encik Wong Piang Yow: *We have trained thousands of people, whenever we trained people, we also tell them what to expect, what is coming.*

Tuan Pengerusi: *Ya.*

Encik Wong Piang Yow: *These are the things that you told. They loved it. It is so simple.*

Tuan Pengerusi: *Simple cross.*

Encik Wong Piang Yow: *So simple.*

Tuan Pengerusi: *Okay we will continue...*

Encik Wong Piang Yow: *Okay.*

Tuan Pengerusi: *...To discuss this with SPR.*

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Encik Wong Piang Yow: *An Independent Commission of Enquiry to be set up to hear complaints about SPR and objection to the voter rolls. Registrar of elector from the SPR will not be able to listen to the public complaints about the SPR without some perceptions of bias on dispute. They recognize that human make mistakes. We are not saying that isn't in malpractices in a preparation of the voter rolls but all human being make mistake. It should be reviewed by an independent...*

Tuan Pengerusi: *Okay.*

Encik Wong Piang Yow: *Postal and polling – this is my final point. These are covered currently by others, so we won't go into that. We hope to see preparations to train civil society to act as independent polling agents or any candidates that request their help in overseas centre. Obviously, it is not possible to have Polling Agent to representing every single candidate in the general elections, I think as a matter of practicality, the SPR will need independent polling agent to act for anybody that requests their help. Otherwise, I can see that during advance polling, there will be a lot of implementation problems. Thank you.*

Tuan Pengerusi: *Okay Mr. Wong, thank you so much. I know you have been very loyal to the task of the committee. You have followed us to the KK and followed us to Sarawak and everywhere until on cost you used to tell me. When we cut your time, you tell me that you paid your own air fare to come, so some members of the committee said "Hey, him again", but I said never mind. When they set up the academy one day, mudah-mudahan people like you can be useful people to – you know.*

Encik Wong Piang Yow: *In that way, we feel that the public should take part in the electoral process. I think that is very important. For too long we have left it to politician.*

Tuan Pengerusi: *Nothing wrong with the politicians but...*

Encik Wong Piang Yow: *Well, they... Things when dealing with human being, power-corrupts, absolute power-corrupts, absolutely. Therefore, it is important that civil society should have a role to help politicians to stay honest.*

Tuan Pengerusi: *Thank you very much. That's good conclusions. Thank you for all the inputs. Baiklah tuan-tuan dan puan-puan, the public hearing is finish but... [Disampuk] Yes, yes, finish already. Mr. Wong for the moment...*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *We are finish Mr. Wong, and no more?*

Wong Piang Yow: *Do you have any questions to ask me? No consultancy fee... [Ketawa]*

Tuan Pengerusi: *We really genuinely want to say thank you very much for your inputs, all are very positive. You meant well. If that is the representative of typical civil society, then I think half of the works is done with us. Thank you, Mr. Wong.*

Okay, last for today is Encik Husain bin Mahmood, seorang individu. Dijemput.

[Saksi individu (Encik Husain bin Mahmood) mengambil tempat di depan Jawatankuasa]

4.33 ptg.

Tuan Pengerusi: Sila Encik Husain bin Mahmood, mungkin boleh berikan keterangan sedikit mengenai latar belakang ataupun *associations*. Ini adalah Mesyuarat Parlimen dalam peringkat Jawatankuasadan kami sedang mencari – perkataan *keywords* nya ialah 'penambahbaikan', and dijemput 5 hingga 10 minit, boleh?

Encik Husain bin Mahmood [Saksi Individu]: Terima kasih Yang Berhormat Tuan Pengerusi dan Yang Berhormat Ahli-ahli JawatankuasaPSC yang saya hormati. Terlebih dahulu izinkan saya menyatakan penghargaan saya kepada Jawatankuasaini dan saya ingin memperkenalkan diri saya terlebih dahulu.

Saya datang sebagai individu yang ingin memberikan idea mengenai penambahbaikan sistem pilihan raya di Malaysia, dan untuk pengetahuan Tuan Pengerusi dan tuan-tuan, puan-puan, saya ialah pensyarah Pengajian Malaysia di Universiti Teknologi Malaysia, Skudai, Johor. Izinkan saya menyebutkan di sini mengapa bekas pensyarah saya, guru saya, Tan Sri Dr. Fong Chan Onn... Saya pernah menghadiri kelas Prof. di Universiti Malaya dahulu dan sebagai murid, adalah wajib saya menyapa Prof. selaku guru saya dalam Dewan ini. Jadi latar belakang saya ialah saya memegang beberapa jawatan Pengerusi PIBG dan ada kalanya dua tiga buah sekolah serentak, sangat aktif dalam NGO dan menganggotai Jawatankuasapenduduk dan mempunyai hubungan yang rapat dengan masyarakat setempat seperti Skudai dan Senai di mana saya tinggal.

Tuan Pengerusi: Di Sabah itu di daerah Tenom, bila dia dengar begitu, semua *qualifications* kita dia kata, “Main kah itu langu? Main kah itu uncle? Main kah itu auntie?” Dia bilang... [Ketawa] Ini pujian.

Encik Husain bin Mahmood: Terima kasih Tuan Pengerusi. Saya ingin memberi cadangan-cadangan berikut ke arah penambahbaikan proses pilihan raya di Malaysia yang mungkin berbeza sedikit berbanding dengan cadangan-cadangan yang terdahulu dan mungkin ada kelucuan sedikit. Walau bagaimanapun, ia adalah berasas berdasarkan pandangan saya dan rakan-rakan. Akan tetapi saya ingin memberitahu tuan-tuan dan puan-puan, pandangan saya ini tidak mewakili organisasi di mana saya berkhidmat, ia hanya mewakili diri saya sendiri.

Pertama, calon pilihan raya. Pada masa ini, pegawai bergaji tetap seperti pegawai kerajaan dan swasta tidak dibolehkan bertanding sebagai calon dalam pilihan raya melainkan perlu meletakkan jawatan terlebih dahulu. Walaupun peraturan ini mempunyai tujuan tersendiri, ia perlu dipinda kerana ia telah menyekat pegawai awam dan swasta yang berbakat dan berkebolehan daripada menjadi wakil rakyat atau ahli badan perundangan sedangkan Dewan Rakyat dan Dewan Undangan Negeri memerlukan warganegara yang bercirikan sedemikian – berbakat, berkeupayaan, berpendidikan dan sebagainya.

Untuk mengatasi masalah ini, pegawai awam tidak perlu meletak jawatan terlebih dahulu untuk menyertai pilihan raya. Mereka boleh diberikan cuti pada kadar tertentu, misalnya selama sebulan atau dua bulan bermula pada hari penamaan calon. Peletakan jawatan secara automatik akan berkuat kuasa serta-merta jika mereka memenangi mana-mana kerusi pilihan raya tanpa kehilangan faedah pencen dan sebagainya sebagai penjawat awam kerana telah menjayakan proses pilihan raya negara. Mereka yang kalah boleh kembali bertugas seperti biasa dalam perkhidmatan awam sesuai dengan mobiliti perkhidmatan awam dalam SBPA. Selama ini...

Tuan Pengerusi: Semua di sini memang layak itu. Turun sahaja padang, jadi calon.

Encik Husain bin Mahmood: Mungkin. Selama ini pegawai awam yang berkebolehan dan berpengalaman luas dalam perkhidmatan masyarakat dan NGO berdepan risiko besar kerana perlu meletak jawatan terlebih dahulu semata-mata mahu menawarkan diri berkhidmat kepada rakyat untuk menjadi ahli dewan perundangan dengan kehilangan segala-galanya – gaji, pencen, dan sebagainya, sedangkan mereka mahu berkhidmat. Jadi ini adalah *out of the box thing* yang boleh JawatankuasaPSC fikirkan. Cuma...

Tuan Loke Siew Fook: Minta maaf, cuma hendak betulkan. Saya rasa pegawai swasta tidak terlibat. Pegawai swasta dibenarkan, tidak ada masalah.

Encik Husain bin Mahmood: Mungkin lah. Saya tidak pasti, tetapi bergaji tetap...

Tuan Loke Siew Fook: Pegawai swasta tidak ada masalah, hanya pegawai awam.

Encik Husain bin Mahmood: Cuma kawan-kawan saya ada beritahu saya, dia baca ini dia kata kalau boleh beritahu panel PSC, gaji dan pendapatan ADUN biarlah jangan kurang daripada RM15,000 sebulan kerana pegawai gred 1-6, pendapatannya dalam SBPA ialah RM14,000. Bagaimana kita mahu menarik pegawai-pegawai awam yang berkebolehan untuk menjadi ahli legislatif? Kemudian Ahli-ahli Parlimen, biarlah berpendapatan JUSA 'C' ke atas, kata kawan-kawan saya. Itu saya tidak mahu ulaslah. Jika saya...

Tuan Pengerusi: Ahli-ahli Yang Berhormat memang dia sokong itu.

Encik Husain bin Mahmood: Walaupun ini agak lucu, tetapi jika saya ditawarkan jadi ADUN berpendapatan RM5,000, saya memang tidak akan terjun dalam politik.

Tuan Pengerusi: Di sebelah pulau sana itu, Ahli Parlimen dia adalah RM60,000.

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

Encik Husain bin Mahmood: Mungkin ahli-ahli panel PSC boleh melihat perkara ini.

Kedua, pilihan raya kecil. Pilihan raya kecil kerap diadakan selepas pilihan raya umum kerana kematian jawatan wakil rakyat. Jika diperhalusi dengan lebih lanjut, ia merugikan rakyat dan negara sendiri kerana semata-mata untuk menjayakan demokrasi dan pilihan raya atas alasan demokrasi, negara terpaksa membelanjakan jutaan ringgit setiap kali pilihan raya kecil sedangkan sumber tersebut adalah terhad dan sepatutnya digunakan untuk faedah kemajuan hidup rakyat dan pembangunan negara seperti pembasmian kemiskinan. Menggunakan sumber-sumber negara dengan cekap juga adalah sebahagian daripada kejayaan proses demokrasi, tidak hanya terhad kepada pilihan raya. Oleh itu, dicadangkan tiada pilihan raya kecil selepas pilihan raya umum dalam keadaan berikut:

- (i) jika wakil rakyat yang meninggal itu bertanding dengan mewakili parti politik, maka parti politik tersebut bolehlah menamakan seorang wakil rakyat baru untuk menggantikan wakil rakyat yang meninggal dunia dan tidak perlu mengadakan pilihan raya kecil yang hiruk pikuk yang semua orang jadi keliru. Contoh, apabila seorang wakil rakyat DUN Manik Urai yang mewakili PAS meninggal, eloklah peraturan dipinda yang mana PAS boleh menamakan wakil rakyat baru. Itu sahaja. Kita tidak perlu menghabiskan jutaan ringgit;...

Tuan Pengerusi: Itu bakal meninggal itu tidak boleh menamakan sesiapa?... *[Ketawa]*

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

Encik Husain bin Mahmood: Ini kalau diterima selepas PRU ke-13. Kalau di Hulu Selangor dahulu, wakil rakyat yang meninggal adalah PKR, maksudnya PKR boleh menamakan. Minta maaf Yang Berhormat P. Kamalanathan. Ini selepas PRU ke-13.

- (ii) jika wakil rakyat itu meletak jawatan, sama ada calon berparti atau calon bebas, maka secara automatik calon yang kedua mendapat undi terbanyak ditawarkan sebagai wakil rakyat. Jika calon tersebut juga menolak atau telah meninggal dunia, tawaran boleh diberikan kepada calon ketiga dan seterusnya. Jika semuanya menolak, maka barulah pilihan raya kecil diadakan. Dalam konteks ini, benar-benar perlu barulah pilihan raya kecil diadakan; dan
- (iii) jika sesuatu kerusi itu dimenangi secara tanpa bertanding dan wakil rakyat tersebut meninggal dunia atau meletakkan jawatan, maka barulah pilihan raya kecil diadakan.

Jadi kita mengelakkan jutaan wang yang sepatutnya buat *fly-over*, jalan raya pembasmi kemiskinan digunakan secara membazir.

Tan Sri Datuk Seri Dr. Fong Chan Onn: Saudara Husain, dalam keadaan di mana seorang calon yang dipilih keluar dari parti yang asal dan kemudian masuk ke parti yang lain, jadi dalam keadaan itu, apa yang harus dilakukan kalau ada *accident* misalnya, parti yang mana yang perlu cadangkan wakilnya?

Encik Husain bin Mahmood: Tidak perlu adakan pilihan raya kecil kerana wakil rakyat itu masih hidup dan tidak...

Dr. Mohd. Hatta Md. Ramli: Kalau mati?

Encik Husain bin Mahmood: Kalau mati, kita beri kepada calon yang kedua. Kalau dia melompat parti, kita beri kepada calon yang kedua.

Dr. Mohd. Hatta Md. Ramli: Calon asal?

Encik Husain bin Mahmood: Ya, calon yang kedua undi terbanyak.

Dr. Mohd. Hatta Md. Ramli: Tidak faham. Maksudnya, kita bagi itu bila dia melompat atau bila dia mati?

Encik Husain bin Mahmood: Jika seseorang calon itu meninggal dunia, sama ada dia melompat atau tidak, itu di Malaysia yang diguna pakai ialah melompat itu ialah sebahagian daripada proses demokrasi. Contohnya di Perak.

Tuan Pengerusi: Nombor dua lah.

Encik Husain bin Mahmood: Walaupun dalam sistem kita memilih calon bukan memilih parti, tetapi peraturan boleh dipinda.

Ketiga, deposit pilihan raya. Calon pilihan raya yang tidak mendapat jumlah undi pada kadar tertentu, 10 peratus atau lima peratus, disyorkan hanya hilang sebahagian misalnya 40 peratus daripada wang pertaruhan kerana calon tersebut sebenarnya telah berkorban dari segi harta benda, psikologi dan maruah dengan menawarkan diri bertanding dalam pilihan raya.

Jika kehilangan semua wang pertaruhan, ia seolah-olah menjadi hukuman awal kepada mana-mana calon sedangkan mereka adalah warga negara yang menjayakan sistem demokrasi di negara kita.

Tempoh pilihan raya – Perlembagaan menetapkan pilihan raya umum di negara kita hendaklah diadakan dalam jangka masa tidak melebihi lima tahun sekali atau dalam undang-undang tarikh terakhir ialah tarikh pertama Parlimen bersidang.

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Tarikh pertama Parlimen bersidang. Pada kebiasaannya, kerajaan mengadakan pilihan raya umum pada tahun keempat atau belum cukup lima tahun atau dalam jangka masa empat tahun lebih. Pada pemerhatian saya, tiga tahun sebelum Pilihan Raya Umum, rakyat telah bercakap mengenai pilihan raya akan datang dan bertambah ghairah sebelum dua tahun pilihan raya umum sehingga tumpuan produktiviti kerja tidak diutamakan. Di mana-mana, di kedai kopi, pejabat dan sebagainya apalagi jika setahun lagi pilihan raya umum akan diadakan seperti sekarang. Masing-masing akan memberi tumpuan terhadap isu-isu pilihan raya.

Oleh itu, saya mencadangkan patut dikaji pilihan raya umum selepas PRU ke-13 dan bukannya sekarang. Selepas PRU ke-13 adalah selama enam tahun sekali. Ia akan memberi peluang kepada kerajaan memberi tumpuan terhadap pembangunan dan ekonomi negara ke arah meningkatkan kualiti hidup rakyat daripada terpaksa melayan terlalu banyak isu-isu politik sama ada dalam parti sendiri atau isu-isu dalam negara. Ragam pilihan raya lima tahun sekali dapat ditunjukkan sebagaimana jadual berikut:

- (i) tahun pertama: Meraikan kemenangan pilihan raya. Meraikan semua. Yang Berhormat, penyokong, *open house*;
- (ii) tahun kedua: Tumpuan kepada pembangunan negara. Baru kita bercakap tentang pembangunan;
- (iii) tahun ketiga: Cakap-cakap pilihan raya;
- (iv) tahun keempat: Tertunggu-tunggu pilihan raya; dan
- (v) tahun kelima: Ghairah pilihan raya tidak boleh buat kerja.

Jadi saya cadangkan enam tahun sekali. Di Indonesia tujuh tahun sekali. Ini supaya rakyat tidak terlalu ghairah pilihan raya dan akhirnya kurang produktiviti. Kurang belajar, kurang itu.

Tempoh berkempen. Pada hemat saya, tempoh berkempen yang sesuai dalam konteks negara kita ialah dalam lingkungan 14 hari hingga 21 hari kerana ia dapat memberi keadilan kepada semua parti politik, calon dan penyokong untuk mendekati pengundi. Tempoh berkempen yang pendek seperti lapan hari hingga sepuluh hari kelihatan tergesa-gesa, tidak meluas, tidak mesra pengundi, kurang demokratik kerana pengundi juga memerlukan masa untuk mengenali calon-calon dengan lebih terperinci sebelum membuat keputusan.

Kita ada 14 negeri di Malaysia. Jika ketua parti politik atau pegawai kanan parti politik itu menjelajah satu negeri ke satu negeri, sekurang-kurangnya 14 hari dia perlukan. Jadi kita tidak bolehlah memberi alasan atas keselamatan negara tiba-tiba tujuh dan lapan hari sangat tidak demokratik.

Calon yang tewas pilihan raya bahagian Parlimen. Ini saya kutip daripada pergaulan saya yang meluas dengan masyarakat. Sebagai pemimpin masyarakat, Tuan Pengerusi, saya kutip benda-benda seperti ini dan selepas ini saya akan terangkan sedikit. Calon yang telah kalah dalam pilihan raya bahagian parlimen dicadangkan tidak boleh dilantik sebagai senator sehingga tempoh pilihan raya umum akan datang kerana dia telah tidak dipilih oleh rakyat, dalam bahasa halus. Bahasa sebenar telah ditolak oleh rakyat. Ini untuk mengelak daripada rakyat merasa tidak ada faedah keluar mengundi kerana kalah atau menang, ahli politik akhirnya akan menjadi ahli Parlimen sama ada di Dewan Rakyat atau Dewan Negara. Jalan mudah menganggotai *legislative body*.

Pendaftaran pemilih. Pada masa ini, seseorang warganegara hanya layak memohon mendaftar sebagai pemilih apabila berumur 21 tahun. Pendaftaran pemilih pula memerlukan pengesahan oleh mesyuarat SPR. Ini menyebabkan mana-mana warganegara yang baru cukup umur 21 tahun tidak semestinya berpeluang mengundi pada tahun dia berumur 21 tahun jika pilihan raya umum diadakan sebulan atau dua bulan selepas dia mendaftar sebagai pemilih kerana semata-mata masalah sistem dan pentadbiran.

Oleh itu disyorkan pendaftaran pemilih boleh dibuat apabila seseorang itu berumur 20 tahun dan layak hak mengundi jika hanya telah berumur 21 tahun. Umur 20 tahun, boleh mula daftar. SPR tunjukkan nama dia bila dia berumur 21 tahun. SPR mempunyai setahun atau kurang untuk memproses sebelum bakal pengundi berumur 21 tahun.

Contoh, nama anak bin bapa. Tarikh lahir 1 April 1991. Tarikh pilihan raya umum ke-13 atau PRU ke-13 andaikan pada 1 April 2012 atau 2 Mei 2012. Pada tarikh ini anak bin bapa telah berumur 21 tahun atau 21 tahun satu bulan tetapi berkemungkinan tidak dapat mengundi dalam PRU ke-13 kerana namanya belum disahkan sedangkan dia telah cukup umur 21 tahun. Akibatnya generasi baru lambat mendaftar kerana menunggu pilihan raya umum lima tahun lagi untuk berbuat demikian...

Tuan Pengerusi: Ini baru, ini baru.

Encik Husain bin Mahmood: Ya?

Tuan Pengerusi: Kami minati ini, kami minat.

Encik Husain bin Mahmood: Tuan Pengerusi, saya harap minat semua. Berdasarkan cadangan yang pertama pun minatlah.

Dr. Mohd. Hatta Md. Ramli: Saya rasa kalau automatik, selesai masalah.

Encik Husain bin Mahmood: Saya baca artikel dari parti-parti politik di Sabah. Mereka menentang pendaftaran automatik. Saya baca habis. Dalam *The Star* dan sebagainya. Saya pun tidak mahu mengulaslah.

Tuan Pengerusi: Saya tambah itu. Tidak juga menentang tetapi dia kata boleh tetapi bersihkan dahulu Daftar Pemilih.

Encik Husain bin Mahmood: Ya, itulah maksud saya. Cuma dalam bab itu saya tidak mahu hurai. Saya hendak tumpu saya, Tuan Pengerusi. Terima kasih.

Kedua, pada masa ini, bakal pemilih baru hanya didaftarkan daerah mengundi mengikut alamat semasa sebagaimana alamat dalam kad pengenalan masing-masing. Dia pergi pejabat pos dan pejabat pos kata ikut alamat ini. Bakal pemilih sepatutnya dibenarkan mendaftar di mana-mana kawasan pilihan raya yang dia ada kepentingan seperti harta, keluarga, tempat asal dan tempat kelahiran sebagaimana hak-hak dalam Perlembagaan.

Tuan Pengerusi: Saya setuju. Di mana-mana.

Encik Husain bin Mahmood: Ini kerana bila dia pergi daftar di pejabat pos, kerani daftar di pejabat pos kata saya tidak tahu undang-undang. Saya hanya ambil ini dan daftar sahaja sedangkan *graduate* itu berhujah mengikut Perlembagaan Malaysia. Jadi kita kembali kepada asal.

Kemudahan untuk pengundi pada hari mengundi. Tuan Pengerusi dan Ahli-ahli panel Yang Berhormat, Yang Berhormat Ahli-ahli panel PSC, sebelum saya datang ke sini saya buat *homework*. Sebenarnya *homework* ini saya telah buat setahun lebih. Namun setelah tertubuhnya PSC, saya sangat gembira dan saya kemukakan ini berdasarkan pandangan masyarakat bawahan dan campur aduk pandangan saya sendiri.

Seterusnya, kemudahan untuk pengundi pada hari mengundi. Pengundi pada kebiasaannya terpaksa berdiri dengan beratur panjang terutama di sebelah pagi sehingga menimbulkan *stress* sementara kerana ramai pengundi menunggu giliran masing-masing untuk menjalankan tanggungjawab sebagai pengundi. Berdasarkan pemerhatian, saya juga mendapati tidak semua orang mampu berdiri selama setengah jam atau lebih. Oleh itu kemudahan tempat duduk seperti kerusi hendaklah disediakan kepada pengundi. Ia tidaklah menyusahkan kerana sekolah sebagai tempat mengundi mempunyai banyak kerusi yang tidak digunakan pada hari tersebut. Susun berbaris untuk 200 orang Satu, satu, satu.

Ini lucu sedikit tetapi saya fikir wajar. Setiap pengundi wajar ditanggung kos mengundi. Bukan upah mengundi tetapi kos mengundi. Mungkin tidak dibuat di mana-mana negara seperti duit tambang untuk pergi dan balik dari mengundi pada kadar tertentu yang munasabah dan mampu oleh negara. Misalnya RM30 atau RM40 seorang. Kos ditanggung oleh negara dan bukannya oleh parti politik. Lucu sedikit tetapi munasabah dan relevan. Ia boleh diberi sama ada dalam bentuk tunai atau baucar, mana yang tidak menyusahkan. Itu masalah teknikallah.

Cadangan ini mungkin dilihat sebagai tidak patriotik kerana memberi wang kepada warganegara yang pergi mengundi sedangkan mengundi adalah menjadi tanggungjawab setiap pemilih yang berdaftar tetapi mungkin tidak diamalkan di negara lain. Walau bagaimanapun, ia bukanlah sebagai upah mengundi tetapi sebagai menampung kos pergi mengundi seperti tambang teksi dan kos petrol. Kos ini ditanggung sekali dalam masa lima tahun dan tidaklah membebankan negara. Saya telah bertanya kepada ramai orang tentang idea ini dan rata-rata mereka bersetuju dan menyambut baik cadangan ini di atas alasan kos walaupun tidak seberapa.

Kita tidak sepatutnya berhujah bahawa tidakkanlah untuk mengundi lima tahun sekali pun negara kena tanggung dan tidak sanggup berkorban untuk negara kerana ia adalah dalam kompleks dan perspektif yang lain. Perlu disedari bahawa ada orang yang tidak keluar mengundi sama ada di bandar atau di luar bandar kerana tidak mahu atau tidak mampu mengeluarkan kos tambahan pada hari berkenaan.

Cadangan kepada organisasi SPR sendiri. SPR patut memperkasakan bahagian penyelidikan dalam organisasinya sendiri untuk mengenal pasti dan mencadangkan langkah penyelesaian terhadap isu-isu mengenai pilihan raya yang berbangkit pada masa depan. Sebagai contoh, SPR perlu diberi galakan dan kemudahan kewangan untuk menjalin hubungan penyelidikan secara giat dengan IPTA dan IPTS ke arah berkongsi kepakaran dengan penyelidikan mengenai politik dan sistem pilihan raya. Budaya ini tidaklah sukar kerana berdasarkan pengalaman, saya mendapati SPR adalah sebuah organisasi yang menghargai ilmu dan menggunakan hasil penyelidikan dengan baik sekali.

Untuk pengetahuan Tuan Pengerusi dan juga ahli-ahli panel PSC, saya dan kawan-kawan saya dari UTM menjalankan penyelidikan mengenai faktor-faktor orang muda yang cukup umur 21 tahun tidak mendaftar sebagai pengundi pada tahun 1992 yang ada dalam web SPR itu. Saya bersama lima orang lagi kawan-kawan saya. Itulah *resultnya* dan kami dapati beberapa perkaralah. Responden kami seramai 9,000 orang dari Perlis hingga Sabah dan Sarawak dan ada pencadang dalam majlis panel ini mencadangkan tadi contohnya nombor siri.

Untuk pengetahuan semua, kami dapat *result* itu dan kami bentang kepada SPR, pemimpin parti politik, pemimpin masyarakat, pengundi dan bakal pengundi tidak suka nombor siri dan akhirnya SPR mengaplikasikan buat kali pertama dalam pilihan raya di Sarawak. Kami buat *research* ini pada tahun 1991 dan tahun 1992. Kami beritahu SPR dan boleh baca daripada laporan itu.

Contohnya kalaulah ada wang, kerana kami buat penyelidikan itu di bawah Jawatankuasateknikal yang ditubuhkan oleh Pejabat Konsul Negara, Jabatan Pendaftaran Negara, Jabatan Perangkaan dan di SPR. Contoh, kalau kami diberi peluang lagi, kami mahu buat seperti ini. Mengapa ada warganegara yang tidak keluar mengundi.

Dalam Pilihan Raya Umum, antara 80% hingga 85% keluar mengundi. Ada 15% hingga 20% ini siapa sebenarnya yang tidak mengundi. Kami hendak buat *research* itu. Kalau kami diberi wang, kami akan buatlah.

Satu lagi yang saya tidak tulis di sini. Saya takut orang marah. Kerusi Parlimen di Malaysia sebanyak 222 buah. Jika ditakdirkan 111 Kerusi lawan 111 Kerusi. Agak sukarlah, maaf cakap. Jadi kalau boleh SPR buat dalam bentuk angka ganjil. 223 buah kerusi, dia tidak akan sama jumlah kerusi yang dapat. Maafkan sayalah Yang Berhormat, Yang Berhormat. Kalau 222 buah kerusi, satu pihak dapat 111 kerusi dan satu pihak lagi dapat 111 kerusi. Jadi... [Disampuk] Oh, kita mahu pula. Kerajaan perpaduan tidak mahu pula.

Jadi saya, ahli-ahli panel PSC, walaupun dalam bentuk *joke*. Jadi itulah cadangan saya dan perkara ini kalau boleh diberikan perhatian dan saya tidak mahu panjang dan terima kasih kepada Tuan Pengerusi serta Yang Berhormat Dato' Seri Mohd. Radzi Sheikh Ahmad kerana sering melihat kepada saya, Yang Berhormat Dr. Mohd. Hatta Md. Ramli dan Yang Berhormat Tuan Mohamed Azmin Ali dan semua Yang Berhormat, Yang Berhormat.

Tuan Pengerusi: Semua okey? Terima kasih Encik Husain bin Mahmood. Banyak input yang baru yang perlu kami ambil kira. Saya minta Setiausaha Jawatankuasa yang mana-mana yang berkenaan bagi setiap bidang. Tunggu dahulu, Saudara Husain. Ada orang minat mahu tanya. Hendak berhujah. Sila Yang Berhormat Kuala Krai.

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Dr. Mohd. Hatta Md. Ramli: Saya berminat mengenai calon pilihan raya di kalangan kakitangan awam termasuk daripada SPR sendiri kalau hendak bertanding. Dia banyak ilmu dalam pilihan raya.

Tuan Pengerusi: [Ketawa]

Dr. Mohd. Hatta Md. Ramli: *Advantage* itu. Memang, kalau kita dalam umur berpencen kita boleh *fast track* kan pencen kita. Boleh ya? Kalau di dalam umur pencen dia boleh *fast track* kan pencen. Cuma kalau kita belum masuk umur pencen, bawah 40 misalnya hendak bertanding memang *we lose all*. Jadi, saya bersetuju cadangan ini sebab dia memberikan opsyen kepada kita sebab ini pun *part of government* juga, ada tiga peringkat bukan? Jadi, sepatutnya benda ini tidak *close*, boleh pindah-pindah. Oleh itu, saya bersetujulah untuk masa depan anak saya.

Encik Husain bin Mahmood: Yang Berhormat, minta cepatkan pindaan itu untuk membolehkan saya menyertai PRU-13 ini... [Ketawa]

Tuan Pengerusi: Kalau kalah pun setengah itu di *proceed* balik lagikan?... [Ketawa]

Dr. Mohd. Hatta Md. Ramli: Kalau hendak lawan Yang Berhormat Kuala Krai saya lambatkanlah.

Tuan Pengerusi: Okey, siapa lagi? Yang Berhormat Alor Gajah, sila.

Tan Sri Datuk Seri Dr. Fong Chan Onn: Sudah lama ini *at UM*?

Encik Husain bin Mahmood: *Yes Prof, I am sociology and anthropology student but I attend your class in Faculty of Economics.*

Tan Sri Datuk Seri Dr. Fong Chan Onn: Tadi Saudara Husain cadangkan seorang yang kalah tidak boleh dilantik sebagai Senator. Dalam pilihan raya itulah realiti politik, satu lawan dengan satu memang ada orang kalah, ada orang menang. Ada keadaan juga, calon yang sama kalah di Parlimen dan menang di DUN. Dalam keadaan tersebut bolehkah calon itu dilantik sebagai Senator? Dia kalah dalam satu peringkat tetapi masih menang dalam peringkat yang lain.

Encik Husain bin Mahmood: Rakyat merasa begini, kalau kalah di peringkat DUN bolehlah dilantik sebagai Senator tetapi kalau kalah di Dewan Rakyat, mengapa kita lantik dia sebagai *Members of Legislative Body* di peringkat Parlimen? Kita kalah di peringkat 'A', kita lantik di peringkat 'B'. Jadi, rakyat merasakan bahawa ahli politik ini akhirnya menjadi ahli juga...

Tan Sri Datuk Seri Dr. Fong Chan Onn: Kita lihat keadaan dunia lain itu, misalnya di Australia dia ada dua *list*. Satu *party list*, satu yang dilantik terus melalui kawasan. Ada *candidate* yang kalah dalam kawasan tetapi mereka boleh dijadikan sebagai wakil rakyat melalui *party list*. Ada amalan seperti itu. Bukan ertinya dia kalah, dia tidak ada *capability* tetapi dalam keadaan tersebut kalah menang tidak boleh diiktiraf sebagai malu atau apa pun. Itu adalah realiti politik. Bukan *boxing* dan sebagainya. Ini realiti politiklah.

Tuan Pengerusi: Ada satu, Saudara Husain, dia kata dia bukan kalah dia hanya tidak menang... *[Ketawa]*

Encik Husain bin Mahmood: Saya bagi respons kepada perbincangan Prof itu. Tuan Pengerusi, izinkan saya panggil Tan Sri Datuk Seri Dr. Fong Chan Onn sebagai Prof kerana dia Prof saya. Prof begini, kalau di Australia dan UK, dia ada Majlis Pilihan Raya Majlis Perbandaran. Kita ini tidak ada. Hanya satu-satunya ialah Parlimen atau Dewan Undangan Negeri. Jadi, kalau ambil lagi orang yang kalah lantik sana sedangkan kalau kita baca Perlembagaan pelantikan Senator itu adalah kerana kepakarannya, mewakili majoriti, mewakili Dewan Undangan Negeri dan sebagainya, maknanya ada semangat sendiri. Jadi, rakyat rasa macam, oh! Oleh kerana kepakarannya dalam kejuruteraan elektrik, ekonomi kita lantik Senator. Akan tetapi kalau kita lantik orang yang kalah pilihan raya, rakyat kata buat apa keluar mengundi? Akhirnya ahli politik jadi *legislative body*. *Thank you.*

Tuan Pengerusi: Ada yang *fresh* di dalam penyampaian Saudara Husain. Terima kasih banyak. Kalau ada tambahan maklumat dan idea-idea, e-mel kepada kami sebab kami selesai tugas pada bulan April. Minta pihak SPR – tunggu Saudara Husain, SPR hendak tanya.

Encik Harun Che Su [Timbalan Setiausaha (Penyelidikan) Suruhanjaya Pilihan Raya]: Tuan Pengerusi, ada cadangan mengenai umur pemilih didaftar satu tahun awal. Sebenarnya ada negara luar yang buat benda itu.

Saya rasa Australia dengan UK yang masuk senarai setahun lebih awal. Sana 17 tahun sudah daftar sebagai pengundi. Bila sampai masa pilihan raya *then* automatik.

Tuan Pengerusi: Saya rasa saya melihat beberapa ahli Jawatankuasadi sini minat untuk ditelitikan. Kita boleh teliti itu. Jadi, ngam-ngam 21, kalau pilihan raya waktu itu dia sudah masuk sudah di dalamnya. *I think so. Okay, thank you for the submission. Thank you.*

Okey, tuan-tuan dan puan-puan, Dato'-Dato', Ahli-ahli Yang Berhormat, saya tangguhkan mesyuarat sampai jam 8.30 besok ada lima kumpulan, itu belum masuk *walk-in* lagi. *So*, saya katakan kepada media di Johor ini orang minat bercakap dan dia punya cakap banyak isi juga. *So, we are willing to listen.* Sila.

Mesyuarat ditangguhkan pada pukul 5.06 petang.